

PREA Facility Audit Report: Final

Name of Facility: Willacy State Jail

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 03/13/2023

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: Darren Lanier Bryant	Date of Signature: 03/13/2023

AUDITOR INFORMATION	
Auditor name:	Bryant, Darren
Email:	dbryant357@msn.com
Start Date of On-Site Audit:	01/10/2023
End Date of On-Site Audit:	01/12/2023

FACILITY INFORMATION	
Facility name:	Willacy State Jail
Facility physical address:	1695 South Buffalo Drive, Raymondville , Texas - 78580
Facility mailing address:	

Primary Contact	
Name:	Bernadette Rodriguez
Email Address:	bernadette.rodriguez@mtctrains.com
Telephone Number:	956-689-4900

Warden/Jail Administrator/Sheriff/Director	
Name:	Bernadette Rodriguez
Email Address:	bernadette.rodriguez@mtctrains.com
Telephone Number:	956-689-4900

Facility PREA Compliance Manager	
Name:	Kristal Parmer
Email Address:	kristal.parmer@mtctrains.com
Telephone Number:	

Facility Health Service Administrator On-site	
Name:	Rebecca De La Cruz
Email Address:	De La Cruz, Rebecca L.
Telephone Number:	956-316-2400 ext 335

Facility Characteristics	
Designed facility capacity:	1069
Current population of facility:	1039
Average daily population for the past 12 months:	1013
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:	Adults 18 & up (range)
Facility security levels/inmate custody levels:	minimum / medium
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	197
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:	65

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

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.

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.

Number of standards exceeded:

5

- 115.17 - Hiring and promotion decisions
- 115.34 - Specialized training: Investigations
- 115.67 - Agency protection against retaliation
- 115.71 - Criminal and administrative agency investigations
- 115.77 - Corrective action for contractors and volunteers

Number of standards met:

40

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:	2023-01-10
2. End date of the onsite portion of the audit:	2023-01-12

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:	Valley Baptist Hospital

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	1069
15. Average daily population for the past 12 months:	1013
16. Number of inmate/resident/detainee housing units:	9
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:	1048
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:	1
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:	0
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:	0
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:	91

<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>4</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>3</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>0</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>95</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>197</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>2</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>5</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>20</p>
<p>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input checked="" type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None

55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	Interviewed inmates from each housing units.
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:	20
<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:	1

<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>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>Auditor spoke with Facility PREA Manager and Medical. The facility had only one inmate with a disability.</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>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>Auditor spoke with PREA Manager and Medical. Both indicated no blind inmates or inmates with low visibility.</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>Auditor questioned PREA Manager and Medical about this population. No deaf or hard of hearing inmates housed at this facility during time of audit.</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>11</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>6</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>4</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>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>Auditor spoke with PREA Manager / Chief of Classification about this targeted group. Auditor was informed that those inmates were released or transferred to other facilities.</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>

<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>Auditor spoke with PREA Manager / Chief of Classification and Assistant Warden about the above targeted group. No inmates were placed in Segregated housing for victimization during the audit period.</p>
<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>

Staff, Volunteer, and Contractor Interviews

Random Staff Interviews

<p>71. Enter the total number of RANDOM STAFF who were interviewed:</p>	<p>20</p>
<p>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</p>	<p><input checked="" type="checkbox"/> Length of tenure in the facility</p> <p><input checked="" type="checkbox"/> Shift assignment</p> <p><input checked="" type="checkbox"/> Work assignment</p> <p><input checked="" type="checkbox"/> Rank (or equivalent)</p> <p><input checked="" type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>

<p>If "Other," describe:</p>	<p>Auditor wanted to interview female staff about their announcements, before entering the units and to investigate, if male inmates could shower and use toilets without being observed by female staff. I wanted to speak with them about their pat search training.</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>14</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>
<p>78. Were you able to interview the PREA Coordinator?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

79. Were you able to interview the PREA Compliance Manager?

Yes

No

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:	2
b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)	<input checked="" 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 checked="" type="checkbox"/> Maintenance/construction <input type="checkbox"/> Other

83. Provide any additional comments regarding selecting or interviewing specialized staff.	No text provided.
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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>
<p>Documentation Sampling</p>	
<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	3	3	3	3
Staff-on-inmate sexual abuse	1	1	1	1
Total	4	4	4	4

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	1	1	1	1
Staff-on-inmate sexual harassment	0	0	0	0
Total	1	1	1	1

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	3	0
Staff-on-inmate sexual abuse	0	1	0	0
Total	0	1	3	0

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	1	0	0	1
Staff-on-inmate sexual harassment	0	0	0	0
Total	1	0	0	1

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:

4

<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>
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Inmate-on-inmate sexual abuse investigation files

<p>100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>4</p>
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<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal 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 inmate-on-inmate sexual abuse investigation files)</p>
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<p>102. Did your sample of INMATE-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 inmate-on-inmate sexual abuse investigation files)</p>
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Staff-on-inmate sexual abuse investigation files

<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>1</p>
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<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal 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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<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>1</p>
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<p>a. Explain why you were unable to review any sexual harassment investigation files:</p>	<p>No claims of sexual harassment during this audit period. The facility received five sexual abuse allegations.</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>1</p>
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<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal 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 inmate-on-inmate sexual harassment investigation files)</p>
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<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT 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 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 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 harassment investigation files)</p>
<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>Number 97- Inmate made sexual harassment allegation. Staff reviewed video footage and found the aggressor wrapping his arms around him, while in the dayroom. This was substantiated by the investigator and aggressor received a Disciplinary Report.</p>

SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

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.

- Yes
- No

Non-certified Support Staff

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.

- Yes
- No

AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?

- The audited facility or its parent agency
- My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)
- A third-party auditing entity (e.g., accreditation body, consulting firm)
- Other

Identify the name of the third-party auditing entity

Corrections Management Communication Group

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.

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility meets this standard. The standard is addressed in the noted policies and procedures:</p> <ul style="list-style-type: none"> • TDCJ Executive Directive 3.03 • MTC PREA Policy- Sexual Safety • Safe Prisons PREA Plan • Safe Prisons / PREA Operations Manual (SPPOM) <p>The above was also confirmed by staff and inmate interviews. All were aware of the Zero tolerance policy. Inmates received training upon arrival to the facility. Staff has been trained and is trained annually during their in-service training. The department has an agency wide coordinator, and her sole responsibility is PREA. She coordinates with several other Institutional PREA Managers. The PREA Coordinator was very knowledgeable about the PREA requirements and worked very hard trying to meet all PREA requirements.</p> <p>The auditor interviewed the Facility PREA Compliance Manager. She indicated that she has more than enough time to perform her PREA duties. She has been in this position about 2 years and reports directly to the Warden. The auditor interviewed staff, and all acknowledged she is the point of contact for PREA.</p> <p>The auditor observed both organizational charts facility and agency. The facility organizational chart shows the PREA Manager reports to the Warden. The agency chart shows the PREA Coordinator reports only to the Agency Head.</p>

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>A review of the uploaded documentation confirmed that this agency Management & Training Corporation (MTC) is expected to adopt and comply with the PREA standards. All agency contractual agreements include the language requiring all MTC facilities adopt and comply with the PREA standards. Texas Department of Criminal Justice has a contract monitoring system to ensure that the contractor is complying with the PREA standards. This facility Willacy County State Jail has met the requirements of Standard 115.12. Evidence relied upon to make auditor determination:</p> <ul style="list-style-type: none"> • PREA Audit Questionnaire • Interview with Agency PREA Coordinator and Facility PREA Manager • Interview with Facility Contract Monitor • Memo written by Warden. • MTC Contract <p>Those contracted facilities (MTC) are audited internally by TDCJ and MTC PREA Audit Team annually.</p>

