## PREA AUDIT REPORT

**ADULT PRISONS & JAILS**

### Date of report: July 9, 2016

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<th>Auditor Information</th>
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| **Date of facility visit:** | 6/15/2016 - 6/17/2016 |

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| **Name of facility’s Chief Executive Officer:** | Kendall Richerson |

| **Number of staff assigned to the facility in the last 12 months:** | 14 |

| **Designed facility capacity:** | 2,276 |

| **Current population of facility:** | 2043 |

| **Facility security levels/inmate custody levels:** | J1 - J5, G2, Transient |

| **Age range of the population:** | 18-77 |

| **Name of PREA Compliance Manager:** | Hector Ruiz |
| **Title:** | Unit Safe Prisons PREA Manager |
| **Email address:** | Hector.Ruiz@tdcj.texas.gov |
| **Telephone number:** | 361-542-9425 |

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AUDIT FINDINGS

NARRATIVE

The PREA Audit Report for the Fabian Dale Dominguez State Jail Unit is a final report, developed under the guidance/direction given by the National Prison Rape Elimination Act Resource Center (PRC). The methodology and guidance instrument used is and was directed by information and criteria outlined by the PRC; the Prison Rape Elimination Act (PREA) Audit Instrument, Adult Prisons and Jails; and the Prison Rape Elimination Act itself.

The Prison Rape Elimination Act audit for the Texas Department of Criminal Justice (TDCJ) Dominguez State Jail Unit began with the notification and assignment by the American Correctional Association (ACA) of certified PREA auditor, James Curington, and certified PREA auditor, Jennifer Stohr. Scheduling and notification of the site visit to the facility in San Antonio, Texas, during the week, June 15-17, 2016 was selected jointly by the TDCJ and the ACA. Notification of the auditors was made in May by the ACA with information that this PREA audit was to be subsequent to an ACA audit that was scheduled for June 13-15, 2016.

After scheduling and notification, the PREA audit process for the Dominguez Unit began with the necessary and appropriate postings and notifications of the audit at the facility, the exchange of information, the disclosure forms, and the contact information. The TDCJ Office of Administrative Review and Risk Management submitted to the PREA auditors a flash drive containing the PREA Pre-Audit Questionnaire; a master file folder addressing all 43 PREA standards; and supporting documents for the Dominguez Unit. A special thanks is extended to the TDCJ, and the Dominguez staff for this compilation of Unit and Agency information to assist the auditors in assessing PREA compliance for the facility. This material was thoroughly reviewed prior to the on-site visit. Special attention was paid to the supporting documents including some policies and laws from the Texas Government Code; policies and directives of the Texas Board of Criminal Justice (TBCJ); policy and directives of the Texas Department of Criminal Justice (TDCJ); the policies, procedures, and protocols of the University of Texas Medical Branch (UTMB) and its’ Correctional Managed Healthcare Division assigned to the Dominguez Unit; policy and procedures of the Correctional Institutional Division (CID); staffing/rosters of the facility; inmate rosters/housing; and schematics/layouts of the facility; all of which were extremely helpful in understanding and reviewing the facility for PREA compliance.

The auditors used the PREA Audit Instrument, Adult Prisons and Jails supplied by the PRC, through its website, to conduct the Dominguez State Jail audit. The Audit Instrument and its seven sections, A-G, is detailed as follows: A) the Pre-Audit Questionnaire, B) the Auditor's Compliance Tool, C) Instructions for the PREA Audit Tour, D) the Interview Protocols, E) the Auditors' Summary, F) the Process Map, and G) the Checklist of Documentation. This was the instrument used as the basis for the auditors’ assessment process and was also used by the facility to help prepare for its audit.

The PREA auditors submitted a written daily agenda to the facility and the TDCJ Central Office prior to the on-site visit. The audit agenda was as follows:

Tuesday, June 14, 2016,

Evening dinner with key institutional staff, the ACA auditors, and PREA auditor Ms. Jennifer Stohr. (PREA auditor, James Curington was unavailable due to late airline arrival). The evening dinner meeting included meet and greet with the key facility staff and discussion of the upcoming site visit.

Wednesday, June 15, 2016,

Drive from the hotel to the facility. Drive the perimeter of the Unit. Entrance discussion at 8 AM, meet with Warden and key staff. Discuss Audit Instrument by the PREA Resource Center. Review the audit schedule. Tour the facility with discussion of the "instructions for the PREA audit tour”. Attend closeout of ACA audit. The facility was recommended for accreditation by the ACA audit team. Wednesday afternoon, review PREA standards and justifications. Review the demographics and the schematics of the facility. Schedule interviews with staff and inmates including Warden, Unit PREA Compliance Manager, specialized staff, random staff, and inmates. Agency Head and Agency PREA Compliance Manager submitted, to the PREA auditors, written responses to the formal scripted interviews. Particular attention paid to "interview protocols." Stay late for evening review and shift turnover/change.

Thursday, June 16, 2016,

Visit and revisit institutional areas. Review specialty areas Medical/Mental Health, Recreation, Grievance, Emergency Medical Services (EMS), and Forensic Emergency Medical (EM) not performed at the institution, Victim Support Services, Investigation,
Safety, Security, and Staffing. Interviews continued with staff and inmates again paying strict attention to the formal
interviews directed by "interview protocols".
Review PREA standards for compliance and complete information with the Warden, the Unit PREA Compliance Manager, the
Major, the Deputy Warden, and other key staff as necessary. Stay late for evening review.

