

PREA Facility Audit Report: Final

Name of Facility: Bradshaw State Jail

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 02/15/2023

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input type="checkbox"/>
Auditor Full Name as Signed: Debra D. Dawson	Date of Signature: 02/15/2023

AUDITOR INFORMATION	
Auditor name:	Dawson, Debra
Email:	dddawsonprofessionalaudits@gmail.com
Start Date of On-Site Audit:	12/19/2022
End Date of On-Site Audit:	12/21/2022

FACILITY INFORMATION	
Facility name:	Bradshaw State Jail
Facility physical address:	P.O. Box 9000, Henderson, Texas - 75653
Facility mailing address:	

Primary Contact	
Name:	William Glasgow
Email Address:	william.glasgow@mtctrains.com
Telephone Number:	903-655-0880

Warden/Jail Administrator/Sheriff/Director	
Name:	Jerry.Rayford
Email Address:	Jerry.Rayford@mtctrains.com
Telephone Number:	903-655-0880

Facility PREA Compliance Manager	
Name:	William Glasgow
Email Address:	William.glasgow@mtctrains.com
Telephone Number:	O: 903-655-0880

Facility Health Service Administrator On-site	
Name:	Ryan White
Email Address:	Rywhite@utmb.edu
Telephone Number:	903-655-0880

Facility Characteristics	
Designed facility capacity:	1980
Current population of facility:	739
Average daily population for the past 12 months:	570
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Males
Age range of population:	18-70
Facility security levels/inmate custody levels:	Minimum
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	107
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	0
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	39

AGENCY INFORMATION	
Name of agency:	Management & Training Corporation, Inc.
Governing authority or parent agency (if applicable):	
Physical Address:	500 North Marketplace Drive, Centerville, Utah - 84014
Mailing Address:	
Telephone number:	8016932600

Agency Chief Executive Officer Information:	
Name:	Scott Marquardt
Email Address:	
Telephone Number:	

Agency-Wide PREA Coordinator Information			
Name:	Heather Manuz	Email Address:	heather.manuz@mtctrains.com

SUMMARY OF AUDIT FINDINGS	
<p>The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.</p> <p>Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.</p>	
Number of standards exceeded:	
1	<ul style="list-style-type: none"> • 115.71 - Criminal and administrative agency investigations
Number of standards met:	
44	
Number of standards not met:	
0	

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2022-12-19
2. End date of the onsite portion of the audit:	2022-12-21

Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	Women's Center of East Texas, Just Detention International, and BSJ/MTC Offender Victim Representative

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	1980
15. Average daily population for the past 12 months:	570
16. Number of inmate/resident/detainee housing units:	37
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

Audited Facility Population Characteristics on Day One of the Onsite Portion of the Audit

Inmates/Residents/Detainees Population Characteristics on Day One of the Onsite Portion of the Audit

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	750
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	11
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	16
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	1
41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	0
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	9

<p>43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:</p>	<p>3</p>
<p>44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:</p>	<p>2</p>
<p>46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:</p>	<p>12</p>
<p>47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):</p>	<p>No text provided.</p>
<p>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</p>	
<p>49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:</p>	<p>107</p>

<p>50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>55</p>
<p>51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>23</p>
<p>52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:</p>	<p>No text provided.</p>

INTERVIEWS

Inmate/Resident/Detainee Interviews

Random Inmate/Resident/Detainee Interviews

<p>53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>26</p>
<p>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</p>	<p><input checked="" type="checkbox"/> Age</p> <p><input checked="" type="checkbox"/> Race</p> <p><input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic)</p> <p><input checked="" type="checkbox"/> Length of time in the facility</p> <p><input checked="" type="checkbox"/> Housing assignment</p> <p><input type="checkbox"/> Gender</p> <p><input type="checkbox"/> Other</p> <p><input type="checkbox"/> None</p>

55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	Inmates were selected from each of the various housing units using rosters with race, age, ethnicity and length of time at the facility.
56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
Targeted Inmate/Resident/Detainee Interviews	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	13
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	3

<p>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>3</p>
<p>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>
<p>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>Staff nor the inmate population identified inmates who were deaf and/or hard of hearing.</p>
<p>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>

<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>2</p>
<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility did not identify inmates as transgender and/or intersex at the facility. The three previously assigned transgender inmates were either transferred or released from custody prior to the site visit.</p>
<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>1</p>
<p>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</p>	<p>2</p>

<p>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</p>	<p>0</p>
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<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
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<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility does not place inmates in segregation due to being at risk of sexual victimization and there were no inmates identified as being at risk of sexual victimization during the site visit.</p>
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<p>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</p>	<p>No text provided.</p>
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Staff, Volunteer, and Contractor Interviews

Random Staff Interviews

<p>71. Enter the total number of RANDOM STAFF who were interviewed:</p>	<p>18</p>
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<p>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</p>	<p><input type="checkbox"/> Length of tenure in the facility</p> <p><input type="checkbox"/> Shift assignment</p> <p><input type="checkbox"/> Work assignment</p> <p><input type="checkbox"/> Rank (or equivalent)</p> <p><input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>
<p>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>No text provided.</p>
<p>Specialized Staff, Volunteers, and Contractor Interviews</p>	
<p>Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.</p>	
<p>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</p>	<p>23</p>
<p>76. Were you able to interview the Agency Head?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

78. Were you able to interview the PREA Coordinator?	<input checked="" type="radio"/> Yes <input type="radio"/> No
79. Were you able to interview the PREA Compliance Manager?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)

- Agency contract administrator
- Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment
- Line staff who supervise youthful inmates (if applicable)
- Education and program staff who work with youthful inmates (if applicable)
- Medical staff
- Mental health staff
- Non-medical staff involved in cross-gender strip or visual searches
- Administrative (human resources) staff
- Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff
- Investigative staff responsible for conducting administrative investigations
- Investigative staff responsible for conducting criminal investigations
- Staff who perform screening for risk of victimization and abusiveness
- Staff who supervise inmates in segregated housing/residents in isolation
- Staff on the sexual abuse incident review team
- Designated staff member charged with monitoring retaliation
- First responders, both security and non-security staff

	<input checked="" type="checkbox"/> Intake staff <input type="checkbox"/> Other
81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Enter the total number of VOLUNTEERS who were interviewed:	1
b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)	<input type="checkbox"/> Education/programming <input type="checkbox"/> Medical/dental <input type="checkbox"/> Mental health/counseling <input checked="" type="checkbox"/> Religious <input type="checkbox"/> Other
82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Enter the total number of CONTRACTORS who were interviewed:	4
b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)	<input type="checkbox"/> Security/detention <input type="checkbox"/> Education/programming <input checked="" type="checkbox"/> Medical/dental <input type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input type="checkbox"/> Other

83. Provide any additional comments regarding selecting or interviewing specialized staff.	Mental health staff identified as contract staff was also interviewed
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SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

PREA Standard 115.401 (h) states, "The auditor shall have access to, and shall observe, all areas of the audited facilities." In order to meet the requirements in this Standard, the site review portion of the onsite audit must include a thorough examination of the entire facility. The site review is not a casual tour of the facility. It is an active, inquiring process that includes talking with staff and inmates to determine whether, and the extent to which, the audited facility's practices demonstrate compliance with the Standards. Note: As you are conducting the site review, you must document your tests of critical functions, important information gathered through observations, and any issues identified with facility practices. The information you collect through the site review is a crucial part of the evidence you will analyze as part of your compliance determinations and will be needed to complete your audit report, including the Post-Audit Reporting Information.

84. Did you have access to all areas of the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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Was the site review an active, inquiring process that included the following:

85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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<p>87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>88. Informal conversations with staff during the site review (encouraged, not required)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</p>	<p>No text provided.</p>
<h2 style="text-align: center;">Documentation Sampling</h2>	
<p>Where there is a collection of records to review-such as staff, contractor, and volunteer training records; background check records; supervisory rounds logs; risk screening and intake processing records; inmate education records; medical files; and investigative files-auditors must self-select for review a representative sample of each type of record.</p>	
<p>90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</p>	<p>No text provided.</p>

SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

Remember the number of allegations should be based on a review of all sources of allegations (e.g., hotline, third-party, grievances) and should not be based solely on the number of investigations conducted. Note: For question brevity, we use the term “inmate” in the following questions. Auditors should provide information on inmate, resident, or detainee sexual abuse allegations and investigations, as applicable to the facility type being audited.

92. Total number of SEXUAL ABUSE allegations and investigations overview during the 12 months preceding the audit, by incident type:

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	0	0	0	0
Staff-on-inmate sexual abuse	2	0	2	0
Total	2	0	2	0

93. Total number of SEXUAL HARASSMENT allegations and investigations overview during the 12 months preceding the audit, by incident type:

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual harassment	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	0	0	0

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

Note: these counts should reflect where the investigation is currently (i.e., if a criminal investigation was referred for prosecution and resulted in a conviction, that investigation outcome should only appear in the count for “convicted.”) Do not double count. Additionally, for question brevity, we use the term “inmate” in the following questions. Auditors should provide information on inmate, resident, and detainee sexual abuse investigation files, as applicable to the facility type being audited.

94. Criminal SEXUAL ABUSE investigation outcomes during the 12 months preceding the audit:

	Ongoing	Referred for Prosecution	Indicted/ Court Case Filed	Convicted/ Adjudicated	Acquitted
Inmate-on-inmate sexual abuse	0	0	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0	0
Total	0	0	0	0	0

95. Administrative SEXUAL ABUSE investigation outcomes during the 12 months preceding the audit:

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	0	0	0
Staff-on-inmate sexual abuse	0	1	0	1
Total	0	1	0	1

Sexual Harassment Investigation Outcomes

Note: these counts should reflect where the investigation is currently. Do not double count. Additionally, for question brevity, we use the term "inmate" in the following questions. Auditors should provide information on inmate, resident, and detainee sexual harassment investigation files, as applicable to the facility type being audited.

96. Criminal SEXUAL HARASSMENT investigation outcomes during the 12 months preceding the audit:

	Ongoing	Referred for Prosecution	Indicted/ Court Case Filed	Convicted/ Adjudicated	Acquitted
Inmate-on-inmate sexual harassment	0	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0	0
Total	0	0	0	0	0

97. Administrative SEXUAL HARASSMENT investigation outcomes during the 12 months preceding the audit:

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	0	0	0

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:	2
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<p>99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)</p>
<p>Inmate-on-inmate sexual abuse investigation files</p>	
<p>100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>0</p>
<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>Staff-on-inmate sexual abuse investigation files</p>	
<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>2</p>
<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>

<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
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Sexual Harassment Investigation Files Selected for Review

<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
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<p>a. Explain why you were unable to review any sexual harassment investigation files:</p>	<p>There were no reported allegations of sexual harassment during the 12-month review period throughout the post audit.</p> <p>There were only two reported allegations during the review period, since the opening of the facility on October 20, 2021, and throughout the post audit period. These investigations were identified as staff on inmate sexual abuse cases and were conducted as administrative cases only. Both investigations were reviewed.</p>
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<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
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Inmate-on-inmate sexual harassment investigation files

<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
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<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>Staff-on-inmate sexual harassment investigation files</p>	
<p>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
<p>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>

<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>There were zero reported allegations of staff on inmate sexual harassment reported since the opening of the facility, 12-month review period and/or post audit period.</p>
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SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

<p>115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>
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Non-certified Support Staff

<p>116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>
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AUDITING ARRANGEMENTS AND COMPENSATION

<p>121. Who paid you to conduct this audit?</p>	<p> <input type="radio"/> The audited facility or its parent agency <input type="radio"/> My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option) <input checked="" type="radio"/> A third-party auditing entity (e.g., accreditation body, consulting firm) <input type="radio"/> Other </p>
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Identify the name of the third-party auditing entity

Correctional Management and Communications Group (CMCG)

Standards

Auditor Overall Determination Definitions

- Exceeds Standard
(Substantially exceeds requirement of standard)
- Meets Standard
(substantial compliance; complies in all material ways with the stand for the relevant review period)
- Does Not Meet Standard
(requires corrective actions)

Auditor Discussion Instructions

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

<p>115.11</p>	<p>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) Policy 903E.02 Sexual Safety in Prisons 3. Confirmation of Assignment for MTC PREA Coordinator and Assistant MTC PREA Coordinator 4. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 5. BSJ Organizational Chart 5. Interviews: <ol style="list-style-type: none"> a. MTC PREA Coordinator b. BSJ PREA Compliance Manager <p>115.11 (a) In accordance with MTC #903E.02, the policy outlines procedures and expectations that mandates a zero-tolerance toward all forms of sexual abuse and sexual harassment. MTC’s approach to preventing, detecting and responding to allegations of sexual abuse and sexual harassment is included within the policy that demonstrates an aggressively response to, investigate, and support the prosecution of incidents of sexual violence in all MTC operated prisons, through an internal administrative discipline process and an external partnership with law enforcement and county prosecutors. Sexual contact between staff and offenders, volunteers, and offenders or contract personnel and offenders, regardless of consensual status is prohibited and subject to administrative and criminal disciplinary sanction.</p> <p>Any staff member who is found to have perpetrated sexual abuse or sexual harassment will be discipline in accordance with agency Employee Discipline and subject to employment termination in addition to subject to criminal prosecution as applicable.</p> <p>Any inmate, detainee or resident who is found to have perpetrated sexual abuse or sexual harassment will be discipline as outlined in MTC policy and subjected to criminal prosecution as applicable.</p> <p>The Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan has a zero tolerance for all forms of sexual abuse and sexual harassment of offenders. The TDCJ shall take a proactive approach concerning the detection, prevention, response, and punishment of sexual abuse, including consensual sexual contact while in TDCJ custody.</p>
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115.11 (b) Pursuant to MTC #903E.02, MTC will designate an upper-level PREA Coordinator for the company who has sufficient time and authority to develop, implement and oversee MTC's efforts to comply with PREA standard in all facilities. The MTC agency Vice President has designated an agency PREA Coordinator and Assistant PREA Coordinator for all MTC correctional facilities. An interview was conducted with the MTC PREA Coordinator who confirmed, MTC operates 29 facilities and a PREA Compliance Manager is assigned at each. An Assistance PREA Coordinator is also assigned within the agency to assist in the monitoring of compliance with each facility. There are four regions, and each has a Regional Director who also assists in monitoring for PREA compliance. Upon the discovery of any concerns in meeting and/or maintaining compliance of any standard, notification is shared with all to include the affected facility's Warden and a development of corrective measures would be implemented to ensure compliance is adhered to. This includes the review of policies, procedures, identifying available resources, reviewing the frequently asked questions within the PREA Resource Center, reaching out to the PREA Resource Center for assistance as needed, and conducting follow-ups to restore compliance. Internal audits are completed by herself and the MTC Assistant PREA Coordinator while reviewing the agency's internal data system that allows them to be knowledgeable of PREA related data such as reported PREA allegations, risk screenings, and other information.

115.11 (c) MTC #903E02, includes the agency's requirement to designate a PREA Compliance Manager who has sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards. An interview with BSJ PREA Compliance Manger indicated he prioritize his time and duties to ensure the initiation and monitoring of compliance of all PREA standards. As the facility was recently opened, continuous training is being provided to all staff and each inmate upon their arrival. In addition to staff receiving PREA training during pre-service, staff receive training during shift briefings, and departmental meetings. He conducts walk-throughs while being observant of possible blind spots, discussing various scenarios with staff for training purposes, and providing guidance on measures to ensure the prevention and detection of sexual abuse and sexual harassment and the duties of staff serving as a first responder. He concluded by stating, he reports directly to the Assistant Warden and Warden with any PREA concerns he encounters.

Based on the review of TDCJ and MTC policies, review of the assignment of the MTC PREA Coordinator and Assistant PREA Coordinator, BSJ organizational chart and interviews with the BSJ PREA Compliance Manager and MTC PREA Coordinator, it is determined that BSJ does meet all provisions of the standard.

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none">1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ)2. Memorandum submitted by the BSJ PREA Compliance Manager3. Interviews:<ol style="list-style-type: none">a. TDCJ Contract Monitorb. BSJ PREA Compliance Managerc. BSJ Warden <p>The BSJ does not have authority to contract with other entities for the confinement of inmates. The authorizing contract that allows for the confinement of offenders at BSJ is between the Texas Department of Criminal Justice and the Management & Training Corporation (MTC).</p> <p>Per interviews with the BSJ Compliance Manager, BSJ Warden, TDCJ Contract Monitor, BSJ is under contract with the Management & Training Corporation through the Texas Department of Criminal Justice and therefore, is not authorized to contract with other agencies for the confinement of its inmates. The agency and BSJ meets all provisions of this standard.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management and Training Corporation #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 4. TDCJ Security Staffing AD. 11.52 5. TDCJ Security Memorandum SM 01.14 6. BSJ Staffing Plan Review 7. Security Daily Rosters 8. Documentation of Unannounced Rounds 9. Interviews: <ol style="list-style-type: none"> a. BSJ Warden b. BSJ PREA Compliance Manager c. MTC PREA Coordinator d. Security Supervisor <p>115. 13 (a) The MTC 903E.02, TDCJ Safe Prisons/PREA Plan, TDCJ Security Staffing AD. 11.52, and TDCJ Security Memorandum SM 01.14 governs the mandate of the standard provisions. Facilities are required to develop, document, and make their best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring to protect inmates against abuse. The facility presented a staffing plan that confirms its obligation to develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing and video monitoring to protect inmates against abuse. The BSJ was closed in June 2020 and reopened while receiving the first inmates on October 20, 2021. The facility was identified to complete the activation of the facility in various phases to include the staffing and receipt of inmates. As of the site visit, the facility was operating within the third phase of activation that included the maximum amount of 750 inmates. The designed facility capacity is 1980. Therefore, the current staffing plan was developed for a daily inmate population of 750. The average daily inmate population during the 12-month review was 571. However, the inmate count on the first day of the site visit was 750.</p> <p>A Staffing Plan was developed to ensure an adequate staffing level is always</p>

maintained during each shift to protect inmates from sexual abuse and video monitoring is a major role of providing protection. The facility's staffing plan includes video monitoring as part of the staffing plan in addition to all elements within the standard provision that were considered during the development and review. A total of 137 cameras are located throughout the facility to include all housing units, visitation area, medical, education, hallway, library, administration area, food service, intake area, laundry, recreation areas and fences. Staff conduct regular walk throughs to identify and eliminate possible blind spots, placement of staff, consideration of the inmate population and changes, programming, reported PREA allegations and investigative findings, and a review of sexual abuse comparison. Interviews with the Warden and PREA Compliance Manager confirmed the facility is operating in the third phase of activation with the maximum number of 750 inmates due to an insufficient number of staff to operate at a higher level. BSJ employed 107 BSJ staff during the site visit that did not include the 23-contract medical and mental health. Although 208 staff were hired since the opening, numerous staff elected to resign and/or were terminated. Per the Warden, he has not identified any additional areas in which an increase in video monitoring was needed as all areas have been addressed previously with video cameras and/or mirrors. The recruitment for additional employee applicants is an ongoing agenda in an effort to meet the mission of the facility. Meanwhile the reassignment of authorized positions and overtime is utilized by security supervisors as needed to ensure compliance with the staffing plan. All elements within the standard were included in the development of the Staffing Plan.