115.13	Supervision and monitoring
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <p data-bbox="256 264 557 300">Auditor Discussion</p> <p data-bbox="256 340 1453 622">The facility meets the standard. The facility policy requires upper- level and intermediate level managers each of them to conduct regular and random unannounced rounds to identify and deter staff and inmate sexual misconduct. This auditor interviewed supervisors from each shift and Chief of Security. All of them indicated that their rounds are documented by staff in the housing logbook, but the supervisors are also required to document in the Supervisory Logbook on post. This was verified by this auditor and their times were staggered.</p> <p data-bbox="256 663 1481 1115">The auditor reviewed logbook documentation and learned unannounced rounds were conducted by upper-level and intermediate-level custody management staff. Random unannounced rounds were examined (January 2022, October 2022, and December 2022) by the Auditor. The examination confirmed that Willacy County State Jail conducted unannounced rounds on every shift and the unannounced rounds were conducted by a member of intermediate-level or upper-level management. Likewise, the facility has a procedure in place that allows correction managers to enter the facility without staff having an opportunity to alert other staff. The Assistant Warden confirmed during his interview that deviations from the approved staffing plan would be documented. The Auditor confirmed that Willacy County State Jail documented and justified all deviations from the established staffing plan for reasons such as:</p> <ul data-bbox="256 1155 791 1352" style="list-style-type: none"> • Unscheduled medical appointments • Constant suicide watch • Emergency maintenance • An emergency inmate transfer • A state of emergency <p data-bbox="256 1393 1453 1464">An interview conducted with both Warden and Assistant Warden confirmed that they instructed their supervisors to immediately schedule overtime.</p> <p data-bbox="256 1505 1461 1662">The auditor discussed annual reviews of the staffing plan with the facility PREA Compliance Manager. She confirmed that she considers current staffing levels and camera placements during their review. The auditor was provided the staffing review conducted in 2021 and 2022.</p> <p data-bbox="256 1702 1477 2074">Auditor reviewed the following policies MTC PREA Policy, Safe Prison PREA Plan. Both policies address the requirements of PREA standard 115.13. These policies require frequent monitoring of the staffing plan, frequent reporting on the effects of staffing on PREA supervision objectives, and regular facility rounds to assess sexual abuse vulnerabilities caused by staffing issues. In addition, the same policies require that Willacy County State Jail have a written staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse. The Assistant Warden indicated that during staffing analysis and the development and review of the facility’s staffing plan, they would consider generally</p>

	<p>accepted detention and correctional practices; the need for additional video monitoring; any judicial findings of inadequacy; the facility's physical plant (including "blind spots" or areas where staff or inmates may be isolated); and the prevalence of substantiated and unsubstantiated incidents of sexual abuse. The Warden confirmed that in the past 12 months, 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.</p>
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115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility doesn't house youthful offenders. The auditor learned this by the following evidence:</p> <ul style="list-style-type: none">• Pre-Audit Questionnaire• Texas State Statue• MTC Daily Population Reports• Interviews with the Warden, Assistant Warden, and PREA Coordinator

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ul style="list-style-type: none"> • Willacy County State Jail Completed PREA-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Texas Department of Criminal Justice (TDCJ) Safe Prisons/ PREA Plan • Search Training Lesson Plan <p>Auditor interviewed the following staff members:</p> <ul style="list-style-type: none"> • Random Security • Non-Security Staff • Random Inmates • Targeted inmates <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. (B) 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 involved in cross-gender strip and/or visual searches during the management operation of Willacy County State Jail.</p> <p>115.15 (b) (c) Willacy County State Jail 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</p>

opportunity to shower separately from other offenders in accordance with MTC policies. The facility identified four (4) inmates identified as transgender were housed at Willacy County State Jail during the 12-month review period. Per an interview with the Willacy County State Jail PREA Compliance Manager, each of the inmates were offered the opportunity to shower at designated times. Interviews with the four (4) Transgender inmates confirmed that they can safely shower alone. Interviews with random staff confirmed their awareness that inmates identified as transgender, or intersex would be offered to shower alone.

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. In addition to requirement of staff completion of 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 four (4) inmates identified as transgender at Willacy County State Jail during the site visit for interviews. All four inmates confirmed they were searched in a professional manner. 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, Willacy County State Jail 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

The auditor verified a staff translator list was available. The language line is available for use by staff when a staff translator is not available. There are posters in English and Spanish on all housing bulletin boards. Policy prohibits the use of inmate interpreters except in emergency situations or the inmate's safety would be compromised. Staff interviews supported that inmates would not be relied on as translators.

The Auditor interviewed eleven (11) Limited English Proficient (LEP) inmates and each LEP inmate confirmed through an interpreter that they were provided PREA related information and orientation in a language they understood. It should be mentioned that the interpreter was a custody staff person.

The Assistant Warden indicated that during intake, facility would ensure a bi-lingual staff was working. The facility provides a language line service to meet the need of LEP inmates. The agency provides PREA related videos with closed captions for hearing impaired inmates assigned to the facility. The Assistant Warden confirmed that the facility does not use inmate interpreters, inmate readers or other types of inmate assistants in the performance of first responder duties or during the investigation of an inmate's allegations. Interviews with first responders, investigators, medical and mental health staff, and the Assistant Warden confirmed their awareness of the prohibition of using inmate interpreters for any PREA investigative purpose.

Auditor reviewed and read the following policies & documentation:

- Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ)
- Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons
- TDCJ Safe Prisons/PREA Plan
- Agreement Between MTC North American Master Services Agreement for Language Line Services
- TDCJ Administrative Directive AD-04.25 Language Assistance Services to Offenders Identified as Monolingual Spanish-Speaking
- Use of Language Line During LEP Inmate Interview
- PREA Material in Spanish Language

Auditor interviewed the following:

- Warden
- Assistant Warden
- Willacy County State Jail PREA Compliance Manager
- Random Staff

- Limited English Inmate (Spanish)
- Inmates Identified with Physical Disabilities

Auditor learned during the interviews that 99% of certified staff are bilingual.

Interviews with staff, reviewing policies, and an examination of supporting documentation confirmed compliance with Standard 115.16.

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>The auditor reviewed policies Safe Prisons PREA Plan, Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons and MTC Rules of Conduct determined prior to hiring of new employees who may have contact with inmates. MTC Human Resource perform criminal background records check, consistent with Federal, State, and local law, makes its best effort to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending of an allegation of sexual abuse. The above policy applies to new employees, contract vendors, and volunteers.</p> <p>A random sample of employee files, and an interview with Human Resource Staff, it was confirmed MTC performs criminal background checks on all new hire employees. Auditor learned 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 tracking system that ensures the agency and facility are informed of any employee arrests. Auditor learned during the interview that TDCJ conducts yearly check of all employees. The Human Resource Manager confirmed that the agency attempts to contact prior employers for information on substantiated allegations of sexual abuse / harassment, or resignations which occurred during a pending investigation of sexual abuse / harassment. Ten new staff members and five promoted staff personnel files were reviewed and found to have completed prior to employment or promotion. Sample of notification of arrest was provided to verify TDCJ notification system.</p> <p>An interview with the Warden and Assistant Warden. Both confirmed Willacy County State Jail hiring practices were in line with the agency's policies. Both representatives confirmed that the agency attempts to contact prior employers for information on substantiated allegations of sexual abuse or resignations which occurred during a pending investigation of sexual abuse. They also confirmed that the agency provides 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. Management & Training Corporation (MTC) and Texas Department of Criminal Justice (TDCJ) notifies appropriate licensing/ certifying agencies, when professional personnel are terminated for substantiated allegations of sexual abuse or sexual harassment.</p> <p>Auditor reviewed the above policies and interviews with the Warden, Assistant Warden, Human Resource Manager, confirmed compliance with Standard 115.17.</p>

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	<p data-bbox="256 264 560 297">Auditor Discussion</p> <p data-bbox="256 342 1477 790">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 g and camera coverage during the design or renovation phase of the facility. The 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 sixteen (116) cameras are strategically located in all housing units, visitation area, intake areas, walkways, recreation yards, sallyports, inner and outer perimeters and inmate kitchen dining room.</p> <p data-bbox="256 835 1477 992">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 data-bbox="256 1037 1477 1272">An interview conducted with the Warden and Chief of Security indicated there has not been any substantial expansion or modification of the existing facility since being contracted 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 data-bbox="256 1317 1477 1384">Based on the review of MTC policy, observation and interviews with the Warden, Chief of Security and staff, Willacy County State Jail meets all provisions of the standard.</p> <p data-bbox="256 1429 1062 1462">Evidence Reviewed (documents, interviews, site review):</p> <ul data-bbox="331 1529 1477 1641" style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Interviews with Warden, Assistant Warden and Chief of Security