Friday, June 17, 2016

View and observe inmate/offender admission and intake. Interview staff and inmates. Follow-up on PREA standards
compliance. Again, tour with the Warden and the Unit PREA Compliance Manager. Review auditors’ summary procedures
(intern report/final report) with the Warden and key staff. Depart the Dominguez State Jail Unit.

Thus began the audit process and methodology of assessment, from the pre-audit information review; to the daily on-site
agenda; to the Audit Instrument; to the personal contacts; to the systematic review of materials, documents, policies,
procedures, protocols, and the information presented to the auditors; through the audit tour/on-site visit; and the writing of
the summary report, finishing in this final report for the Dominguez Unit.

The above agenda was closely followed, and the touring, visiting, and revisiting of departments and operations assisted in the
two auditors' understanding of the facility and its efforts to obtain PREA compliance.

Informal interviews and scheduling of formal interviews over the three days also greatly assisted with the understanding of
the facility, its operations, and with the review of the 43 PREA standards. There were 16 formal interviews with random staff,
and 24 formal interviews with specialized staff. Numerous informal interviews were also accomplished with staff. There were
32 formal interviews with inmates, and additionally, many informal interviews were also conducted with the inmate
population. Inmates from every housing unit/area were interviewed.

The final day had an informal standards review, and exit with the auditors and key staff including the Warden and the
Assistant Warden to indicate that a report would be completed within 30 days. It was the two PREA auditors’ opinion that
there were no noncompliant standard violations noted that would require an interim report, but that the auditors would review
their final materials and information within the next 30 day timeframe to assess and prepare a final report. This is a final
report. Please see the summary of findings following this Narrative and Description of Facility Characteristics to see the final
totals of “meets” or “exceeds” standards in all material ways, for the applicable standards of this initial PREA review period. To
repeat, there are no applicable standards that did not meet or exceed the standard requirement.
DESCRIPTION OF FACILITY CHARACTERISTICS

The Dominguez State Jail Unit located at 6535 Cagnon Rd., San Antonio, TX was established on line May 1995, in Bexar County, Texas. The Texas Department of Criminal Justice (TDCJ) manages the offenders in state prisons, state jails, and private correctional facilities that contract with the TDCJ. The Agency also provides funding for certain oversight of community supervision (previously known as adult probation) and is responsible for the supervision of offenders released from prison on parole or mandatory supervision (this is taken from the TDCJ website).

The Fabian Dale Dominguez State Jail was named in honor of Fabian Dale Dominguez (1976 to 1995), a San Antonio Police Department officer, who was shot and killed while investigating a suspicious vehicle in the driveway of a home in his neighborhood. His name was submitted by San Antonians to and approved by the Texas Board of Criminal Justice who wanted to demonstrate their respect and appreciation for Officer Dominguez and all peace officers. The Dominguez State Jail facility was “one of the newest” correctional facilities established at that time to house offenders convicted of nonviolent state jail offenses. The Unit Mission Statement is quoted as follows:

"It is the mission of the Fabian D. Dominguez unit to provide a safe, secure and cost efficient environment for staff and offenders. This shall be achieved through the professional attributes of the staff diligently performing their duties with pride. Opportunities are created to enrich the offenders' lives through programs based on the offenders' educational, vocational, and spiritual needs, as well as addressing any identified substance abuse problems."

The Dominguez State Jail Unit is an all-male 2276 bed, maximum capacity unit. The Unit is located on 72 acres in the far western part of the city of San Antonio and near the very large US Lackland Air Force Base. The facility is a predominately minimum, (89 inmates of medium custody) facility, with an average length of stay of eleven months. Custody levels include J1-J5 (Jail Inmates, two years or less) and G2 and inmates in transit (Designated Inmates, DJ, two years or less). The physical structure is composed of 15 buildings and six large exercise yards surrounded by a 1 mile paved, perimeter security road and within the perimeter road a 12 foot high, inwardly curved, no climb mesh, chain-link fence with razor ribbon. The compound itself within the fencing is about 25 acres with a front/entry Administration Building and with a central walkway/pedestrian way with contiguous dormitories and multipurpose buildings on either side of the central walkway (please see on the following pages, the overhead picture and institutional schematic). Departments and offices at the facility include: the Armory, Chaplaincy Services, Classification/Count Rooms/Records, Commissary, Community Service, Counsel Substitute/Access to Court/Law Library, Education, Food Service, Grievance, Intake, Mailroom, Maintenance, Medical, Necessities/Laundry, Office of the Inspector General, Operational Review, Parole, Personnel, Recreation/Field Training Officer, Reentry, Risk Management, Safe Prisons/PREA, Security Threat Group, Supply, and Turning Point.

The beginning inmate count on 6/15/2016 was 2037 and the inmate count on 6/17/2016 was 2043. As mentioned, these inmates spend two years or less at the Dominguez State Jail and participate in programs and job assignments which include the following: Turning Point, State Jail Substance Abuse Treatment Program, Literacy, Adult Basic Education, General Equivalency Diploma, Title I, Changes/Pre-Release, Cognitive Intervention, Computer Maintenance Technician, Technical Introduction to Computer Aided Drafting, Barbers, Commissary workers, Janitors, Front Office Issuers, Medical Janitors, Laundry and Necessities, Maintenance, Clerks, Kitchen and Food Service, Shower Crew, Library Clerks, Painters, Trash Collectors, Tractor Drivers, Landscape Gardeners, Material Handlers, Community Service, Food Bank, Animal Handlers, and there are services provided to the city and state agencies and to local organizations. Volunteer initiatives include the following: Substance Abuse Education, Life Skills, Support Group, Religious/Faith-based Studies and activities. There is a faith-based dormitory at the Dominguez Unit.