115.13(b) Per the agencies' policies, each time the staffing plan is not complied with, the facility documents and justifies all deviations from the staffing plan. The auditor reviewed a random selection of security rosters for both shift schedules of 6:00 a.m. – 6:30 p.m. and 6:00 p.m. – 6:30 a.m. No discrepancies were noted in the assignment of security posts identified as critical/mandatory. Adjustments in roster assignments were made that included overtime compensation that ensured the required coverage was provided. The review of the randomly selected daily security rosters, indicated the facility has not encountered any instances in which the facility did not maintain compliance with the staffing plan. On such occasions, where available staff is not accessible to provide sufficient coverage of all priority post assignments, program functions such as religious services and/or outside recreation may be cancelled.

Per an interview with the Warden, the security staff rosters are reviewed daily by himself, the Major and Assistant Warden to monitor staffing and ensure proper security coverage. During instances, where all required positions are not filled, overtime is offered. However, if additional staff is not available the Regional Director is notified and may approve additional roster adjustments from non-priority assignments and/or staff reporting from other nearby agency facilities.

115.13 (c) In accordance with MTC 903E.02, and TDCJ Safe Prisons/PREA Plan at least once every year, the facility in collaboration with the PREA Coordinator, reviews the staffing plan to determine whether adjustments are needed in (a) the staffing plan, (b) the deployment of monitoring technology and/or (c) the allocation of agency/facility resources to commit to the staffing plan to ensure compliance. The facility will document the review on the Annual Staffing Plan Review Certification and submit it to

the MTC PREA Coordinator and Regional Vice President. Per an interview with the MTC PREA Coordinator, she identified at least once a year and as often as needed, she is consulted regarding any assessment of the staffing plan and/or adjustments made as such. A review of the most recently submitted BSJ Staffing Plan confirmed it was reviewed by the BSJ PREA Compliance Manager on July 20, 2022, and by the BSJ Warden and MTC PREA Coordinator on August 1, 2022.

115.13 (d) In accordance with MTC 903E.02, and TDCJ Safe Prisons/PREA Plan, intermediate-level and higher level staff are required to conduct unannounced rounds to identify and deter staff and inmate sexual abuse and sexual harassment. Such practice shall be implemented and documented for night shifts as well as day shifts, Staff shall not alert other staff of the conduct of such rounds. The auditor conducted reviews of unannounced round logs for housing units and all areas throughout the facility. A tracking log of unannounced rounds are documented on a monthly tracking log identifying weekly rounds in all areas of the facility by the Warden, Assistant Warden, and security supervisors. Security supervisory staff also documented conducting rounds in the unoccupied inmate housing units. Interviews with supervisory staff indicated the completion of unannounced rounds are not conducted in a set pattern, as the time of the rounds vary from day to day and are conducted by various supervisory staff throughout each shift. Staff identified as notifying others of supervisory rounds would initially receive counseling followed by disciplinary actions for repeated occurrences.

Based on the review of the BSJ Staffing Plan that identified all elements within the standard, selected security roster assignments with no instances of non-compliance with the staffing plan, review of unannounced supervisory rounds, and interviews with BSJ Warden, BSJ PREA Compliance Manager, MTC PREA Coordinator and BSJ supervisory staff, BSJ does meet all provisions of the standard.

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed PREA-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Site Observation 4. Interview: <ol style="list-style-type: none"> a. BSJ PREA Compliance Manager <p>115.14 (a) (b) (c) BSJ is an adult prison and does not house juvenile offenders. Per the PAQ and interview with the BSJ PREA Compliance Manager, offenders designated at BSJ are beyond the age of 18 years old. However, MTC does have a policy in place for holding juveniles.</p> <p>In accordance with MTC 903E.02, Youthful inmate means any person under the age of 18 who is under adult court supervision and incarcerated or detained in prison or jail. Youthful detainees mean any person under the age of 18 who is under adult court supervision and detained in a locked-up prison.</p> <p>MTC prohibits placing youthful inmates in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters. In areas outside of housing units, MTC shall either (1) maintain sight and sound separation between youthful inmates and adult inmates, or (2) provide direct staff supervision when youthful inmates and adults have sight, sound, and physical contact. Facilities will make it's best efforts to avoid placing youthful inmates in isolation to comply with provision.</p> <p>Based on the review of MTC policy, BSJ PAQ, observation during the site-visit, and interview with the BSJ PREA Compliance Manager, it is determined BSJ meets all provisions of the standard.</p>

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed PREA-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/ PREA Plan 4. Search Training Lesson Plan 5. Interviews: <ol style="list-style-type: none"> a. Random Security and Non-Security Staff <p>115.15(a) In accordance with MTC #903E.02 and TDCJ Safe Prisons/PREA Plan, the facility will not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners. (b)The facility will not permit cross -gender pat down searches of female inmates, absent exigent circumstances. The facility will document all cross gender strip searches, cross-gender visual body cavity searches, and cross gender pat searches of female inmates.(c) Facility shall not restrict females inmates access to regularly available programming or other out-of-cell opportunities in order to comply with provision.(d) The facility will enable inmates to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstance or when such viewing is incidental to routine cell checks. The facility will maintain a log of exigent circumstances. The facility will develop a system by which staff of the opposite gender shall announce their presence when entering an inmate housing unit. (e) The facility shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate’s genital status. (f) Security staff shall be trained in how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.</p> <p>There were zero reported non-medical staff performance of cross-gender strip and/or visual searches during the management operation of BSJ.</p> <p>115.15 (b) (c) BSJ is an adult male facility only and does not house female inmates, therefore these provisions are not applicable.</p> <p>115.15 (d) Offenders identified as transgender, or intersex shall be given the opportunity to shower separately from other offenders in accordance with Correctional Managed Health Care (CMHC) policies. The facility identified three (3)</p>

inmates identified as transgender were housed at BSJ during the 12-month review period. Per an interview with the BSJ PREA Compliance Manager, each of the inmates were offered the opportunity to enter the restricted housing unit to shower in individual closed showers at designated times, but the two inmates who remained in the general population elected to shower within their assigned housing units. One inmate requested Safekeeping upon his arrival during the risk screening and was placed in a single cell and allowed to shower alone. Interviews with random staff confirmed their awareness that inmates identified as transgender, or intersex would be offered to shower alone. There were no inmates housed at BSJ during the site visit identified as transgender and/or intersex to conduct an interview.

115. 15 (e) (f) Agency policies include the searching of transgender and/or intersex inmates for the sole purpose of determining the inmate's genital status is prohibited. Additionally, staff are required to complete training on how to conduct searches of cross-gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner and in the least intrusive manner possible, consistent with security needs. There were zero inmates identified as transgender and/or intersex housed at BSJ during the site visit for interviews. Interviews with staff confirmed their understanding that such searches are prohibited. Staff also acknowledged the completion of search training that included the searching procedures within the provision during searches of transgender and intersex inmates. A copy of the search training lesson plan and confirmation of completion of training for all staff was provided for review. However, non-security staff does not conduct searches of the inmate population.

Based on the review of agencies policies, observation during the site visit of shower and restroom usage for the inmate population, interviews with staff and the inmate population, review of search training lesson plan and documentation of staff's completion, BSJ does meet all provisions of the standard.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. MTC #903E.02 Sexual Safety in Prisons 3. TDCJ Safe Prisons/PREA Plan 4. Agreement Between MTC and North American Master Services Agreement for Language Line Services 5. TDCJ Administrative Directive AD-04.25 Language Assistance Services to Offenders Identified as Monolingual Spanish-Speaking 6. Use of Language Line During LEP Inmate Interview 7. PREA Material in Spanish Language 8. Interviews: <ol style="list-style-type: none"> a. Agency Head b. BSJ PREA Compliance Manager c. Random Staff d. Limited English Inmate (Spanish) e. Inmates Identified as Deaf and Hard of Hearing f. Inmates Identified as Blind and Low Vision g. Inmates Identified with Cognitive Behavior Disabilities h. Inmates with Physical Disabilities <p>115.16 (a) (b) (c) Per MTC #903E.02, MTC will take appropriate steps to ensure inmates with disabilities and who are limited English proficient have an equal opportunity to participate in or benefit from all aspects of MTC's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. i) Contracting with interpreters or other professionals (including designated facility staff) hired to ensure effective communication with inmates who are Limited English Proficient. ii) Developing written materials used to effectively communicate about PREA with inmates with disabilities or limited reading skills. iii) Training staff on PREA complaint practices for inmates with disabilities. For PREA related activities, MTC prohibits the</p>

use of inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate 's safety, the performance of first-response duties under 115.64, or the investigation of the inmate's allegations.

Pursuant to TDCJ Safe Prisons/PREA Plan, Appropriate steps shall be taken to ensure offenders with disabilities, including offenders who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities, have an equal opportunity to participate in or benefit from all aspects of TDCJ efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Staff shall provide access to qualified interpreters, when necessary, to ensure effective communication with offenders who are deaf or hard of hearing. Written materials shall be provided in accordance with TDCJ policies and procedures, to ensure effective communication with offenders with disabilities, limited reading skills, or who are blind or have low vision. Offenders with limited English proficiency shall be provided meaningful access to information regarding TDCJ efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary that include: a) when seeking interpreters, staff shall not rely on offender interpreters, offender readers, or other types of offender assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the offender's safety, the performance of first-response duties described within this plan, or the investigation of the offender's allegations; b) Staff shall follow appropriate TDCJ policies and procedures for obtaining a qualified interpreter. Staff shall accept reports made verbally, in writing, anonymously, and from third parties, and shall promptly document any verbal report. Inmates with recognized disabilities and Limited English Proficiency (LEP) shall be advised of the Department's zero tolerance policy on sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment in accordance resources outlined in "American with Disabilities Act Provisions for Inmates." Resources identified for inmates with disabilities include closed captions (deaf/hard of hearing); large print material (impaired vision); reading of materials to inmate(s) by staff (blind /limited mental capacity); the Department translator List (LEP); and Language Line services (LEP). LEP inmates should be provided PREA education in their primary language.

TDCJ Administrative Directive AD-04.25 states the TDCJ ensure language assistance services are provided to eligible offenders. The Language assistance services primarily consist of making available qualified interpreters for certain unit and district parole office (DPO) activities and proceedings, to include translating selected TDCJ documents and informational postings, and providing English language classes.

The AD-04.25 identified a Qualified Interpreter as an employee designated by the TDCJ who has demonstrated a satisfactory level of competency in both Spanish and English languages. Individuals scoring Level 4 or 5 on the Language Assessment Scales (LAS) Spanish oral proficiency test are considered proficient or fluent in speaking Spanish and are eligible to provide interpretation services.

Per the Agency Head, MTC take appropriate step to prevent, and detect, and respond to sexual abuse and sexual harassments that include Language Line Services, Inc., or other professionals including designated facility staff, who are hired to ensure effective communication with inmates who are limited English proficient. Developing written material are used for effective communication about PREA with inmate with disabilities or limited reading skills. Staff receive training on PREA compliance practices for inmates with disabilities. For PREA related activities, MTC prohibits the use of inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay obtaining an effective interpreter could compromise the inmate's safety

Interviews with random staff confirmed their knowledge of the agency's policy to not use inmates to interpret for other inmates who are reporting and/or investigating PREA allegations. All stated they would contact a supervisor and translation services would be authorized by the supervisor through the Language Line. Per the review of the PAQ and interviews with staff, there were zero instances where an inmate was utilized to translate for another inmate when reporting and/or investigating PREA allegations.

Interviews were also conducted with inmates identified with the various disabilities: 1 - low vision; 1-limited English Proficiency; 3 - with physical disabilities; and 3- as a cognitive behavior disability. All inmates confirmed receiving PREA education in a method they were able to understand.

The facility identified 9 inmates housed at the facility Limited English Proficient (LEP). One inmate identified as LEP (Spanish) was selected for an interview by the auditor. Per an interview with the BSJ PREA Compliance Manager, the facility is required to utilize the North American Master Services Language Line for all inmate translation services as the facility does not currently employ staff who have met the requirement to become certified as a qualified interpreter. The translation services were provided by the National American Master Services Agreement for Language Line Services via telephone. The inmate identified as LEP stated he was provided PREA education to him during intake and orientation in addition to observing the PREA video, facility handbook, PREA pamphlet, and other PREA material in his Spanish language in addition to his observation of the PREA posters throughout the facility.

BSJ did not identify inmates housed at the facility throughout the review period and/or site visit with the disabilities of deaf/hard of hearing, or totally blind.

Interviews conducted with three inmates identified as cognitively disabled, confirmed they were able to understand through the delivery of information delivered to them while speaking slowly and clearly. Both inmates stated they understood the PREA education provided to them during intake and orientation in addition to the PREA posters throughout the facility.

One inmate was identified as low vision (legally blind) during the interview process and confirmed staff provided verbal PREA education to them and in addition to their ability to listen to the presentation of the PREA video provided.

The facility identified 30 inmates with physical disabilities and three (3) were selected for interviews. All inmates acknowledged their receipt of PREA education in a manner they were able to fully understand through the delivery of presentations by staff, the facility handbook, PREA posters throughout the facility and observation of the PREA video.

Based on the review of agency policies, observation during the site visit, interviews with inmates within various disabilities, agency's available resources to assist inmates through an established agreement with the National American Master Services Agreement for Language Line Services and certified translators, interviews with staff, BSJ does meet all provisions of the standard.

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice Safe Prisons/PREA Plan 4. Completed Background Checks for MTC/BSJ Staff, Contractors and Volunteers 5. New Hires and Promoted Staff PREA Verification Forms 6. Interview: <ol style="list-style-type: none"> a. Human Resource Director b. Program Supervisor of Volunteer Services <p>115.17 (a) (b) (c) (d) (e) (f) (g) (h) The MTC #903E.02 and the TDCJ Safe Prisons/PREA Plan outlines the agency’s policies and procedures to ensure criminal background checks are conducted on all new hires to include contractors and volunteers prior to approving employment. Agency policy prohibits hiring or promoting anyone who may have contact with inmates and prohibits enlisting the services of any contractor who may have contact with inmates who: (1) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution; (2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or (3) Has been civilly or administratively adjudicated to have engaged in the activity facilitated by force, overt or implied threats of force, or coercion. The TDCJ shall directly ask all applicants and employees who may have contact with offenders about previous misconduct in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of employee review. The TDCJ shall also impose on employees a continuing affirmative duty to disclose knowledge of any such misconduct. The policies also prohibit the promoting of staff who have contact with inmates who have engaged in sexual abuse and/or sexual harassment. Facilities shall either conduct criminal background records checks at least every five years for current employees who may have contact with inmates or have in place a system for otherwise capturing such information for current employees. Contractors having contact with inmates, require a background check before enlisting services and every five years of continued service in accordance with MTC. The company reserves the right to conduct background checks during employment, as it deems necessary. All staff have a duty to report and failure to report is grounds for termination. Material omissions regarding misconduct of this nature, or the provision of materially false</p>

information, shall be grounds for termination.

Per an interview with the BSJ Human Resource Director, individuals applying for the position of correctional officer may apply on-line. Those individuals in whom the agency is interested in hiring may report to the facility for an interview and completion of the questionnaire. Correctional Officers applicants may be offered a position prior to the completion of the background check while they are assigned to the 4-week pre-service training only. During this period, the applicants do not have contact with the inmate population. The background clearance is normally completed within 1 - 3 weeks. If any negative results that cannot be resolved 7 days of receipt, the correctional officer's employment would be terminated. This hiring process is not applicable to non-correctional officers. Background checks are required to be completed prior to their first day of employment for all applicants.

All applicants are required to complete a form authorizing the agency to conduct a background check for employment that is forwarded from BSJ Human Resource to the TDCJ in Huntsville completion. TDCJ enters all employees and contractors into an automated system to trigger notification to TDCJ of any and all arrests entered into TCIC/NCIC system serves as continuous records check alleviating the need for a background check every (5) five years. A tracking system is in place that ensures the agency and facility are informed of any employee arrests. Employees have a duty to disclose such misconduct. The auditor randomly selected confirmation of background checks for 11 - MTC/BSJ staff, 16 volunteers, 4 contract medical, and 2 contract mental health staff with no discrepancies noted.

She added a certified letter is forward to all applicants' previous employers regarding their work history and disciplinary history as applicable. If a response is not received within three weeks, she conducts a follow-up via phone. The of information regarding substantiated allegation of sexual abuse and release of relevant information for potential applicants with other agencies is authorized upon the presentation of written approved from the applicant. Material omissions regarding misconduct of this nature, or the provision of materially false information, shall be grounds for termination.

Per an interview with the Program Supervisor of Volunteer Services, she identified her department conducts background checks of all volunteers. However, the background checks are not initiated until those seeking to become volunteers have completed the required training to become eligible after the completion of training on-line or in-person at a local agency facility.

Staff seeking promotion are required to complete an additional PREA form upon completing the interview for the requested position prior to the applicant's selection folder being forwarded to the Human Resource Director.

