

**PREA AUDIT REPORT**     Interim     Final  
**ADULT PRISONS & JAILS**

**Date of report:** January 7, 2017

<b>Auditor Information</b>			
<b>Auditor name:</b> Rodney P. Bivens			
<b>Address:</b> P.O. Box 392, Sweetwater, TN 37874			
<b>Email:</b> rkcorrectionalconsulting@gmail.com			
<b>Telephone number:</b> (865) 659-2424			
<b>Date of facility visit:</b> June 20-22, 2016 and Revisited: November 29, 2016			
<b>Facility Information</b>			
<b>Facility name:</b> Bartlett State Jail			
<b>Facility physical address:</b> 1018 Arnold Drive, Bartlett, Texas 76511			
<b>Facility mailing address:</b> <i>(if different from above)</i> N/A			
<b>Facility telephone number:</b> (254) 527-3300			
<b>The facility is:</b>	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
<b>Facility type:</b>	<input checked="" type="checkbox"/> Prison	<input type="checkbox"/> Jail	
<b>Name of facility's Chief Executive Officer:</b> Warden Shelton Richardson - During Revisit: Warden Jack Garner			
<b>Number of staff assigned to the facility in the last 12 months:</b> 170			
<b>Designed facility capacity:</b> 1049			
<b>Current population of facility:</b> 956 / During revisit population: 847			
<b>Facility security levels/inmate custody levels:</b> Medium, Minimum to Medium			
<b>Age range of the population:</b> 19 to 64			
<b>Name of PREA Compliance Manager:</b> Rodney Johnson		<b>Title:</b> Assistant Warden	
<b>Email address:</b> rodney.johnson@cca.com		<b>Telephone number:</b> (254) 527-3300	
<b>Agency Information</b>			
<b>Name of agency:</b> Corrections Corporation of America			
<b>Governing authority or parent agency:</b> <i>(if applicable)</i> N/A			
<b>Physical address:</b> 10 Burton Hills Blvd, Nashville, TN 37215			
<b>Mailing address:</b> <i>(if different from above)</i> N/A			
<b>Telephone number:</b> (615) 263-3000			
<b>Agency Chief Executive Officer</b>			
<b>Name:</b> Damon Hininger		<b>Title:</b> President and Chief Executive Officer	
<b>Email address:</b> damon.hininger@cca.com		<b>Telephone number:</b> (615) 263-3301	
<b>Agency-Wide PREA Coordinator</b>			
<b>Name:</b> Lisa Hollingsworth		<b>Title:</b> Senior Director PREA Programs and Compliance	
<b>Email address:</b> lisa.hollingsworth@cca.com		<b>Telephone number:</b> (615) 263-6915	

## AUDIT FINDINGS

### NARRATIVE

The Prison Rape Elimination Act initial on-site audit of the Corrections Corporation of America - Bartlett State Jail in Bartlett, Texas was conducted June 20-22, 2016 with a follow-up visit to the facility on November 29, 2016, by Rodney P. Bivens a United States Department of Justice Certified PREA Auditor for adult facilities. The auditor wishes to extend his deepest appreciation to Warden Shelton Richardson and Warden Jack Garner and the staff for their professionalism, hospitality, and kindness. The auditor also wishes to compliment the Corrections Corporation of America's PREA Coordinator Lisa Hollingsworth and the facility PREA Compliance Manager Rodney Johnson for their outstanding work in organizing the files that were provided to the auditor in advance of the audit and for the follow-up documentation they provided during the corrective action period. This enabled the audit to move forward very efficiently.

The pre-audit preparations consist of a thorough review of all documentation and materials submitted by the facility which included the "Pre-Audit Questionnaire". The documentation reviewed included agency policies, procedures, forms, posters, pamphlets, brochures, handbooks, education materials, training curriculums, organizational charts and all other PREA related materials the facility provided to demonstrate compliance with each PREA standard. The auditor and the PREA Coordinator had ongoing communication for several weeks prior to the audit to prepare for the on-site visit.

During the on-site and follow-up visit the facility supplied a list of inmate names sorted by housing units, disabilities, and special designations, as well as a list of facility staff names to the auditor. From these lists the auditor selected, at random, a sampling of inmates and staff to be interviewed during these visits. Due to the size of this facility the sampling size for both inmates and staff was elevated to ensure consistency in training and implementation of the PREA standards. The sampling size for inmates included at least two inmates from each individualized housing unit during the initial visit and a random sampling of 15 inmates during the follow-up visit. This decision was made to ensure all inmates throughout the facility were receiving the same information and education related to all aspects of the PREA program.

The on-site audit began with an entrance meeting being conducted on Monday, June 20, 2016 at 8:30 a.m. in the administrative conference room. The following staff attended the entrance meeting:

Warden Shelton Richardson  
Lisa Hollingsworth, PREA Coordinator  
Assistant Warden Rodney Johnson, PREA Compliance Manager  
Chief of Security Kevin Brown  
Quality Assurance Manager Melissa Holland  
Captain Arto Williams

The follow-up visit also began with an entrance meeting which was conducted on Tuesday, November 29, 2016 at 8:15 a.m. in the same administrative conference room with the following staff in attendance:

Warden Jack Garner  
Lisa Hollingsworth, PREA Coordinator (outgoing)  
Eric Pierson, PREA Coordinator (successor)  
Assistant Warden Mitch Bradshaw  
Assistant Warden Rodney Johnson, PREA Compliance Manager  
Chief of Security Kevin Brown  
Quality Assurance Manager Melissa Holland  
Texas Department of Criminal Justice Contract Monitor Shannon Krempin  
Texas Department of Criminal Justice Compliance Specialist Eva Villarreal

Following the entrance meetings, the auditor conducted a comprehensive site review that began at approximately 9:15 a.m. and continued throughout the two days during the initial visit and immediately following the follow-up entrance meeting. During the site reviews the auditor reviewed mirror placement, blind spots, staff placement, as well as showers, toilets, and strip search areas to assist in determining standard compliance. While touring the facility, the auditor observed the notices of this PREA audit in all the buildings, as well as posters that called attention to the agency's Zero Tolerance Policy and how to report allegations of sexual abuse and sexual harassment. Random staff and inmate interviews were conducted in a private office provided. The following staff accompanied the auditor on the site reviews:

Initial site review:

Lisa Hollingsworth, PREA Coordinator  
Assistant Warden Rodney Johnson, PREA Compliance Manager  
Chief of Security Kevin Brown  
Quality Assurance Manager Melissa Holland

Follow-up site review:

Lisa Hollingsworth, PREA Coordinator (outgoing)  
Eric Pierson, PREA Coordinator (successor)  
Assistant Warden Rodney Johnson, PREA Compliance Manager  
Chief of Security Kevin Brown  
Quality Assurance Manager Melissa Holland  
Texas Department of Criminal Justice Compliance Specialist

All housing units, day rooms, inmate program areas, work areas, and all other inmate accessible areas were toured during the initial site review. During the follow-up site review the auditor revisited those areas of the facility found not meeting standards during the initial on-site visit. While touring several inmates and staff were questioned about their knowledge of PREA standards, procedures for reporting, services available, and their responsibilities. All staff and inmates informally interviewed during the initial tour acknowledged receiving training and procedures for reporting sexual abuse, sexual harassment, and/or retaliation for reporting, but provided inconsistent answers resulting in additional training being required to meet the standards. During the follow-up visit the auditor received confident and consistent answers from both staff and inmates during informal and private interviews.

A total of 44 staff members were interviewed during this audit. Staff interviews consisted of: 13 randomly selected correctional security staff members covering all shifts, 3 volunteers, 2 contract employees, 6 intermediate or higher level supervisors, 15 specialized staff members, and 5 employees informally selected during the facility tour. There is no SAFE or SANE staff at the facility; they are made available at the Scott and White Memorial Hospital in Temple, Texas. When questioned about evidence preservation and PREA responsibilities, staff responses reflected an inconsistent knowledge of agency policies and procedures, resulting in a does not meet standard for 115.31. During the corrective action period the auditor revisited the facility and conducted a total of 17 staff interviews. These interviews consisted of 11 randomly selected security staff members and 6 specialized staff. All the staff interviewed during the follow-up visit responded with knowledgeable, confident, and consistent answers regarding the additional training they received. A review of staff acknowledgement of training forms, training staff interviews, staff interviews, and documentation provided was utilized to confirm compliance with standard 115.31 during the corrective action period.

There were 31 inmates interviewed during the on-site visit. These inmates consisted of: 23 inmates selected at random and 8 informally selected during the facility tour. There were 4 of the 31 inmates selected at random requiring a specialized interview due to being identified as limited English proficient inmates. There were no other inmates identified requiring a specialized interview at the facility. During the inmate interviews the auditor consistently received conflicting answers regarding PREA education as well as the auditor found a lack of documentation of PREA education during the inmate file review resulting in a does not meet standard for 115.33. During interviews with the four limited English proficient inmates two of the four stated they had not received the PREA training and written materials in a language they could understand. It was confirmed during inmate file review and staff interviews that not all the limited English proficient inmates had received the training and written materials as required resulting in a does not meet standard for standards 115.16 and 115.33. During the corrective action period the auditor revisited the facility and conducted a total of 15 inmate interviews. These interviews consisted of 11 randomly selected inmates and 4 limited English proficient inmates. All the inmates interviewed during the follow-up visit responded with knowledgeable, confident, and consistent answers regarding the PREA training they received. The limited English proficient inmates confirmed receiving PREA training in their respective language and PREA training materials being provided to them as well. A review of 15 inmate files, inmate interviews, staff interviews, and documentation provided was utilized to confirm compliance with standards 115.16 and 115.33 during the corrective action period. All inmates interviewed felt if they had to file a PREA complaint the facility would respond appropriately to their complaint and that all PREA complaints were taken very serious by staff at this facility.

The auditor selected and carefully examined 12 personnel files, 12 staff training files, and 6 volunteer files. The personnel and volunteer files were very well organized and contained all the necessary background check information and signed statements regarding previous sexual misconduct described in the standards. The training records were also very complete and included written documentation that staff and volunteers received the required PREA training and understood what was being trained. However, staff interviews reflected an inconsistent knowledge of agency policies and procedures, resulting in a does not meet standard for 115.31. During the corrective action period the auditor revisited the facility and conducted a total of 17 staff interviews. All the staff interviewed during the follow-up visit responded with knowledgeable, confident, and consistent answers regarding the additional training they received. A review of staff acknowledgement of training forms, training staff interviews, staff interviews, and documentation provided was utilized to confirm compliance with standard 115.31 during the corrective action period.