The Windham school district provides/operates educational, vocational programs, and the library.

The University of Texas Medical Branch (UTMB) Correctional Managed Healthcare provides/operates medical and mental health care.

The TDCJ Dominguez State Jail is an American Correctional Association accredited adult correctional institution and has been recommended for re-accreditation this July, 2016.
Facility demographics:

Designated facility capacity: 2276
Actual capacity: 2043
Age range of population: 18 to 77
Gender: Male
Average length of stay: 11 months
Security: Minimum; J1-J5, G2, transient inmates
Total employees: 367; Security 262, Administrative Support 74, Program 7, Other 24.

SUMMARY OF AUDIT FINDINGS

The Dominguez State Jail Unit was assessed as "In Compliance," with the PREA standards, and this is a final report. As listed below; of the 43 standards, 3 (115.12 Contracts, 115.14 Youthful Offenders, and 115.66 Preservation of the Ability to Protect) were assessed as not-applicable; 36 were assessed as meeting substantial compliance in all material ways with the standard for the relevant review period, and 4 (115.11 Zero Tolerance, 115.31 Employee Training, 115.35 Specialized training: Medical and Mental Health Care, and 115.41 Screening for Risk of Victimization and Abusiveness) were as assessed as substantially exceeding the requirements of the standard.

Number of standards exceeded: 4
Number of standards met: 36
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)

The Safe Prisons/PREA Plan dated August 2014, consisting of approximately 40 pages was developed by the Texas Department of Criminal Justice, Correctional Institution Division (TDCJ, CID) to prevent, detect, and respond to sexual abuse and sexual harassment in the TDCJ. The plan states that the TDCJ "has a zero tolerance for all forms of sexual abuse and sexual harassment of offenders....The TDCJ shall be vigilant in establishing a safe environment for staff and offenders at all secure correctional facilities and take immediate action to address the protective needs of offenders who have been victimized....The TDCJ Safe Prisons/PREA Plan shall be applicable to all individuals, including visitors and volunteers employed by, under contract with, or supervised by the TDCJ, including professional staff and any person who is involved, directly or indirectly with the care and custody of offenders."

This above plan has a companion Safe Prisons/PREA Operation Manual (SPPOM) which complements and supplements the Plan. The manual addresses issues such as:
1) administration
2) intervention,
3) assessment and screening,
4) reporting/receiving allegations,
5) investigation,
6) training,
7) grids, codes, files and transfers,
8) reporting, and
9) 22 attachments (such as checklists, reports, information templates, etc.).

This manual clearly, operationally assists in establishing and ensuring "zero tolerance" of sexual abuse and sexual harassment in each facility of the TDCJ.

The Dominguez State Jail Unit, its staff, and its inmates, exhibited knowledge and practice of the zero tolerance of sexual abuse and sexual harassment when the two PREA auditors made their site visit, toured this facility, and interviewed formally and informally many staff and inmates.

The Agency has designated Mr. William Stephens, Director, Correctional Institution Division, as the Agency PREA Coordinator. It is noted, that at the time of the audit, Mr. Stephens has scheduled his retirement and the Agency Executive Director will be appointing a new PREA Coordinator for the TDCJ. Mr. Stephens, in his scripted interview, has indicated sufficient time to develop, implement and oversee the Agency's efforts to comply with PREA standards. Agency organizational charts were reviewed and Mr. Stephens, was at the top of the organizational chart for the Correctional Institution Division.

The Fabian Dale Dominguez State Jail Unit has a PREA Compliance Manager (Unit Safe Prisons, PREA Manager), Mr. Hector Ruiz, who has dual direct access to the Correctional Major at the facility and the Unit Warden. Organizational charts were reviewed. Additionally, Mr. Ruiz has time to oversee the institution's PREA program.

The two auditors who reviewed the facility were impressed with the staff's knowledge of zero tolerance, staff training, the inmate's knowledge of zero tolerance, and the thorough training programs including the inmate mentoring/peer program. Each employee had a pocket handout outlining and addressing PREA and zero tolerance. Posters addressing zero tolerance and PREA were placed throughout the facility.

Based on the above plan, manual, organizational charts, and based on the interviews with staff and inmates by the two auditors, this standard, 115.11 Zero Tolerance for Sexual Abuse and Sexual Harassment, PREA Coordinator, was found as an "exceeds".
The TDCJ, Dominguez State Jail Unit does not contract with other entities for the confinement of inmates. Thus, this standard is assessed as not applicable by the PREA auditors.

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

The Dominguez State Jail Unit is a 2276 bed, medium security facility with appropriate staffing and perimeter security. The Unit has an Agency Staffing Plan which is reviewed annually. This plan is adequate in the opinion of the Warden, his key staff and the Human Resource Department. The staffing plan, recruitment policies, and institutional needs are continuously reviewed by the Warden and his key staff to ensure appropriate supervision and monitoring on all shifts 24/7.

Higher-level staff conduct unannounced rounds to identify any deviation from the staffing plan and procedures, and for issues that would concern safety and security of the inmates and compliance with PREA. The Security Operations Manual and post orders for the Security Department, address supervision duties and responsibilities. Staff compliance with the manual and post orders is maintained not only through regular and unannounced rounds, but also through incident reviews, logs, reports, and daily operational count sheets and procedures.