115.21	Evidence protocol and forensic medical examinations
	<p data-bbox="256 188 986 221">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 558 297">Auditor Discussion</p> <p data-bbox="256 340 1477 622">In accordance with the review of the below policies, it was determined that this agency has policy and procedures in place that enables the Inspector General Office the responsibility of investigating any sexual criminal or administrative investigations. This agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions. The above information was also confirmed by interviewing an investigator from the Office of Inspector General.</p> <p data-bbox="256 665 951 698">Auditor reviewed and read the following policies:</p> <ul data-bbox="331 763 855 925" style="list-style-type: none"> • Safe Prison • PREA Plan • MTC PREA Policy • OIG Operational Procedure Manual <p data-bbox="256 967 1477 1288">The Texas Department of Criminal Justice (TDCJ) conducts all criminal investigations due to MTC not having authority to conduct criminal investigation. Willacy County State Jail has assigned agency OIG investigator who is responsible for investigating allegations of administrative and criminal sexual abuse/sexual harassment that occur in the facility. TDCJ Office of Inspector General follows the uniform evidence protocol and maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutorial requirements for investigating allegations of sexual abuse.</p> <p data-bbox="256 1330 1453 1574">The OIG Investigators are responsible for conducting administrative and all investigations that could contain possible criminal actions. The assigned OIG investigator may give authorization to a properly trained facility investigator to conduct inmate allegations and staff involved investigations involving staff not less than two ranking levels from the investigating staff for administrative investigations only. The facility investigators training meets the requirements of standard 115.34.</p> <p data-bbox="256 1617 1453 1854">The agency has a Mutual of Understanding with Valley Baptist Center to provide examination for sexual abuse. Willacy County State Jail have several staff members to provide victim advocate services to inmates of sexual abuse. The Facility PREA Manager is trying to establish an MOU with the local Rape Crisis Center. All inmates of sexual abuse will receive free medical and mental health services. The auditor confirmed this by interviewing the Mental Health Manager.</p> <p data-bbox="256 1897 1477 2049">The facility doesn't have a Sexual Assault Nurse Examiners (SANE) nor Sexual Assault Forensic Examiner (SAFE) Nurse at the facility. The facility will transport any sexually abused inmate to the local hospital for access to SAFE or SANE trained medical staff if the need arises. Auditor confirmed this information by interviewing the Nursing</p>

Manager and reading the following policies:

- MTC PREA Policy
- Safe PRISON PREA Plan
- OIG Operational Procedure Manual

Auditor interviewed the following staff members:

- OIG Investigator
- Facility Investigator
- Facility PREA Manager
- Emergency Room Charge Nurse

This facility meets the standard.

115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Evidence Reviewed (documents, interviews, site review):</p> <ul style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Texas Department of Criminal Justice Safe Prisons/ PREA Plan • TDCJ Safe Prisons/PREA Operations Manual Sexual Abuse Response and Investigations 05.01 <p>Auditor interviewed the following staff members:</p> <ul style="list-style-type: none"> • Agency Head • OIG Investigator • Facility PREA Manager • MTC Facility Investigator • Assistant Warden <p>115.22 (b) MTC #903E.02, TDCJ Safe 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 administrative criminal investigations of alleged sexual abuse are performed by an entity other MTC efforts will be made to obtain the agencies investigative policy. MTC will make the entity aware of investigating requirements under PREA.</p> <p>Willacy County State Jail /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 the Facility PREA Manager, Assistant Warden and an Office of Inspector General Investigator. All three acknowledged criminal investigations are conducted by the OIG investigator. MTC Facility investigators will conduct the administrative investigations.</p> <p>Willacy County State Jail reported five (5) PREA allegations during the 12-month review period. These investigations include one staff on inmate sexual abuse allegations, four inmates on inmate sexual abuse, four (4) unsubstantiated, and (1)</p>

one staff on inmate was unfounded. One (1) inmate on inmate sexual harassment was substantiated. Sexual penetration and/or sexual contact was not identified during the administrative or criminal 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 aggregation so sexual abuse and sexual harassment. MTC PREA contact: MTC PREA Coordinator, or Assistant PREA Coordinator. 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, Willacy County State Jail does meet all provisions of the standard.

115.31	Employee 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="256 340 874 376">The auditor reviewed the following policies:</p> <ul data-bbox="331 445 1477 602" style="list-style-type: none"> • Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • TDCJ Training and Leader Development Division Correctional Training and Staff Development Safe Prisons Module Sexual Abuse/Assault <p data-bbox="256 642 1461 799">Staff training files were examined by the Auditor. All training files reviewed reflected that the staff received the appropriate training. Interviews with random and specialized staff, all confirmed that they understood the agency’s current sexual abuse and sexual harassment policies and procedures.</p> <p data-bbox="256 840 1445 1077">Agency policies Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan, Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons, TDCJ Training and Leader Development Division Correctional Training and Staff Development Safe Prisons Module Sexual Abuse/Assault collectively addresses Standard 115.31. The agency trains all employees on the below following who may have contact with inmates:</p> <ul data-bbox="331 1149 1437 1686" style="list-style-type: none"> • on its zero-tolerance policy for sexual abuse and sexual harassment • how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures, • inmates’ right to be free from sexual abuse and sexual harassment, 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, • how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates and • how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. <p data-bbox="256 1727 951 1762">Auditor interviewed the following staff members:</p> <ul data-bbox="331 1832 557 1904" style="list-style-type: none"> • Trainer • Random staff <p data-bbox="256 1944 1445 2016">The above interviews, employee training files and policies confirms compliance with 115. 31.</p>

115.32	Volunteer and contractor training
	<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 1469 667">The volunteer and contractor training form must show the auditor read and understood the training, after their training they must sign the form. They auditor reviewed some of the training forms, and it showed each volunteer and contractor has completed the read and sign acknowledgement form indicating they read their responsibilities and understood. A review of the training records and interviews with contractors and volunteers confirm they received the training. They were questioned about their responsibilities, and all confirmed they understand the zero tolerance and reporting procedures.</p> <p data-bbox="256 705 1477 1155">Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan, Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons, Volunteer Handbook, Volunteer PREA Training Documentation addresses the agency requirements for Standard 115.32. The Auditor confirmed by interview and review of documentation that volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency’s policies and procedures regarding sexual abuse and sexual harassment prevention and detection. The curriculum the agency utilized for training provide the level and type of training that is based on the services they provide and level of contact they have with inmates. The curriculum also covers the agency’s zero tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.</p> <p data-bbox="256 1193 1005 1227">Evidence relied upon to make auditor determination:</p> <ul data-bbox="331 1296 1465 1541" style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Volunteer Handbook • Volunteer PREA Training Documentation • Contractors PREA Training Acknowledgement Forms and Rosters <p data-bbox="256 1579 1334 1612">Auditor interviewed the following staff members/ contractor and volunteers:</p> <ul data-bbox="331 1682 632 1843" style="list-style-type: none"> • Interviews • contractor • religious volunteer • Program volunteer <p data-bbox="256 1881 1477 2080">Based on the review of the PREA lesson plan designed for volunteers, contractors and interns, interview two volunteers and one contractor who demonstrated their knowledge of the agency’s’ zero-tolerance for sexual abuse and sexual harassment, and confirmation of their training, Willacy County State Jail does meet all provisions of the standard.</p>