The auditor also reviewed 15 inmate files and determined that the facility was not meeting the requirements of standards 115.16, 115.33 and 115.41 requiring corrective action. During the corrective action period the auditor revisited the facility and conducted a total of 15 inmate interviews, reviewed 15 additional inmate files, and reviewed the documentation provided to confirm compliance with these standards and the corrective actions required.

In the twelve months preceding the audit, Corrections Corporation of America - Bartlett State Jail had received and investigated a total of

twelve PREA complaints broken down as follows:

Number Received:	Description of Complaint:	Offender:	Investigative Results:
2	Sexual Abuse (Intentional Touching)	Inmate	2 Unsubstantiated
1	Sexual Abuse (Contact)	Inmate	1 Pending
2	Sexual Harassment	Inmate	2 Unsubstantiated
2	Sexual Abuse (Penetration)	Employee	1 Unsubstantiated 1 Substantiated
2	Sexual Assault (Intentional Touching)	Employee	1 Unfounded 1 Unsubstantiated
2	Sexual Harassment	Employee	1 Pending 1 Substantiated
1	Voyeurism	Employee	1 Unsubstantiated

The investigative files were reviewed during the initial onsite visit and appeared to document thoroughly the investigative process per agency policy. However, there was no documentation in the files of retaliation monitoring, incident reviews, or inmate notification of findings which resulted in a does not meet standard for 115.63, 115.73 and 115.86. During the corrective action period the auditor returned to the facility and reviewed the investigative files, interviewed the retaliation monitoring staff member, interviewed members of the incident review team, and reviewed the documentation provided of retaliation monitoring, inmate notification, and incident reviews being completed confirming compliance with standards 115.63, 115.73 and 115.86 during the corrective action period.

Criminal investigative referrals were documented and proper referrals were made when warranted as directed by agency policy and procedure. A review of all investigative documentation provided confirmed that all cases were referred to the Texas Department of Criminal Justice, Office of the Inspector General who is responsible for investigating each case for potential criminal activity.

At the conclusion of the initial on-site visit an exit meeting was held to discuss the audit findings. The following people were in attendance:

Warden Shelton Richardson  
 Lisa Hollingsworth, PREA Coordinator  
 Assistant Warden Rodney Johnson, PREA Compliance Manager  
 Chief of Security Kevin Brown  
 Quality Assurance Manager Melissa Holland  
 Captain Arto Williams  
 Shannon Krempin, Texas Department of Justice Contract Monitor

Also, an exit meeting was held after the follow-up visit to discuss the corrective action period results and findings. The following people were in attendance:

Warden Jack Garner  
 Lisa Hollingsworth, PREA Coordinator (outgoing)  
 Eric Pierson, PREA Coordinator (successor)  
 Assistant Warden Mitch Bradshaw  
 Assistant Warden Rodney Johnson, PREA Compliance Manager  
 Chief of Security Kevin Brown  
 Quality Assurance Manager Melissa Holland  
 Counsel Substitute Julieann Glover  
 Chief of Classification Delena Allen  
 Learning and Development Manager Jesse Hennage  
 Human Resource Manager T. Earl Lane  
 Texas Department of Criminal Justice Contract Monitor Shannon Krempin  
 Texas Department of Criminal Justice Compliance Specialist Eva Villarreal

During the initial exit meeting the auditor explained the process that would follow the on-site visit. The auditor also explained that if any part of a standard was found to not meet the standard requirements corrective action would be required and he would be working closely with the PREA team to accomplish compliance, as needed. Finally, the auditor acknowledged the willingness of all staff involved to accomplish PREA compliance and advised the PREA team of their requirements to post the final report on the facility website or to utilize other means to make the report available to the public once compliance with all standards was achieved. The follow-up exit meeting consisted of the auditor reporting his findings regarding the successful completion of the corrective action plans.

## **DESCRIPTION OF FACILITY CHARACTERISTICS**

Bartlett State Jail is owned by the Texas Department of Criminal Justice but managed and operated by contract with the Corrections Corporation of America headquartered in Nashville, Tennessee. The facility is classified as a medium security all male facility. Bartlett State Jail was built in 1995 and is located in Northern Williamson County, Bartlett, Texas and 50 miles north of Austin, Texas.

The inmates housed at this facility are sentenced to the Texas Department of Criminal Justice Prison system. A state jail facility in the state of Texas is really not a jail in the traditional sense, there is no one in a Texas state jail facility awaiting trial, like in a county jail. Everyone in a state jail is convicted, and serving a sentence. A state jail felony is generally a non-violent fourth degree felony, with a sentence of 180 days to two years.

The compound sits on approximately 16 acres of land within a single perimeter fence with 3 rolls of razor wire. The design of the facility allows for direct line-of-sight observation of offenders being housed. Facility design also allows for cost-effective utilization of security staff and thereby allows enhanced programmatic activities without significant budgetary impact. By design, the 1,049 offender population is maintained in manageable cohesive groups. Design and construction range from office and educational facility type construction, to the more secure housing units.

There are 8 buildings located within the secure perimeter consisting of; food service, gymnasium/multipurpose building, visitation, warehouse, maintenance, medical, dental, laundry, commissary, master control, restrictive housing units, and the inmate residential living units. The inmate living units are dormitory style except for restrictive housing which is single cell with facilities provided inside each cell. All the dormitory style housing units provide the inmates privacy and unimpeded access to the facilities. Also, located inside the secure perimeter is a program area that all inmates have unimpeded access to the programs being offered. The program area consists of; classrooms, a general and legal library, and educational support space for staff.

The Corrections Corporation of America - Bartlett State Jail's mission is: "to work in conjunction with the State of Texas to provide public safety and promote positive change among offenders by providing the necessary tools for offenders to successfully reintegrate themselves into society. Furthermore, it is the mission of this facility to provide the highest quality of correctional services to the community and to the State of Texas. Lastly, it is our mission to operate a secure and safe facility for staff and offenders. One that fosters trust among each other, encourages communication at all levels, and instills ethical behavior toward our work and towards the offender population." Their values are "having PRIDE in all they do". It was evident the staff at the Corrections Corporation of America's - Bartlett State Jail were committed to excellence in corrections, by providing a dedicated team of professionals whose focus is on the enhancement of the quality of life through self-improvement opportunities for the inmates entrusted to their care.

## **SUMMARY OF AUDIT FINDINGS**

On June 20-22, 2016, the initial on-site visit was completed. During the initial on-site visit the auditor determined that the facility did not meet all the standard requirements for the following standards: 115.15, 115.16, 115.17, 115.31, 115.32, 115.33, 115.41, 115.42, 115.61, 115.67, 115.73, and 115.86. Corrective action plans were developed for each standard and a follow-up visit was scheduled to confirm implementation and compliance. The follow-up site visit was completed November 29, 2016. During the follow-up visit the auditor revisited all areas of the facility that were found deficient during the initial on-site visit to confirm the implementation of corrective action plans for standard 115.15. The auditor also conducted random interviews with staff and inmates, as well as reviewed additional documentation of staff, volunteer, and inmate training required confirming corrective actions plans for standards 115.16, 115.17, 115.31, 115.32, 115.33, 115.41, 115.42, and 115.61. Finally, the auditor interviewed staff and reviewed additional documentation to confirm compliance with the corrective action plans regarding standards 115.67, 115.73, and 115.86.

The results of the Corrections Corporation of America - Bartlett State Jail PREA audit and corrective action follow-up are listed below:

Number of standards exceeded: 0

Number of standards met: 40

Number of standards not met: 0

Number of standards not applicable: 3

### **Standard 115.11 Zero tolerance of sexual abuse and sexual harassment; PREA Coordinator**

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

**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 (a) The Corrections Corporation of America - Bartlett State Jail staff follows the Texas Department of Criminal Justice Safe Prisons PREA Plan which mandates a zero tolerance for all forms of sexual abuse and sexual harassment. This policy outlines the agency's approach to preventing, detecting, and responding to such conduct. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.11 (B) and (C) The agency employs an upper-level, agency-wide PREA Coordinator. Page 8, section C and D of the Safe Prisons/PREA Plan and the Safe Prisons/PREA Operations Manual 01.02 and 01.03 outline the responsibilities of the PREA Coordinator and the PREA Manager. Mrs. Lisa Hollingsworth is the agency-wide PREA Coordinator at Corrections Corporation of America - Bartlett State Jail. Lisa was appointed as the agency-wide PREA Coordinator on May 06, 2014 and was assisted by PREA Compliance Manager Rodney Johnson during this audit. The facility provided the auditor with the organizational chart showing the PREA Coordinator position as an upper-level, agency-wide position. Lisa is very knowledgeable of the PREA standards and actively assists the facility with compliance. Mrs. Hollingsworth has the authority to develop, implement, and oversee PREA compliance. She is actively updating the facility as new Frequently Ask Question (FAQ's) results are published on the PREA Resource Center website.