The Warden reviews the minimum staffing pattern and any deviation, compliance/noncompliance sheets and count sheets daily. Deviation is noted/approved at the Chief of Security and Warden levels.

Video cameras are strategically located throughout the Unit, both externally and internally. Cameras are appropriately monitored and recordings are made consistent with policy (generally 20 days). Staff routinely checks for blind spots, which, if they exist, are evaluated, secured and appropriately monitored through sightlines, mirrors, staffing, or video enhancement.

Based on, specialized staff interviews, the facility tour/observation, video review, and the review of officer logs and supervisory rounds, the auditors assess compliance.

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)

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Based on, specialized staff interviews, the facility tour/observation, video review, and the review of officer logs and supervisory rounds, the auditors assess compliance.

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
There are no youthful offender inmates at the Dominguez State Jail Unit.

**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)

As outlined by policy and procedure, and stated in the Pre-Audit Questionnaire, the facility does not conduct cross gender strip searches or cross gender visual body cavity searches except in exigent circumstances or performed by medical practitioners. No cross gender viewing or searches were conducted at the Dominguez State Jail. The auditors reviewed the Administrative Directive on Offender Searches, post orders, preservice training concerning contraband and shake down and the Safe Prisons/PREA Plan.

Procedures require that staff of the opposite gender announce their presence when entering inmate housing, and this was observed by the auditors. It was noticed that the staff at the Dominguez State Jail acted professionally when searching inmates and entering their housing areas. The Dominguez Unit is an all-male facility, thus only when female staff enter a housing/living area is the appropriate announcement made.

Staff is trained in cross gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner.

Staff received appropriate annual training, video training, and turnout/shift briefing training. The auditors observed turnout/shift briefing discussion and trainings.

The auditors found this standard in compliance based on the Agency policies, the procedures of the Safe Prison/PREA Plan, and based on staff and inmate interviews, which confirmed that inmates can perform bodily functions, change clothing, and shower without staff of the opposite gender viewing them.

**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)

The TDCJ, through Administrative Directives 04.25 and 06.25, addresses interpreter services, American Sign Language services, and inmates who are limited in English proficiency. Additionally, Correctional Mental Health Services, through policies, CMHC, G-51.1, and G-51.5 addresses offenders with special needs. The facility has implemented and uses staff interpretive services and appropriate mental health services to make sure all inmates are educated about PREA and benefit from the Agency's efforts to prevent and respond to sexual abuse and sexual harassment.

Specifically, the Dominguez State Jail Unit has implemented the Agency's policies and procedures to provide disabled inmates equal opportunity to participate in and benefit from all aspects of the Agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment (this includes non-English speaking inmates and inmates with limited English proficiency).

There are 41 trained Spanish interpreters at the Dominguez State Jail Unit. The auditors observed, during the tour and from interviews with staff and inmates, that there were numerous bilingual and multilingual staff and inmates at the facility. There
appeared to be no difficulty in language communications between staff and inmates. Staff was readily available for any interpretation needs experienced by the auditors.

Agency policy prohibits the use of inmate interpreters or other type of inmate assistants except in exigent circumstances. In the past 12 months there have been zero (0) number of instances where inmate interpreters, readers, are other types of inmate assistants have been used (and it was not a case that an extended delay may have occurred).

Based on the above information, policies, procedures, and the auditors’ review of English and Spanish posters, videos and notices, this standard was found in compliance.

**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)

This standard, 115.17 on Hiring and Promotion Decisions contains eight subsections a through h, outlining the importance of thorough background checks, and the vetting of staff and new employees, contractors, and volunteers who have contact with inmates. The auditors spent time with the human resource staff, reviewing personnel policy, procedures, employment applications, supplemental applications, background checks, and PREA concerns and expectations established by the PREA.

In conjunction with TDCJ policy, and the Texas Government Code, the Dominguez State Jail Unit prohibits hiring and promoting anyone who has contact with inmates who has engaged in sexual abuse in prison or was convicted of engaging in or attempting to engage in sexual activity by force in the community or who has civilly or administratively been adjudicated to have engaged in sexual activity by force. The Agency and the Unit also requires consideration of any incidents of sexual harassment in determining whether to hire or promote someone. Specifically; Personnel/Policy Directives PD-22 General Rules of Conduct, PD-27 Employee Status, PD-29 Sexual Misconduct, PD-56 Request for Release of Information, PD-71 Selection System Procedure, PD-73 Selection Criteria, and PD-75 Pending Charges were reviewed by the auditors. These policies, the Safe Prisons/PREA Plan, personnel forms, and the Texas Code 552023 were all reviewed by the two PREA auditors.

Background checks are conducted on newly hired staff (or serious applicants). In the past 12 months there have been 14 number of persons hired who have had criminal background record checks. It should be noted that the Dominguez Unit received a lot of transfer staff from other TDCJ facilities (San Antonio area is a popular destination), thus requiring a lower number of new hires. Transfers from other facilities are reviewed by Human Resources. One person was hired at the Unit for contracted services on which a background check was completed.

Routine criminal background checks are made at least every five (5) years for current employees. This is based upon Agency policy and accomplished by the Human Resources (HR) Department.

Based on the above information and interviews with the HR Department, the Warden and specialized staff, the auditors find this standard in compliance.