115.33	<p data-bbox="240 91 1503 1668">Inmate education</p> <p data-bbox="240 165 1503 241">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 241 1503 318">Auditor Discussion</p> <p data-bbox="240 318 1503 504">All interviewed inmates confirmed that they received their PREA Orientation during the first day of arrival. The auditor reviewed policies, inmate handbook, Orientation materials and interviewed intake staff. Inmates complete the acknowledgement form indicating they have reviewed the PREA information.</p> <p data-bbox="240 504 1503 840">In accordance with the review of policies Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons, Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan Prevention, Detection, and Response of Sexual Abuse and Harassment, it was determined that Willacy County State Jail has policies in place to ensure inmates with limited English, deaf, visually impaired, and inmates with limited reading skills receive staff assistance and equipment to understand the PREA Educational materials.</p> <p data-bbox="240 840 1503 996">Auditor observed PREA Inmate Informational Handouts in both English and Spanish during the facility tour of intake. Auditor observed an inmate going through the PREA orientation and he was provided the PREA handbook.</p> <p data-bbox="240 996 1503 1265">The Facility PREA Manager during her interview confirmed that in addition to providing PREA related education during the intake process, Willacy County State Jail ensures that key information is continuously and readily available or visible to inmates through posters, inmate handbooks and informal PREA conversations. The Auditor observed PREA related education throughout the facility on posters printed in Spanish and English.</p> <p data-bbox="240 1265 1503 1422">All inmates sampled (random and targeted) 100% confirmed to the Auditor that they understood their rights and provided the Auditor with multiple ways to report sexual abuse and sexual harassment.</p> <p data-bbox="240 1422 1503 1668">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 40 inmates and intake staff, Willacy County State Jail has met the requirements of Standard 115.33.</p>
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115.34	Specialized training: Investigations
	<p data-bbox="256 188 1015 221">Auditor Overall Determination: Exceeds Standard</p> <hr/> <p data-bbox="256 264 557 297">Auditor Discussion</p> <p data-bbox="256 340 1098 374">Auditor reviewed the following policies and documentation:</p> <ul data-bbox="331 443 1465 560" style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Investigators Training Certificates <p data-bbox="256 602 1477 1637">115.34 Agency policy MTC #903E.02 identified training requirements for conducting sexual abuse and sexual harassments allegations for corrections facilities under management of Texas Department of Criminal Justice. All investigators are required to complete the " PREA: Conducting Sexual Abuse Investigations in a Confinement Setting. " Investigators assigned to the Office of Inspector General are assigned to conduct selected administrative investigations and 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 the must attend a four hour in person training course "Conducting Thorough Investigations" to TDCJ Investigators within the agency to include MTC employees. Confirmation of ten (10) Willacy County State Jail 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 Facility Investigators; both acknowledged 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 one administrative sexual harassment investigation was completed by a Facility Investigator who had previously completed the "PREA: Conducting Sexual Abuse Investigations in a Confinement Setting" through the National PREA Resource Center. When possible criminal charges are identified, these investigations are completed by the Office of Inspector General only. There were four criminal investigations initiated during the review period.</p> <p data-bbox="256 1680 951 1713">Auditor interviewed the following staff members:</p> <ul data-bbox="331 1783 711 1854" style="list-style-type: none"> • OIG Investigator • MTC Facility Investigator <p data-bbox="256 1897 1382 1971">Based on the review of policies, training documentation and interviews, Willacy County State Jail does meet all provisions of the standard.</p>

115.35	<p data-bbox="252 107 1214 152">Specialized training: Medical and mental health care</p> <p data-bbox="252 185 986 219">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 264 560 297">Auditor Discussion</p> <p data-bbox="252 338 1469 622">This auditor interviewed Nursing Supervisor about medical staff receiving PREA Training. This auditor reviewed their Training files and learned they received PREA Training. Auditor questioned the Nursing Supervisor about conducting Forensic exams on sexually abuse victims. Nursing Supervisor explained, Willacy County State Jail medical staff does not conduct forensic medical exams. Nursing Supervisor further explained, any inmate that experienced sexual abuse will be transported to the hospital for examination.</p> <p data-bbox="252 663 1433 734">The auditor contacted the local hospital and spoke with an emergency room nurse. She informed me that her Nurses are trained to conduct Forensic examination.</p> <p data-bbox="252 775 1437 936">This auditor interviewed Mental Health Supervisor about PREA Training. Mental Health Supervisor informed this auditor that she receives PREA Training yearly. This auditor confirmed this information by reviewing her Training records. Mental Health Supervisor does the sexual screening and counseling for Willacy County State Jail.</p> <p data-bbox="252 976 1474 1171">The Texas Department of Criminal Justice (TDCJ) policy on training medical and mental health staff is outlined in both medical and mental health have received their training. TDCJ maintains documentation that medical and mental health practitioners have received the training referenced in this standard and it was verified through upload in section 115.35 (c)-1.</p> <p data-bbox="252 1211 1406 1283">Willacy County State Jail met the requirements of Standard 115.35. Based on the following evidence:</p> <ul data-bbox="331 1357 1465 1552" style="list-style-type: none"> • Pre-Audit Questionnaire • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Documentation of Completed Specialized Training • Specialized PREA Training Modules Slides • Interviews with Nursing & Mental Health Supervisor:
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115.41

Screening for risk of victimization and abusiveness

Auditor Overall Determination: Meets Standard

Auditor Discussion

The auditor reviewed:

1. Willacy County State Jail 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 Plans
4. Review of Risk Screenings
5. Auditor observed some screenings during site visit.

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.

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. 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 his 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 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.

Auditor interviewed:

1. Random and Target Group Inmates
2. Staff who conduct Risk Screenings
3. MTC PREA Coordinator
4. Willacy County State Jail PREA Compliance Manager

Per an interview with Willacy County State Jail 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 Manager. The auditor observed the inmates' files secured file 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, and MTC PREA Coordinator, and Willacy County State Jail PREA Compliance Manager, timely completion of 72 risk screening for both 72 hours and 30-days and observation during site, Willacy County State Jail does meet all provision of the standard.

115.42	Use of screening information
	<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="256 340 815 376">Auditor reviewed the following policies:</p> <ul data-bbox="331 443 1465 600" style="list-style-type: none"> • Willacy County State Jail Completed PREA-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plans • Observation During Site Visit <p data-bbox="256 640 1477 1048">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 data-bbox="256 1088 1477 1581">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 data-bbox="256 1621 1453 1908">There were zero inmates identified as intersex and four (4) inmates identified as transgender who were housed at Willacy County State Jail during the 12-month review period. None of the transgender inmates express any safety concerns at the Willacy County State Jail and were placed in the general population. The inmates received their thirty-day and/or bi-annual reassessments. Per staff who conducted risk screening, they met with the inmates throughout their stay at Willacy County State Jail regarding any concerns with their safety while at the facility.</p> <p data-bbox="256 1948 735 1984">Auditor interviewed the following:</p> <ul data-bbox="331 2047 560 2083" style="list-style-type: none"> • Random Staff

- Facility PREA Compliance Manager
- Staff who conduct Risk Screening

Per an interview Willacy County State Jail PREA Compliance Manager/staff who conduct risk screening, and random staff, all identified inmates identified as transgenders housed in the general population are offered to shower separately from the general population inmates.

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 Willacy County State Jail PREA Compliance Manager, and random staff, this facility does meet all provisions of the standard.

115.43 Protective Custody

Auditor Overall Determination: Meets Standard

Auditor Discussion

Auditor reviewed the following:

- Willacy County State Jail Completed PREA-Audit Questionnaire (PAQ)
- Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons
- Texas Department of Criminal Justice Unit Classification Procedure, Protective Safekeeping 2.04
- Willacy County State Jail PREA Compliance Manager & Warden attached Statement of Fact documentation.

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.

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.

Auditor interviewed the following staff:

- Warden
- Willacy County State Jail PREA Compliance Manager
- Staff who Supervise Segregation
- Assistant Warden
- Chief of Security

Per interviews with the Warden, Willacy County State Jail PREA Compliance Manager and staff assigned to supervise segregation, the facility does not assign inmates at high risk of sexual victimization in involuntary segregation. Such inmates may be placed in transit status not to exceed 72 hours to complete an investigation and transferred. The inmate would have access to recreation, phone calls, legal and leisure reading material and personal property.

Per the Facility PREA Compliance Manager, Willacy County State Jail is not permitted under policy to house a person in Protective Custody. If it is determined through an investigation that an inmate is not safe on the facility, and is in need of protective custody, TDCJ will be notified with a transfer request. 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, Willacy County State Jail does meet all provisions of the standard.

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor reviewed the following:</p> <ul style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Executive Directive ED-02.16 PREA Complaints and Inquiries • TDCJ Safe Prisons/PREA Plan • Inmate Facility Handbook • PREA Posters <p>115.51 (a) (b) (c) (d) 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. The Contact information for 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 population. The TBCJ PREA Ombudsman Office can be contacted at P.O. Box 99, Huntsville, TX 77342-0099 (936) 437-5570 via phone. An email can be forward at prea.ombudsman@tdcj.texas.gov. The auditor was directly to the posters in the housing units for external ways to report PREA allegations during tours conducting informal interviews with the inmate population while in housing and program areas. The inmates acknowledged the PREA Ombudsman phone number and mailing address posted on walls in the housing units and program areas during formal interviews. They 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</p>

inmate handbook in addition to the posters. 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.

Auditor interviewed:

- Warden
- Facility PREA Compliance Manager
- Staff who Supervise Segregation
- Chief of Security
- Assistant Warden
- TBCJ Ombudsman's Office Personnel
- Random Staff
- Random and Target Inmates
- Mailroom staff

Interviews were conducted with inmates identified as 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 Willacy County State Jail 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. There were no inmates identified as low vision at this facility.