During interviews with the PREA Coordinator and the PREA Manager, both indicated they had sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.12 Contracting with other entities for the confinement of inmates**

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

**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.**

Based on the documentation provided as well as staff interviews it was determined the Corrections Corporation of America - Bartlett State Jail does not contract with other facilities to house inmates assigned to their custody. Therefore, this standard was found to be non-applicable to this facility during this audit

### **Standard 115.13 Supervision and monitoring**

- Exceeds Standard (substantially exceeds requirement of standard)

- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

**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.**

Based on staff interviews, review of documentation provided and a review of Corrections Corporation of America - Bartlett State Jail; Safe Prisons/PREA Operations Manual, Agency Policy Supplement Section C on pages 2 and 3 also section I on pages 3 and 4. As well as the Texas Department of Criminal Justice Safe Prisons PREA Plan Section D on pages 10 and 11. The following delineates the audit findings regarding this standard:

115.13 (a) The facility has documented and made its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing as described and required by this standard. The established staffing plan uses the criteria found in the standard 115.13 (a) to include the physical layout of the facility, composition of the residents housed, the prevalence of substantiated and unsubstantiated incidents of sexual abuse, and any other relevant factors identified. There is currently limited video monitoring deployed to assist with the protection of offenders against sexual abuse at this facility. The staffing levels are monitored daily by review of shift rosters. It was strongly suggested that the facility deploy video monitoring in all inmate accessible areas as soon as feasible. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.13 (b) The facility has procedures in place to ensure all deviations are covered by overtime or notification must be documented on “Notice to Administration” form 5-1B and submitted to the Warden outlining the reason(s) for the deviation. There has been one deviation reported where the staffing plan had not been complied with in the past twelve months, as confirmed by written documentation and during interview with the Warden. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.13 (c) The staffing plan is reviewed annually by the PREA Manager and forwarded to the PREA Coordinator and Warden for review. It is then forwarded to the Vice President of Facility Operations for signature and approval of any recommendations made which would include changes to policy and procedures, physical plant, video monitoring, or staffing levels. The last Annual Staffing Plan assessment was completed on March 28, 2016. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.13 (d) Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan Section B on page 9, staff interviews, and documentation provided. Intermediate-level or higher-level supervisors are required to conduct and are documenting UNANNOUNCED rounds on all shifts as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.14 Youthful inmates**

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

**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.**

Based on the documentation provided, on-site observation, and staff interviews it was determined that the Corrections Corporation of America – Bartlett State Jail houses only adult inmates and does not house youthful offenders. Therefore, this standard was found to be non-applicable to this facility during this audit.

## Standard 115.15 Limits to cross-gender viewing and searches

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan and Administrative Directives, as well as a review of the training curriculums, staff interviews, training file reviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.15 (a) Texas Department of Criminal Justice; Safe Prisons/PREA Plan Section B on page 9, Texas Department of Criminal Justice Administrative Directive 03.22 sections I and II on pages 2 and 3 and 02.05 section I pages 1 and 2 outlines offender searches including searches of transgender and intersex offenders. The review of training curriculums and staff interviews revealed cross gender strip searches are prohibited except in exigent circumstances and must be documented on "Notice to Administration" form 5-1B and the Inter-Office Communication form when conducted. There have been no documented cross-gender visual body cavity or strip searches reported in the past 12 months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (b) Texas Department of Criminal Justice; Safe Prisons/PREA Plan Section B on page 9, as well as the Texas Department of Criminal Justice Administrative Directives 03.22 sections I and II on pages 2 and 3 and 02.05 section I on pages 1 and 2 prohibits male employees from frisk/pat searches of female inmates/residents except in exigent circumstances. However, Corrections Corporation of America - Bartlett State Jail is an all-male facility. Therefore, this part of the standard is not applicable.

115.15 (c) Texas Department of Criminal Justice; Safe Prisons/PREA Plan Section B on page 9, Texas Department of Criminal Justice Administrative Directive 03.22 sections I and II on pages 2 and 3 and 02.05 section I on pages 1 and 2 prohibits frisk/pat searches of the female inmates by male staff and requires that all cross-gender searches in exigent circumstances be documented on the "Notice to Administration" form 5-1B and the Inter-Office Communication form. However, Corrections Corporation of America - Bartlett State Jail is an all-male facility. Therefore, this part of the standard is not applicable.

115.15 (d) Texas Department of Criminal Justice; Safe Prisons/PREA Plan Section B on page 9 outlines that inmates shall be permitted to shower, perform bodily functions and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks or genitalia. The inmates confirmed during interviews they have privacy when showering, using the toilets and while changing their clothes. However, during the on-site visit the auditor observed several areas that did not meet this part of the standard.

During the corrective action period the auditor revisited the facility and confirmed that all corrective action plans regarding this part of the standard had been implemented. It was confirmed that restrooms in the classroom area, recreation yards, and dayrooms had frosting applied to the windows or had extended privacy screens provided allowing privacy when opposite gender staff was present. Privacy screens were also provided in all areas where strip searches are conducted. The shower curtains in the larger units and segregation had been replaced or additional curtains were made available to provide privacy as required. Therefore, the facility demonstrated compliance with this part of the standard during the corrective action period.

Texas Department of Criminal Justice; Safe Prisons/PREA Plan Section B on page 9 also requires staff of the opposite gender to announce their presence prior to entering the housing units. Inmate and staff interviews revealed that opposite gender announcements were common practice at this facility and reminders of this requirement are posted on the entry doors of all housing units exceeding the requirements of this part of the standard during this audit.

115.15 (e) Based on Texas Department of Criminal Justice Administrative Directive 03.22 section Procedures on page 2, training curriculum provided, and staff interviews the facility prohibits staff from physically examining transgender or intersex inmates for the sole purpose of determining genital status. If the inmate's genital status is unknown, it is determined 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (f) Texas Department of Criminal Justice; Safe Prisons/PREA Plan section B on page 9, Texas Department of Criminal Justice Administrative Directive 03.22 sections I and II on pages 2 and 3 and 02.05 section I on pages 1 and 2, training curriculum provided, staff training file reviews, and training staff interviews the facility is required to train all security staff to conduct 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. However, during the staff interviews the auditor consistently received conflicting answers from the staff. Due to the inconsistent answers and the confusion projected the facility did not meet this part of the standard and corrective action was required.

During the corrective action period the auditor revisited the facility and confirmed that all corrective action plans regarding this part of the standard had been implemented. During the follow-up visit several staff was interviewed and the auditor was provided documentation of all staff attending additional training regarding this part of the standard. Therefore, the facility demonstrated compliance with this part of the standard during the corrective action period.

### **Standard 115.16 Inmates with disabilities and inmates who are limited English proficient**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan and Administrative Directives, as well as a review of the Language Line contract, staff interviews, and inmate interviews the following delineates the audit findings regarding this standard:

115.16 (a) The Corrections Corporation of America - Bartlett State Jail follows the Texas Department of Criminal Justice; Safe Prisons/PREA Plan section IV, page 20 which mandates the agency to take appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of its efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. A TTY phone is available at this facility. During the on-site visit, there were no deaf or hard of hearing inmates identified during intake screening at this facility. PREA handouts, PREA education video, and the resident handbook were not being provided in Spanish. Therefore, the facility did not meet this part of the standard during this audit and corrective action was required.

During the corrective action period the auditor revisited the facility and confirmed that all corrective action plans regarding this part of the standard had been implemented. It was confirmed that all materials being provided were available in Spanish and the auditor conducted interviews with four limited English inmates to confirm they were provided the required information in their language. Therefore, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.16 (b) The Corrections Corporation of America - Bartlett State Jail follows the Texas Department of Criminal Justice; Safe Prisons/PREA Plan section IV, pages 20 and 21 which mandates the agency to 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, including steps to provide interpreters who can interpret effectively accurately and impartially. Language Line Interpreter Services and/or staff interpreters are used to translate at this facility. However, during the on-site visit it was determined that the limited English proficient inmates were not being provided the information required by this part of the standard. Therefore, the facility did not meet this part of the standard during this audit and corrective action was required.

During the corrective action period the auditor revisited the facility and confirmed that all corrective action plans regarding this part of the standard had been implemented. It was confirmed that all materials being provided were available in Spanish and the auditor conducted

interviews with four limited English inmates to confirm they were provided the required information in their language. Therefore, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.16 (c) Corrections Corporation of America - Bartlett State Jail does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety. However, during the staff interviews the auditor consistently received conflicting answers from the staff. Due to the inconsistent answers and the confusion projected the facility did not meet this part of the standard and corrective action was required.

During the corrective action period the auditor revisited the facility and confirmed that all corrective action plans regarding this part of the standard had been implemented. During the follow-up visit several staff was interviewed and the auditor was provided documentation of all staff attending additional training regarding this part of the standard. Therefore, the facility demonstrated compliance with this part of the standard during the corrective action period.

### **Standard 115.17 Hiring and promotion decisions**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Operations Manual Agency Policy Supplement Section B on pages 1 and 2, Human Resource staff interviews, and personnel file reviews. The following delineates the audit findings regarding this standard:

115.17 (a) Corrections Corporation of America - Bartlett State Jail does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor or volunteer 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, has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or has been civilly or administratively adjudicated to have engaged in the activity described above. The facility completes a "Correction Corporation of America PREA Self-Declaration" 14-2H form on all applicants as well as a background check is completed by the Texas Department of Criminal Justice on all new applicants confirming compliance. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (b) Corrections Corporation of America - Bartlett State Jail considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor or volunteer, who may have contact with inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (c)-1 Corrections Corporation of America - Bartlett State Jail policy requires a criminal background records check be completed prior to hiring any new employee as required by this part of the standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

(c)-2 Corrections Corporation of America - Bartlett State Jail makes their best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any pending investigations of allegation of sexual abuse. This request is documented on Corrections Corporation of America's "Verification of Prior Employment" form 3-20-2A. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (d) Corrections Corporation of America - Bartlett State Jail requires a criminal background records check be completed before enlisting the services of any contractor or volunteer who may have contact with the inmates. However, during file review and staff interviews it was determined that the facility had 4 volunteers classified as special volunteers who had not completed the proper volunteer background and training process. Therefore, the facility did not meet this part of the standard during the on-site visit and corrective action was required.

During the corrective action period the auditor revisited the facility and confirmed that all corrective action plans regarding this part of the standard had been implemented. It was confirmed that all volunteers are now required to attend training and complete a background check before having contact with the inmates as required. Therefore, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.17 (e) Corrections Corporation of America - Bartlett State Jail PREA policy Safe Prisons/PREA Operations Manual Agency Policy Supplement, section c on page 3 requires a criminal background records check be completed on all current employees, volunteers, and contractors at least every five years. However, the Texas Department of Criminal Justice with access to the Texas Department of Public Safety performs background checks for the facility. The Texas Department of Public Safety provides an automatic notification by e-mail to the Texas Department of Criminal Justice of any activity on an individual's criminal history. If a staff member is arrested the Texas Department of Criminal Justice receives automatic notification of the arrest and forwards the information to the facility. This method of reporting is known as "Flash Reporting" and eliminates the need for criminal background checks being completed every five years. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (f) Corrections Corporation of America - Bartlett State Jail instills upon all employees a continuing affirmative duty to disclose any sexual misconduct as required by this standard. A Corrections Corporation of America's "Self-Declaration of Sexual Abuse/Sexual Harassment" form 14-2H is completed by all applicants, upon being hired and if being considered for a promotion. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (g) Corrections Corporation of America - Bartlett State Jail PREA policy mandates that staffs material omissions regarding sexual misconduct, and the provision of materially giving false information, are grounds for termination as required by this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (h) Corrections Corporation of America - Bartlett State Jail PREA policy requires that the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a current or former employee upon receiving a request from an institutional employer for whom such employee has applied to work. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.18 Upgrades to facilities and technologies**

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

**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.**

Based upon review of Corrections Corporation of America - Bartlett State Jail PREA policy 14-2, section V, page 30, staff interviews, and review of documentation provided. The following delineates the audit findings regarding this standard:

115.18 (a) Corrections Corporation of America - Bartlett State Jail policy requires when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency will consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse. During this audit cycle there have been no expansions or modifications to this facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.18 (b) Corrections Corporation of America - Bartlett State Jail policy requires when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect inmates from sexual abuse.