**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)

The Dominguez State Jail Unit has not acquired any new facilities or made any substantial expansions or modifications of existing facilities since August 20, 2012. Thus, this first part of standard 115.18 is not applicable.
However, the facility has updated its video monitoring and surveillance system, as well as made technology enhancements to its camera system. There are 203 cameras and monitors on the Dominguez State Jail Unit Camera Report which was reviewed by the auditors. The auditors also observed, during the tour, camera usage by the control rooms and appropriate offices. Work orders for video equipment were reviewed, as well as the camera diagram and layout for the facility. The tour also included a review of blind spots and security sensitive locations.

Based on the auditors' review of the facility, the areas mentioned above, the camera operation, and based on interviews with supervisory staff, an assessment of Standard 115.18 Upgrades and Use of Technology, found this standard as PREA compliant.

**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)

TDCJ is responsible for administrative and criminal sexual abuse investigations, and forensic medical examinations.

The Safe Prisons/PREA Operations Manual (SPPOM), SPPOM-02.02 Offender Victim Representative, and 05.01, Sexual Abuse Response and Investigation; the Office of the Inspector General (OIG), OIG-04.05 Offender Sexual Assault Investigations, and Administrative Directive (AD), AD-16.03 Evidence Handling, assures investigators follow a uniform evidence protocol through the use of this operational manual and the Sexual Abuse Checklist.

The University of Texas Medical Branch (UTMB) Corrections Managed Healthcare Policy, CMHC G-57.1 Sexual Assault/Sexual Abuse stipulates the appropriate forensic medical examinations and protocols. Additionally, the SPPOM also addresses Offender Victim Representative (OVR) protocols.

Emergency medical healthcare/forensic medical examination is provided by the nearby local San Antonio hospital(s). Victim Advocacy Services (VAS) are provided by appropriately trained staff (OVRs) and/or the Rape Crisis Center (RCC) serving children, women and men. The RCC was visited by the Warden and the PREA auditors.

Based on a review of sections, a–h of this standard, a review of documents, policies and procedures, interviews with investigative staff, specialized staff, Offender Victim Representative staff, UTMB staff, and the visit to the local RCC, the auditors find an assessment of compliance for this standard.

**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)

The Dominguez State Jail Unit ensures that administrative or criminal investigations are completed for all allegations of sexual abuse and sexual harassment. Administrative Directives, AD-02.15, and AD-16.20 Operations of the Emergency Action Center (EAC) and Reporting Procedures to the Office of the Inspector General (OIG) outline the necessity and immediacy of reporting incidents and crimes to the EAC and the OIG. Specifically, sexual abuse (offender-on-offender) and staff misconduct are to be reported to the EAC; and crimes and Texas Penal Code violations are to be reported to the OIG.
The Office of the Inspector General policy OIG 04.05 and the Texas Board of Criminal Justice (TBCJ) policy BP 01.07 dictate the requirements and referrals for investigation to those with legal authority to conduct criminal investigations. Criminal investigations are documented and maintained.

In the past 12 months, three (3) allegations of sexual abuse/harassment were received at the Dominguez Unit, all which resulted in administrative investigations (there were zero (0) number of criminal investigations). These investigations were documented and maintained. The appropriate notifications were made. These investigations were reviewed by the PREA auditors with the Warden and the Institutional PREA Compliance Manager.

Interviews with investigative staff, random staff, and inmates indicate knowledge and familiarity with policies and procedures for the reporting and investigation of allegations. Pocket information cards distributed to staff and training received by staff, assist in the thoroughness and completeness of offender protection investigations, and the tracking of allegations of sexual abuse/harassment.

The auditors confirmed compliance with the standard based on the review of the investigations and documents, as well as the interviews with key staff.

**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)

Training records, staff interviews, and curriculum review indicated that staff at the Dominguez State Jail Unit were all well trained in PREA. Staff are knowledgeable about the zero tolerance policy for sexual abuse. They are knowledgeable on how to perform their responsibilities in detection of sexual abuse, reporting of sexual abuse, and responding to sexual abuse. Staff have received pocket guidelines outlining the TDCJ's Mission Statement, the Officers Code of Ethics, PREA information, first responder duties, and supplemental information concerning care and control of the inmate population. It was noted, by the PREA auditors, how professional and serious each staff member responded to the formal scripted questions and informal impromptu questions asked by the auditors during the site visit and tour. All staff formally interviewed, were asked about and were knowledgeable about the following:

1) Agency zero-tolerance policy
2) how to fulfill their responsibilities regarding PREA
3) the right of inmates to be free from sexual abuse and sexual harassment
4) the right of inmates and employees to be free from retaliation for reporting
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 LGBTI and gender nonconforming inmates.
10) how to comply with mandatory reporting laws

The responses to questions asked about the above, and the documentation of training of all staff, as well as the training observed during turnout/shift briefings, confirmed an "exceeds" for this standard.

Training is tailored to the gender of inmates at the facility (this is an all-male adult facility). The Agency documents employee training and the fact that staff understand the training they have received.

Based on the Administrative Policies (Safe Prisons/PREA Plan, AD-12.20 Implementation and Operation of the TDCJ In-Service Program, and the staff PREA Video script), the training curriculum, interviews with staff, and the auditors’ attendance at shift turnout/briefings, this standard is assessed as "exceeds standards".
**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)

All volunteers and contractors who have contact with inmates have been trained in their responsibility under the TDCJ policies, including procedures regarding sexual abuse/sexual harassment prevention, detection, and response.

The emphasis on volunteer training can be recognized through the efforts made by the TDCJ in establishing a Volunteer Service Plan, a handbook for volunteers which is available on the public website, and a special training video to help educate the volunteers who assist the Texas Department of Criminal Justice. The volunteer program is administered through the TDCJ headquarters office in Huntsville, Texas. 22,600+ volunteers have been trained. Volunteers are certified by the TDCJ.