Based on the review of agency policies, confirmation of completed background checks for MTC/BSJ staff, contract staff and volunteers, in addition to applicant's acknowledgement of PREA related questions during the hiring and request for promotions, and reference checks for new hires, BSJ has demonstrated compliance with all provisions of the standard.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Interviews: <ol style="list-style-type: none"> a. Agency Head b. BSJ Warden <p>115.18 (a) Per Accordance #903E.02, When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, MTC will consider the effect of the design, acquisition, expansion, modification upon the agency to protect inmates from sexual abuse. Per the Agency Head, stakeholders, include that the MTC PREA Coordinator and the Assistant Coordinator, review the facility’s plans to determine appropriate staffing and video monitoring during the design or renovation phase of the facility The process anticipates blind spots and mitigates risk through efficient design.</p> <p>115.18.(b) MTC 903E.02, When installing or updating a video monitoring system, electronic surveillance system or other monitoring technology MTC will consider how such technology may enhance the facility’s ability to protect inmates from sexual abuse. One hundred and seven cameras are strategically located in all housing units, visitation area, intake areas, walkways, recreation yards, sally ports, inner and outer perimeters and inmate kitchen dining room.</p> <p>Per the Agency Head, MTC uses video monitoring to assist staff to observe inmate activity in areas particularly vulnerable to misbehavior or violence. Priority to camera placement is primarily influenced by areas of increased risk and any prevalence of substantiated and unsubstantiated incident of sexual abuse.</p> <p>An interview conducted with the Warden indicated there has not been any substantial expansion or modification of the existing facility since resuming operation on October 20, 2021. Additionally, there has not been an update to video monitoring system, electronic surveillance system or other monitoring technology. He added; however, any modifications, expansion and video monitoring would be made in consideration with providing the safety of inmates from sexual abuse.</p> <p>The auditor identified one area within the laundry department where the relocation of a mirror would provide additional coverage for staff assigned. The mirror was relocated within hours of being identified.</p> <p>Based on the review of MTC policy, observation and interviews with the BSJ Warden,</p>

	Agency Head and staff, BSJ meets all provisions of the standard.
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115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 4. SAFE Prison/PREA Operations Manual Sexual Abuse Response and Investigation 05.01 5. TDCJ Administrative Directive Forensic Evidence Collection AD-16.04 6. Memorandum of Understanding 7. Interviews: <ol style="list-style-type: none"> a. Women's Center of East Texas Crisis Center b. University of Texas Hospital c. BSJ PREA Compliance Manager d. BSJ Offender Victim Representative e. Inmate Identified in Sexual Abuse Investigation <p>115.21 (a) (b) (c) (d) (e) (f) (g) (h) The TDCJ Safe Prisons/PREA Plan, MTC #903E.05, Sexual Abuse Response and Investigation 05.01, and TDCJ Administrative Directive Forensic Evidence Collection governs the mandate of the standard provisions. These policies outlines the procedures for the completion of both administrative and criminal investigations to include those of sexual abuse that require a forensic medical examination. MTC will follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions and developmentally appropriate for youth where applicable. Responding to an allegation of sexual abuse requires a coordinated effort between unit security staff, the Office of the Inspector General (OIG), medical and mental health services, and victim advocates (where available) or an Offender Victim Representative (OVR). The following procedures provide a systematic notification and response process following a reported sexual abuse incident</p> <p>The agency follows a uniform evidence protocol as described in the U.S. Department of Justice’s Office on Violence against Women publication, “A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents”. Victims of sexual assault are referred to health services for initial examination and treatment. Such treatment would be for life preservation only and the victim would be transported to a</p>

local hospital for examination, treatment and forensic evidence gathering by a SANE nurse. All sexual abuse advocacy services, examinations, treatment, testing and follow-up care are provided without cost to the victim.

MTC is responsible for investigating allegations of sexual abuse. BSJ/MTC is contracted through the Texas Department of Criminal Justice. The Texas Board of Criminal Justice (TBCJ) created the Office of the Inspector General (OIG) to serve as the primary law enforcement and investigative entity of the Texas Department of Criminal Justice (TDCJ). The OIG is an independent office that reports to the TBCJ, with the Inspector General reporting directly to the TBCJ chairman. The OIG investigators are certified peace officers, as authorized by Texas Code of Criminal Procedures, and licensed by the Texas Commission on Law Enforcement (TCOLE). The OIG Investigator explained various training in conducting sexual abuse investigations in a confinement setting that far exceeds the requirement of standard 115.34. The OIG Investigators complete criminal investigations. All administrative investigations are mandatory and are completed by the trained facility investigators. The administrative investigations begin as soon as the allegation is reported and is not initiated at the direction of OIG.

Interviews with random staff confirmed their understanding of the agency's protocol upon becoming informed of a reported sexual abuse allegation, and their responsibility to apply first responder duties in the preservation of physical evidence by giving directions to the inmate victim and aggressor as applicable. The protocols were reviewed and determined to be in accordance with DOJ's National Protocol for Sexual Assault Medical Forensic Examination.

An interview was conducted with the University of Texas Hospital in Tyler, TX. Per an interview with hospital staff assigned to the First Communication Department. Upon the arrival of a victim of sexual abuse requiring a forensic medical examination, a SANE will be contacted to report to the hospital to provide the forensic medical examination. The East Texas Crisis Center is responsible for arranging a victim advocate to report to the hospital. As crisis center services are designated to certain counties, a victim advocate from the local area would provide the requested services. Per an interview with staff assigned to the Women's Center of East Texas the center has a Sexual Assault Response Team consisting of law enforcement officers, nurses, SANE, agency advocates, and attorneys to provide services while at the hospital. The center has three (3) SANE and one (1) counselor assigned. Services would be provided to the victim upon direction and authorization given directly by the victim themselves.

There were two reported allegations of sexual abuse during the 12-month review period. A review of the investigative case files did not substantiate sexual contact. Documentation indicated both victims refused medical and mental health services. One inmate remained at the facility during the site visit and was interviewed. He reported he did not report the allegation and denied sexual contact. He stated he also refused medical and mental health services offered to him.

Within each inmate housing unit, the Unit's Outside Victim Advocate Resources is posted in English and Spanish. This flyer lists the Victim's Rights as a sexual assault

survivor and outside resources to include the Texas Association Against Sexual Assault, Just Detention International, Texas Civil Rights Project Prisoners' Right Project, Texas-ACLU Prison and Jail Accountability Project while providing addresses for each.

MTC has an established Memorandum of Understanding (MOU) with the Rusk-Panola Sexual Assault Response Team in Rusk County, Texas that was established in 2013. The MOU identify supportive of a victim centered team response to sexual assault.

BSJ has established a recent MOU with the Women's Center of East Texas in Longview, Texas who provides 24-hour hotline 1-800-441-5555. This MOU was established in December 2022, to provide victim advocate services. However, the inmate's calls to the center are required to be arranged through the BSJ Safe Prisons Department. Per an interview with the PREA Compliance Manager, upon an inmate reporting an allegation of sexual abuse, the inmate is given a copy of the End the Silence PREA pamphlet immediately during the investigation. The inmate is also given information on the victim advocate services available by the facility's Offender Victim Representative within the facility and/or by the Women's Center of East Texas via phone. If the victim elects to utilize the services of the Women's Center of East Texas, these services will be provided via phone in a private setting within staff's office. Specifically, the victim would report to the Safe Prisons Office and request to complete a call to the Women's Center. Staff would dial the number for the inmate and provide the inmate with privacy throughout the completion of the call. The inmate would be advised that the call is confidential and not monitored.

Additionally, a staff member who has successfully completed the Offender Victim Advocate Representative through the TDCJ Safe Prison Program is assigned to the BSJ and is available to the inmate at his request. She indicated upon an inmate being identified as victim of sexual abuse, she would make contact the victim and offer services in addition to continuing with follow-up services. She concluded in stating; due to no reports of sexual abuse that included an allegation of sexual contact, she has not been utilized as an offender victim representative since the reopening of the facility in October 2021.

Based on the review of agency policies, review of sexual abuse investigations, established MOU, interviews with local hospital, crisis center, BSJ Offender Victim Representative, BSJ staff and inmate identified as victim of sexual abuse, BSJ does meet all provisions of the standard.

115.22	Policies to ensure referrals of allegations for investigations
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice Safe Prisons/ PREA Plan 4. TDCJ Safe Prisons/PREA Operations Manual Sexual Abuse Response and Investigations 05.01 5. Interviews: <ol style="list-style-type: none"> a. Agency Head b. OIG Investigator c. BSJ Investigator <p>115.22 (b) MTC #903E.02, TDCJ Safer Prisons/PREA Plan and Safe Prisons/PREA Operations Manual Sexual Abuse Response and Investigations 05.01 governs the mandate of the standard provisions. The agencies require allegations of sexual abuse or sexual harassment be referred for investigation to an agency with the legal authority to conduct criminal investigations unless the allegation does not involve potentially criminal behavior. Facilities will document all referrals of allegations of sexual abuse or sexual harassment for criminal investigation. If an administrative and/or criminal investigation of an alleged sexual abuse is performed by an entity other than MTC, efforts will be made to obtain the agencies investigative policy. MTC will make the entity aware of investigating requirements under PREA.</p> <p>BSJ/MTC is contracted through the Texas Department of Criminal Justice. The Texas Board of Criminal Justice (TBCJ) created the Office of the Inspector General (OIG) to serve as the primary law enforcement and investigative entity of the Texas Department of Criminal Justice (TDCJ). The OIG is an independent office that reports to the TBCJ, with the Inspector General reporting directly to the TBCJ chairman. The OIG investigators are certified peace officers, as authorized by Texas Code of Criminal Procedures, and licensed by the Texas Commission on Law Enforcement (TCOLE). Interviews were conducted with both the BSJ Facility Investigator and an Office of Inspector General Investigator. Both acknowledged administrative investigations can be conducted by the institution investigator while all investigations that could possibly include criminal charges are investigated by an Investigator assigned to the Office of the Inspector General. Per the BSJ Facility Investigator, all allegations of sexual abuse and sexual harassment are reported to the OIG, and the investigator is assigned by office of the OIG. An administrative investigation is mandatory and is</p>

completed by the trained facility investigators. The administrative investigation begins as soon as the allegation is reported. The OIG conducts all criminal investigations.

Per the agency head, the initial investigation will begin immediately by correctional staff identified and trained as primarily investigators, to ensure preservation of physical and/or circumstantial evidence. In accordance with contract requirements, the investigative authority such as respective Offices of Inspector General (OIG) would be notified immediately.

BSJ reported two (2) PREA allegations during the 12-month review period. These investigations include two staff on inmate sexual abuse allegations identified as the following: one (1) Unfounded and one (1) Substantiated. Sexual penetration and/or sexual contact was not identified during the administrative investigations.

A review of the MTC agency's website at <https://www.mtctrains.com/prea/> states To make an allegation of inmate-on-inmate or staff-on-inmate sexual abuse or sexual harassment, please contact via email the MTC Prison Rape Elimination Act (PREA) Coordinator. MTC will ensure an administrative or criminal investigation for all sexual abuse and sexual harassment. MTC PREA contact: Heather Manuz, MTC PREA Coordinator, Heather.Manuz@mtctrains.com; Mike Atchison, Assistant PREA Coordinator, Mike.Atchinson@mtctrains.com.

A review of the TDCJ website at <https://www.tdcj.texas.gov/tbcj/prea.html> states Family and friends of inmates, and the general public, are encouraged to report allegations of sexual abuse and sexual harassment that occur in TDCJ correctional facilities to the PREA Ombudsman Office or the TDCJ Ombudsman Office. Public inquiries regarding allegations of sexual abuse or sexual harassment are referred to the PREA Ombudsman Office for investigation and response. All allegations of sexual abuse or sexual harassment received in the PREA Ombudsman Office are referred to the Office of the Inspector General for possible criminal investigation.

Based on the review of agency policies, investigative case files, agencies website, interviews with agency head, investigative staff, BSJ does meet all provisions of the standard.

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Prison (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 3. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 4. TDCJ Training and Leader Development Division Correctional Training and Staff Development Safe Prisons Module Sexual Abuse/Assault 5.. Employee Training Documentation 6. Continuous PREA Education Postings 7. Security Staff Assignment Rosters 8. Interviews: <ol style="list-style-type: none"> a. Random Staff <p>115.31 (a) (b) (c) (d) MTC #903E.02 and TDCJ Safe Prisons/PREA Plan addresses the requirements for all employees on matters related to PREA and staff’s completion of PREA training. All staff shall be thoroughly trained and informed regarding the Department’s zero-tolerance policy on sexual abuse, sexual battery, staff sexual misconduct, and sexual harassment at least every two years. The facility utilizes the TDCJ Training and Leader Development Division Correctional Training and Staff Development Safe Prisons Module Sexual Abuse/Assault that includes the learning objectives that meets the standard provisions within a 45-minute training credit course. The facility identified 208 employees were hired during the review period, however, 107 continued employments throughout. Per the BSJ PREA Compliance, numerous staff resigned prior to the completion of the 240-hour Pre-Service training. Staff who transferred to the BSJ, continued a 40 Hours In-Service Training that is required annually and includes PREA educational training. Documentation was presented that supports all staff completed the PREA training during the review period. Interviews conducted with both random and specialized staff assigned at the facility, confirmed the receipt of PREA training and each demonstrated their knowledge and understanding of the PREA training they received. Security staff also identified receiving PREA training during shift briefing, which was documented on security staff assignment rosters. PREA information posters were also observed posted throughout the facility in areas accessible to both staff, as continuous PREA education material.</p> <p>Based on the review of agency policies that outlines the requirement of PREA training, the inclusion of PREA training as outlined in the standard provisions, and</p>

	<p>documentation of staff's completion and understanding of the PREA training received, BSJ does meet all provisions of the standard.</p>
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115.32	Volunteer and contractor training
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 557 300">Auditor Discussion</p> <p data-bbox="256 340 1062 376">Evidence Reviewed (documents, interviews, site review):</p> <ol data-bbox="256 412 1394 1160" style="list-style-type: none"> 1. Bradshaw State Prison (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 3. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 4. Volunteer Handbook 5. Volunteer PREA Training Documentation 6. University of Texas Medical Branch PREA Training Modules 7. Contractors PREA Training Acknowledgement Forms and Rosters 8. Interviews: <ol style="list-style-type: none"> a. Contractors b. Volunteer c. Program Supervisor of Volunteer Services <p data-bbox="256 1200 1477 1863">115.32 (a) (b) (c) (d) MTC #903E.02 and TDCJ Safe Prisons/PREA Plan addresses the requirements for all staff, volunteers, and contractors' completion of PREA training. All contractors and volunteers who have contact with inmates are trained on their responsibilities in accordance with the standard provisions. The facility identified 23 contractors who are assigned to the medical and mental health departments and are contracted by the University to Texas Medical Branch. The University of Texas Medical Branch has developed a lesson plan that meets the standards for both PREA education and Specialized PREA Training for Medical and Mental Health. The requirements of the standard provisions are inclusion in the one lesson plan. A copy of the PowerPoint slides was presented for review. The contract staff also documented their signature on the TDCJ Standard or Supplement Safe Prison/PREA Training Contract Employee or Intern Acknowledgement Form as receiving PREA training from the TDCJ agency. Specifically, each identifies the date and attending Standard or Supplement Safe Prison/PREA Training provided by the TDCJ, which included viewing the Safe Prison/PREA in Texas training video. The auditor randomly selected 18 contract staff for acknowledgement of their training with no discrepancies noted.</p> <p data-bbox="256 1904 1445 2065">Interviews conducted with three contract medical staff and one contract mental health staff, in which all identified completing PREA training through their Learning Portal through the University of Texas Medical Branch. The training is required to be completed upon hiring during employee orientation and again annually during the</p>

months February and March. The staff are required to complete the acknowledgment form at the end of the course completion.

Interviews were conducted with the BSJ Religious Services Chaplain and staff assigned to the TDCJ Program Supervisor of Volunteer Services. She indicated all volunteers are required to complete PREA prior to having contact with the inmate population and every two years thereafter. Volunteers are authorized to complete the PREA training on-line and/or at a local TDCJ facility to include those operated by MTC. The volunteer applicant will receive a link giving them access to the required training. Upon their completion, her department received notification of completion. However, the applicant is required to complete a pretest and posttest for the completion of training. A review of the TDCJ Volunteer Handbook, also identifies PREA education for volunteers on pages 12-14, that exceeds the mandate of the PREA education per the standard provision. If an individual requests to become a volunteer but does not complete the required training, their services are denied and or terminated for those who fail to complete the required training every two years. The auditor randomly selected 16 volunteers for confirmation of PREA training with no discrepancies noted in their receipt of training.

Per an interview with one volunteer during the site visit, the Religious Services Volunteer acknowledges the requirements to complete PREA training prior to approval for entry and every two years thereafter continue. He stated he prefers to complete the PREA training in a classroom setting, therefore, he arranges to attend training at the nearby East Texas Treatment Facility. He explained upon becoming aware of a PREA incident to include sexual abuse and/or sexual harassment, he would immediately report the information to supervisory security staff.

Based on the review of the PREA lesson plan designed for volunteers, contractors and interns, interview one volunteer and four contractors who demonstrated their knowledge of the agency's' zero-tolerance for sexual abuse and sexual harassment, and confirmation of their training, BSJ does meet all provisions of the standard.