There has been no video monitoring system deployed or updated at this facility during this audit cycle. It was highly recommended to the administration during the on-site visit that they consider some type of video technology as soon as funds are made available. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.21 Evidence protocol and forensic medical examinations**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Administrative Directive 16.03, Safe Prisons/PREA Operations Manual 05.01, Safe Prisons/PREA Operations Manual 02.02, investigative staff interviews, and review of documentation provided. The following delineates the audit findings regarding this standard:

115.21 (a) and (b) Corrections Corporation of America - Bartlett State Jail complies with all elements of this standard. The agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings. The Texas Department of Criminal Justice, Office of the Inspector General investigates all PREA complaints for potential criminal activity and maintains a close working relationship with the Prosecutor and the Bartlett State Jail investigator on each case. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (c) Corrections Corporation of America - Bartlett State Jail offers all victims of sexual abuse access to forensic medical examinations at the Scott and White Memorial Hospital in Temple, Texas without financial cost, where evidentiary or medically appropriate. Such examinations are performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (d) The Corrections Corporation of America - Bartlett State Jail has entered into a Memorandum of Understanding with the Families in Crisis Incorporation of Killeen, Texas which agrees to provide outside victim advocacy services to the inmates. The services of these victim advocates has not been requested or used by the inmates during this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (e) Corrections Corporation of America - Bartlett State Jail has entered into a Memorandum of Understanding with Families in Crisis Incorporation of Killeen, Texas who agrees to provide outside victim advocacies services to the inmates upon request. The facility also makes available to the victim a qualified agency staff member, upon request by the victim, who will accompany and support the victim through the forensic medical examination process and investigatory interviews and provide emotional support, crisis intervention, information, and referrals as warranted. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (f) The Corrections Corporation of America - Bartlett State Jail is responsible for administrative investigations and has a contract with the Texas Department of Criminal Justice, Office of the Inspector General which provides criminal investigations covering all aspects of this standard. Therefore, this part of the standard is not applicable to this facility.

### **Standard 115.22 Policies to ensure referrals of allegations for investigations**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Administrative Directive 02-15, Administrative Directive 16-20, Board Policy 01-07, Safe Prisons/PREA Operations Manual 05.01, Safe Prisons/PREA Operations Manual 05.05, Office of the Inspector General Operational Procedures OIG-04.05, Safe Prisons/PREA Plan section C page 26, investigative staff interviews, and review of documentation provided. The following delineates the audit findings regarding this standard:

115.22 (a) The Corrections Corporation of America - Bartlett State Jail is required to investigate ALL PREA complaints received at this facility. All potential criminal activity is referred to the Texas Department of Criminal Justice, Office of the Inspector General for criminal investigation. During this audit cycle, there was seven sexual abuse cases referred and investigated for potential criminal activity as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.22 (b) All PREA allegations are investigated by the Corrections Corporation of America - Bartlett State Jail for potential criminal activity. If it is determined that the allegation involves potential criminal activity, it is referred to the Texas Department of Criminal Justice, Office of the Inspector General for criminal investigation and prosecution as warranted. This policy is published on the agency website as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.22 (c) The Corrections Corporation of America - Bartlett State Jail refers all criminal allegations for investigation to the Texas Department of Criminal Justice, Office of the Inspector General. The requirements of this part of the standard are outlined in the policy that is posted on the website. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

**Standard 115.31 Employee training**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan section VI-B and C on pages 32 - 34, Administrative Directive 12.20, Safe Prisons/PREA Operations Manual 06.01, Executive Directive 12.10, Executive Directive PD-97, staff interviews, random staff training file review and review of documentation provided (power points, certificates, sign in sheets, signed acknowledgement forms, training curriculums and employee handouts). The following delineates the audit findings regarding this standard:

- 115.31 (a) Corrections Corporation of America - Bartlett State Jail train all their employees who have contact with inmates on:
- (1) Its zero-tolerance policy for sexual abuse and sexual harassment;
  - (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
  - (3) Inmates' right to be free from sexual abuse and sexual harassment;
  - (4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
  - (5) The dynamics of sexual abuse and sexual harassment in confinement;
  - (6) The common reactions of sexual abuse and sexual harassment victims;
  - (7) How to detect and respond to signs of threatened and actual sexual abuse;
  - (8) How to avoid inappropriate relationships with inmates;
  - (9) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and
  - (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

However, during the staff interviews the auditor consistently received conflicting answers from the staff regarding inmate reporting

procedures and confidently documenting PREA incidents. Due to the inconsistent answers and the confusion projected the facility did not meet this part of the standard and corrective action was required.

During the corrective action period the auditor revisited the facility and confirmed that all corrective action plans regarding this part of the standard had been implemented. During the follow-up visit several staff was interviewed and the auditor was provided documentation of all staff attending additional training regarding this part of the standard. Therefore, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.31 (b) The training is tailored to the gender of the inmates at Corrections Corporation of America - Bartlett State Jail. The employees receive additional training if the employee is reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.31 (c) The training staff provided a report containing all staff that had been PREA trained which confirmed the requirements needed to meet the standard and proved that all current staff had been trained within one year of the effective date of the PREA standards. All staff receive annual refresher PREA training during in-service which exceeds the requirements of this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.31 (d) Corrections Corporation of America - Bartlett State Jail documents, through employee signature on an acknowledgement form, that all employees understand the training they have received. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.32 Volunteer and contractor training**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Volunteer Services Plan, Handbook for Volunteers, Safe Prisons/PREA Plan section D on Page 34, volunteer and contractor interviews, random training file review and review of documentation provided (power points, certificates, sign in sheets, signed acknowledgement forms, training curriculums and handouts). The following delineates the audit findings regarding this standard:

115.32 (a) Corrections Corporation of America - Bartlett State Jail ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under Corrections Corporation of America - Bartlett State Jail and/or Texas Department of Criminal Justice sexual abuse and sexual harassment prevention, detection, and response policies and procedures. However, during file review and staff interviews it was determined that the facility had 4 volunteers classified as special volunteers who had not completed the proper volunteer background and training process. Therefore, the facility did not meet this part of the standard during the on-site visit and corrective action was required.

During the corrective action period the auditor revisited the facility and confirmed that all corrective action plans regarding this part of the standard had been implemented. It was confirmed that all volunteers are now required to attend training and complete a background check before having contact with the inmates as required. Therefore, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.32 (b) The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates are notified of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan mandating a zero-tolerance policy regarding sexual abuse and sexual harassment and are informed of their reporting duties. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.32 (c) Corrections Corporation of America - Bartlett State Jail documents through employee signature on an acknowledgement form

that volunteers and contractors understand the training they have received. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.33 Inmate education**

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

**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.**

Based on review of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan section VI on page 32, Safe Prisons/PREA Operations Manual 03.01, Safe Prisons/PREA Operations Manual 06.02, Safe Prisons/PREA Operations Manual 02.03, the Inmate Handbook, PREA Pamphlets, Facility Orientation, PREA Posters, and the 30-day training video; as well as interviews with random inmates and staff. The following delineates the audit findings regarding this standard:

115.33 (a) During the intake process, inmates receive information explaining Corrections Corporation of America – Bartlett State Jail's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (b) Within 30 days of intake, Corrections Corporation of America - Bartlett State Jail is required by policy to provide comprehensive education to the inmates, administered by video, regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. However, due to receiving inconsistent answers during the inmate interviews and inconsistent documentation in the offender files regarding the 30-day comprehensive education the facility did not meet this part of the standard and corrective action was required.

During the corrective action period the auditor revisited the facility and confirmed that all corrective action plans regarding this part of the standard had been implemented. The auditors required the facility to provide an additional showing of the video to all the inmates housed at the facility and to provide documentation of attendance. During the corrective action period the facility provided documentation of the inmates viewing the video and the auditor confirmed attendance by reviewing several inmate files during the follow-up visit. The auditor also conducted random inmate interviews during the follow-up visit and the inmates interviewed confirmed being afforded the opportunity to view the video as well. Therefore, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.33 (c) Corrections Corporation of America - Bartlett State Jail shall provide per policy such education within one year of the effective date of the PREA standards to all its inmates, and shall provide education to inmates upon transfer as required by this standard. However, due to receiving inconsistent answers during the inmate interviews and inconsistent documentation in the offender files regarding the 30-day comprehensive education. The auditors required the facility to provide an additional showing of the video to all the inmates housed at the facility and to provide documentation of attendance.

During the corrective action period the auditor revisited the facility and confirmed that all corrective action plans regarding this part of the standard had been implemented. The auditors required the facility to provide an additional showing of the video to all the inmates housed at the facility and to provide documentation of attendance. During the corrective action period the facility provided documentation of the inmates viewing the video and the auditor confirmed attendance by reviewing several inmate files during the follow-up visit. The auditor also conducted random inmate interviews during the follow-up visit and the inmates interviewed confirmed being afforded the opportunity to view the video as well. Therefore, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.33 (d) Corrections Corporation of America – Bartlett State Jail provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. The facility has an agreement with Language Line Interpreter Services as well as TDD phones to assist inmates with these disabilities. During the on-site visit, there were no deaf or hard of hearing inmates identified during intake screening at this facility. PREA handouts, PREA education video, and the resident handbook were not being provided in Spanish. Therefore, the facility did not meet this part of the standard during this audit and corrective action was required.