Staff interviews confirmed their knowledge of 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. 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, Willacy County State Jail does not house inmates solely for civil immigration purposes.

The review of the completed PREA investigative case files, identified one allegation was reported via an anonymous note and the other cases were reported to 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 Ombudsman's Office Personnel, Willacy County State Jail mailroom staff, and the inmate population, it is determined that this facility does meet all provisions of the standard.

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor reviewed the following documentation:</p> <ul style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan • 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. 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 reported sexual abuse & harassment investigative case files during the 12-month review period.</p> <p>Auditor interviewed:</p> <ul style="list-style-type: none"> • Warden • Facility PREA Manager • Assistant Warden • Chief of Security <p>Auditor learned during the interviews that the grievance's mailboxes available to the inmate population. Upon receiving a grievance in which a PREA allegation is reported, the Chief of Security, PREA Compliance Manager, Warden and the allegation is forward for an investigation by the OIG Investigator.</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, Willacy County State Jail does meet all provisions of the standard.</p>

115.53

Inmate access to outside confidential support services

Auditor Overall Determination: Meets Standard

Auditor Discussion

Auditor reviewed the following:

- Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ)
- Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons
- Memorandum of Understanding Between Willacy County State Jail and Valley Baptist Hospital
- PREA Posters
- Safe Prison PREA Plan

The agency has memorandum of understanding with Valley Baptist Hospital to provide counseling to sexually abused inmates. The facility has also trained their staff to provide counseling to sexually abused inmates. The facility informs inmates prior to giving them access, of the extent to which such communications will be monitored and 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.

Auditor interviewed:

- Valley Baptist Nurse
- Inmate Identified in a past Sexual Abuse Investigation
- Random, Targeted Group Inmates and Informal Inmate Interviews
- Mental Health Supervisor
- Nurse
- Facility PREA Compliance Manager

The above information is published in the inmate handbook, and they're reminded during orientation. This information was confirmed by staff, and inmate interviews. This auditor reviewed the inmate handbook and located the above information.

Formal interviews were conducted with 22 randomly selected inmates, and 18 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 does not house detainees solely for civil immigration purposes. Management Training Center and TDCJ policy establishes that inmates who are committed to the custody of the department will have access to external sexual abuse emotional support services. Access is provided even if they do not wish to

make a report of sexual abuse. Services are based on the county where the inmate is housed and includes at a minimum, written access to emotional support services via correspondence. Where telephone hotline services are available, services can be accessed via the inmate telephone system by dialing the number listed on the poster. Inmates are advised that PREA external emotional support services are confidential.

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 hospital, and staff trained to counsel inmates during crisis. Willacy County State Jail does meet all provisions of the standard.

115.54 Third-party reporting

Auditor Overall Determination: Meets Standard

Auditor Discussion

Auditor reviewed:

- Willacy County State Jail Completed PREA-Audit Questionnaire (PAQ)
- Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons
- Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan
- TDCJ Website
- MTC Website
- Postings Observed During Site Visit
- TDCJ Inmate Orientation Handbook

This agency has developed several methods to receive third party reports of sexual abuse and sexual harassment. Third party reporting is available by MTC & Texas Department of Criminal Justice Web, Tips line, grievances, and Ombudsmen's Office.

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)43-5555 via fax prea.ombudsman@tdcj.texas.gov. This information is posted throughout the facility accessible to the inmate population and was shown to the auditor during informal inmate interviews.

TDCJ Safe Prisons/PREA Plan states family members or other individuals may report verbally or in writing to unit administration, the TDCJ Ombudsman office, OIG, or PREA ombudsman office any time they have knowledge of or suspect an offender has been sexually abused, sexually harassed, or requires protection.

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.

Auditor interviewed:

- Facility PREA Manager
- Agency PREA Coordinator
- OIG Criminal Investigator
- Random staff & Inmates
- Targeted inmates

This auditor interviewed the Facility PREA Manager, Agency PREA Coordinator, and Inspector General Investigator. A review of the webpage confirmed the above information.

	<p>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. Therefore, Willacy County State Jail does meet the provisions of the standard.</p>
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115.61	Staff and agency reporting duties
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The auditor interviewed random staff, contractors, volunteers, and medical staff. All staff members confirmed their obligations to immediately report sexual abuse or harassment of an inmate so an investigation can be initiated, and the victim immediately protected against his abuser.</p> <p>Auditor interviewed the following staff members:</p> <ul style="list-style-type: none"> • Warden • Willacy County State Jail Investigator • OIG Investigator • MTC PREA Coordinator • Random Staff • Medical and Mental Health Staff <p>The auditor reviewed the policies and determined it addresses the requirement of standard 115.61:</p> <ul style="list-style-type: none"> • Willacy County State Jail Completed PREA-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan • Correctional Managed Health Care Policy Manual G-57.1, Sexual Assault /Sexual Abuse <p>The above policies cover reporting of retaliation against inmates and staff who reported an incident of sexual abuse or harassment, 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.</p> <p>TDCJ Safe Prisons/PREA Plan and MTC #903E.02 the Shift Supervisor, the Chief of Security, the Warden, or the OIG will immediately be notified of all reported PREA allegations. Per the Warden, Willacy County State Jail Facility Investigator and OIG Investigators, all such reported allegations would be investigated and concluded with an investigative finding of unfounded, unsubstantiated, or substantiated.</p> <p>Medical and mental health practitioners interviewed during the audit confirmed they are required to inform inmates the limitations of confidentiality, at the initiation of services. An employee, contractor or volunteer who fails to report an allegation, or coerces or threatens another person to submit inaccurate, incomplete or untruthful information with the intent to alter a report, may face disciplinary charges, up to and including dismissal, even on a first offense. All interviewed staff (random and specialized) reported receiving annual training on their responsibility to prevent,</p>

respond, and report all allegations of sexual abuse and sexual harassment in accordance with the Prison Rape Elimination Act (PREA). Interviews with staff (random and specialized) supported compliance with Standard 115.61.

Willacy County State Jail does not house youthful inmates therefore 115.61 (d) does not apply to this facility.

After reviewing policies and speaking with the PREA Coordinator and Manager, it was determined this facility meets the standard.

115.62	Agency protection 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="256 340 951 376">Auditor interviewed the following staff members:</p> <ul data-bbox="331 443 624 560" style="list-style-type: none"> • Warden • MTC Agency Head • Random Staff <p data-bbox="256 600 1477 1303">115.62 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 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 data-bbox="256 1344 1075 1379">Auditor reviewed the following policy and documentation:</p> <ul data-bbox="331 1447 1465 1518" style="list-style-type: none"> • Willacy County State Jail Completed PREA-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons <p data-bbox="256 1559 1394 1635">The Willacy County State Jail PAQ identified zero instances where an inmate was identified as subject to a substantial risk of imminent sexual abuse.</p> <p data-bbox="256 1675 1426 1877">This agency has a policy and procedures in place to protect inmates from sexual abuse. Interviews conducted with Assistant Warden, PREA Manager, and random sample of staff confirmed upon becoming aware that an inmate is subject to a substantial risk of imminent sexual abuse, each case is evaluated by the Assistant Warden and the PREA Manager.</p> <p data-bbox="256 1917 1477 2074">MTC & TDCJ policies direct staff who learn that an inmate is subject to a substantial risk of imminent sexual abuse to take immediate action to protect the inmate. These same policies require all staff to be committed to ensuring the protection of victims of sexual assault, and will employ multiple measures, including but not limited to,</p>

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 harassment or for cooperating with investigations in order to fulfill this commitment. In the past 12 months, Willacy County State Jail determined that no inmates were subject to a substantial risk of imminent sexual abuse.

Willacy County State has met the requirements of Standard 115.62.

115.63 Reporting to other confinement facilities

Auditor Overall Determination: Meets Standard

Auditor Discussion

This agency has policies, and procedures in place to ensure where upon receiving an allegation that an inmate was sexually abused at another facility, the head of the facility that received the allegation shall notify the head of the facility where the alleged abuse occurred. This notification shall occur within 72 hours.

Auditor reviewed the following policies and documentation:

- Willacy County State Jail Completed PREA-Audit Questionnaire (PAQ)
- Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons
- SAFE PRISONS/PREA OPERATIONS MANUAL 04.01
- TDCJ Safe Prisons/PREA Plan

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 or appropriate office of the agency /facility where sexual abuse is alleged to have occurred. Within 72 hours, the facility head provides such notification as soon as possible after receiving allegation and provides documentation 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 ombudsman “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.