115.33	Inmate education
	<p data-bbox="256 188 983 221">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 557 297">Auditor Discussion</p> <p data-bbox="256 340 1062 374">Evidence Reviewed (documents, interviews, site review):</p> <ol data-bbox="256 412 1394 1093" style="list-style-type: none"> <li data-bbox="256 412 1225 445">1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) <li data-bbox="256 483 1394 517">2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons <li data-bbox="256 555 1246 589">3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan <li data-bbox="256 627 611 660">4. Inmate Issued Tablets <li data-bbox="256 698 916 732">5. Inmate PREA Education Acknowledge Forms <li data-bbox="256 770 622 804">6. PREA Education Posted <li data-bbox="256 842 547 875">7. Inmate Handbook <li data-bbox="256 913 448 947">8. Interviews: <ol data-bbox="256 985 459 1093" style="list-style-type: none"> <li data-bbox="256 985 459 1019">a. Intake Staff <li data-bbox="256 1057 552 1090">b. Inmate Population <p data-bbox="256 1131 1466 1664">115.33 (a) (b) (c) (d) TDCJ Safe Prisons/PREA Plan and MTC # 903E.02 address the requirements for the inmate population receipt of PREA training upon arrival during intake, to include comprehensive in addition to continuous accessibility. The facility identified the arrival of 1331 inmates during the 12-month review period and 1142 inmates remained at the facility for 30 days or more. An interview with intake staff confirmed all newly arriving inmates receive an inmate handbook upon their arrival that includes PREA education in addition to a briefing by staff on PREA and the agency's zero tolerance. Staff further stated inmates observe the PREA video during orientation which is scheduled for all newly arriving inmates. Although the facility acknowledged there was a delay in the facility receiving the PREA video upon reopening the facility on October 20, 2021, the PREA video was shown to all inmates. Confirmation of inmates viewing of the PREA video at BSJ was acknowledged during 39 formal inmate interviews and 10 informal inmate interviews.</p> <p data-bbox="256 1702 1469 2033">A review of the BSJ Inmate Handbook confirmed PREA education is included on pages 26 -31. PREA education is outlined within the following topics of the handbook while providing guidance for the inmate population: TDCJ Zero Tolerance Policy; What is PREA; What is Sexual Abuse; What is Sexual Harassment and Voyeurism; Cross Gender "Knock and Announce" Policy; How Does the Safe Prison/PREA Program Help; How Should I Report Threat to My Safety; Sexual Abuse Prevention Strategies; What Should You Do If you are Sexually Abused; Investigations;, and Offender Perpetrator Consequences.</p>

PREA posters and information was posted in all inmate housing units visible to the inmate population. The auditor conducted informal interviews with inmates in each of the occupied housing units during the tour. Inmates pointed out the PREA education and ways to report PREA allegations to include via third parties posted within the unit and the information on their personal tablets issued by the agency. The PREA information posted in the housing units, throughout the facility, on the inmate's issued tablet provides a continuous degree of awareness of the agency's zero tolerance of sexual abuse and sexual harassment. All PREA education is posted in both English and Spanish.

Interviews were conducted with 26 randomly selected inmates and 13 target group inmates, in addition to 10 informal inmate interviews and all confirmed receiving PREA education at BSJ. The target group included inmates identified as LEP, low vision, physically disabled, and cognitive behavior disabled. Each of these inmates confirmed the facility provided PREA education in a manner they were able to clearly understand. They also stated PREA information is verbally explained by the intake staff during the intake process in addition to receiving the inmate handbook and PREA pamphlets. The auditor randomly selected six inmates for each of the 12-month review period for a total of 72 inmates for documentation confirmation of receiving PREA education and all were identified as acknowledging receipt of PREA training via their signature.

Based on the review of review of agency policy, review of inmate's arrival date and confirmation of receiving PREA training via signature, PREA education inclusion in the inmate handbook, observation of PREA video during site visit, continuous PREA education posted throughout the facility and interviews with 49 inmates and intake staff, BSJ does meet all provisions of the standard.

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review)</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 4. Investigators Training Certificates 5. Interviews: <ol style="list-style-type: none"> a. Office of Inspector General Investigator b. BSJ Facility Investigator <p>115.34 Agency policy MTC #903E.02 identified training requirements for conducting sexual abuse and sexual harassments allegations for corrections facilities under management of MTC to include BSJ. All investigators are required to complete the "PREA: Conducting Sexual Abuse Investigations in a Confinement Setting." Pursuant to the TDCJ Safe Prisons/PREA Plan, allegations of sexual abuse and sexual shall be referred to the OIG Investigators. OIG conducts all criminal investigations. Interviews with the OIG Investigator confirmed the completion of conducting sexual abuse training within a correctional facility for OIG Investigators far exceeds the requirements of the standard provisions. Courses completed includes "PREA - In Custody Sex Crime Investigations." Additionally he is certificated as a trainer for trainers and presents a four hour in person training course "Conducting A Thorough Investigation" to other TDCJ Investigators within the agency. Confirmation of six (6) BSJ investigators who are authorized to conduct administrative investigations only was presented for the completion of "PREA: Conducting Sexual Abuse Investigations in a Confinement Setting." Interviews were conducted with an OIG Investigator and the BSJ Facility Investigator indicated the training courses include the requirement of the standard provisions: techniques for interviewing sexual victims; proper use of Miranda and Garrity warnings; sexual abuse evidence collection in confinement setting; and the criteria and evidence required to substantiate a case for an administrative action or prosecution referral. The two administrative sexual abuse investigations were completed by a BSJ Facility Investigator who had previously completed the "PREA: Conducting Sexual Abuse Investigations in a Confinement Setting" through the National PREA Resource Center. There were zero criminal investigations initiated during the review period.</p> <p>Based on the review of policies, training documentation and interviews, BSJ does meet all provisions of the standard.</p>

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Documentation of Completed Specialized PREA Training 4. Specialized PREA Training Modules Slides 5. Interviews: <ol style="list-style-type: none"> a. Medical Mental Practitioners <p>115.35 (a) (b) (c) (d) (e) MTC 903E.02 outlines the requirements for the completion of medical and mental health practitioners as directed in all provisions of the standard. MTC will ensure that all full and part time medical and mental health care practitioners who work regularly in its facilities have been trained. The TDCJ contracts with University of Texas-Medical Branch for medical and mental health staff. The contractor has developed and implemented specialized training for mental health and medical staff that includes PREA basic but additionally includes specialized training for medical and mental health staff. All mental health and medical staff have received the required specialized training on how to detect and assess signs of sexual abuse and sexual harassment, how to preserve physical evidence of sexual abuse, how to respond effectively and professionally to victims of sexual abuse and sexual harassment, and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment, victim identification, interviewing, reporting and clinical interventions. Interviews with three (3) medical and one (1) mental health staff confirmed their receipt of specialized PREA training in addition to PREA training per standard 115.32. Documentation of completed PREA specialized training was submitted for the 23 medical and mental health contract employees assigned at BSJ in accordance with the standard provisions.</p> <p>Based on the review of agency policy, specialized training modules, documented completed specialized training, and interviews with both medical and mental health practitioners, BSJ does meet all provisions of the standard.</p>

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 4. Review of Risk Screenings 5. Observation During Site Visit 6. Interviews: <ol style="list-style-type: none"> a. Random and Target Group Inmates b. Staff who conduct Risk Screenings c. MTC PREA Coordinator d. BSJ PREA Compliance Manager <p>MTC #903E.02 and TDCJ Safe Prisons/PREA Plan governs the mandate of the standard provisions. The policies requires that inmates be screened using an objective screening instrument for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their intake. Within 30 days from the inmate’s arrival at the facility, the facility will reassess the inmate’s risk of victimization or abusiveness based upon any additional, relevant information that bears on the inmate’s risk of sexual victimization, or abusiveness. An inmate will be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate’s risk of sexual victimization or abusiveness.</p> <p>All offenders are assessed during the intake screening process for their risk of being sexually abused by other inmates or being sexually abusive toward other inmates. The screening is conducted by the PREA Compliance Manager and classification staff. Per staff who conducts risk screening, most inmates are screened on the day of their arrival, but always within 72 hours of their arrival. During the interview process, inmates are assessed for their potential as a victim of sexual victimization, prior sexual victimization, and/or prior aggressor of sexual victimization using the Safe Prison PREA Automated Network System (SPPANS) assessment system. A review of the inmate's criminal history and any prior incarceration history is conducted and entered SPPANS. The inmate is then asked about his history and if he has ever been the victim of sexual abuse, has mental, physical, developmental disabilities, if he has ever engaged in willing sexual activity with inmates or staff, if he fears being victimized while at the facility, their sexual orientation, and if they are transgender or</p>

intersex. The SPPANS system has a point value assigned to each question. The system then generates an overall score based on the information provided for the inmate on his likelihood to be a victim or predator.

Per an interview with staff who conducts risk screening, the system will not allow staff to conduct the 30-day reassessment until between 15-30 days. Once the initial assessment is completed, the SPPANS system places a 15 day hold on the assessment. On day 16 the SPPANS system releases the assessment to the PREA Compliance Manager to conduct a reassessment. The PREA Compliance Manager then reviews the inmate's records and interviews the inmate to determine if there have been any changes since the initial assessment and enters comments into the system to complete the 30-day review process. If there have been changes to the inmate's status or additional information is acquired the assessment will be forwarded to unit classification for additional review for housing and job assignments to include if the inmate is suitable for housing at the facility. Additional assessments are conducted when warranted due to a referral, receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness, and/or a substantiated sexual abuse investigation as a victim and/or aggressor.

The PAQ identified 1325 inmates assigned to the facility for 72 hours or more and 1142 inmates assigned to the facility for 30 - days or more. The auditor randomly selected six inmates per each of the 12-month review period for a total of 72 risk screenings that include both 72 hours and 30 -day reassessments for confirmation risk screenings in accordance with the standard provisions. There were no discrepancies noted during the review. Staff identified inmates are never disciplined for refusing to respond to the questions during risk screening assessments. Interviews were conducted with 39 inmates to include random and target groups. The inmates acknowledged they were asked the risk screening questions at least after arriving to BSJ.

Per the MTC PREA Coordinator, each facility has developed local policy and /or subscribes to the customer agency policy related to the handling of sensitive information. Information goes into the offender's unit file and is disseminated on a "need to know" basis. MTC policy #903E.02 restricts access consistent with state statute, professional licensure, and ethical standards. Information is secured while not in use.

Per an interview with the BSJ PREA Compliance Manager and staff who conducts risk screening, access to the inmate's risk screening information is limited to the Warden, Major, Chief of Classification, PREA Compliance Manager and Case Managers. The auditor observed the inmates' files in secured cabinets within the designated Records' Office that is manned by two assigned staff.

Based on the review of agencies policies, interviews with staff who conduct risk screening, inmates, MTC PREA Coordinator, and BSJ PREA Compliance Manager, in addition to the review of 72 completed inmate risk screenings that documented the timely 72 hours and 30-day assessments, and observation during the site visit, BSJ does meet all provisions of the standard

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (Documents, Interviews, Site Reviews)</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail Completed PREA-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plans 4. Observation During Site Visit 5. Interviews: <ol style="list-style-type: none"> a. Random Staff b. BSJ PREA Compliance Manager c. Staff who conduct Risk Screening <p>115.42 (a) (b) (c) (d) (e) (f) (g) MTC#903E.02 and TDCJ Safe Prisons/PREA Plan governs the mandate of the standard provisions. Information from the PREA risk screening is used to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. Housing for transgender and /or intersex inmates will be determined on a case-by-case basis. The inmate’s safety as well as the safety and security to the institutional compound is taken into consideration when making the housing determination. A transgender and/or intersex inmate’s own view, with respect to their own safety, shall be given serious consideration.</p> <p>LGBTI offenders shall not be placed in dedicated facilities, units, or wings solely based on this identification or status, unless the placement is in a dedicated unit wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting these offenders. When deciding to assign a transgender or intersex offender to a unit for male or female offenders, and when making other housing and programming assignments, consideration shall be made on a case-by-case basis with regard to the health and safety of the offender and potential management or security problems. Housing determinations shall not be made solely on the basis of LGBTI status. Placement and programming assignments for each transgender or intersex offender shall be reassessed semiannually to review any threats to safety experienced by the offender. A transgender or intersex offender’s views with respect to his or her own safety shall be given serious consideration</p> <p>There were zero inmates identified as intersex and three (3) inmates identified as transgender who arrived at BSJ during the 12-month review period. One transgender inmate expressed concerns for their safety during the risk screening process and</p>

requested placement in the SafeKeeping program. This inmate were placed in transit status and transferred within 48-hours of their arrival. The remaining two transgender inmate did not express any safety concerns at the BSJ and was placed in the general population. One was released from the BSJ on the 15th day of their arrival and the second was transferred 22 days after arrival at BSJ. The thirty-day reassessments and/or bi-annual reassessments were not applicable for the inmates identified as transgender due to their length of stay at the facility. Per staff who conduct risk screening, he met with the inmates throughout their stay at BSJ regarding any concerns with their safety while at the facility. There were zero inmates identified as intersex and/or transgender at BSJ during the site visit to conduct interviews.

Per an interview BSJ PREA Compliance Manager/staff who conduct risk screening, and random staff, all inmates identified as transgenders are offered to shower separately from the general population inmates by escort to the transit unit within a single stall cell daily between 5:00 a.m. - 6:00 a.m.

Based on the review of agency policies, review of transgender housing assignments, risk screening instruments, observation during site visit, interviews with staff assigned to conduct risk screenings, the BSJ PREA Compliance Manager, and random staff, BSJ does meet all provisions of the standard.

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (Documents, Interviews, Site Reviews)</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail Completed PREA-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice Unit Classification Procedure, Protective Safekeeping 2.04 4. BSJ PREA Compliance Manager Statement of Fact 5. Interviews: <ol style="list-style-type: none"> a. Warden b. BSJ PREA Compliance Manager c. Staff who Supervise Segregation <p>115.43 (a) (b) (c) (d) (e) MTC #903E.02 prohibits the placing of inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers. If an involuntary segregated housing assignment is made, the facility affords each such inmate a review every 30 days to determine whether there is a continuing need for separation from the general population.</p> <p>Per the Unit Classification Procedure, Protective Safekeeping 2.04, an offender may be placed in Protective Safekeeping when an immediate threat to the offender's physical safety exists. This includes offenders who have previously been sexually victimized and remain vulnerable in addition to an offender who is vulnerable to sexual predation and the agency is unable to identify all likely abusers.</p> <p>Per interviews with the Warden, BSJ PREA Compliance Manager and staff assigned to supervise segregation, the facility does not assign inmates at high risk of sexual victimization in involuntary segregation. Security staff investigators shall complete the investigation within 72-hours from the date and time staff became aware of the inmate's need for protection. A Major or above has the authority to grant an extension beyond the original 72-hour timeframe when additional time is required to complete the investigation. An authorized extension provides an additional 72-hours beyond the initial 72 hours, for a total of 144 hours to complete the Inmate Protection Investigation (IPI). The Major or above shall only authorize one extension per IPI. The inmate would have access to recreation, phone calls, legal and leisure reading material and personal property.</p>

Per the BSJ PREA Compliance Manager, BSJ is not permitted under policy to house a person in Protective Custody. If it is determined through an inmate protection Investigation (IPI) that an inmate is not safe on the facility, and is in need of protective custody, TDCJ will be notified with a transfer required. The inmate would be separated from the general population and placed in a secure location within the facility, TDCJ approves the transfers, usually less than 30 days.

There were zero inmates identified as at a high risk of sexual victimization placed in segregated housing during the 12--month review period and/or during the site visit for interview.

Based on the review of policy, and interviews with Warden, staff assigned to supervise segregation, BSJ does meet all provisions of the standard.

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Executive Directive ED-02.16 PREA Complaints and Inquiries 4. TDCJ Safe Prisons/PREA Plan 5. Inmate Facility Handbook 6. PREA Posters 7. Completion of Call to Outside Entity 8. Interviews: <ol style="list-style-type: none"> a. TBCJ Ombudsman’s Office Personnel b. Random Staff c. Random and Target Inmates d. Mailroom staff <p>115.51 (a) (b) (c) (d) BSJ, MTC and TDCJ has established procedures allowing for multiple ways internal ways for inmates to report privately to MTC and the officials about sexual abuse or sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. These policies also mandate that staff must accept reports of sexual assault and sexual harassment made verbally, writing, anonymously, and from third parties with no exceptions. All verbal reports are required to be documented within a 24-hour timeframe. The inmate handbook, PREA posters and flyers throughout the facility advise the inmate population of various ways to report PREA allegations both internally and to a public or private entity or office that is not part of the agency.</p> <p>Pursuant to the Executive Directive ED-02.16 PREA Complaints and Inquiries, The Texas Board of Criminal Justice (TBCJ) established the PREA Ombudsman’s Office to coordinate and oversee Texas Department of Criminal Justice’s effort to eliminate the occurrence of sexual abuse and sexual harassment in correctional and community residential facilities and investigate and process PREA complaints and inquiries with the Prison Rape Elimination Act Ombudsman Policy Statement. Contact information to the TBCJ PREA Ombudsman’s Office was observed as posted walls throughout the facility in all housing units and program areas accessible to staff and the inmate</p>

population. The TBCJ PREA Ombudsman Office can be contacted at P.O. Box 99, Huntsville, TX 77342-0099 (936) 437-5570 via phone and (936)437-5555 via fax. An email can be forward at prea.ombudsman@tdcj.texas.gov. The auditor was directed to the posters in the housing units while conducting informal interviews with inmates that listed external ways of reporting PREA allegations. Additionally, inmates acknowledged the PREA Ombudsman's phone number and mailing address posted on walls in the housing units and program areas during formal interviews. Inmates also indicated they could write to the PREA Ombudsman's Office and/or have a family member call on their behalf. The information is available in both English and Spanish. The auditor conducted a test call to the PREA Ombudsman Office during the site visit that confirmed the available service for inmates, staff and the public as third-party reporting. The information is given during intake, orientation verbally, through written format within PREA pamphlets, and inmate handbook in addition to the posters and on the inmate personal issue tablets. Inmates also indicated during the interview process, they could submit an inmate request addressed to staff and/or speak directly with a staff member who they felt comfortable reporting allegations of sexual abuse and/or sexual harassment.

Interviews conducted with the inmate population included those identified as low vision, physical disabled, mental disabilities and LEP. All confirmed their awareness of various ways to report PREA allegations to include directly to staff, via telephone to family members, in written format to include anonymously and/or through the grievance process. There were no inmates designated at BSJ identified as unable to use the regular channels of communicating verbally, and/or through written format with others to include outside the facility and/or to a staff member.

Staff interviews confirmed their knowledge of agency policy that mandates they must accept reports of sexual assault and sexual harassment made verbally, in writing, anonymously, and from third parties with no exceptions to a staff member not less ranking than their first supervisor. Each stated they would document the information they received and the method in which it was received to include verbally, written notes by an inmate, received via a third party and/or anonymously. Staff identified they were comfortable reporting PREA allegations directly to their supervisor and/or an official investigator. They were also aware of the outside resource of contacting the TBCJ PREA Ombudsman Office which is posted throughout the facility for the inmates, themselves and the public to report sexual abuse and/or sexual harassment that is also available for their usage. Staff acknowledged they received training during pre-service in addition to during shift briefings on their requirement to immediately report any and all PREA allegations reported to them and how to report the allegations in addition to the information is posted throughout the facility and on their issued PREA informational card that they maintain in their possession as a reference.