During the corrective action period the auditor revisited the facility and confirmed that all corrective action plans regarding this part of the standard had been implemented. It was confirmed that all materials being provided were available in Spanish and the auditor conducted interviews with four limited English inmates to confirm they were provided the required information in their language. Therefore, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.33 (e) There was some documentation provided of the inmate's participation in PREA educational sessions as required by this part of the standard. However, due to receiving inconsistent documentation in the offender files regarding the 30-day comprehensive education. The auditors required the facility to provide an additional showing of the video to all the inmates housed at the facility and to provide documentation of attendance. During the corrective action period the facility provided documentation of the inmates viewing the video and the auditor confirmed attendance by reviewing several inmate files during the follow-up visit. The auditor also conducted random inmate interviews during the follow-up visit and the inmates interviewed confirmed being afforded the opportunity to view the video as well. Therefore, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.33 (f) Corrections Corporation of America - Bartlett State Jail does provide the inmates with posters, pamphlets, and an inmate handbook outlining the zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.34 Specialized training: Investigations**

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

**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.**

Based on review of the Texas Department of Criminal Justice; Board Policy BP-01.07, Administrative Directive 16.03, Office of the Inspector General 2013 Operational Procedures Manual OIG-02.15, Safe Prisons/PREA Plan section B on pages 32 and 33 as well as the PREA Specialized Investigator Training curriculums provided, Investigators training file review and investigative staff interviews. The following delineates the audit findings regarding this standard:

115.34 (a) In addition to the general training provided to all employees, Corrections Corporation of America - Bartlett State Jail ensures that all investigators have received training in conducting investigations in confinement settings. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.34 (b) Specialized training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.34 (c) Corrections Corporation of America - Bartlett State Jail maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.35 Specialized training: Medical and mental health care**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

- Does Not Meet Standard (requires corrective action)

**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.**

Based on review of the Texas Department of Criminal Justice; Administrative Directive 16.03, Safe Prisons/PREA in Texas Video Script, Correctional Managed Health Care Policy Manual C-19.1, Correctional Managed Health Care Policy Manual G-57.1, Correctional Managed Health Care Policy Manual C-25.1, as well as the PREA Specialized Medical/Mental Health training video and curriculums provided, training file review and staff interviews. The following delineates the audit findings regarding this standard:

115.35 (a) Corrections Corporation of America - Bartlett State Jail has provided specialized training to all its medical and mental health staff on how to detect and assess signs of sexual abuse and sexual harassment, how to preserve physical evidence, how to respond effectively and professionally to victims of sexual abuse and sexual harassment and how to report allegations of sexual abuse and sexual harassment. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.35 (b) The medical staff at this facility does not conduct forensic exams. Therefore, this part of the standard is not applicable to this facility.

115.35 (c) The agency maintains documentation that all medical and mental health practitioners have received specialized training. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.35 (d) Medical and mental health care practitioners also receive the annual training mandated for all employees, contractors, and volunteers. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

#### **Standard 115.41 Screening for risk of victimization and abusiveness**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Operations Manual 03.01, Safe Prisons/PREA Plan section III on pages 16-19, inmate and staff interviews, inmate file reviews, and a review of the Offender Assessment Screening forms. The following delineates the audit findings regarding this standard:

115.41 (a) Corrections Corporation of America - Bartlett State Jail policy requires that all inmates are assessed during intake and upon transfer to another facility for risk of being sexually abused by other inmates or sexually abusive toward other inmates. However, during the onsite visit, random inmate file review, random inmate interviews, and staff interviews it was determined that the procedures was not always being followed resulting in corrective action being required.

During the corrective action period, the following actions were taken: (a) All screening staff were retrained on the policy and documentation was provided of this training. (b) All current inmates were rescreened and all newly admitted inmates were screened upon intake with referrals being made to mental health as required. Based on a follow-up site visit, inmate interviews, and random inmate file reviews, as well as screening staff interviews, mental health staff interviews, and a review of the documentation provided, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.41 (b) The Corrections Corporation of America - Bartlett State Jail policy provided mandates that screenings be conducted within 72 hours of arrival at the facility. However, during the onsite visit, random inmate file review, random inmate interviews, and staff interviews it was determined that the procedures was not always being followed resulting in corrective action being required.

During the corrective action period, the following actions were taken: (a) All screening staff were retrained on the policy and documentation was provided of this training. (b) All current inmates were rescreened and all newly admitted inmates were screened upon intake with referrals being made to mental health as required. Based on a follow-up site visit, inmate interviews, and random inmate file reviews, as well as screening staff interviews, mental health staff interviews, and a review of the documentation provided, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.41 (c) Based on the documentation provided and inmate file reviews the facility utilizes objective screening instruments that covers all aspects of this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (d) The intake screening instruments used considers, 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;
- (2) The age of the inmate;
- (3) The physical build of the inmate;
- (4) Whether the inmate has previously been incarcerated;
- (5) Whether the inmate's criminal history is exclusively nonviolent;
- (6) Whether the inmate has prior convictions for sex offenses against an adult or child;
- (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- (8) Whether the inmate has previously experienced sexual victimization;
- (9) The inmate's own perception of vulnerability; and
- (10) Whether the inmate is detained solely for civil immigration purposes.

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (e) The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to Corrections Corporation of America - Bartlett State Jail, in assessing inmates for risk of being sexually abusive. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (f) Within 30 days from the inmate's arrival, the Corrections Corporation of America - Bartlett State Jail staff will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by Corrections Corporation of America - Bartlett State Jail since the intake screening. However, during random inmate file review, random inmate interviews, and staff interviews it was determined these procedures was not always being followed resulting in corrective action being required.

During the corrective action period, the following actions were taken: (a) All screening staff were retrained on the policy and documentation was provided of this training. (b) All current inmates were rescreened and all newly admitted inmates were screened upon intake with referrals being made to mental health as required. (c) 30-day reassessments were conducted and a tracking system was established to ensure future 30-day reassessments and reassessments based on an incident or additional information received are completed as required. Based on a follow-up site visit, inmate interviews, and random inmate file reviews, as well as screening staff interviews, mental health staff interviews, and a review of the documentation provided, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.41 (g) Corrections Corporation of America - Bartlett State Jail will reassess an inmate's risk level 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. However, during random inmate file review, random inmate interviews, and staff interviews it was determined these procedures was not always being followed resulting in corrective action being required.

During the corrective action period, the following actions were taken: (a) All screening staff were retrained on the policy and documentation was provided of this training. (b) All current inmates were rescreened and all newly admitted inmates were screened upon intake with referrals being made to mental health as required. (c) 30-day reassessments were conducted and a tracking system was established to ensure future 30-day reassessments and reassessments based on an incident or additional information received are completed as required. Based on a follow-up site visit, inmate interviews, and random inmate file reviews, as well as screening staff interviews, mental health staff interviews, and a review of the documentation provided, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.41 (h) Corrections Corporation of America - Bartlett State Jail does not discipline inmates for refusing to answer screening questions or not disclosing complete information. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (i) Corrections Corporation of America - Bartlett State Jail implements appropriate controls on the dissemination 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. Based on policy review, interview with the Warden, and interviews with the staff responsible for completing the screening, all information gathered on the screening instruments are restricted to staff making housing, work and program assignments. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

#### **Standard 115.42 Use of screening information**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Operations Manual 03.01, Safe Prisons/PREA Operations Manual 03.02, Safe Prisons/PREA Plan section III on pages 16-19, Administrative Directive AD-04.17, Administrative Directive AD-04.18, Intake Procedures 4.01, Correctional Managed Health Care Policy Manual E-35.1, Correctional Managed Health Care Policy Manual G-51.11, inmate and staff interviews, inmate file reviews, and a review of the Offender Assessment Screening form. The following delineates the audit findings regarding this standard:

115.42 (a) Corrections Corporation of America - Bartlett State Jail uses information from the risk screening to decide 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. However, during random inmate file review, random inmate interviews, and staff interviews it was determined that the procedures was not always being followed resulting in corrective action being required.

During the corrective action period, the following actions were taken: (a) All screening staff were retrained on the policy and documentation was provided of this training. (b) All current inmates were rescreened and all new inmates were screened upon intake with referrals being made to mental health as required. (c) 30-day reassessments were conducted and a tracking system was established to ensure future 30-day reassessments and reassessments based on an incident or additional information received are conducted. (d) All staff charged with deciding housing, bed, work, education, and programing assignments were given access and trained where this information is stored. Based on a follow-up site visit and random inmate file reviews, as well as screening staff interviews, staff charged with deciding housing, bed, work, education, and programing assignment interviews, mental health staff interviews, and a review of the documentation provided, the facility demonstrated compliance with this part of the standard during the corrective action period.

115.42 (b) Corrections Corporation of America - Bartlett State Jail makes individualized determinations about how to ensure the safety of each inmate. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (c) Corrections Corporation of America - Bartlett State Jail outlines the procedures to be followed in deciding whether to assign a transgender inmate to a facility for male or female inmates, and the process for making housing and programming assignments, on case by case basis as required by this standard. There were no transgender or intersex inmates housed during the on-site visit. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (d) Corrections Corporation of America - Bartlett State Jail outlines the procedures for placement and programming assignments of each transgender or intersex inmate being reassessed at least twice per year to review any threats to safety experienced by the inmate as required by this standard. There were no transgender or intersex inmates housed during the on-site visit. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (e) Corrections Corporation of America - Bartlett State Jail requires that a transgender and intersex inmate's own views regarding their own safety be given serious consideration. There were no transgender or intersex inmates housed during the on-site visit. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (f) Corrections Corporation of America - Bartlett State Jail requires that transgender and intersex inmates be given the opportunity to shower separately from other inmates. There were no transgender or intersex inmates housed during the on-site visit. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (g) Corrections Corporation of America - Bartlett State Jail does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such 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 such inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.43 Protective custody**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan section III, C and D on pages 18 and 19, Administrative Segregation Plan, Safe Prisons/PREA Operations Manual 07.01, staff interviews, inmate interviews, and documentation review. The following delineates the audit findings regarding this standard:

115.43 (a) Inmates at high risk for sexual victimization are not placed 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. The Corrections Corporation of America - Bartlett State Jail policy outlines the procedures to ensure compliance with this standard. Staff and inmate interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (b) Inmates placed in segregated housing for this purpose have access to programs, privileges, education, and work opportunities to the extent possible. If Corrections Corporation of America - Bartlett State Jail restricts access to programs, privileges, education, or work opportunities, Corrections Corporation of America - Bartlett State Jail documents the opportunities that have been limited, the duration of the limitation; and the reasons for such limitations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (c) Corrections Corporation of America - Bartlett State Jail assigns such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment does not ordinarily exceed a period of 30 days. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (d) If an involuntary segregated housing assignment is made, Corrections Corporation of America - Bartlett State Jail clearly documents the basis for the facility's concern for the inmate's safety; and the reason why no alternative means of separation can be arranged. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (e) Corrections Corporation of America - Bartlett State Jail requires a 30-day review to determine whether there is a continuing need for separation from the general population. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.51 Inmate reporting**

- Exceeds Standard (substantially exceeds requirement of standard)

- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Administrative Directive AD-14.09, Board Policy BP-03.91, Executive Directive ED-02.10, Safe Prisons/PREA Plan section IV, A-C on pages 20-23, the Inmate Handbook, PREA pamphlets, and posters provided to inmates were all utilized to verify compliance with this standard. Staff and inmate interviews verified the inmates have multiple internal ways to report incidents of abuse or harassment. They can report verbally, in writing, dialing the hotline provided and/or through report of a third party. The following delineates the audit findings regarding this standard:

115.51 (a) Corrections Corporation of America - Bartlett State Jail provides multiple internal ways for inmates to report incidents of abuse or harassment. They can report verbally, in writing, and/or through report of a third party. The auditor strongly recommended that the facility provide an internal hotline for the inmates to confidentially report incidents immediately to the Administrative Duty Officer. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (b) Corrections Corporation of America - Bartlett State Jail provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of Corrections Corporation of America - Bartlett State Jail, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. The Corrections Corporation of America - Bartlett State Jail has provided the address and phone number for the Texas Department of Criminal Justice Ombudsman’s Office satisfying the requirements of this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (c) Corrections Corporation of America - Bartlett State Jail PREA policy requires all staff to accept reports made verbally, in writing, anonymously and from third parties. All allegations shall be promptly documented in an incident report and reported to the supervisor. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (d) Corrections Corporation of America - Bartlett State Jail staff may privately report sexual abuse and sexual harassment to the Warden, a supervisor, PREA manager, or the agencies ethics hotline at the corporate office. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

#### **Standard 115.52 Exhaustion of administrative remedies**

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

**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.**

The Corrections Corporation of America - Bartlett State Jail PREA policy 14-2 does not require an inmate to submit a grievance or allow a PREA incident reported on a grievance to be processed through the facility’s grievance process. However, the Texas Department of Criminal Justice; Safe Prisons/PREA Plan, section IV, A, 5-14 on pages 21-23, that are followed per contract, outlines all aspects of the

requirements of this standard. Based on review of this procedure, documentation provided, inmate interviews, and staff acknowledgement the following delineates the audit findings regarding this standard:

115.52 (a) Texas Department of Criminal Justice; Safe Prisons/PREA Plan, section IV outlines the administrative procedures to be followed to address inmate grievances regarding sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.52 (b) Texas Department of Criminal Justice; Safe Prisons/PREA Plan, section IV requires the following:

- (1) The agency shall not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse.
- (2) The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.
- (3) The agency shall not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.
- (4) Nothing in this section shall restrict the agency's ability to defend against an inmate lawsuit on the grounds that the applicable statute of limitations has expired.

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.52 (c) Texas Department of Criminal Justice; Safe Prisons/PREA Plan, section IV allows:

- (1) An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and
- (2) Such grievance is not referred to a staff member who is the subject of the complaint. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.52 (d) Texas Department of Criminal Justice; Safe Prisons/PREA Plan, section IV requires that the facility 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.

115.52 (e) Texas Department of Criminal Justice; Safe Prisons/PREA Plan, section IV directs the following:

- (1) Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of inmates.
- (2) If some 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.
- (3) If the inmate declines to have the request processed on his or her behalf, the agency shall document the inmate's decision on the offender electronic chronological record. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.52 (f) Texas Department of Criminal Justice; Safe Prisons/PREA Plan, section IV directs the following:

After receiving an emergency grievance or an informal complaint alleging an inmate is subject to a substantial risk of imminent sexual abuse, staff shall immediately forward the grievance to the facility's administrative head or designee, for review. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.52 (g) Texas Department of Criminal Justice; Safe Prisons/PREA Plan, section IV outlines that the agency may discipline an inmate for filing a grievance related to alleged sexual abuse only when the administrative head or designee determines that the inmate filed the grievance in bad faith. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

The Corrections Corporation of America - South Central Correctional Center PREA policy 14-2, L on page 17 does not require an inmate to submit a grievance or allow a PREA incident reported on a grievance to be processed through the facility's grievance process. Should a report be submitted, it is the policy to immediately forward the complaint to the Investigator or the Administrative Duty Officer on duty. Therefore, this standard was found not applicable and the facility is exempt.

### **Standard 115.53 Inmate access to outside confidential support services**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

- Does Not Meet Standard (requires corrective action)

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan section IV, B on page 23, Board Policy BP-03.91, staff interviews, inmate interviews and documentation review. The following delineates the audit findings regarding this standard:

115.53 (a) The Corrections Corporation of America - Bartlett State Jail has entered into a Memorandum of Understanding with the Families in Crisis Incorporation of Killeen, Texas which agrees to provide confidential outside victim advocacies services to the inmates at Corrections Corporation of America - Bartlett State Jail. The mailing address and telephone number for this agency and National, State and Local Rape Advocacy Centers are made available to all inmates at the facility. Corrections Corporation of America - Bartlett State Jail enables reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. The services of these victim advocates have not been requested or used by the inmates during this audit cycle, verified by phone call. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.53 (b) Corrections Corporation of America - Bartlett State Jail informs 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.53 (c) Corrections Corporation of America - Bartlett State Jail has entered into a Memorandum of Understanding with the Families in Crisis Incorporation of Killeen, Texas and has maintained a Memorandum of Understanding with these victim advocates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

#### **Standard 115.54 Third-party reporting**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan section IV, B page 23, Executive Directive ED-02.03, Executive Directive ED 02.10, Safe Prisons/PREA Operations Manual 04.02, as well as a review of the agency website outlining third party reporting. The following delineates the audit findings regarding this standard:

115.54 (a) The agency provides multiple methods for receiving third-party reports of sexual abuse and sexual harassment on the agency website at: [www.cca.com](http://www.cca.com). The information available on the website explains how to report sexual abuse and sexual harassment on behalf of an inmate. The facility takes all reports seriously no matter how they are received and investigates each reported incident. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

#### **Standard 115.61 Staff and agency reporting duties**

- Exceeds Standard (substantially exceeds requirement of standard)

- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan section IV page 20, Administrative Directive AD-16.20, Safe Prisons/PREA Operations Manual 05.01, Correctional Managed Health Care Policy Manual G-57.1, as well as staff interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.61 (a) Corrections Corporation of America - Bartlett State Jail requires 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 Corrections Corporation of America - Bartlett State Jail; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (b) Corrections Corporation of America - Bartlett State Jail requires apart from reporting to designated supervisors or officials, staff do not reveal 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. However, during the staff interviews the auditor consistently received conflicting answers from the staff. Due to the inconsistent answers and the confusion projected the facility did not meet this part of the standard and corrective action was required.

During the corrective action period a follow-up site visit was conducted where the auditor reviewed random staff training files, as well as conducted training staff interviews, random staff interviews, and a review of the training documentation provided. The auditor determined that the facility had demonstrated compliance with this part of the standard based on the outcomes of the follow-up assessments.

115.61 (c) Corrections Corporation of America - Bartlett State Jail requires medical and mental health practitioners to report sexual abuse immediately to the security staff supervisor. Medical and mental health practitioners are required to inform the inmates of their duty to report, and the limitations of confidentiality, at the initiation of services. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (d) If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, Corrections Corporation of America - Bartlett State Jail reports the allegation to the designated state or local services agency. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (e) Corrections Corporation of America - Bartlett State Jail reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility investigator as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.62 Agency protection duties**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Operations Manual 05.01, Safe Prisons/PREA Operations Manual 05.03, Administrative Directive AD-02.15, staff interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.62 (a) Policy and staff training requires all staff to take immediate action and staff acknowledged during their interviews the requirement of all staff to protect inmates when it is learned that an inmate at the Corrections Corporation of America - Bartlett State Jail is subject to a substantial risk of imminent sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.63 Reporting to other confinement facilities**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Operations Manual 04.01, Safe Prisons/PREA Operations Manual 04.02, Administrative Directive AD-16.20, staff interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.63 (a) Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of Corrections Corporation of America - Bartlett State Jail that received the allegation notifies the head of the facility or appropriate office where the alleged abuse occurred. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.63 (b) and (c) Such notification is provided as soon as possible, but no later than 72 hours after receiving the allegation, and all actions are thoroughly documented. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.63 (d) Upon receiving a call from an outside facility that an inmate had been sexually abused while in the custody of the Corrections Corporation of America - Bartlett State Jail. The allegation is referred immediately to the facility investigator to be investigated. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.64 Staff first responder duties**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Operations Manual 05.01, Safe Prisons/PREA Plan section V, B on page 25, Administrative Directive AD-16.03, Office of the Inspector General 2013 Operational Procedures Manual OIG-04.05, staff interviews, and documentation provided.

The following delineates the audit findings regarding this standard:

115.64 (a) Corrections Corporation of America - Bartlett State Jail policy outlines the responsibilities of all staff members receiving an allegation of sexual abuse to follow these guidelines:

- (1) Separate the alleged victim and abuser;
- (2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;
- (3) If the abuse occurred within a time period that still allows for the collection of physical evidence, 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; and
- (4) If the abuse occurred within a time period that still allows for the collection of physical evidence, 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.64 (b) Corrections Corporation of America - Bartlett State Jail PREA policy mandates when the first staff responder is not a security staff member, they shall advise the alleged victim not to take any actions that could destroy physical evidence, and then notify security staff immediately. The auditor confirmed compliance based on interviews with and training records of non-security staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.65 Coordinated response**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail Sexual Abuse Response Plan, staff interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.65 (a) Corrections Corporation of America - Bartlett State Jail has a very comprehensive written plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators and facility leadership. The plan clearly defines the roles and responsibilities of each person involved and the procedures to be followed in detail. Interviews with SART members confirmed their knowledge of the response plan.