Contractors are trained, reviewed, and vetted at the local level by the Human Resources Department with appropriate background checks. Thirty-five (35) contractors who have contact with inmates have been trained in Agency policies and procedures regarding sexual abuse, and sexual harassment.

The auditors were impressed with the Code of Conduct Training that is extended to volunteers and contractors.

The auditors had an opportunity to meet with five (5) volunteers and discuss PREA and PREA training during their on-site visit. The volunteers were trained and knowledgeable about PREA.

Based on the auditors’ interviews with staff, volunteers, contractors, and inmates, as well as the review of policies and procedures, this standard was found as compliant.

**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)

Inmates, at the time of their assignment/intake, receive educational materials and information about the Agency's "zero-tolerance" policy and how to report incidents or suspicions of sexual abuse or sexual harassment.

The Dominguez State Jail Unit receives inmates daily, either as an Institutional Designated inmate (ID) or as a state jail inmate (Jail). There have been 4080 inmates who have been admitted in the past 12 months, who have been given information and educational materials about the Agency zero-tolerance policy and how to report suspicions of sexual abuse or harassment. Of this large number, 4080, 1463 inmates whose length of stay is more than 30 days, have received a comprehensive education on their right to be free from sexual abuse/harassment and retaliation for reporting such incidents. This training for the 1463 inmates whose length of stay is more than 30 days was received in the initial 30 day period. Again, the Dominguez Unit is a state jail that takes Jail inmates or Institutional Designated inmates up to two years at the facility.

Peer education/mentor education is the cornerstone to effective communication and training of the inmates received at the Unit. Eight (8) inmate mentors/peer educators were interviewed by the auditors. These interviews with the mentors/peer educators and the inmates' staff supervisors revealed and confirmed a well-organized and effective process for PREA education. Inmate PREA education is available in different formats to accommodate all inmates. The education of inmates takes into account the physical/mental healthcare of the inmate, as well as limited English proficiency. Spanish-language handbooks, posters and information were noted throughout the facility.

Inmate education is documented. Individual treatment plans are also documented as appropriate and needed.
This standard was found as compliant based on the auditors' review of unit classification procedures, intake procedures, the SPPOM, Agency policy and procedures, the inmate handbooks, the inmate video, the zero-tolerance postings, and most especially based on the interviews with the inmates themselves.

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)

The Agency's training policy, along with training curriculum and personnel policy, requires investigators to be trained in conducting sexual abuse investigations in confinement settings. This administrative training is outlined in a 59 page document, CID Safe Prisons/PREA Plan sections: Investigation Training, Correctional Training, and Specialized Investigations; and AD-16.03 Evidence Handling. The Dominguez State Jail Unit has 15 unit investigators for administrative investigations.

Criminal investigational training is further supplemented for investigators of the Office of the Inspector General, through policies OIG-02.15 Training Procedures, OIG-04.05 Offender Sexual Assault Investigations, and the National Institute of Corrections PREA training. The Office of the Inspector General also conducts specialized training as outlined in the OIG Operational Policy Manual. The Office of the Inspector General has 143 OIG investigators for criminal investigations, two (2) of which are stationed at the Dominguez State Jail Unit for criminal investigations at this facility. These numbers are documented by the Pre-Audit Questionnaire.

All training is documented and maintained through training rosters, and certificates which were reviewed by the PREA auditors.

The auditors conducted specialized staff interviews, including the two (2) OIG administrative and criminal investigative staff, and the institutional administrative investigative staff. The auditors also reviewed the Texas Board of Criminal Justice policy (BP-01.07 Inspector General Policy Statement, "the highest level of investigative services for the TBCJ, TDCJ, and the citizens of Texas"), the investigative training, and investigative policy, and the personnel policies and files to assess compliance with this standard.

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)

The University of Texas Medical Branch (UTMB), coordinates health care for the Dominguez State Jail Unit. Correctional Managed Health Care policies, CMHC C-25.1 Orientation, Training for Health Services, CMHC C-19.1 Continuing Education Staff Development, and CMHC G-57.1 Sexual Assault and Sexual Abuse, all direct specialized training for medical and mental health care staff. Medical and mental health care staff are tested on PREA training. The auditors assess this standard as exceeds not only based on the thoroughness and completeness of the UTMB's training, but also on the fact that they administer testing to their health care staff and record the results of the testing. A total of 35, medical and mental health care practitioner staff, 100%, who work regularly at this facility have been trained according to Agency and UTMB policy.

Practitioners at the Dominguez Unit do not conduct forensic medical examinations. Such examinations are done by SAFE/SANE staff at the local hospital(s), San Antonio. SAFE/SANE staff from the local hospital(s) notify the local Rape Crisis Center (RCC) of any sexual abuse forensic exam. The auditor and Warden met with the Assistant Director of the RCC.
The auditors were impressed with the professionalism, knowledge, and commitment to care of the UTMB staff. This commitment by staff, their knowledge of the PREA, and the specialized training that they have received, earns an "exceeds standard" for Specialized Training: Medical and Mental Health Care.