An interview with mailroom staff indicated the inmates' outgoing mail is not sealed by the inmate. However, upon receiving a letter addressed to the PREA Ombudsman's Office, the mailroom staff confirms the addressee's name on the envelope as staff and forwards the mail. Outgoing mail addressed to the PREA auditor would be confirmed by the Major or Warden and immediately forward to the auditor. PREA mail is not considered legal mail but is identified as special mail and is treated and logged

as such.

Pursuant to MTC #903E.02 Sexual Safety in Prisons, inmates detained solely for civil immigration purposes are provided information on how to contact relevant consular officials and relevant officials for the Department of Homeland Security. However, BSJ does not house inmates solely for civil immigration purposes.

The review of the completed two PREA investigative case files, identified one allegation was reported via an anonymous note and the second was reported by a staff member.

Based on the review of agency policies, investigative case files identifying the method of reporting, interviews with staff, to include outside entities, TBCJ PREA Ombudsman's Office Personnel, BSJ mailroom staff, and the inmate population, it is determined that BSJ does meet all provisions of the standard.

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 4. PREA Investigations <p>115.52 (a) (b) (c) (d) (e) (f) (g) MTC 903E.02 Sexual Safety in Prisons and TDCJ Safe Prisons/PREA Plan governs the mandate of the standard provision and outlines the administrative procedures for dealing with inmate's grievance s regarding sexual abuse. The agencies allow an inmate to submit a grievance regarding an allegation of sexual abuse at any time regardless of when the incident is alleged to have occurred. No initial time limit shall be imposed for sexual abuse, sexual battery, staff sexual misconduct or sexual harassment grievances. An attempt to informally resolve the grievance is prohibited and the allegation of sexual abuse will not be referred to the any staff member identified as the subject of the complaint. Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates are allowed to assist inmates in filing such grievances. The filing of emergency grievances for allegation of sexual abuse and allegations alleging substantial risk of imminent sexual abuse require that a final agency decision within five days. Policy limits the agency's ability to discipline an inmate for filing a grievance alleging sexual abuse to occasions where the facility demonstrates that the inmate filed the grievance in bad faith.</p> <p>The PAQ identified zero allegations of sexual abuse was reported through the grievance process. This was confirmed during the review of the two reported sexual abuse investigative case files during the 12-month review period.</p> <p>An interview was conducted with the assigned grievance officer. He reported he conducts a check of the grievance's mailboxes accessible to the inmate population Monday - Friday during normal business days. Upon receiving a grievance in which a PREA allegation is reported, he immediately notifies the Major, PREA Compliance Manager, Warden and Chief of Classification. An administrative investigation is mandatory, and are conducted by facility staff. The administrative investigation begins as soon as the allegation is reported. It is not initiated at the direction of the OIG.</p> <p>Based on the review of agency policies, grievances procedures available to the inmate population to file PREA allegations and the investigative process upon being reported, BSJ does meet all provisions of the standard.</p>

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Memorandum of Understanding Between BSJ and Women's Center East Texas 4. PREA Posters 5. Listing of Outside Victim Advocate Services 6. Observation during site visit 7. Interviews: <ol style="list-style-type: none"> a. Women's Center of East Texas Educational Advocate b. Inmate Identified in Sexual Abuse Investigation c. Random, Targeted Group Inmates and Informal Inmate Interviews <p>115.53 (a) (b) (c) MTC#903E.02 and TDCJ Safe Prisons/PREA Plan governs the mandate of the standard provisions that outlines the facility's obligation to provide inmates with access to outside victim advocates for emotional support services related to sexual abuse. In addition to giving inmates mailing addresses and telephone numbers including toll-free hotline numbers where available. Each MTC facility informs inmates, prior to giving them access to outside support services, the extent to which such communication will be monitored, and inform inmate of the mandatory reporting rules governing privacy, confidentiality and /or privilege that apply for disclosure of sexual abuse made to outside victim advocate, including limits of confidentiality. MTC facilities maintain memoranda of understanding or other agreements with community service providers that are able to provide inmates with emotional support services related to sexual abuse and MTC also maintains copies and documentations of attempts to enter such agreements.</p> <p>Within each inmate housing unit, the Unit's Outside Victim Advocate Resources is posted in English and Spanish. This flyer lists the Victim's Rights as a sexual assault survivor and outside resources to include the Texas Association Against Sexual Assault, Just Detention International, Texas Civil Rights Project Prisoners' Right Project, Texas-ACLU Prison and Jail Accountability Project while providing addresses for each. BSJ does not hold inmates solely for civil immigration purposes.</p> <p>MTC has an established Memorandum of Understanding (MOU) with the Rusk-Panola Sexual Assault Response Team in Rusk County, Texas that was established in 2013.</p>

The MOU identify supportive services to a victim during the team's response to sexual assault. BSJ has established a recent MOU with the Women's Center of East Texas in Longview, Texas who provides 24-hour hotline 1-800-441-5555. This MOU was established in December 2022, to provide victim advocate services. However, the inmate's calls to the center are required to be organized through the BSJ Safe Prisons Department. Per an interview with the PREA Compliance Manager, upon an inmate reporting an allegation of sexual abuse, the inmate is given a copy of the End the Silence PREA pamphlet immediately during the investigation. The inmate is also given information on the victim advocate services available by the facility's Offender Victim Representative within the facility and/or by the Women's Center of East Texas via phone. If the victim elects to utilize the services of the Women's Center of East Texas, these services will be provided via phone in a private setting within staff's office. Specifically, the victim would report to the Safe Prisons Office and request to complete a call to the Women's Center. Staff would dial the number for the inmate and provide the inmate with privacy throughout the completion of the call. The inmate would be advised that the call is confidential and not monitored.

Formal interviews were conducted with 26 randomly selected inmates, and 13 targeted group inmates, and in addition to conducting 10 informal inmate interviews during the tour. All inmates acknowledged their awareness of the facility and outside resources for reporting PREA allegations and advocate services posted in the housing units. Inmates selected for informal interviews during the tour in their housing units, directed the auditor to the postings on the walls that are accessible to all with a listing of outside resources for reporting PREA allegations and advocate services.

The facility identified two sexual abuse investigations; however, the allegations were not reported by the inmates identified and did not conclude sexual contact. One inmate remained at the facility during the site visit and was interviewed. He stated he did not request victim advocate services, medical and/or mental health services as sexual contact was not involved.

Based on the review of the MOU, formal and informal interviews with the inmate population, PREA posters with outside the facility resources, inmate access to private phone calls by staff, interview with crisis center, BSJ does meet all provisions of the standard.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed PREA-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 4. TDCJ Website 5. MTC Website 6. Postings Observed During Site Visit 7. TDCJ Inmate Orientation Handbook <p>115.54 (a) In accordance with MTC#903E.02, MTC provides a method to receive third-party reports of inmate sexual abuse or sexual harassment. MTC facilities are to publicly distribute information on how to report inmate sexual abuse or sexual harassment on behalf of inmates. A review of the MTC website at www.mtctrains.com/prea, states: those interested in reporting an allegation of inmate-on-inmate or staff-on-inmate sexual abuse and/or sexual harassment, may contact the MTC PREA Coordinator, Heather.Manuz@mtctrains.com or the Assistant PREA Coordinator, Mike.Atchison@mtctrains.com.</p> <p>Third party reporting is available through the Texas Board of Criminal Justice PREA Ombudsman Office at P. O. Box 99, Huntsville, TX 77342-0099 (936)437-5570 or (936)437-5555 via fax or via email at prea.ombudsman@tdcj.texas.gov. This information is clearly posted throughout the facility accessible to the staff and inmate population and was pointed out to the auditor by the inmate population during informal inmate interviews.</p> <p>TDCJ Safe Prisons/PREA Plan states family members or other individuals may report verbally or in writing to unit administration, the TDCJ PREA Ombudsman's Office, and/or OIG, at any time they have knowledge of or suspect an offender has been sexually abused, sexually harassed, or requires protection.</p> <p>The TDCJ Offender Orientation Handbook also includes the PREA Ombudsman as a point of contact for offenders who have complaints or inquiries regarding any allegations of sexual abuse or sexual harassment. Offenders may contact the PREA Ombudsman in writing while family and friends may contact the PREA Ombudsman in writing or by phone.</p> <p>The auditor completed a call to the TDCJ PREA Ombudsman, who confirmed the accessibility of inmates and third party reporting of PREA allegations via phone and in</p>

written format.

Based the review of MTC website, TDCJ website, TDCJ and MTC policies, observation during site visit, and inmate orientation handbook, the opportunity to report as a third-party has been identified and is accessible for viewing by the inmate population and through the public's viewing on the MTC and TDCJ websites, BSJ does meet the provisions of the standard.

115.61	Staff and agency reporting duties
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 557 300">Auditor Discussion</p> <p data-bbox="256 340 1062 376">Evidence Reviewed (documents, interviews, site review):</p> <ol data-bbox="256 412 1423 1205" style="list-style-type: none"> <li data-bbox="256 412 1264 448">1. Bradshaw State Jail (BSJ) Completed PREA-Audit Questionnaire (PAQ) <li data-bbox="256 483 1394 519">2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons <li data-bbox="256 555 1248 591">3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan <li data-bbox="256 627 1423 703">4. Correctional Managed Health Care Policy Manual G-57.1, Sexual Assault /Sexual Abuse <li data-bbox="256 739 450 775">5. Interviews: <ol data-bbox="256 810 746 1205" style="list-style-type: none"> <li data-bbox="256 810 402 846">a. Warden <li data-bbox="256 882 520 918">b. BSJ Investigator <li data-bbox="256 954 523 990">c. OIG Investigator <li data-bbox="256 1025 612 1061">b. MTC PREA Coordinator <li data-bbox="256 1097 491 1133">c. Random Staff' <li data-bbox="256 1169 746 1205">d. Medical and Mental Health Staff <p data-bbox="256 1240 1471 1823">115.61(a) (b) (c) (d) TDCJ Safe Prisons/PREA Plan and MTC #903E.02 requires all staff members to immediately report, according to TDCJ policy, any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred on a unit, whether or not it is a TDCJ facility; retaliation against offenders or staff who reported an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. The policies identifies procedures and the requirement for all staff to include volunteers, contractors and intern who observes, has knowledge of, or receive information, written or verbal (either first hand or from a third party), regarding the fear of coercion into or actual sexual abuse, sexual battery, staff sexual misconduct and/or sexual harassment, any form of retaliation against inmates or staff who reported an incident of sexual abuse/sexual harassment, and or any neglect or violation of responsibilities that may have contributed to an incident of retaliation, to be immediately reported to the Shift Supervisor, Major, Warden, or the OIG.</p> <p data-bbox="256 1859 1471 2065">Apart from reporting to the designated supervisors or official and designated state or local services agencies, MTC and TDCJ policies prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigate, and other security and management decisions. Interviews with 18 random staff that include security and non-security</p>

confirmed their knowledge of responsibility to report all information reported to them and/or they became aware of to their immediate supervisor and the security shift supervisor. Staff indicated they would only share information of reported PREA allegations to staff with a need to know, such as security supervisors, medical, mental health, and investigative staff. The information received would be documented in written format.

Unless otherwise precluded by federal, state, or local law, and at the initiation of services, medical and mental health practitioners shall be required to report sexual abuse and to inform offenders of the practitioner's duty to report, as well as the limitations of confidentiality. Per medical and mental health staff interviews, inmates are advised of staff's duty to report at the initiation of services. Pursuant to Correctional Managed Health Care Policy Manual G-57.1 and confirmed during interviews with both medical and mental health staff, if an inmate who is 18 years of age or older reports previous sexual assault/abuse to health care staff that occurred in a correctional setting, health care staff shall report such incident to the Warden or Designee. The inmate shall be informed at the initiation of services that the practitioner has a duty to report all instances of sexual assault/abuse to the Warden or Designee without limitation of confidentiality.

If an inmate who is less than 18 years of age reports previous sexual assault/abuse to health care staff, regardless of whether the incident occurred in a correctional setting or in the community, health care staff must report the incident to OIG and does not require the inmate's consent. BSJ does not house inmates under the age of 18.

Per an interview with the MTC PREA Coordinator, although MTC does not confine persons under the age of 18, if an allegation of sexual abuse or sexual harassment is made by someone considered to be a vulnerable adult under state or local law, or perceived to be a vulnerable adult, the agency reports the allegation to the designated State or local services agency and investigative authority under applicable mandatory reporting laws.

Pursuant with the TDCJ Safe Prisons/PREA Plan and MTC #903E.02, the Shift Supervisor, Major, Warden, and OIG will immediately be notified of all reported PREA allegations. Per the Warden, BSJ Facility Investigator and OIG Investigator, all such reported allegations would be investigated and concluded with an investigative finding of unfounded, unsubstantiated, or substantiated.

Based on the review of agency policies, interviews with random security and non-security staff, Warden, OIG Investigator, BSJ Facility Investigator, MTC PREA Coordinator, medical and mental health staff, BSJ does meet all applicable provisions of the standard.

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed PREA-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Interviews: <ol style="list-style-type: none"> a. Warden b. MTC Agency Head c. Random Staff <p>115.62 (a) In accordance with MTC 903E.02, when MTC requires immediate action to protect the inmate to including taking some action to assess appropriate protective measure without unreasonable delay upon learning that an inmate is subject to a substantial risk of imminent sexual abuse. Per an interview with the MTC Agency Head, the agency requires immediate action to protect the inmate that includes action to assess appropriate protective measures without unreasonable delay. Efforts will be made to: at least temporarily, separate the inmate who is reportedly subject to a substantial risk of imminent sexual abuse from the general population’ notify supervisory staff in a confidential manner, document observations and information, and investigate the nature and scope of risk to the offender while taking action consistent with the facts derived and customer agency policy. The Warden confirmed any inmate identified as subject to a substantial risk of imminent sexual abuse would immediately be removed from the threat and assigned to transit for no longer than 72 hours pending an investigation which is not involuntary segregation. A transfer would be determined at the conclusion of the investigation. If an aggressor is identified, the aggressor would be placed in restrictive housing pending the completion of the investigation.</p> <p>The BSJ PAQ identified zero instances where an inmate was identified as subject to a substantial risk of imminent sexual abuse. A review of the two completed investigative case files, did not identify neither inmate as subject to substantial risk of imminent sexual abuse prior to or during the investigation. Interviews with 18 random staff confirmed upon being advised that an inmate being identified as subject to a substantial risk of sexual abuse, the inmate would immediately be removed from the area of threat, a visual observation would be maintained, and the security supervisor would be notified.</p> <p>Based on the review of agency policy, interviews with 18 random staff, warden and agency head, BSJ does meet all provisions of the standard.</p>

115.63 Reporting to other confinement facilities

Auditor Overall Determination: Meets Standard

Auditor Discussion

Evidence Reviewed (documents, interviews, site review):

1. Bradshaw State Jail (BSJ) Completed PREA-Audit Questionnaire (PAQ)
2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons
3. SAFE PRISONS/PREA OPERATIONS MANUAL 04.01
4. TDCJ Safe Prisons/PREA Plan
5. Notification of Reported Sexual Abuse Allegation
6. Interviews:
 - a. Warden
 - b. Agency Head

115.63 (a) (b) (c) Pursuant to MTC 903E.02, SAFE PRISONS/PREA OPERATIONS MANUAL 04.01 and TDCJ Safe Prisons/PREA Plan these policies require allegations received from other facilities to be investigated. Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility must notify the head of the facility where the allegation was identified as occurring within 72 hours of being reported. The receiving head of facility provides such notification as soon as possible and include confirmation of the notification. Any TDCJ Warden or departmental office receiving notification from an outside agency that an offender in the outside agency’s custody alleged sexual abuse while assigned to TDCJ custody shall ensure the allegation is forwarded to the PREA Ombudsmen's Office “Prison Rape Elimination Act Complaints and Inquiries,” for possible investigation. After receiving an allegation that an offender was sexually abused while confined at another facility, such as a county jail or out of state facility, the individual taking the initial report shall immediately notify the USPPM. The USPPM shall provide the SPPMO with the details of the alleged incident so the SPPMO may initiate notification to the appropriate office of the outside agency where the alleged abuse occurred. The SPPMO shall provide the notification to the appropriate agency as soon as possible, but no later than 72 hours after receiving the allegation.

An interview with the Agency Head, identified the facility head/warden is the designated point of contact upon the reporting of inmates reporting PREA allegations having occurred at their previous institution upon arriving at their newly assigned facility. The facility in which the allegation was reported to have occurred will ensure an investigation is completed. Per an interview with the Warden, there have not been any occurrences since his arrival at the facility. However, all notifications would be made on the day the allegation was received to the affected institution. Additionally,

an investigation would immediately begin upon being advised of previous incidents having occurred at BSJ to include after their departure.

The BSJ Investigator received notification from a third party that a newly arrived inmate was previously sexually assaulted while at BSJ in 2012. However, upon interviewing the alleged victim, the investigator was informed the sexual assault had not occurred at BSJ but another TDCJ facility. This information was documented via email as forwarded to the affected institution within two hours of the initial reported allegation by the Wardens' Designee.

Based on the review of the various agencies polices, and notification of the reported sexual abuse allegation to the affected institution within two hours of being reported, interviews with the MTC Agency Head, Warden, and BSJ Investigator, BSJ does meet all provisions of the standard.