Part of the response plan is the "Sexual Abuse Investigation Checklist" form Texas Department of Criminal Justice; Safe Prisons/PREA Operations Manual 05.01 Attachment G which is initiated upon receiving a PREA allegation and ensures all steps in the plan are carried out in a timely manner. Therefore, the facility demonstrated compliance with this standard during this audit.

### **Standard 115.66 Preservation of ability to protect inmates from contact with abusers**

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

**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.**

Based on PREA Policy 14-2, section R page 26, interviews with the agency head, PREA Coordinator, and documentation provided. The following delineates the audit findings regarding this standard:

115.66 (a) Employees are subject to disciplinary sanctions up to termination for violating Corrections Corporation of America - Bartlett State Jail policies on sexual abuse and sexual harassment. When the Agency Head was interviewed, he reported that 7% of Corrections Corporation of America facilities are unionized and 93% are not. The Corrections Corporation of America - Bartlett State Jail has not entered any collective bargaining agreements during this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.67 Agency protection against retaliation**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Operations Manual 02.04, Safe Prisons/PREA Operations Manual 05.08, staff interviews, inmate interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.67 (a) Corrections Corporation of America - Bartlett State Jail has 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. However, during the onsite visit the facility had not determined who was responsible for staff and inmate retaliation monitoring not meeting this part of the standard and corrective action was required.

During the corrective action period a follow-up site visit was conducted where the auditor conducted an interview with the staff member that was assigned the duties of retaliation monitoring, interviewed staff and inmates, as well as conducted a reviewed of the documentation provided to prove compliance with this part of the standard. The auditor determined that the facility had demonstrated compliance with this part of the standard based on the outcomes of the follow-up assessments.

115.67 (b) Corrections Corporation of America - Bartlett State Jail has multiple protection measures, such as housing changes or transfers for inmates, victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.67 (c) For at least 90 days following a report of sexual abuse, Corrections Corporation of America - Bartlett State Jail policy requires that the retaliation monitoring staff member monitors the conduct and treatment of inmates or staff who reported the sexual abuse and 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, and act promptly to remedy any such retaliation. There are periodic status checks performed and documented as required by this standard. Corrections Corporation of America - Bartlett State Jail's monitoring includes any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Such monitoring continues beyond 90 days if the initial monitoring indicates a continuing need. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.67 (d) If any other individual who cooperates with an investigation expresses a fear of retaliation, Corrections Corporation of America - Bartlett State Jail policy requires that appropriate measures be taken to protect that individual against retaliation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### Standard 115.68 Post-allegation protective custody

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

**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.**

115.68 (a) Corrections Corporation of America - Bartlett State Jail policy prohibits staff from placing offenders who have alleged sexual abuse in involuntary segregated housing. If segregated housing is used, the same provisions as outlined in the Texas Department of Criminal Justice; Safe Prisons/PREA Operations Manual 03.01, Safe Prisons/PREA Operations Manual 03.02, Safe Prisons/PREA Plan section III on pages 16-19, Administrative Directive AD-04.17, Administrative Directive AD-04.18, Intake Procedures 4.01, Correctional Managed Health Care Policy Manual E-35.1, Correctional Managed Health Care Policy Manual G-51.11 would apply. Interviews with the Warden, PREA Manager, and segregation staff revealed that involuntary segregation has not been used for this purpose in the past 12 months. The Warden stated that if separation was required to protect the offender, they would be placed in segregation for no longer than 72 hours. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### Standard 115.71 Criminal and administrative agency investigations

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Administrative Directive 16-20, Board Policy 01-07, Safe Prisons/PREA Operations Manual 05.01, Safe Prisons/PREA Operations Manual 05.05, Office of the Inspector General Operational Procedures OIG-04.05, Safe Prisons/PREA Plan section A on page 25 and section E on page 28, investigative staff interviews, training certificates, investigative reports, as well as interviews with the PREA Coordinator, and the PREA Compliance Manager. The following delineates the audit findings regarding this standard:

115.71 (a) Corrections Corporation of America - Bartlett State Jail investigator conducts an investigation immediately when notified of an allegation of sexual abuse and sexual harassment. The investigative files were reviewed and it appeared that the investigations were conducted promptly, documented thoroughly and objectively for all allegations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (b) Based on training curriculums provided, Investigators training file review, and investigative staff interviews, it was evident the facility provided, in addition to the general training received by all employees, specialized training to all its investigators. This training included techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (c) Corrections Corporation of America - Bartlett State Jail Investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; interview alleged victims, suspected perpetrators, and witnesses; and review prior complaints and reports of sexual abuse involving the suspected perpetrator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (d) When the quality of evidence appears to support criminal prosecution, Corrections Corporation of America - Bartlett State Jail refers the case to the Texas Department of Criminal Justice, Office of the Inspector General for criminal investigation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (e) The credibility of an alleged victim, suspect, or witness is assessed on an individual basis and is not determined by the person's status as inmate or staff. The inmate who alleges sexual abuse is not required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (f) Corrections Corporation of America - Bartlett State Jail administrative investigations include efforts to determine whether staff actions or failures to act contributed to the abuse; and are documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (g) Corrections Corporation of America - Bartlett State Jail, criminal investigations are documented by the Texas Department of Criminal Justice, Office of the Inspector General investigators in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (h) Corrections Corporation of America - Bartlett State Jail refers all allegations to the Texas Department of Criminal Justice, Office of the Inspector General for investigation and prosecution when warranted. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (i) Corrections Corporation of America - Bartlett State Jail retains all written reports for as long as the alleged abuser is incarcerated or employed by Corrections Corporation of America - Bartlett State Jail, plus five years. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (j) The departure of the alleged abuser or victim from employment or control of the Corrections Corporation of America - Bartlett State Jail or agency does not provide a basis for terminating an investigation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (k) The Texas Department of Criminal Justice, Office of the Inspector General conducts criminal sexual abuse investigations pursuant to the requirements of this standard. Corrections Corporation of America - Bartlett State Jail PREA policies outlines the requirements of the criminal investigation and complies with all aspects of this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (l) Corrections Corporation of America - Bartlett State Jail refers all criminal cases to the Texas Department of Criminal Justice, Office of the Inspector General and cooperates with their investigators during the entire investigation. The facility remains informed of the progress of the investigation through communication between the facility investigator and the Texas Department of Criminal Justice, Office of the Inspector General agent handling the case. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

## **Standard 115.72 Evidentiary standard for administrative investigations**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice Safe Prisons/PREA Plan, section E on page 28 and investigative staff interviews. The following delineates the audit findings regarding this standard:

Corrections Corporation of America - Bartlett State Jail imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

**Standard 115.73 Reporting to inmates**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan section V, F on page 29, Safe Prisons/PREA Operations Manual 05.05, Safe Prisons/PREA Operations Manual 05.10, Safe Prisons/PREA Operations Manual 05.11, documentation provided, and staff interviews. The following delineates the audit findings regarding this standard:

115.73 (a) Based on Corrections Corporation of America - Bartlett State Jail PREA policy it was confirmed that following an investigation into an inmate's allegation he/she suffered sexual abuse in the facility, the inmate was to be informed whether the allegation had been determined to be substantiated, unsubstantiated, or unfounded. However, during the investigative file review and interview with the investigator it was determined that this notification was not being documented and maintained in the investigative file. Therefore, the facility did not meet the requirements of this part of the standard and corrective action was required.

During the corrective action period a follow-up site visit was conducted where the auditor conducted an interview with the investigator, as well as conducted a review of the documentation provided to prove compliance with this part of the standard. The auditor determined that the facility had demonstrated compliance with this part of the standard based on the outcomes of the follow-up assessments.

115.73 (b) The agency must request all relevant information from the criminal investigation conducted by the Texas Department of Criminal Justice, Office of the Inspector General in order to inform the inmate as required by this standard. However, during the investigative file review and interview with the investigator it was determined that this notification was not being documented and maintained in the investigative file. Therefore, the facility did not meet the requirements of this part of the standard and corrective action was required.

During the corrective action period a follow-up site visit was conducted where the auditor conducted an interview with the investigator, as well as conducted a review of the documentation provided to prove compliance with this part of the standard. The auditor determined that the facility had demonstrated compliance with this part of the standard based on the outcomes of the follow-up assessments.

115.73 (c) Based on Corrections Corporation of America - Bartlett State Jail PREA policy and documentation provided, it was confirmed that following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever:

- (1) The staff member is no longer posted within the inmate's unit;
- (2) The staff member is no longer employed at the facility;
- (3) The agency learns that the staff member has been indicted on a charge related to sexual abuse within the Corrections Corporation of America - Bartlett State Jail; or
- (4) The agency learns that the staff member has been convicted on a charge related to sexual abuse within the Corrections Corporation of America - Bartlett State Jail.

However, during the investigative file review and interview with the investigator it was determined that this notification was not being documented and maintained in the investigative file. Therefore, the facility did not meet the requirements of this part of the standard and corrective action was required.

During the corrective action period a follow-up site visit was conducted where the auditor conducted an interview with the investigator, as well as conducted a review of the documentation provided to prove compliance with this part of the standard. The auditor determined that the facility had demonstrated compliance with this part of the standard based on the outcomes of the follow-up assessments.

115.73 (d) Following an inmate's allegation they had been sexually abused by another inmate, Corrections Corporation of America - Bartlett State Jail subsequently informs the alleged victim whenever the facility learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or Corrections Corporation of America - Bartlett State Jail learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. However, during the investigative file review and interview with the investigator it was determined that this notification was not being documented and maintained in the investigative file. Therefore, the facility did not meet the requirements of this part of the standard and corrective action was required.

During the corrective action period a follow-up site visit was conducted where the auditor conducted an interview with the investigator, as well as conducted a review of the documentation provided to prove compliance with this part of the standard. The auditor determined that the facility had demonstrated compliance with this part of the standard based on the outcomes of the follow-up assessments.