**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)

The Dominguez State Jail Unit intakes short term, Jail Inmates, for up to two (2) years and Institutional Division inmates (ID), for not more than two (2) years. The intake process is sophisticated and large. As noted in the Pre-Audit Questionnaire, 4080 inmates were received and given PREA materials within 72 hours. Additionally, of the 4080 inmates received that were scheduled for more than 30 days, 1463 of these received a comprehensive education concerning PREA. See standard 115.33 Inmate Education. It was the intake process that was observed in detail and so impressed the two PREA auditors such that there was a finding of "exceeds standards" for this standard, Screening for Risk of Victimization and Abusiveness. Not only did the health care staff, the Unit Classification Committee, the classification staff, the intake staff, the social worker, and the Institutional PREA Compliance Manager do their jobs, follow the Safe Prisons/PREA Plan, work together as a team, but they displayed a genuine interest in risk assessment and a professionalism towards the inmate that, in the auditors' opinions, helped secure a safe and healthful/careful environment for every individual inmate assessed and assigned to the Dominguez Unit.

The Safe Prisons/PREA Operational Manual (SPPOM) and the Safe Prisons/PREA Plan address and outline the screening processes for the risk of victimization and abusiveness. The Manual and the Plan were reviewed by the auditors before the on-site visit at the Dominguez Unit. Included in this review was the Offender Assessment Screening which addresses the risk of sexual victimization, and/or the risk of sexual abuse of other inmates. This comprehensive form is especially enlightening and critical to the screening process. This form is completed within 72 hours of intake. Intake processes have been reviewed at this facility by both auditors. Inmates are assessed during the intake screening at the time of reception here at this facility and upon being transferred from other facilities. Each inmate assessment includes screening for risk of being sexually abused by other inmates or of being sexually abusive towards other inmates. This intake assessment tool is an objective instrument that includes evaluating the following:

1. whether the inmate has a mental, physical, or developmental disability,
2. age of the inmate,
3. 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 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 (note: no inmates are detained at the Dominguez Unit solely for civil immigration purposes).

In addition to the above TDCJ Offender Intake Processing, a Psychological Screening Interview is also conducted with appropriate follow-up scheduled as prescribed/necessary. This also includes a history and a mental health review, which is done within 14 days. Inmates, by policy limits, are not to be disciplined for refusing to answer questions during these assessments. Dissemination of assessment and PREA information, within the facility, is handled on a confidential/limited basis.

The number of inmates entering the facility within the past 12 months, whose length of stay was 72 hours or more, was 4080 (per the Pre-Audit Questionnaire). 19 inmates were received/transferred into the facility within the past 12 months, whose length of stay was for 30 days or more, who were reassessed for victimization or of being sexually abusive (per the Pre-Audit Questionnaire). The assessments are done within 30 days if additional or relevant information is received.
This standard is assessed as exceeds, based on the two auditors' interviews of intake and assessment staff, interviews with randomly selected inmates, observation of the intake and the assessment process, the use of the Agency's assessment tools, and the individualized thoroughness with which the inmates were evaluated.

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)

The Unit Classification Committee (UCC), consistent with the directions of the Administrative Directive, AD 04.17 Offender Housing Assignment, Administrative Directive, AD 04.18 Offender Job Assignment, and Correctional Managed Healthcare policy, CMHC 35.1 Mental Health Appraisal for Incoming Offenders, CMHC G-51.11 Treatment of Inmates with Intersex Conditions of Gender Dysphoria, and the Safe Prisons/PREA Operational Manual, Assessment Screening; make the housing, bed, work, education, and program assignments for the inmates at the Dominguez Unit. Special attention is paid to the safety and security of those inmates that are high risk of being sexually victimized and attention is also extended to those inmates who may be sexually abusive. Based on the policies and procedures, each risk assessment screening is made on an individual basis and is in the interest of safety and security of the inmates and staff.

The auditors reviewed the above mentioned policies, the Unit Classification Procedures Manual, and documents used in the assessment of the inmates who were received at the Dominguez State Jail Unit. The use of this information is determined by the professional and well trained intake staff, mental health staff, and those that had a direct need to know about certain aspects of the assessment process. Information from this assessment process is shared on a limited basis (need to know) by the intake staff, and the correctional healthcare and mental health care staff who are very professional, discreet, and attentive to their duty to disclose or keep information private according to policy and law in regard to health care assessment information.

Based on the interviews with specialized staff, the review of the screening assessment process, and the documentation presented to the auditors, this standard, Use of Screening Information, was found as compliant.

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)

The TDCJ has a policy, Safe Prisons/PREA Plan, that, in conjunction with its companion Safe Prisons/PREA Operations Manual and the Agency's Administrative Segregation Plan, prohibits the placement of inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there are no available alternative means of separation from likely abusers.

In the past 12 months, there have been zero (0) number of inmates, at risk of sexual victimization, who were held in involuntary segregated housing at the Dominguez State Jail Unit. Notably, there are only 29 segregation cells (administrative and disciplinary) at the Dominguez Unit, per the Pre-Audit Questionnaire, thus, use of involuntary segregation would be at a minimum and all alternatives explored.

Interviews with the Warden, specialized staff (those that work in segregation), inmates, and inmates in segregation, confirmed compliance with this standard. Based on the interviews and the policy and procedure, this standard is assessed as compliant.
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)

This standard, 115.51 Inmate Reporting and its' subsections a-d, addresses: a) multiple internal ways for inmates to report privately about sexual abuse and sexual harassment, b) at least one way for inmates to report sexual abuse and sexual harassment to a private or public entity or office that is not part of the Agency, c) staff accept reports, verbally or in writing, anonymously, and from third parties, and d) the Agency shall provide a method for staff to report privately, sexual abuse and sexual harassment of inmates. In conjunction with these requirements, the auditors reviewed the TBCJ, BP-03.91, Uniform Offender Correspondence Rules, the TDCJ Executive Directive, ED 02.10 Prison Rape Elimination Act Complaints and Inquiries, the Safe Prisons/PREA Plan, the Office of the Inspector General PREA Ombudsman Pamphlet, the zero-tolerance postings, the Offender Protection Information (OPI) reporting form, and the PREA Video Script shown to all inmates (in English and Spanish versions), all describing inmate reporting options and supporting compliance with this standard.