115.64	Staff first responder duties
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 557 300">Auditor Discussion</p> <p data-bbox="256 340 1062 376">Evidence Reviewed (documents, interviews, site review):</p> <ol data-bbox="256 412 1394 949" style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed PREA-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Safe Prisons/PREA Operational Manual 05.01 4. TDCJ Safe Prisons/PREA Plan 5. Staff Issued Informational Cards 6. Interviews: <ol data-bbox="256 842 954 949" style="list-style-type: none"> a. Inmate Identified in sexual abuse investigation b. Random security and non-security staff <p data-bbox="256 985 1468 1814">115.64 First responder duties to reports of sexual abuse are outlined with the Safe Prisons/PREA Operational Manual 05.01, TDCJ Safe Prisons/PREA Plan, MTC) #903E.02 Sexual Safety in Prisons and are issued to all BSJ staff via issued informational cards for personal use and referencing. Procedures of response are outlined for security as well as non-security staff. The policies require that, upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to: a) Separate the alleged victim and abuser; b) preserve and protect any potential crime scene until appropriate steps can be taken to collect any evidence, c) if the alleged abuse occurred within a time period that still allows for the collection for physical evidence, request the alleged victim and alleged aggressor not take any actions that could destroy physical evidence, including but not limited to, washing, bathing, brushing teeth, changing clothes, urinating, defecating, drinking or eating; d) if the first responder is not a security staff member, request that the alleged victim not take any action that could destroy physical evidence, and the notify security staff. Interviews with 18 random security, non-security staff and one (1) volunteer confirmed their knowledge of serving as a first responder to a report of sexual abuse that includes the aforementioned responses. Staff were identified in possession of the issued informational cards during the tour and interview process that included the duties of a first responder</p> <p data-bbox="256 1850 1481 2051">The BSJ PAQ identified security staff responded there were zero times in which security staff and/or non-security staff responded to an allegation of sexual abuse where the victim and abuser was separated which was confirmed during the review of the investigations. Additionally, per an interview with the BSJ Investigator and review of the two sexual abuse investigative case files, the circumstances of the</p>

investigations were not initiated based on a report of sexual abuse that required separation and neither investigation identified sexual contact. There were no physical evidence identified and/or collected.

Based on the review of agencies policies, staff issued informational cards, investigative case files, and interviews with security and non-security staff to include one volunteer, BSJ does meet all provisions of the standard.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Interview: <ol style="list-style-type: none"> a. Warden <p>The BSJ Coordinated Response outlines the facility’s written plan to coordinate actions taking in response to an incident of sexual abuse. The plan includes first responder duties, and staff reporting procedures, in addition to the notifications to ranking staff that includes the Warden, Office of Inspector General, medical and mental health practitioners, emergency action center and the Unit Safe Prisons/ PREA Manager, determination of forensic examination, inmates’ access to a victim advocate, investigative procedures, preservation of evidence and evidence handling, documentation/logging and the proper release of information. Per an interview with the BSJ Warden, he confirmed the facility’s coordinated response to allegations of sexual abuse would be initiated immediately. He concluded in stating, facility staff also receive training during departmental meetings, walk-throughs and during security shift briefings on their response duties.</p> <p>Based on the review of the BSJ coordinated response to sexual abuse that outlines procedures for responding staff in addition to the proper notification to ranking staff, BSJ does meet the standard provision.</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons (PREA) 3. Interview: <ol style="list-style-type: none"> a. Agency Head b. BSJ PREA Compliance Manager <p>MTC #903E.02, mandates that any collective bargain agreement or other agreement must comply with PREA Standards dated August 20, 2012, or last PREA audit. Per an interview with the Agency Head, MTC has an existing collective bargaining agreement (CBA) at the Otero County Prison Facility located in New Mexico. However, the CBA permits the agency, via MTC, to remove alleged staff sexual abusers from contact with any inmates pending an investigation or a determination of whether and to what extent discipline is warranted. There were and are no provision in the CBA which limits the Management's Rights clause specifically to management's right to removal of an employee from contact with inmates.</p> <p>Additionally, per the BSJ PAQ and interview BSJ PREA Compliance Manager, BSJ does not have a collective bargaining agreement.</p> <p>Based on the review of agency's policy, interview with the agency head and the immediate termination of staff identified during a Substantiated sexual abuse investigation, BSJ does meet the provision of the standard.</p>

115.67	Agency protection against retaliation
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 558 300">Auditor Discussion</p> <p data-bbox="256 340 1062 376">Evidence Reviewed (documents, interviews, site review):</p> <ol data-bbox="256 412 1394 1160" style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed PREA-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. SAFE Prisons/PREA Operational Manual 5.08 4. TDCJ Safe Prisons/PREA Plan 5. Substantiated Sexual Abuse Case File 6. Completed Retaliation Monitoring <p data-bbox="256 842 451 878">4. Interviews:</p> <ol data-bbox="256 913 976 1160" style="list-style-type: none"> a. Agency Head b. Warden c. Staff Assigned to Conduct Retaliation Monitoring d. Inmate Identified in a Sexual Abuse Allegation <p data-bbox="256 1200 1474 1944">115.67 (a) (b) (c) (d) (e) Pursuant to the review of the SAFE Prisons/PREA Operational Manual 5.08, TDCJ Safe Prisons/PREA Plan and MTC #903E.02, governs the mandates of the standard. A designated staff member is required to conduct retaliation monitoring on all staff and inmates who report allegations of sexual abuse, sexual harassment, and/or those who cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates and/or staff. As appropriate, multiple protective measures may be taken, such as housing changes or transfers for offender victims or abusers, removal of alleged staff or offender abusers from contact with victims, and emotional support services for offender or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. For at least 90 days following a report of sexual abuse, the USPPM shall monitor and document the conduct and treatment of offenders or staff who reported the sexual abuse, and of offenders who were reported to have been victims of sexual abuse, for changes that may indicate possible retaliation by offenders or staff and shall act promptly to address any retaliation. Monitoring shall include a review of offender disciplinary reports and housing or program changes, and negative performance reviews and reassignments of staff. The monitoring shall continue beyond 90 days if circumstances dictate the need.</p> <p data-bbox="256 1984 1430 2065">A review of the two reported PREA investigative case files, indicated one staff on inmate sexual allegation was completed within three days of the reported incident</p>

with an investigative finding of Unfounded and therefore, did not meet the mandate of retaliation monitoring. The second staff on inmate sexual abuse allegation was determined as Substantiated. Documentation supported retaliation monitoring was conducted for 90 days in 30-day intervals and noted the monitoring of housing, disciplinary and job changes. The retaliation monitoring did not extend beyond 90 days as retaliation was not identified. There were no instances where a staff member met the standard provisions for retaliation monitoring.

Per an interview with staff assigned to conduct retaliation monitoring, he conduct an initial contact with the identified staff member and/or inmate identified in all sexual abuse and/or sexual harassment investigations. Retaliation monitoring is conducted for a minimum of 90 days following the reporting of the allegations for all substantiated and unsubstantiated investigative findings. If and/or an investigative finding is determined as unfounded, the retaliation monitoring is ceased at that point. Inmate monitoring includes reviewing housing assignments, disciplinary actions, job changes, and the denial of previously awarded privileges. He makes contact and monitors the inmate during housing unit rounds, recreation and during inmate dining. When monitoring staff, he reviews any unusual staff's schedule changes, the staff member's interaction with others, and any denied request for annual leave. Retaliation monitoring would exceed 90 days if a need was determined.

An interview was conducted with the one inmate identified in a substantiated staff on inmate sexual abuse investigation. He confirmed staff met with him on numerous occasions while inquiring whether he had incurred negative incidents since the investigation from staff and/or the inmate population. He stated he had not experienced any concerns that needed to be reported.

Per the agency head, MTC policy prohibits retaliation against those that allege sexual abuse or sexual harassment for both staff and the inmate population. Staff violation of policy is subject to MTC's progressive disciplinary process. Inmate retaliation is subject to the disciplinary process. Placement in protective custody or restrictive housing pending investigation or pending transfer is used to protect the inmate after all other alternatives for protection have been considered. If an individual who operates with an investigation expresses a fear of retaliation, an initiation of targeted monitoring techniques will begin on both the informant and those inmates perceived as a threat. Monitoring is completed via video, phone calls, mail, observation of commissary spending and direct observation.

Per an interview with the Warden, an inmate identified for retaliation monitoring would be monitored for a minimum of 90 days for all substantiated and unsubstantial sexual abuse and sexual harassment investigations to include those who cooperate with an investigation and/or until the investigation is determined as unfounded. The monitoring will exceed 90 days if deemed necessary. The inmate disciplinary sanctions, housing and job assignment changes, grievance filed, denial of programs, and previously approved privileges would be monitored. A staff member's denial of requested leave, and sudden changes in shift assignments and post assignments would be reviewed. Any inmate and/or staff identified as performing acts of retaliation against another would receive discipline.

<p>Based on the review of agency policies, substantiated sexual abuse investigative case file, completion of timely 90-day retaliation monitoring, interviews with warden, agency head, staff assigned to conduct retaliation monitoring and inmate identified as monitored, BSJ meets all provisions of the standard.</p>
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115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons (PREA) 3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 4. Interviews: <ol style="list-style-type: none"> a. Warden b. Staff who supervise segregation c. Inmate Identified in Sexual Abuse Investigation <p>115.68 MTC 903E.02 outlines agency policy for post-allegation protective custody. MTC may house inmates who are alleged have suffered sexual abuse in restrictive housing for protective custody, subject to the requirements of PREA standard 115.43.</p> <p>TDCJ Safe Prisons/PREA Plan Safekeeping Status states an offender assigned to safekeeping status shall be reviewed in accordance with the TDCJ Classification Plan. Protective Safekeeping Protective safekeeping provides offenders maximum supervision and the highest degree of protection from threats of harm by other offenders. This is the most restrictive option available to offenders and limits the ability to participate in work, education, and other privileges. Placement in protective safekeeping shall be in accordance with the TDCJ Protective Safekeeping Plan Interstate Corrections Compact (ICC) Transfer. This option is considered when an offender's need for protection cannot be met by housing the offender in TDCJ units. A request for an ICC transfer shall be in accordance with the TDCJ Classification Plan.</p> <p>Per interviews with the BSJ Warden and staff assigned to supervise segregation, the facility does not place inmates in involuntary segregation upon them reporting an allegation of sexual abuse. Security staff investigators shall complete the investigation within 72-hours from the date and time staff became aware of the inmate's need for protection. A Major or above has the authority to grant an extension beyond the original 72-hour timeframe when additional time is required to complete the investigation. An authorized extension provides an additional 72-hours beyond the initial 72 hours, for a total of 144 hours to complete the Inmate Protection Investigation (IPI). The Major or above shall only authorize one extension per IPI. No inmates were reported to have been placed in involuntary segregation due to reporting and/or being a victim of sexual abuse during the 12-month review period.</p> <p>Although the facility reported two (2) allegations of staff on inmate sexual abuse</p>

cases, documentation of the inmate's housing supported the inmates were not removed from their assigned housing unit during the investigative period. Additionally, the two (2) allegations of staff on inmate sexual abuse were not reported by the inmates and sexual contact was not identified during the investigation. One inmate remained at the facility during the site visit and was interviewed in which he confirmed he was not placed in involuntary segregation at any time during the investigation.

Based on the review of agency policy, interviews with Warden, supervisor of segregation, completed sexual abuse investigative case files, and interview with an inmate identified in a substantiated staff on inmate sexual abuse sexual abuse investigation, BSJ does meet the standard provision.

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons (PREA) 3. TDCJ Safe Prisons/PREA Plan 4. Safe Prison /PREA Operations Manual 05.01 Sexual Abuse Response and Investigation 5. Reporting Incident /Crimes to the Office of the Inspector General A.D. 16.20 6. Interviews <ol style="list-style-type: none"> a. BSJ Investigator b. Office of Inspector General Investigator <p>115.71 (a) (b) (c) (d) MTC 903E.02, TDCJ Safe Prisons/PREA Plan, Safe Prison /PREA Operations Manual 05.01, Sexual Abuse Response and Investigation and Reporting Incident /Crimes to the Office of the Inspector General A.D. 16.20 governs the mandate of the standard provisions.</p> <p>BSJ facility investigators are authorized to conduct administrative investigations only. Sexual abuse and sexual harassment investigations alleged against staff shall only be conducted by a staff member with the rank of captain or above. Unit administrators shall ensure the investigating staff member is at least one rank above the accused staff member</p> <p>When an allegation of sexual abuse, sexual harassment, or voyeurism is reported, the allegation is entered into the TDCJ Safe Prisons PREA Automated Network System (SPPANS). The SPPANS system generates an automatic email to the PREA Compliance Manager, the Wardens, Major, and Chief of Classification with notification of an allegation being submitted. The investigator also notifies the Wardens, Major, PREA Compliance Manager, and OIG Investigator via phone. The Investigator utilizes a checklist to ensure all appropriate notifications, and initial documentation is completed to include, mental health referral, photographs of the alleged victim and alleged assailant, evidence collection, victim services, law enforcement notifications, and securing of any crime scenes. Upon collection, all is uploaded into the SPPANS system and a summary of the investigation is completed. The SPPANS system will not allow the investigation to be submitted for review until statements from all parties involved, to include documentation for anyone listed as a victim, assailant, witness, mental health referral, photographs, special assessment, and evidence collected has</p>

been uploaded into the system. Once all has been uploaded, the investigator submits the investigation for review first by the Major. If the Major identifies any concerns, the investigation is returned to the assigned investigator with notations of as to the corrections and/or additional information required. At the completion of the identified discrepancies, the investigation is returned to the Major for review. Upon the Major's approval of the investigation, the SPPANS system forwards it to Unit Classification who then schedules a committee to determine the outcome of the investigation. The classification committee will be composed of the Warden or Assistant Warden, major as the chair, chief of classification or case manager, a department head or security supervisor, PREA Compliance Manager and the investigator. The inmate will be present at the classification committee review unless he has been identified as presently a danger to himself or staff. The committee will then review all evidence provided and speak with the alleged victim to determine the investigative findings based on the preponderance of evidence collected and as to whether the investigation will be recommended to be unsubstantiated, substantiated, or unfounded. At this time, the recommendation is forward to the TDCJ Safe Prisons/ PREA Management Office who will review the investigation and the recommendation for concurrence with the unit's recommendation and confer with the Warden on their decision of approval or not. Once the final determination is determined and noted in the SPPANS system, the system generates an inmate notification. The inmate is provided a copy of the investigative finding by the PREA Compliance Manager and a signed copy is uploaded into the SPPANS. The SPPANS System then moves the investigation into the incident review phase where unit administration, medical staff, mental health staff and safe prisons staff conducts a final review. This process is automatically completed for all administrative investigations.

Per an interview with the OIG Investigator, the local facility policies require all PREA allegations are reported to the Office of the Inspector General. per AD-16.20 Reporting Incidents/Crimes to the Office of the Inspector General. The OIG Investigators conduct all criminal investigations. Trained facility staff conduct administrative investigations. Per an interview with the OIG Investigator, he has successfully completed the Police Academy and with over 1300 continued education hours that includes 40 -hours refresher training every two years. Conducting sexual assault investigations training is included. Criminal investigations are documented in accordance with OIG policies and procedures. Substantiated allegations of conduct that appear to be criminal shall be referred for prosecution in accordance with OIG policies and procedures. The OIG agency has its own reporting system in addition to having access to the TDCJ system. If the sexual assault is reported within 120 hours of the occurrence, the investigator would immediately response to the facility to initiate the investigation via conducting interviews, secure the crime screen area, review and collection available evidence to include physical, and request the victim to submit to a forensic medical examination. If the allegation was reported outside the 120 hours of the alleged incident, the investigative staff may report the following day. However, the victim would be taken to medical for a normal medical examination but not for a forensic medical examination. He identified an administrative investigation may be completed prior to completion of a criminal investigation due to the pending crime lab results to include DNA evidence which could take several months. However,

the administrative investigation would be updated as needed per the completion of the criminal investigation.

Per the investigators, all reviewed documentation, video, collected telephone calls, statement of witnesses, the victim, aggressor, medical and mental health documentation, description of the crime scene, photographs of victims, aggressors, and all physical evidence to include the results of DNA sampling would be included in the written report. Both indicated they would also review prior reported sexual assault/sexual harassment allegations involving the alleged aggressor. A summary of the statements of facts would be included in the report. When the evidence supports criminal prosecution, per the OIG, he consults with the prosecutors prior to conducting compelled interviews only, when the circumstances of the case are strange in nature. An offender who alleges sexual abuse would not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of the allegation.

The investigators indicated the credibility of an alleged victim, assailant, or witness is assessed on an individual basis and not on the status as an offender or staff member. Any evidence to support staff's actions and/or failure or inaction may have contributed to the abuse will be included in the investigative report and additional administrative investigative report would be completed.

There were two reported sexual abuse allegations since the reopening and 12-month review period of October 20, 2021. The two investigations were completed by the BSJ facility investigator as administrative investigations. One investigation was determined as Unfounded and the second was determined as Substantiated. The investigative case files included photographs, statements of victim, aggressor, witnesses, medical and mental health documentation, notifications of the allegations, notification of investigative findings, evidence collected, investigative summary of fact findings and conclusion, completed retaliation monitoring, and completed incident review.

Regardless of an inmate identified as a victim and/or an aggressor, an investigation would be completed to include after an inmate's release from TDCJ custody and/or transfer. Those investigations involving a staff member would continue upon the staff's resignation, and or termination. Such investigations would be completed by the OIG Investigator regardless of their employment status with the agency to include criminal prosecution as applicable for both former staff and/or inmates.

Per the MTC PREA Coordinator, typically, once the investigation is referred and an investigation has been performed, the investigating authority reports the result of the investigation to the facility Warden. If results are not obtained within a reasonable time, the investigative agency will be contacted by facility personnel periodically until the results of the investigation are known.

Per the Warden, the OIG Investigator assigned to conduct investigations for the facility would remain in communication with himself, the Assistant Warden, Major and facility investigative staff. Per the OIG Investigator, as OIG is an agency under the Texas Board of Criminal Justice and not under the Texas Department of Justice, he

would maintain a level of communication of ongoing criminal investigations with the identified staff as mentioned.

All administrative and criminal investigations are retained in accordance with the TDCJ Records Retention Schedule that indicates a permanent retention without deletion which exceeds the standard provision.

Based on the review of agencies policies, investigative case files, investigative case files retention, training requirements, authorization to conduct administrative and criminal investigations, timely completion of the investigations, interviews with both facility and OIG investigators and utilization and procedures of the SPANNS that requires an additional reviewing process prior to the approval of administrative investigations while ensuring a thorough investigation and inclusion in the summary of the report, the agency and facility exceeds in meeting the provisions of the standard.