Auditor interviewed the following staff members:

- Warden
- Agency Head
- OIG Investigator
- Facility PREA Manager

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 a previous institution 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 Willacy County State Jail Warden there have not been occurrences since her arrival at the facility. However, all notifications would be made on the day the allegation was received to the affected institution and an investigation would immediately begin upon being advised of previous incidents having occurred at Willacy County State Jail. Auditor interviewed the Facility PREA Manager and Investigator. Both informed this auditor no allegations of sexual abuse, while inmates were confined at another facility.

Based on the above evidence Willacy County State Jail met the requirements of Standard 115.63.

115.64	<p data-bbox="240 91 1495 1666">Staff first responder duties</p> <p data-bbox="240 165 1495 241">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 241 1495 318">Auditor Discussion</p> <p data-bbox="240 318 1495 394">Auditor reviewed the following policies and documentation:</p> <ul data-bbox="331 443 916 600" style="list-style-type: none"> • MTC #903E.02 • Safe Prisons / PREA Operations Manual • Training files • Investigative files <p data-bbox="240 645 1495 922">This auditor reviewed policies Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons and SAFE PRISONS/PREA OPERATIONS MANUAL 05.0. Both policies specify procedures to respond to an allegation of sexual abuse for both security and non-security staff. Random staff interviews confirm both security and non-security knew what to do upon learning an inmate was sexually abused to include separating the alleged victim and abuser, how to preserve the crime scene, and what actions inmates should not take in order not to destroy physical evidence.</p> <p data-bbox="240 967 1495 1155">This auditor reviewed training records of certified and non-certified staff. The files' confirmed staff is trained as First Responders. This auditor reviewed all 4 investigative files of sexual abuse allegations. All cases showed staff separating the victim and securing the crime scene. All victims were escorted to medical for evaluation.</p> <p data-bbox="240 1200 1495 1236">Auditor interviewed the following staff members:</p> <ul data-bbox="331 1303 628 1415" style="list-style-type: none"> • Security Staff • Non- security staff • Trainer <p data-bbox="240 1460 1495 1536">Auditor interviewed Security and none- security staff. All interviewed staff knew their responsibilities, while learning and responding to sexual abuse.</p> <p data-bbox="240 1581 1495 1657">Based on the above interviews and policies Willacy County State Jail Facility meets the standard 115.64.</p>
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115.65	<p>Coordinated response</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>This facility has an institutional plan, which outlines what is to take place in response to an incident of sexual abuse among first responders, medical, and mental health practitioners, inspectors, and facility leadership. This auditor interviewed specialized staff and confirmed they were knowledgeable about their individual and collaborative responsibilities.</p> <p>The Willacy County State Jail 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, 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 handling, documentation and the proper release of information. Per an interview with the Warden, she confirmed the facility’s coordinated response to allegations of sexual abuse would be initiated immediately. She concluded in stating, facility staff also receive training during departmental meeting, walk-throughs and during security shift briefings on their response duties.</p> <p>Auditor interviewed:</p> <ul style="list-style-type: none"> • Warden • Assistant Warden • Chief of Security <p>Based on the review of the Willacy County State Jail coordinated response to sexual abuse that outlines procedures for responding staff in addition to the proper notification to ranking staff. Willacy County State Jail does meet the standard provision.</p>
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115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<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 Willacy County State Jail PAQ and interview Facility PREA Compliance Manager, Willacy County State Jail does not have a collective bargaining agreement.</p> <p>Based on the review of agency’s policy, interview with the agency head and Warden, the facility does meet all provision of the standard.</p>

115.67 Agency protection against retaliation

Auditor Overall Determination: Exceeds Standard

Auditor Discussion

The Assistant Warden is designated to monitor staff retaliation and the Facility PREA Manager monitors inmates for retaliation. Both inmates and staff are monitored up to 90 days or more if needed. PREA Manager Monitoring inmates includes reviewing inmate disciplinary reports, housing or program changes. The Assistant Warden monitor staff for any negative job performances. If there is a suggestion of possible retaliation, any evidence of possible retaliation will be referred to the OIG for investigation and the agency PREA Coordinator will be advised of same. The Assistant Warden reported zero incidents of retaliation in the past 12 months.

The auditor interviewed:

- Random Staff
- Facility PREA Manager
- Agency PREA Coordinator
- Assistant Warden
- Agency Head
- Targeted inmates

During an interview with the Assistant Warden, he confirmed that the agency employs multiple protection measures, such as facility 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.

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 inmate 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 unsubstantiated sexual abuse and sexual harassment investigations to include those who cooperate with an investigation and until an 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.

All random interviewed staff knew who was responsible for monitoring them against retaliation.

Auditor interviewed targeted inmates. All inmates knew who would be responsible to monitor them, and the location of her office. All targeted inmates informed the auditor that they feel safe, while housed at Willacy County State Jail. All targeted inmates further explained that the Facility PREA Manager checks on them weekly and they can stop by her office anytime with any concerns.

This auditor reviewed the following policies:

- Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons
- SAFE Prisons/PREA Operational Manual 5.08
- TDCJ Safe Prisons/PREA Plan
- Investigative files

The above policies discuss retaliation, and protection for staff and inmates that report sexual abuse or cooperate during the investigation. This policy clearly protects inmates and staff who report sexual abuse or harassment. Auditor reviewed investigative files and noticed all allege victims were monitored weekly.

Willacy County State Jail has met the requirement of this standard.

115.68	Post-allegation protective custody
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Auditor reviewed the following policies and document:</p> <ul style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons (PREA) • Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan <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>Auditor interviewed:</p> <ul style="list-style-type: none"> • Warden • Staff who supervise segregation <p>Per interviews with the Willacy County State Jail Warden and staff assigned to supervise segregation, the facility does not place inmates in involuntary segregation upon them reporting an allegation of sexual abuse. Depending on the circumstances of the allegations reported, an inmate may be placed in transit status not to exceed 72 hours pending the completion of the investigation and recommended for transfer if necessary. However, transit status is not involuntary segregation. No inmates were reported to have been placed in involuntary segregation due to reporting and/or identified in a sexual abuse allegation during the 12-month review period and/or the site visit.</p> <p>Based on the review of agency policy, interviews with Warden, supervisor of segregation, completed sexual abuse investigative case files. Willacy County State Jail does meet the standard provision.</p>

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Auditor viewed policies:</p> <ul style="list-style-type: none"> • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons (PREA) • TDCJ Safe Prisons/PREA Plan • Safe Prison /PREA Operations Manual 05.01 Sexual Abuse Response and Investigation • Reporting Incident /Crimes to the Office of the Inspector General A.D. 16.20 <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>Willacy County State Jail facility investigators are authorized to only conduct administrative investigations. 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, and Chief of Security, with notification of an allegation being submitted. The investigator also notifies the Wardens, Chief of Security, 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 summarize 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 been uploaded into the system. Once all has been uploaded, the investigator submits the investigation for review first by the Chief of Security. If the Chief of Security 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 Chief of Security for review. Upon the Chief of Security approval of the investigation, the SPPANS system forwards it to Facility PREA Manager / Unit Classification who then schedules a committee to determine the outcome of the investigation. The</p>

classification committee will be composed of one of the Warden or Assistant Wardens, or the Chief of Security 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 State 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 signed copy is uploaded into the SPPANS. The SPPANS System then moves the investigation into the incident review phase where unit administration, medical, mental health and safe prisons staff conducts a final review. This process is automatically completed for all investigations.