115.73 (e) By policy all such notifications or attempted notifications are to be documented on the "Offender Notification Brochure" form Safe Prisons/PREA Operations Manual 05.11 Attachment F. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (f) Policy outlines the agency's obligation to report under this standard terminates if the inmate is released from Corrections Corporation of America - Bartlett State Jail's custody. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

#### **Standard 115.76 Disciplinary sanctions for staff**

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

**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.**

Based upon review of Corrections Corporation of America - Bartlett State Jail Sexual Abuse Response Plan section R on page 22, documentation provided, agency head, and PREA Coordinator interviews. The following delineates the audit findings regarding this standard:

115.76 (a) and (b) Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.76 (c) Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.76 (d) 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, are reported to law enforcement, unless the activity was clearly not criminal, and to any relevant licensing bodies. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### Standard 115.77 Corrective action for contractors and volunteers

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan section VIII, B on page 39, documentation provided, agency head, Warden, and PREA Coordinator interviews. The following delineates the audit findings regarding this standard:

115.77 (a) Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and are reported to law enforcement, unless the activity was clearly not criminal, and to relevant licensing bodies. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.77 (b) Corrections Corporation of America - Bartlett State Jail takes appropriate remedial measures, and considers whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### Standard 115.78 Disciplinary sanctions for inmates

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan section V, H on page 30, documentation provided, agency head, and PREA Coordinator interviews. The following delineates the audit findings regarding this standard:

115.78 (a) Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (b) Sanctions are 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (c) The disciplinary process considers whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed. Therefore, the facility demonstrated compliance with this part of the

standard during this audit.

115.78 (d) The Mental Health staff offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, Corrections Corporation of America - Bartlett State Jail does not require the offending inmate to participate in such interventions as a condition of access to programming or other benefits. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (e) Corrections Corporation of America - Bartlett State Jail disciplines an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (f) Policy states a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred does not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (f) Corrections Corporation of America - Bartlett State Jail prohibits all sexual activity between inmates and may discipline inmates for such activity. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.81 Medical and mental health screenings; history of sexual abuse**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan section III, B on page 16, Safe Prisons/PREA Operations Manual 05.05, Safe Prisons/PREA Operations Manual 03.01, Correctional Managed Health Care Policy Manual E-35.1, Correctional Managed Health Care Policy Manual G-57.1, Correctional Managed Health Care Policy Manual H-61.1, Correctional Managed Health Care Policy Manual I-70.1, review of the "Offender Assessment Screening" form, staff and inmate interviews. The following delineates the audit findings regarding this standard:

115.81 (a) and (c) If the screening indicates the inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, the screening staff at the Corrections Corporation of America - Bartlett State Jail ensures the inmate is offered a follow-up meeting with the medical and/or mental health staff within 14 days of the intake screening as required by this part of the standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (b) If the screening indicates an inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, the screening staff at the Corrections Corporation of America - Bartlett State Jail ensures the inmate is offered a follow-up meeting with the medical and/or mental health staff within 14 days of the intake screening as required by this part of the standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (d) Corrections Corporation of America - Bartlett State Jail requires that any information related to sexual victimization or abusiveness that occurred in the facility is 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, education, and program assignments, or as otherwise required by Federal, State, or local law. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (e) Corrections Corporation of America - Bartlett State Jail requires medical and mental health practitioners to obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in the facility, unless the inmate is under the age of 18. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.82 Access to emergency medical and mental health services**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Operations Manual 05.01, Safe Prisons/PREA Operations Manual 03.01, Correctional Managed Health Care Policy Manual A-01.1, Correctional Managed Health Care Policy Manual G-57.1, Correctional Managed Health Care Policy Manual H-61.1, as well as staff and inmate interviews. The following delineates the audit findings regarding this standard:

115.82 (a) Corrections Corporation of America - Bartlett State Jail has an agreement with the Scott and White Memorial Hospital located in Temple, Texas to treat inmate victims of sexual abuse. The facility also has medical and mental health staff at the facility ensuring inmates 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (b) Corrections Corporation of America - Bartlett State Jail has procedures to follow when no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders take preliminary steps to protect the victim and shall immediately notify the appropriate medical and mental health practitioners. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (c) Corrections Corporation of America - Bartlett State Jail ensures inmate victims of sexual abuse while incarcerated are 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (d) Corrections Corporation of America - Bartlett State Jail requires that all treatment services provided to the victim are without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.83 Ongoing medical and mental health care for sexual abuse victims and abusers**

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

**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.**

Based on Corrections Corporation of America - Bartlett State Jail staff being mandated to follow and a review of the Texas Department of Criminal Justice; Safe Prisons/PREA Operations Manual 05.01, Safe Prisons/PREA Operations Manual 03.01, Correctional Managed Health Care Policy Manual A-01.1, Correctional Managed Health Care Policy Manual G-57.1, Correctional Managed Health Care Policy Manual H-61.1, as well as staff and inmate interviews. The following delineates the audit findings regarding this standard:

115.83 (a) Corrections Corporation of America - Bartlett State Jail offers a medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (b) Corrections Corporation of America - Bartlett State Jail mandates that 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (c) Corrections Corporation of America - Bartlett State Jail requires that medical and mental health staff provide all victims with medical and mental health services consistent with the community level of care. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (d and e) Corrections Corporation of America - Bartlett State Jail is an all-male facility. Therefore, this part of the standard is not applicable.

115.83 (f) Corrections Corporation of America - Bartlett State Jail requires that medical and mental health staff provide inmate victims of sexual abuse while incarcerated tests for sexually transmitted infections as medically appropriate. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (g) Corrections Corporation of America - Bartlett State Jail requires that medical and mental health staff provide treatment services 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (h) Corrections Corporation of America - Bartlett State Jail attempts to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning such abuse history and offer treatment when deemed appropriate by the mental health practitioners. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

## **Standard 115.86 Sexual abuse incident reviews**

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

**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.**

Based on interviews with the Warden, PREA Coordinator, the PREA Manager, and documentation provided as well as review of the Texas Department of Criminal Justice; Safe Prisons/PREA Plan section V, I on page 31, Safe Prisons/PREA Operations Manual 08.01, Administrative Directive AD-02.15. The following delineates the audit findings regarding this standard:

115.86 (a) Corrections Corporation of America - Bartlett State Jail policy requires a review team be appointed to 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. During the on-site visit, documentation review and staff interviews it was determined that an Incident Review Team had not been appointed. Therefore, incident reviews were not being completed and documented as required. Therefore, the facility did not meet the aspects of this standard and corrective action was required.

During the corrective action period a follow-up site visit was conducted where the auditor conducted interviews with the newly appointed review team, as well as conducted a review of the documentation provided to prove compliance with this part of the standard. The auditor determined that the facility had demonstrated compliance with this part of the standard based on the outcomes of the follow-up assessments.

115.86 (b) Corrections Corporation of America - Bartlett State Jail policy 14-2 requires that incident reviews occur within 30 days of the conclusion of the investigation and that the review be documented on the "Sexual Abuse Incident Review Report" form 14-2F. Therefore, PREA Audit Report

the facility demonstrated compliance with this part of the standard during this audit.

115.86 (c) Policy 14-2 requires that the review team consist of upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.86 (d) Policy 14-2 requires that the review team considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility; and they examine the area in Corrections Corporation of America - Bartlett State Jail where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during different shifts; assess whether monitoring technology should be deployed or augmented to supplement supervision by staff. The agency has deployed an excellent PREA after action review form which addresses all elements of the standard. Corrections Corporation of America - Bartlett State Jail policy requires that an incident review be conducted for all cases and all findings are to be telephonically reviewed with the agency wide PREA Coordinator for additional clarification and guidance. Therefore, the facility demonstrated compliance with this part of the standard during this audit

115.86 (e) Corrections Corporation of America - Bartlett State Jail shall implement per policy 14-2 all recommendations for improvement, or must document the reasons for not doing so. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.87 Data collection**

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

**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.**

Based on interviews with the PREA Coordinator, the PREA Manager, and documentation provided as well as Corrections Corporation of America - Bartlett State Jail PREA policy 14-2 section T, on pages 27 and 28. The following delineates the audit findings regarding this standard:

115.87 (a), (b) and (c) Corrections Corporation of America - Bartlett State Jail collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions, and aggregates the incident-based sexual abuse data at least annually. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

The incident-based data collected is based on the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.87 (d) Corrections Corporation of America - Bartlett State Jail maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.87 (e) Corrections Corporation of America - Bartlett State Jail does not contract its inmates to other facilities. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.87 (f) Upon request, Corrections Corporation of America - Bartlett State Jail provides all such data from the previous calendar year to the Department of Justice no later than June 30 when required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

### **Standard 115.88 Data review for corrective action**

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

**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.**

Based on interviews with the PREA Coordinator, the PREA Manager, and documentation provided as well as Corrections Corporation of America - Bartlett State Jail PREA policy 14-2, section T-3 on page 28. The following delineates the audit findings regarding this standard:

115.88 (a) Corrections Corporation of America - Bartlett State Jail reviews data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions for each facility, as well as Corrections Corporation of America - Bartlett State Jail as a whole. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.88 (b) Such reports include a comparison of the current year’s data and corrective actions with those from prior years and provide an assessment of Corrections Corporation of America - Bartlett State Jail’s progress in addressing sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.88 (c) Corrections Corporation of America - Bartlett State Jail’s report is approved by the Corrections Corporation of America’s agency head and made readily available to the public through its website [www.cca.com](http://www.cca.com). Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.88 (d) Corrections Corporation of America - Bartlett State Jail may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of the facility, but must indicate the nature of the material redacted. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

#### **Standard 115.89 Data storage, publication, and destruction**

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

**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.**

Based on interviews with the PREA Coordinator, the PREA Manager, and documentation provided as well as Corrections Corporation of America - Bartlett State Jail PREA policy 14-2, section T-2-c on page 27. The following delineates the audit findings regarding this standard:

115.89 (a) through (d) Corrections Corporation of America agency PREA Coordinator makes all aggregated sexual abuse data, from facilities under Corrections Corporation of America direct control readily available to the public at least annually through the agency website: [www.cca.com](http://www.cca.com).

All reports are securely retained and maintained for at least 10 years after the date of the initial collection unless Federal, State, or Local law requires otherwise. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

**AUDITOR CERTIFICATION**

I certify that:

- The contents of this report are accurate to the best of my knowledge.
- No conflict of interest exists with respect to my ability to conduct an audit of the agency under review, and
- I have not included in the final report any personally identifiable information (PII) about any inmate or staff member, except where the names of administrative personnel are specifically requested in the report template.

Rodney P. Eivens  
Auditor Signature

January 7, 2017  
Date