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 4. Interviews: <ol style="list-style-type: none"> a. OIG Inspector General b. BSJ Facility Investigator <p>Pursuant to TDCJ Safe Prisons/PREA Plan, and MTC # 903E.02 no standard higher than the preponderance of evidence shall be imposed in determining if allegations of sexual abuse or sexual harassment are substantiated. Per interviews with both the BSJ Investigative and OIG Inspector General both confirmed the investigative finding does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. The OIG Inspector General confirmed upon the determination of a probable cause that a crime has been committed; the case is referred for prosecution. Based on the review of agencies policies, completed investigative case files, interviews with the BSJ Investigator and OIG Inspector, BSJ does meet the provision of the standard.</p>

115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 4. Confirmation of Inmate Notification of Investigative Findings 5. Completed PREA Investigative Case Files 6. Interviews: <ol style="list-style-type: none"> a. BSJ Warden b. Office of Inspector General Investigator c. BSJ Facility Investigator d. Inmate Identified in Substantiated Staff on Inmate Sexual Abuse Case <p>MTC 90E.02 and TDCJ Safe Prisons/PREA Plan policies require that any inmate who alleges that he or she suffered sexual abuse in an MTC facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfound following an investigation by MTC. If an outside entity conducts such an investigation, MTC requests the relevant information from the investigative entity in order to inform the inmate as to the outcome of the investigation.</p> <p>Pursuant to TDCJ Safe Prisons/PREA Plan, Offenders shall be notified of relevant information regarding criminal investigations, in accordance with the SPPOM. If an offender is determined to have been a victim of staff-on-offender sexual abuse, the Warden shall inform the offender when: a) The staff member is no longer assigned to the offender's unit, or b) The staff member is no longer employed by the TDCJ. If an offender is determined to have been a victim of staff-on-offender sexual abuse and the abuse is determined criminal, the SPPMO shall inform the offender when: The staff member has been indicted on a charge related to sexual abuse within the unit, or the staff member has been convicted on a charge related to sexual abuse within the unit. If an offender alleges to have been a victim of offender-on-offender sexual abuse, the SPPMO will subsequently inform the alleged victim when: the alleged assailant has been indicted on a charge related to sexual abuse within the unit, or the alleged assailant has been convicted on a charge related to sexual abuse within the unit. The TDCJ SPPM shall ensure the relevant criminal information is received from the OIG in order to inform the offender. All offender notifications or attempted</p>

notifications shall be documented. The requirement to provide offender notification shall terminate if the offender is released from the custody of the TDCJ

There was one (1) Substantiated staff on inmate sexual abuse investigative finding where the identified aggressor was terminated during the review period. Another staff on inmate sexual abuse investigative finding was determined as Unfounded. The inmate's signatures confirmed receipt of the investigative findings' notifications.

An interview was conducted with the one (1) inmate identified as a victim of a Substantiated staff on inmate sexual abuse investigation. He confirmed he received notification by the BSJ Investigator that the staff member was no longer employed at the facility and the TDCJ agency. A review of the investigative case file confirmed the inmate acknowledged his notification that the staff member was no longer employed with the TDCJ agency. Due to no criminal charges determined during the investigative findings, the identified staff member was not indicted, or convicted of criminal activity.

The requirement and practice of notifying all inmates of the investigative findings at the conclusion were confirmed by the BSJ Warden.

Based on the review of agency's policies, review of the two (2) completed PREA investigative case file, notifications of investigative findings acknowledged by the inmates, and interviews with the Warden and BSJ Investigator, OIG investigative staff, and one available inmate identified in a staff on inmate sexual abuse investigation, BSJ does meet all provisions of the standard.

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 4. PREA Investigative Case Files 5. Interview: <ol style="list-style-type: none"> a. BSJ Warden <p>MTC prohibits hiring and/or promoting staff who engage in sexual harassment against inmates. Staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.</p> <p>Disciplinary sanctions for violators of MTC policies relating to sexual abuse or sexual harassment are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history and the sanctions imposed for comparable offense by other staff with similar histories.</p> <p>Pursuant to TDCJ Safe Prisons/ PREA Plan, Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse. Disciplinary sanctions for violations of TDCJ policies relating to sexual abuse or sexual harassment, that do not involve actual sexual abuse, shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. All terminations for violations of TDCJ sexual abuse or sexual harassment policies, or resignations in lieu of termination, shall be reported to the OIG, unless the activity was clearly not criminal, and reported to any relevant licensing bodies</p> <p>Per a review of the two reported and completed PREA investigative case files, confirmed one staff on inmate sexual abuse investigative finding as unfounded and one as substantiated. The substantiated staff on inmate sexual abuse investigative finding concluded the prohibited act of kissing and not sexual contact and/or criminal activities. The staff member identified was terminated immediately at the conclusion of the interview process. Per an interview with the Warden, all staff would be terminated in addition to criminal charges upon a substantiated finding of sexual abuse with an inmate that included criminal offenses.</p> <p>Based on the review of agency policies, substantiated staff on inmate sexual abuse investigation, documentation that confirms the termination of the staff member involved and interviews with the Warden that an investigative finding of</p>

	<p>Substantiated sexual abuse investigative would result in termination in addition to criminal charges, it is concluded that BSJ meets all provisions of the standard.</p>
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115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 4. Interview: <ol style="list-style-type: none"> a. BSJ Warden <p>115.77 (a) (b) MTC #903E.02 requires that any contractor or volunteer who engage in sexual abuse be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. MTC facilities require that any contractor or volunteer who engage in sexual abuse to be prohibited from contact with inmates. BSJ, TDCJ and MTC facilities take remedial measures and prohibit further contact with inmates in the case of any other violation of MTC sexual abuse or sexual harassment policies by a contractor or volunteer.</p> <p>Pursuant to TDCJ Safe Prisons/PREA Plan, all administrative considerations in Section VIII.A apply to contractors and volunteers. In addition: a) Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with offenders and shall be reported to applicable law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. b) The unit shall take appropriate remedial measures and shall consider whether to prohibit further contact with offenders, in the case of any other violation of TDCJ sexual abuse or sexual harassment policies by a contractor or volunteer.</p> <p>Per an interview with the Warden, contractors and volunteers' entry into the facility would immediately be restricted upon notification of sexual abuse and/or sexual harassment against an inmate. Restricted access into the facility would continue throughout the completion of the investigation. Substantiated acts of sexual abuse would be referred for criminal prosecution and to their relevant licensing bodies as applicable.</p> <p>The facility reported two (2) PREA allegations reported and investigated since the opening on October 20, 2021. The review of the case files confirmed there were no reported allegations of sexual abuse and/or sexual harassment pertaining to volunteers and/or contract workers. Therefore, remedial discipline, referral to law enforcement agencies, and reporting to a licensing body was not applicable. BSJ meets all provisions of the standard.</p>

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan 4. Completed PREA Investigative Case Files 5. TDCJ Disciplinary Manuel 6. Interviews: <ol style="list-style-type: none"> a. BSJ Warden b. Mental Health Administrator <p>115.78 Pursuant to MTC 903#.02, Inmates are subject disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on- inmate sexual abuse. Inmates are subject disciplinary sanctions pursuant to formal disciplinary process following a criminal finding of quilt for inmate -on-inmate sexual abuse.</p> <p>MTC facilities offer therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for abuse. MTC disciplines inmates for sexual conduct with staff only upon finding that the staff member did not consent to such contact. MTC prohibits disciplinary actions for report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation.</p> <p>Pursuant to TDCJ Safe Prisons/PREA Plan, Offenders shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the offender engaged in offender-on-offender sexual abuse, sexual harassment, extortion, substantiated acts of violence, or following a criminal finding of guilt for offender-on-offender sexual abuse in accordance with the TDCJ Disciplinary Rules and Procedures for Offenders. Sanctions shall be appropriate to the nature of abuse committed, the offender’s disciplinary history, and the sanction imposed for comparable offenses by other offenders with similar histories. The disciplinary process shall consider whether an offender’s mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed. If the unit offers therapy, counseling, or other interventions designed to address and correct possible underlying reasons or motivations for the abuse, consideration shall be made to determine if participation should be a requirement for access to programming or other benefits. An offender may be</p>

disciplined for sexual contact with staff only if it is determined the staff member did not consent to the contact. Disciplinary actions related to staff-on-offender sexual abuse or sexual harassment violations shall be handled in accordance with PD-22, "General Rules of Conduct and Disciplinary Action Guidelines for Employees." Sexual misconduct between offenders is prohibited and shall result in disciplinary sanctions in accordance with the TDCJ Disciplinary Rules and Procedures for Offenders. However, sexual misconduct between offenders shall not constitute sexual abuse if it is determined the activity is consensual. A report of sexual abuse made in good faith, based on a reasonable belief that the alleged conduct occurred, shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. When the preponderance of evidence exists supporting a false allegation, the offender involved in the false allegation shall be disciplined in accordance with the TDCJ Disciplinary Rules and Procedures. The TDCJ Disciplinary Manual, includes the rules of prohibited conduct and penalties for infractions committed by the inmate population.

The facility reported two (2) PREA allegations reported and investigated since the opening on October 20, 2021. The review of the two (2) investigative case files confirmed there were no reported allegations of inmate on inmate sexual abuse and/or sexual harassment during the 12-month review period. One staff on inmate sexual abuse allegation was determined as Substantiated due to an investigative finding of kissing. The inmate victim did not receive disciplinary sanctions.

Agency's policy prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation. There no reported allegations of sexual abuse and/or sexual harassment reported by the inmate population during the 12-month review period.

MTC and TDCJ prohibits all sexual activity between inmates. Inmates are subject to discipline for actions of sexual abuse only if the activity was determined to be coerced.

Interviews with the Warden indicated inmates who are determined to have committed sexual abuse would receive disciplinary sanctions that includes the loss of earned good time, placement in close management security status and would be referred for criminal prosecution by the court system for an additional sentencing. The inmate would also be recommended for a transfer to another TDCJ facility.

Per an interview with the mental health administrator, the facility does not offer services for interventions designed to address and correct the underlying reasons or motivations for abuse but would offer counseling services of a mental health assessment and would provide treatment to both the victim and the aggressor. Services are available to the inmate population that does not require a condition of participation as an access to the available program.

Based on the review of agency policy, completed PREA investigations, TDCJ Disciplinary Manual, TDCJ Safe Prisons/PREA Plan, interviews with Warden and mental health staff, BSJ does meet all provisions of the standard.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Correctional Managed Health Care Policy Manual G-57.1 Sexual Assault/Sexual Abuse 4. Interviews: <ol style="list-style-type: none"> a. Staff who conduct risk screening b. Medical and Mental Health Staff c. Inmates who reported prior sexual victimization <p>115.81 (a) (b) (c) (d) MTC #903E.02 states all inmates at MTC facilities who have disclosed and prior sexual victimization during a screening pursuant to 115.41 are offered a follow-up meeting with a medical or mental health practitioner. MTC will take appropriate steps to ensure that the follow-up meeting is offered within 14 days of the intake screening. MTC's medical and mental health staff maintain secondary materials. (e.g., form, log) documenting compliance with the above required services. All prison inmates who have ever previously perpetrated sexual abuse are offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.</p> <p>Per the PAQ, and interviews with the BSJ PREA Compliance Manager and Classification Supervisor, 1331 inmates reported to BSJ during the 12 -month review period and reopening of the facility. Staff who conducts risk screening, confirmed inmates identified as a prior victim of sexual abuse and/or an aggressor of sexual abuse are referred to mental health where they are seen within 14 days of the referral. He indicated the Safe Prison/PREA Automated Network System (SPPANS) utilized during risk screening, automatically refers an inmate to mental health upon being identified as a prior victim of sexual abuse and/or an aggressor of sexual abuse. The facility identified 12 inmates reported prior sexual victimization and zero inmates reported with a history of sexual aggressiveness upon their arrival. An interview with the Mental Health Administrator also confirmed inmates identified as such are seen within this time. Three (3) inmates who reported prior sexual victimization were interviewed and indicated they were offered mental health services, but each refused the services. The auditor selected six inmates files for confirmation of receiving mental health services within 14 days of a referral and noted there were no discrepancies noted in the delivery of the service.</p>

MTC #904E.02 states any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans, and security and management decisions, including housing, bed, work, and education, and program assignments, or as otherwise required by Federal, State, or local law. Interviews with medical and mental staff confirmed all inmates sign a consent form upon their arrival at BSJ that authorizes staff to release medical and mental health information without violating the HIPAA laws.

Pursuant to Correctional Managed Health Care Policy Manual G-57.1, and confirmed during interviews with both medical and mental health staff, if an inmate who is 18 years of age or older reports previous sexual assault/abuse to health care staff that occurred in a correctional setting, health care staff shall report such incident to the Warden or Designee. The inmate shall be informed at the initiation of services that the practitioner has a duty to report all instances of sexual assault/abuse to the Warden or Designee without limitation of confidentiality. If an inmate who is 18 years or age or older reports previous sexual assault/abuse to health care staff the occurred in a community setting, health care staff may only report to the OIG if the inmate provides consent.

If an inmate who is less than 18 years of age reports previous sexual assault/abuse to health care staff, regardless of whether the incident occurred in a correctional setting or in the community, health care staff must report the incident to OIG and does not require the inmate's consent.

BSJ does not house inmates under the age of 18.

Per an interview with staff assigned to conduct risk screening, medical and mental health and observation during the site visit, inmate records are restricted to authorized staff only. The inmates' base files are secured in the designated records office and controlled by assigned staff. Access to the SPPANS (electronic program) is monitored and limited to authorized staff only.

Based on the review of agency policies, documentation of mental health referrals to include refusals, within 14 days, interviews with staff who conduct risk screenings, medical and mental health staff, and inmates who reported prior sexual victimization, BSJ does meet all provisions of the standard.

115.82	Access to emergency medical and mental health services
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Correctional Managed Health Care Policy Manual G-57.1 Sexual Assault/Sexual Abuse 4. Texas Department of Criminal Justice (TDCJ) SAFE Prisons/PREA Plan 5. Investigative Case Files 6. Interviews: <ol style="list-style-type: none"> a. Medical and Mental Health Staff b. Inmate Identified in a Sexual Abuse Investigation <p>115.82 (a) (b) (c) (d) Pursuant to TDCJ SAFE Prison/PREA Plan, Offender victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment in accordance with CMHC policies. Offenders who become victims of sexual abuse while incarcerated shall be offered timely information about and access to emergency contraception and sexually transmitted infections prophylaxis, according to professionally accepted standards of care, where medically appropriate, in accordance with CMHC policies.</p> <p>A physical examination should be performed in all cases of sexual assault, regardless of the length of time which may have elapsed between the time of the assault and the examination.</p> <p>If no qualified medical or mental health practitioners are on duty at the time a report of abuse is made, staff first responders shall take preliminary steps to protect the victim and immediately notify the appropriate on-call medical and mental health practitioners.</p> <p>MTC #903E.02 requires medical and mental health staff maintain secondary materials (e.g. form, log) documenting the timeliness of emergency medical treatment and crisis intervention services that were provided; the appropriate response by non-health staff in the event health staff are not present at the time the incident is reported; and the provision of appropriate and timely information and services concerning contraception and sexually transmitted infection prophylaxis.</p>

Correctional Managed Health Care Policy Manual G-57.1 requires all examinations and treatment provided by the facility staff medical and mental health and documented in the inmate's health record. Outside hospital records are scanned into the medical record according to agency policy. This procedure was confirmed during the review of the two investigative case files.

If no qualified medical or mental health practitioners are on duty at the time a report of abuse is made, staff first responders shall take preliminary steps to protect the victim and immediately notify the appropriate on-call medical and mental health practitioners. Interviews with a medical and mental health practitioners confirmed all inmates who reported allegations of sexual abuse will receive both medical and mental health services. Although medical and mental health staff are not assigned to the facility 24/7 medical services are provided through tele-a-health with a nurse assigned at another TDCJ facility through University of Texas in Medical Branch in addition to mental health services are available after hours. The staff confirmed offender victims medical and mental health services are nothing less than that which is consistent with the community level of care.

The BSJ reported two (2) PREA allegations during the 12-month review period. These investigations included two staff on inmate sexual abuse allegations identified as the following: one (1) Unfounded and one (1) Substantiated. Sexual penetration and /or sexual contact was not identified during the administrative investigations. During an interview with the inmate identified in the Substantiated sexual abuse investigation, he indicated he declined both medical and mental health services.

Based on the review of agency policies, available medical and mental health resources, and interviews with medical and mental health practitioners, BSJ does meet all standard provisions.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) SAFE Prisons/PREA Plan 4. PREA Investigative Case Files 5. Interviews <ol style="list-style-type: none"> a. Medical and Mental Health Professionals b. Inmate Identified in a Sexual Abuse Investigation <p>115.83 (a) (b) (c) (f) (g) (h) Pursuant to MTC 903E.02 and TDCJ SAFE Prison/PREA Plan facilities offer medical and mental health evaluation and as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facilities. The evaluation and treatment of such offender victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in other units in accordance with CMHC policies or their release from custody.</p> <p>Offender victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment in accordance with CMHC policies. Offenders who become victims of sexual abuse while incarcerated shall be offered timely information about and access to emergency contraception and sexually transmitted infections prophylaxis, according to professionally accepted standards of care, where medically appropriate, in accordance with CMHC policies. Per medical and mental health staff, the level of services provided by their departments to the inmate population are equal to that within the local communities if not better and is based on their professional judgement, agency policies and state and federal laws.</p> <p>MTC #903E.02 and TDCJ SAFE Prisons/PREA Plan dictates treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Interviews with the mental health and medical staff confirmed all victims would receive medical and mental health services regardless of their cooperation during the investigation of their sexual assault to include refusing to identify the alleged aggressor.</p>

One inmate was identified in a Substantiated staff on inmate sexual abuse investigation. The investigation did not identify sexual contact. The inmate victim denied medical and mental health services and his denial was documented. Per an interview with the identified inmate, he acknowledged his refusal for medical and mental health services in regard to the sexual abuse allegation.

A mental health evaluation of all known offender-on-offender abusers shall be attempted within 60 days of learning of the abuse and treatment shall be offered when deemed appropriate in accordance with CMHC policies. Per an interview with the mental health practitioner, a mental health evaluation would be conducted within 14 days of the determined investigative findings.