Auditor interviewed the following staff members:

- Willacy County State Investigator
- Office of Inspector General Investigator
- Facility PREA Manager
- PREA Coordinator

Per an interview with the OIG Investigator, the local facility policies require all allegations to the Office of the Inspector General for investigations AD-16.20 Reporting Incidents/Crimes to the Office of the Inspector General. As a sworn law enforcement officer, he has successfully completed the Police Academy and with 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. If the OIG conducts administrative investigations against staff, the investigation shall be performed in accordance with OIG policies and procedures. The OIG agency has its own reporting system but has access to the TDCJ system. If the sexual assault was 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 further explained 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 4 reported sexual abuse allegations and 1 sexual harassment since the 12-month review period of November 30, 2022. All five investigations were completed by the OIG investigator. Three investigation was determined as Unsubstantiated, and one was unfounded. The sexual harassment 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 investigation 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, Chief of

Security 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 investigator 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
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <p data-bbox="256 264 557 300">Auditor Discussion</p> <p data-bbox="256 340 786 376">Auditor viewed the following policies:</p> <ul data-bbox="331 443 1465 562" style="list-style-type: none"><li data-bbox="331 443 1302 479">• Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ)<li data-bbox="331 483 1465 519">• Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons<li data-bbox="331 524 1318 562">• Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan <p data-bbox="256 602 1477 721">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.</p> <p data-bbox="256 757 951 792">Auditor interviewed the following staff members:</p> <ul data-bbox="331 860 644 936" style="list-style-type: none"><li data-bbox="331 860 560 896">• OIG Inspector<li data-bbox="331 900 644 936">• Facility Investigator <p data-bbox="256 972 1477 1218">Per interviews with both the Willacy County State Jail 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 confirmed upon the determination of a probable cause that a crime has been committed; the case is referred for prosecution.</p> <p data-bbox="256 1254 1437 1373">Based on the review of agencies policies, completed investigative case files, interviews with the Facility Investigator and OIG Inspector, Willacy County State Jail does meet the provision of the standard.</p>

115.73	Reporting to inmates
	<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 1069 376">Auditor viewed the following policies and documentation:</p> <ul data-bbox="331 443 1468 645" style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan • Confirmation of Inmate Notification of Investigative Findings • Completed PREA Investigative Case Files <p data-bbox="256 685 1468 967">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 data-bbox="256 1008 1468 1711">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 notifications shall be documented. The requirement to provide offender notification shall terminates if the offender is released from the custody of the TDCJ.</p> <p data-bbox="256 1751 1468 1863">There was one (1) staff on inmate sexual abuse investigative finding was determined as Unfounded. The inmate's signatures confirmed receipt of the investigative findings' notifications.</p> <p data-bbox="256 1904 1468 2060">A review of the investigative case file confirmed the inmate acknowledged his notification that the inmate (aggressor) was no longer housed in Willacy County State Jail. Due to no criminal charges determined during the investigative findings, the identified inmate was not indicted, or convicted of criminal activity.</p>

The requirement and practice of notifying all inmates of the investigative findings at the conclusion were confirmed by the Willacy County State Jail Warden.

Based on the review of agency's policies, review of the five (5) completed PREA investigative case file, notifications of investigative findings acknowledged by the inmates, and interviews with the Warden and Facility Investigator, OIG investigative staff, Willacy County State Jail meets all provisions of standard 115.73.

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor viewed the following policies & documentation:</p> <ul style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan <p>The agency policies indicate staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse, sexual misconduct, and sexual harassment policies and for failing to report. MTC & TCDJ will fully investigate and aggressively prosecute those who are involved in such conduct if, in fact, a crime has been committed. Any staff who is terminated for a violation of the zero-tolerance prison sexual assault policy shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies. An employee, contractor or volunteer who fails to report an allegation, or coerces or threatens another person to submit inaccurate, incomplete or untruthful information with the intent to alter a report, may face disciplinary charges, up to and including dismissal, even on a first offense. The failure to participate in an investigation would be grounds for terminating employment.</p> <p>Auditor interviewed the following staff members:</p> <ul style="list-style-type: none"> • Warden • Assistant Warden • Human Resource Manager <p>All employees are subject to administrative disciplinary sanctions for violating agency sexual abuse/sexual harassment policies. The Collective Bargaining Agreements with the MTC allows for disciplinary sanctions against staff, including termination, for the sexual abuse/sexual harassment of an inmate. Although, Willacy County State Jail does not have a union. All terminations for violations of agency sexual abuse/sexual harassment policies, or resignations by staff in lieu of termination, may be reported to criminal investigators and to any relevant professional, certifying, or licensing agencies, unless the activity was clearly not criminal. The Auditor interviewed the Warden, Assistant Warden and Human Resource Manager, all confirmed that a presumptive disciplinary sanction for staff who engages in sexual abuse will be termination.</p> <p>Willacy County State Jail met the requirements of Standard 115.76.</p>

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Auditor viewed the following policies and documentation:</p> <ul style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan <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. 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>Auditor interviewed the following staff & volunteers:</p> <ul style="list-style-type: none"> • Warden • Program Volunteer • Religious Volunteer • Phone Contractor <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>There were no incidents during this audit cycle.</p> <p>Willacy County State Jail meets all provisions of the standard.</p>

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor viewed the following policies and documentation:</p> <ul style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Texas Department of Criminal Justice (TDCJ) Safe Prisons/PREA Plan • Completed PREA Investigative Case Files • TDCJ Disciplinary Manual <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 guilt 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 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</p>

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 f.

The TDCJ Disciplinary Manual, includes the rules of prohibited conduct and penalties for infractions committed by the inmate population.

The facility reported four (4) PREA sexual abuse allegations and (1) sexual harassment reported and investigated.

There were zero reported allegation of sexual abuse completed where an inmate and staff member were identified as a substantiated sexual abuse allegation and zero instances where an inmate was subject to discipline. Agency's policy prohibits disciplinary action for a report of sexual 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.

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.

Auditor interviewed the following staff members:

- Willacy County State Jail Warden
- Mental Health Administrator

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 will provide treatment to both the victim and the aggressor. Services are available to the inmate population that do 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 Manuel, TDCJ Safe Prisons/PREA Plan, interviews with Warden and mental health staff, Willacy County State Jail does meet all provisions of the standard.

115.81	Medical and mental health screenings; history of sexual abuse
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Auditor viewed the following policies and documentation:</p> <ul style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Safe Prison PREA Plan <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 Willacy County State Jail PREA Compliance Manager and Assistant Warden. 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 are seen within 14 days of the referral. Both indicated the Safe Prison/PREA Automated Network System (SPPAN) utilized during risk screening automatically refers an inmate to mental health upon being identified prior victim of sexual abuse and/or an aggressor of sexual abuse. The facility identified 12 inmates reported prior sexual victimization and zero inmate reported 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.</p> <p>MTC #904E.310 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 Willacy County State Jail that authorizes staff to release medical and mental health information without violating the HIPAA laws. All confirmed the facility has not and will not house offenders under the age of 18 years old.</p> <p>Auditor 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</p>

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 of 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. Willacy County State Jail does not house inmates under the age of 18.

Auditor interviewed two targeted inmates. Both inmates admitted to prior sexual abuse victimization during the screening process. Both inmates confirmed they spoke with both medical and mental health professionals.

Auditor interviewed the following staff members:

- Staff who conduct risk screening
- Medical and Mental Health Staff
- Inmates who reported prior sexual victimization
- Warden
- Targeted inmates

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 only authorized staff. The inmates' base files are secured in the designated Records office and controlled by assigned staff. Access to the SPPAN (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, Willacy County State Jail does meet all provisions of the standard.

115.82 Access to emergency medical and mental health services

Auditor Overall Determination: Meets Standard

Auditor Discussion

Auditor reviewed the following policies and documentation:

- Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ)
- Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons
- Texas Department of Criminal Justice (TDCJ) SAFE Prisons/PREA Plan
- Investigative Case Files

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 MTC 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 MTC policies.

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.

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.

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.

MTC 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.

Offenders who become victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate and in accordance with MTC policies.

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.

Auditor interviewed the following staff members:

- Medical and Mental Health Staff
- Facility PREA Compliance Manager

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. The staff confirmed offender victims medical and mental health services are nothing less than that which is consistent with the community level of care.

Although there were 4 sexual abuse allegations investigated during the review period, neither allegation involved sexual contact. Although, all four inmates were offered medical and mental health.

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

115.83	<p>Ongoing medical and mental health care for sexual abuse victims and abusers</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Auditor reviewed the following policies and documentation:</p> <ul style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Texas Department of Criminal Justice (TDCJ) SAFE Prisons/PREA Plan • PREA Investigative Case Files <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 University of Texas Medical Branch (UTMB) & Management and Training Corporation (MTC) 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 UTMB 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 UTMB policies.</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> <p>The four sexual abuse allegations did not identify sexual contact. The inmate victims were offered and received medical and mental health services and it was documented.</p> <p>Auditor interviewed the following staff members:</p> <ul style="list-style-type: none"> • Medical Staff • Mental Health Staff
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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 MTC & UTMB policies. Per an interview with the mental health practitioner, a mental health evaluation would be conducted within 14 days of the determined investigative finding.