115.83 (d) (e) Per TDCJ SAFE Prisons/PREA Plan, Offenders who have the capacity to become pregnant as a result of sexually abusive penile-vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the conduct described in this section, the victim shall receive timely and comprehensive information about and access to all lawful pregnancy-related medical services in accordance with CMHC policies. However, BSJ is an adult male only facility and therefore pregnancy related medical services would not be applicable.

Based on the review of agency policies, review of sexual abuse case files, inmate's medical and mental health documentation, interviews with an inmate identified in a sexual abuse investigation, medical and mental health staff, BSJ does meet all provisions of the standard.

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) SAFE Prison/PREA Plan 4. Interviews: <ol style="list-style-type: none"> a. Warden b. BSJ PREA Compliance Manager c. Member of the Incident Review Team <p>115.86 (a) (b) (c) (d) MTC #903E.02 and TDCJ Safe Prisons/PREA Plan governs the mandate of the agency's requirements to conduct sexual abuse incident reviews in accordance with all provisions of the standard. Incidents reviews are to be conducted not later than 30 days of the completed investigation for all reported allegations of sexual abuse except for those with an investigative finding of unfounded. An interview conducted with a member of the incident review team confirmed the incident review team considers all elements within the standard provisions during all sexual abuse investigations that are determined as substantiated and/or unsubstantiated. The facility reported two (2) sexual abuse allegations during the 12-month review period. One investigation was determined as unfounded, and the second was determined as substantiated. The substantiated sexual abuse investigation was documented as completed on April 21, 2022. The incident review was documented as completed one day after the completed investigation on April 22, 2022. The incident review documented the consideration of the following: a need to change policy or practices to better prevent; detect or response to sexual abuse; whether the allegation appeared to motivated by race, ethnicity, gender identity, gay, bi-sexual, transgender, or intersex identification, gang affiliation, possible physical barriers in the area that may have contributed to the alleged abuse; or was the sexual abuse motivated or otherwise caused by other group dynamics at the facility; adequate staffing levels during the alleged incident; monitoring technology in addition to identifying whether are not recommendations for improvement were applicable. No recommendations were made and no sexual contact was identified during the investigation. These factors were also identified by the Warden, and Major/ member of the incident review team. The incident review team members were identified as the BSJ PREA Coordinator/Associate Warden, Security Captain, mental health representative, BSJ Investigator, with input from medical staff, and administrative leadership.</p> <p>Based on the review of agency's policy, completion of the incident review conducted</p>

	<p>one day after the completion of the substantiated sexual abuse investigative finding, interviews with staff who serve on the incident review team, Warden and BSJ PREA Compliance Manager. It is determined BSJ does meet all provisions of the standard.</p>
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115.87	Data collection
	<p data-bbox="256 188 983 221">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 557 297">Auditor Discussion</p> <p data-bbox="256 340 1062 374">Evidence Reviewed (documents, interviews, site review):</p> <ol data-bbox="256 412 1394 875" style="list-style-type: none"> <li data-bbox="256 412 1238 445">1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) <li data-bbox="256 483 1394 517">2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons <li data-bbox="256 555 1241 589">3. Texas Department of Criminal Justice (TDCJ) SAFE Prison/PREA Plan <li data-bbox="256 627 592 660">4. MTC Agency Website <li data-bbox="256 698 663 732">5. MTC Annual PREA Reports <li data-bbox="256 770 435 804">6. Interview: <ol data-bbox="256 842 727 875" style="list-style-type: none"> <li data-bbox="256 842 727 875">a. MTC Agency PREA Coordinator <p data-bbox="256 913 1469 1406">115.87(a) (b) (c) (d) (e) (f) TDCJ SAFE Prison/PREA Plan and MTC #903E.02, governs the mandate of the standard. MTC is a contract facility authorized to hold inmates sentenced within the TDCJ. As MTC is a contracting facility for the TDCJ, MTC collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. The standard instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice. MTC aggregates the incident-based sexual abuse data at least annually. The MTC PREA Coordinator maintain, review and collect data as needed for all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. The MTC agency provides the Department of Justice with requested data from the designated time period year upon request.</p> <p data-bbox="256 1444 1481 1686">The MTC PREA Coordinator, indicated the agency review data collected and aggregated pursuant to the standard in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies and training. As the annual review was scheduled to take place in April 2022 for the 2023 calendar year. The agency has developed a data collection instrument that mirrors the DOJ Survey of Sexual Victimization.</p> <p data-bbox="256 1724 1481 2056">The data collected includes the information necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by the Department of Justice. The Agency aggregates and reviews all data annually. Upon request, the Agency would provide all such data from the previous calendar year to the Department of Justice no later than June 30 of each year. A review of the agency's website at https://www.mtctrains.com/prea supports the finding that the MTC has collected accurate, uniform data for every allegation of sexual abuse at facilities under its direct control (contract facilities), using a standardized instrument and set of</p>

definitions. The incident-based data collected includes information required to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. The agency data has been aggregated at least annually.

The BSJ facility received its first inmate on October 20, 2021, under the management of MTC upon reopening after closure in June 2020. Since the reopening, the BSJ has reported two sexual abuse allegations and zero sexual harassment allegations. Documentation of these allegations were identified as included in the MTC Operations Data System along with other prisons under its management.

Based on the review of the agency policies that governs the mandate of the standard provisions, review of the MTC Operations Data System and the agency's website that publicly documents Annual PREA Reports for the MTC and maintains incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates, MTC meets all provisions of the standard.

115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) SAFE Prison/PREA Plan 4. MTC Agency Website 5. MTC 2021 Annual PREA Reports 6. Interviews: <ol style="list-style-type: none"> a. MTC Agency Head b. BSJ PREA Compliance Manager c. MTC Agency PREA Coordinator <p>115.88 (a) (b) (c) (d) TDCJ Safe Prisons/PREA Plan and MTC #903E.02, governs the mandate of the standard provisions. MTC review data collected and aggregated pursuant to 115.87, in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training, including: i) identifying problem areas; ii) Taking corrective action on an ongoing basis; iii) Preparing an annual report of its findings from its data review and any corrective action for each facility as well as the agency as a whole. A review of the annual reports includes a comparison of each current year and any corrective action with those from prior years. A review of the annual report for 2021 included a comparison from 2018-2021 that confirmed compliance of the standard provisions. The Annual PREA Reports for MTC is located on the agency's website at https://www.mtctrains.com/prea/</p> <p>Per an interview with the BSJ PREA Compliance Manager/BSJ Investigator, he indicated his role in assessing and improving the effectiveness of sexual abuse prevention, detection, policies and training includes a continuation of providing education to staff, to the inmate population, ensuring proper inmate supervision, and monitoring for any matters of concerns that could contribute to an incident of sexual abuse and sexual harassment while taking an immediate corrective actions and gathering the data for the submission of review.</p> <p>The MTC PREA Coordinator indicated she began in April of each year, collecting and reviewing data from the various facilities for the submission of the annual report on June 30th of each year. She and the Assistant PREA Coordinator are able to collect data from the previous years that includes a comparison which is included in each annual report and is posted on the agency's website.</p>

Per the Agency head, the annual review has been conducted each since the beginning of 2012. Each calendar year, a report is published for the previous year. The agency PREA Coordinator has been assigned the responsibility to: identify areas of noncompliance with policy; analyze trends in allegations of sexual abuse and harassment, as well as an investigative determination ; collaborate on best practices; develop solutions based on consideration of various constraints; provide the field with clarification through interpretive guidance, and overseeing the implementation of agreed upon decisions related to necessary changes to policy, physical plant, staff and/or training.

Based on the review MTC policy, agency website and review of the Annual PREA Reports that includes a data comparison of current and previous years, and interviews with MTC PREA Coordinator, MTC Agency Head, and BSJ PREA Compliance Manager, the agency does meet all provisions of the standard.

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ol style="list-style-type: none"> 1. Bradshaw State Jail (BSJ) Completed Pre-Audit Questionnaire (PAQ) 2. Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons 3. Texas Department of Criminal Justice (TDCJ) SAFE Prison/PREA Plan 4. MTC Agency Website 5. MTC Annual PREA Reports 6. Interviews: 7. Interview: <ol style="list-style-type: none"> a. MTC PREA Coordinator <p>115.89 (a) (b) (c) (d) Pursuant to MTC #903E.02, MTC ensures that incident -based and aggregate data are securely retained. MTC aggregated sexual abuse data from MTC facilities under tis direct control are made readily available to the public at annually through its website. Before making aggregated sexual abuse data publicly available MTC removes all personal identifiers. MTC maintains sexual abuse data collected pursuant to standard 115.87 for not less than 10 years after the date of initial collection, unless federal, state, or local law requires otherwise. Per a review of the agency’s website the final reports were made available annually to the public and did not include any personal identifiers. An interview with the MTC PREA Coordinator, any information that could possibly identify individuals and or could pose a threat to the security of a facility are excluded from the reports prior to publishing on the agency’s website. The data is electronically stored with limited access and is maintained in an excess of 10 years. A review of the agency’s website at https://www.mtctrains.com/prea/ confirmed Annual PREA Reports were accessible for viewing annually from 2013 through 2021.</p> <p>Based on the review of the agency's policy, agency’s website, and an interview with the agency PREA Coordinator, BSJ and the agency (MTC) does meet all provisions of the standard.</p>

115.401	Frequency and scope of audits
	<p data-bbox="280 188 1007 224">Auditor Overall Determination: Meets Standard</p> <p data-bbox="280 264 580 300">Auditor Discussion</p> <p data-bbox="280 340 1469 667">115.401 This is the first year of the fourth cycle. However, BSJ reopened on October 20, 2021, to receive inmates after closure in June 2020 under the management of the Management & Training Corporation (MTC). A review of the MTC website confirmed the posting of the most recent BSJ PREA Audit was dated December 1, 2018. Additionally, a review of the agency’s PREA Annual PREA Reports noted four facilities were reopened in 2021. A review of the MTC agency website at https://www.mtctrains.com/prea/ confirmed correctional facilities under its management were posted each year of cycle one, cycle two and cycle three.</p> <p data-bbox="280 707 1445 945">The auditor was provided full access to all buildings and areas during the tour and throughout the site visit. Areas observed during the site visit included but was not limited to the following: housing units, food service, medical, mental health, administrative offices, inmate program areas, inmate restricted housing unit, maintenance, warehouse, mailroom, intake, religious services, observation of inmate risk screening, visitation area, and recreation areas.</p> <p data-bbox="280 985 1458 1352">The OAS was used to complete the audit process with a review period of October 20, 2021, through September 20, 2022. The auditor was provided with copies of all requested documentation and information to include electronically storage documentation. The auditor requested and received sufficient sampling based on the size of the facility and inmate count, investigative reports, confirmation of background investigations, staff and inmate PREA training, medical, mental health, and investigators specialized training, inmate risk screenings, mental health referrals, and other documents. This information was uploaded in the OAS for review.</p> <p data-bbox="280 1393 1469 1630">The auditor received confirmation of the PREA Audit Notice Posting on October 26, 2022. The notice was posted six weeks prior to the first day of the site visit. The PREA Audit Notice was observed posted throughout the facility upon entering the front entrance, visitation, food services, program areas, administration, intake, mental health, medical, and housing units accessible for all offender population and staff.</p> <p data-bbox="280 1671 1477 1872">The auditor was provided office space to conduct all inmate and staff interviews in a private setting. Interviews were conducted with random and specialized staff in addition to random and target group inmates. The inmate’s count on the first day of the site visit was 750. Twenty-six inmates were selected for random interviews and thirteen were selected for the targeted groups interviews.</p> <p data-bbox="280 1912 1445 2069">An interview with staff assigned to the mailroom staff confirmed for security concerns, all outgoing inmate mail is unsealed prior to being screened by staff. However, inmate mail identified as related to PREA is allowed to be sealed in front of staff upon verification of contents. The auditor did not receive any confidential</p>

mail from BSJ staff and/or the inmate population. No offenders and/or staff requested to speak with the auditor.

Based on the above, the facility has demonstrated compliance with all provisions of this standard.

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.403 This is the first year of the fourth audit cycle for BSJ. However, the contractual agreement between the Texas Department of Criminal Justice and Management & Training Corporation (MTC) included the closure of BSJ during the third audit cycle in June 2020 through October 20, 2021, a PREA audit was not completed during the third audit cycle. The most recent completed PREA audit for BSJ is dated December 1, 2018, under the management of MTC and is posted on its agency’s website at https://www.mtctrains.com/prea/</p> <p>However, a review of correctional facilities operated by the MTC during previous PREA cycles does confirm, the facility’s PREA audits were made available to the public on its agency’s website at https://www.mtctrains.com/prea/</p> <p>Therefore, Management and Training Corporation and BSJ does meet the requirements of the standard.</p>

Appendix: Provision Findings		
115.11 (a)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes
115.11 (b)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?	yes
115.11 (c)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)	yes
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	yes
115.12 (a)	Contracting with other entities for the confinement of inmates	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	na

115.12 (b)	Contracting with other entities for the confinement of inmates	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	na

115.13 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need	yes

	for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes
115.13 (b)	Supervision and monitoring	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	yes
115.13 (c)	Supervision and monitoring	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes
115.13 (d)	Supervision and monitoring	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes

115.14 (a)	Youthful inmates	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.14 (b)	Youthful inmates	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.14 (c)	Youthful inmates	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.15 (a)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes

115.15 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	na
	Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A if the facility does not have female inmates.)	na
115.15 (c)	Limits to cross-gender viewing and searches	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	na
115.15 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
115.15 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes

115.15 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

115.16 (a)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are blind or have low vision?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have intellectual disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have psychiatric disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have speech disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other (if "other," please explain in overall determination notes.)	yes
	Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing?	yes
	Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication	yes

	with inmates with disabilities including inmates who: Have intellectual disabilities?	
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes
115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes

115.17 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
115.17 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes

115.17 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes
115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes
115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes

115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
115.18 (a)	Upgrades to facilities and technologies	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na
115.18 (b)	Upgrades to facilities and technologies	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	na
115.21 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes

115.21 (b) Evidence protocol and forensic medical examinations		
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (c) Evidence protocol and forensic medical examinations		
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.21 (d) Evidence protocol and forensic medical examinations		
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes

115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	na
115.21 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	yes
115.22 (a)	Policies to ensure referrals of allegations for investigations	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes

115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes
115.31 (a)	Employee training	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes

115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes
115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.32 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.32 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes

115.33 (a) Inmate education		
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
115.33 (b) Inmate education		
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
115.33 (c) Inmate education		
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes
115.33 (d) Inmate education		
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes

115.33 (e)	Inmate education	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
115.33 (f)	Inmate education	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats?	yes
115.34 (a)	Specialized training: Investigations	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.34 (b)	Specialized training: Investigations	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.34 (c)	Specialized training: Investigations	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	na

115.35 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
115.41 (a)	Screening for risk of victimization and abusiveness	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

115.41 (d)	Screening for risk of victimization and abusiveness	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes?	yes

115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
115.41 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes
115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes

115.42 (a) Use of screening information		
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
115.42 (b) Use of screening information		
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
115.42 (c) Use of screening information		
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes

115.42 (d) Use of screening information		
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes
115.42 (e) Use of screening information		
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
115.42 (f) Use of screening information		
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
115.42 (g) Use of screening information		
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes

115.43 (a)	Protective Custody	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes
115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na

115.43 (c)	Protective Custody	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
115.43 (d)	Protective Custody	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
115.43 (e)	Protective Custody	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
115.51 (a)	Inmate reporting	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na
115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	no

115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes

115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes

115.52 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
115.52 (g)	Exhaustion of administrative remedies	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes

115.53 (a)	Inmate access to outside confidential support services	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility never has persons detained solely for civil immigration purposes.)	na
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
115.53 (b)	Inmate access to outside confidential support services	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
115.53 (c)	Inmate access to outside confidential support services	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
115.54 (a)	Third-party reporting	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes

115.61 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
115.61 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes
115.61 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
115.61 (d)	Staff and agency reporting duties	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
115.61 (e)	Staff and agency reporting duties	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes

115.62 (a)	Agency protection duties	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes
115.63 (a)	Reporting to other confinement facilities	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
115.63 (b)	Reporting to other confinement facilities	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
115.63 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes
115.63 (d)	Reporting to other confinement facilities	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes

115.64 (a)	Staff first responder duties	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes

115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.67 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

115.67 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes

115.67 (d)	Agency protection against retaliation	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
115.67 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
115.68 (a)	Post-allegation protective custody	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
115.71 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
115.71 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
115.71 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes

115.71 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.71 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.71 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes

115.71 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
115.73 (a)	Reporting to inmates	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes

115.73 (c)	Reporting to inmates	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
115.73 (d)	Reporting to inmates	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes
115.73 (e)	Reporting to inmates	
	Does the agency document all such notifications or attempted notifications?	yes

115.76 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
115.76 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
115.76 (c)	Disciplinary sanctions for staff	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes

115.78 (a)	Disciplinary sanctions for inmates	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
115.78 (b)	Disciplinary sanctions for inmates	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
115.78 (c)	Disciplinary sanctions for inmates	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
115.78 (d)	Disciplinary sanctions for inmates	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes
115.78 (e)	Disciplinary sanctions for inmates	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes
115.78 (f)	Disciplinary sanctions for inmates	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
115.78 (g)	Disciplinary sanctions for inmates	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes

115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	yes
115.81 (b)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	yes
115.81 (c)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes

115.82 (a)	Access to emergency medical and mental health services	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
115.82 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
115.82 (c)	Access to emergency medical and mental health services	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes

115.83 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes

115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	yes
115.86 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes
115.86 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.86 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes

115.86 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
115.86 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.87 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes

115.87 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.87 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	yes
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes
115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
115.88 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
115.88 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes

115.88 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
115.89 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.89 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
115.401 (a)	Frequency and scope of audits	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes

115.401 (b)	Frequency and scope of audits	
	Is this the first year of the current audit cycle? (Note: a “no” response does not impact overall compliance with this standard.)	yes
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	na
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	na
115.401 (h)	Frequency and scope of audits	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
115.401 (i)	Frequency and scope of audits	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
115.401 (m)	Frequency and scope of audits	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes
115.401 (n)	Frequency and scope of audits	
	Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes

115.403 (f)	Audit contents and findings	
	<p>The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)</p>	yes