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 UTMB & MTC policies. However, Willacy County State Jail 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 allegation case files, inmate's medical and mental health documentation, interviews of medical and mental health staff, Willacy County State Jail does meet all provisions of the standard.

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor reviewed the following policies and documentation:</p> <ul style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Texas Department of Criminal Justice (TDCJ) SAFE Prison/PREA Plan <p>The auditor interviewed the Warden, Assistant Warden, Chief of Security, PREA Compliance Manager, and the MTC PREA Coordinator, it was confirmed all incidents of sexual abuse are reviewed by the Sexual Incident Review Team. This team conducts a review of the incident within 30 days. This team will review the investigation file, speak with line staff, and medical / mental health for input. Their findings and recommendations will be forwarded to the Warden. The Warden reviews this information and starts the implementation process of the findings. The report is then forwarded to the Central Office.</p> <p>Auditor confirmed from the PREA Manager, the sexual assault incident review team includes upper-level management officials and allows for input from supervisors, investigators and medical or mental health practitioners.</p> <p>Auditor interviewed the following staff members:</p> <ul style="list-style-type: none"> • Warden • Assistant Warden • MTC PREA Coordinator • PREA Compliance Manager • Chief of Security • Sergeant • Facility Investigator <p>Auditor reviewed the Sexual Abuse Incident Review Facility Investigation Summary; It was determined policy and procedures were in place to conduct Incident Reviews of PREA / Sexual abuse incidents within 30 days of incident.</p> <p>Based on the review of agency's policy, completion of the incident review conducted one day after the completion of the substantiated sexual abuse investigative finding, interviews with staff who serve on the incident review team, Warden and Willacy County State Jail PREA Compliance Manager. It is determined Willacy County State Jail does meet all provisions of the standard.</p>

115.87	Data collection
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Auditor reviewed the following policies and documentation:</p> <ul style="list-style-type: none"> • Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) • Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons • Texas Department of Criminal Justice (TDCJ) SAFE Prison/PREA Plan • MTC Agency Website • MTC 2021 Annual PREA Reports <p>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, it (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>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 2023 for the 2024 calendar year. The agency has developed a data collection instrument that mirrors the DOJ Survey of Sexual Victimization.</p> <p>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 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.</p> <p>Willacy County State Jail has reported four sexual abuse allegations and one sexual</p>

harassment allegation. 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, Willacy County State Jail meets all provisions of the standard.

115.88	<p data-bbox="240 91 1503 1731">Data review for corrective action</p> <p data-bbox="240 172 1503 241">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 255 1503 324">Auditor Discussion</p> <p data-bbox="240 338 1503 371">Auditor reviewed the following policies and documentation:</p> <ul data-bbox="331 443 1503 645" style="list-style-type: none"> <li data-bbox="331 443 1503 477">• Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) <li data-bbox="331 483 1503 517">• Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons <li data-bbox="331 524 1503 557">• Texas Department of Criminal Justice (TDCJ) SAFE Prison/PREA Plan <li data-bbox="331 564 1503 598">• MTC Agency Website <li data-bbox="331 604 1503 638">• MTC 2021 Annual PREA Reports <p data-bbox="240 685 1503 925">There are policies to addresses the requirements of Standard 115.88. Management & Training Corporation (MTC) reviews and assesses all sexual abuse/sexual harassment data at least annually to improve the effectiveness of its sexual abuse prevention, detection and response policies, to identify any trends, or problematic areas and to take corrective action, if needed. MTC utilizes a standardized instrument with definitions to collect accurate, uniform data for every allegation of sexual assault. During a previous interview with the PREA Coordinator she indicated that MTC data is 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. The instrument includes the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. A review of several annual report revealed that annual reports 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. MTC annual reports are approved by the agency head and made readily available to the public through its website.</p> <p data-bbox="240 1424 1503 1458">Auditor interviewed the following staff members:</p> <ul data-bbox="331 1529 1503 1641" style="list-style-type: none"> <li data-bbox="331 1529 1503 1563">• MTC PREA Coordinator <li data-bbox="331 1570 1503 1603">• Facility PREA Compliance Manager <li data-bbox="331 1610 1503 1644">• Agency Head <p data-bbox="240 1686 1503 1720">Willacy County State Jail met the requirements of Standard 115.88.</p>
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115.89	<p data-bbox="240 91 1495 1666">Data storage, publication, and destruction</p> <p data-bbox="240 165 1495 241">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 241 1495 318">Auditor Discussion</p> <p data-bbox="240 318 1495 394">Auditor reviewed the following policies and documentation:</p> <ul data-bbox="331 443 1495 645" style="list-style-type: none"> <li data-bbox="331 443 1495 481">• Willacy County State Jail Completed Pre-Audit Questionnaire (PAQ) <li data-bbox="331 481 1495 519">• Management & Training Corporation (MTC) #903E.02 Sexual Safety in Prisons <li data-bbox="331 519 1495 557">• Texas Department of Criminal Justice (TDCJ) SAFE Prison/PREA Plan <li data-bbox="331 557 1495 595">• MTC Agency Website <li data-bbox="331 595 1495 633">• MTC Annual PREA Reports <p data-bbox="240 683 1495 840">The auditor reviewed the above policies and documentation, it was determined policy was in place for the secure data storage, publication, and destruction. This was confirmed by interviewing the Agency Head, Agency PREA Coordinator, and Facility PREA Manager.</p> <p data-bbox="240 880 1495 913">Auditor interviewed the following staff members:</p> <ul data-bbox="331 981 1495 1059" style="list-style-type: none"> <li data-bbox="331 981 1495 1019">• MTC PREA Coordinator <li data-bbox="331 1019 1495 1057">• Agency Head <p data-bbox="240 1099 1495 1469">The department ensures that incident based, and aggregate data are securely retained. The departmental policy requires that aggregated sexual abuse data from facilities under its direct control and private facilities with which it contracts be made readily available to the public at least annually through its website. The agency will remove all personal identifiers before making the sexual abuse publicly. The Department maintains sexual abuse data collected following state statute. The up-to-date survey information is submitted and verified by the PREA Coordinator. In addition to keeping paper documents according to retention schedule a retention folder is located on the computer.</p> <p data-bbox="240 1509 1495 1588">The review of the agency Sexual Assault Prevention Program Annual Reports confirms the above practice.</p> <p data-bbox="240 1628 1495 1666">Willacy County State Jail met the requirements of Standard 115.89</p>
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115.401	Frequency and scope of audits
	<p data-bbox="280 188 1007 221">Auditor Overall Determination: Meets Standard</p> <p data-bbox="280 264 580 297">Auditor Discussion</p> <p data-bbox="280 340 1453 584">This is the second year of the fourth cycle. A review of the MTC website confirmed the posting of the most recent Willacy County State Jail PREA Audit was dated July 13- 15, 2021. Additionally, a review of the agency’s PREA Annual PREA Reports noted four facilities were contracted to MTC 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="280 622 1453 866">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="280 904 1477 1227">The OAS was used to complete the audit process. 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 1265 1477 1509">The auditor received confirmation of the PREA Audit Notice Posting on December 19, 2022. The notice was posted three weeks prior to the first day of the site visit and will remain posted until January 30, 2023. 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 1547 1477 1747">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 1,048. Twenty inmates were selected for random interviews and twenty were selected for the targeted groups interviews.</p> <p data-bbox="280 1785 1477 2029">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 mail from Willacy County State Jail staff and/or the inmate population. No offenders and/or staff requested to speak with the auditor.</p> <p data-bbox="280 2067 1477 2101">Based on the above, the facility has demonstrated compliance with all provisions of</p>

	this standard.
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115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The agency places completed audit reports on the agency website as required by the standard. It has provided these documents since 2018 and continued to post them within 2 weeks of the documents being provided to them by the auditor.</p> <p>The most recent completed PREA audit for Willacy is dated January 13- 15, 2020, under the management of MTC and is posted on its agency’s website at https://www.mtctrains.com/prea/.</p> <p>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>Auditor verified the above information by viewing the website and interviewing the Statewide PREA Coordinator.</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.)	yes

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.)	yes

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.)	yes
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.)	yes
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).)	na
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.)	yes
	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.)	yes
	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.)	yes

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.)	yes
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.	yes

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.)	yes
	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.)	na

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.)	yes
	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.)	yes
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