Specifically, policy dictates (ED-02.10 Prison Rape Elimination Act Complaints and Inquiries) "the Texas Board of Criminal Justice (TBCJ) established the PREA Ombudsman's Office to investigate and process PREA complaints and inquiries in accordance with the BP-02.10 Prison Rape Elimination Act Ombudsman Policy Statement. The Texas Department of Criminal Justice shall establish guidelines for reporting complaints or inquiries from elected officials, the public and offenders pertaining to allegations of sexual abuse and sexual harassment and related TBCJ initiatives, to the PREA Ombudsman." The PREA Ombudsman was established by the 80th Texas Legislature to serve as an independent office. The PREA Ombudsman reports directly to the Chairman of the TBCJ, and is an office external to the reporting process of the TDCJ, and its' Executive Director. Inmates can report privately to the PREA Ombudsman's Office.

The institutional inmate handbook and information distributed during intake, outlines ways for inmates to report sexual abuse or sexual harassment. Offenders may report allegations in many ways, verbally, in writing to departmental staff including the major, to the office of the Inspector General, and to the PREA Ombudsman. Third parties, including fellow offenders, staff members, family members, attorneys, and advocates are permitted to assist offenders and request for administrative remedies regarding an allegation of sexual abuse. Reports to the PREA Ombudsman may be made confidentially through third parties. Reporting information is also available through information posted on bulletin boards, in the institutional libraries, the public website, and from staff.

The Inmate Mentor Program, conducted by inmates under the supervision of staff, addresses reporting sexual abuse and sexual harassment during inmate intake and the institution PREA inmate education process. The peer mentoring process includes the PREA Video sharing during the intake process, and ways for the inmate to report sexual abuse, harassment, retaliation, or staff neglect concerning PREA.

Based on the above policies and procedures and interviews with inmates and staff. The auditors assesses this standard as compliant.

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)

The Offender Grievance Operational Manual and the Texas Government Code section 493.014 and section 501.008, outline administrative procedures to address inmate grievances concerning sexual abuse and sexual harassment. In addition to the
above, Administrative Directives, AD-03.77, Offender Grievances and AD-03.82 Management of Offender Grievances, outlined
the TDCJ procedure for preparing, filing, and processing inmate grievances.

The inmate grievance process is another way for the inmates at the Dominguez State Jail Unit to report sexual abuse or
sexual harassment. When utilizing the grievance procedure, Unit grievance staff will immediately telephone the highest-
ranking security supervisor on duty to begin the steps of ensuring safety, evidence protection, notifications, and follow
through. The TDCJ places great importance on its notifications steps as heard by the auditors during interviews, and observed
by the auditors during the on-site review/tour.

In the past 12 months there have been four (4) grievances alleging sexual abuse. In the past 12 months there have been
four (4) grievances alleging sexual abuse that reached a final decision within 90 days after being filed. There were zero (0)
number of grievances alleging sexual abuse that did not reach a final decision within 90 days. Three (3) grievances had an
initial response within 48 hours (information taken from the Pre-Audit Questionnaire).

Based on the review of the grievance procedure, grievances themselves, and interviews with staff and inmates confirm an
assessment of compliance for this standard.

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)

This standard, Inmate Access to Outside Confidential Support Services, and its three subsections a-c direct that: a) inmates
will have access to outside victim advocates for emotional support services related to sexual abuse, toll-free numbers for
local, state or national victim advocacy groups in as confidential a manner as possible; b) the extent to which communications
may be monitored by the facility; and c) the unit make attempts to enter into Memorandums of Understanding or other
agreements with community service providers, with documentation of such attempts. The auditors reviewed policy, and
documentation, including the following: SPPOM, Safe Prisons/PREA Plan, the inmate handbook, board policy, a Memorandum
of Understanding template/example and the Advocacy Center Lists.

The Warden, the Institutional PREA Compliance Manager, and the two PREA auditors visited the local Rape Crisis Center
(RCC), spoke with the Assistant Director, and obtained crisis pamphlets for the facility (including the 24-hour hotline number).
Inmate access to outside confidential support services is supported by the TDCJ through its Safe Prisons/PREA Plan, the
Manual, and TBCJ policy. The PREA plan states "offenders shall be provided access to victim advocates for emotional support
services related to sexual abuse by giving offenders mailing addresses and telephone numbers, including toll-free hotline
numbers, where available....The Unit shall enable reasonable communication between offenders and those organizations and
agencies in as confidential a manner as possible." Additionally, the Safe Prisons PREA Operational Manual states "when an
advocate from the rape crisis center is not available to provide emotional support... The TDCJ shall, upon request from the
offender victim, provide an Offender Victim Representative (OVR) to support the victim." There is a rape crisis center locally in
San Antonio and communications have been made with the center. It is noted anytime a forensic sexual abuse, medical exam
is made by a SAFE or SANE practitioner at the local hospital, the Rape Crisis Center is notified.

Based on the auditors' interviews with staff and inmates, the auditors' reviews of the OVR lists, and communications with the
local RCC this standard is found in compliance and meets standards.

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)
The Texas Board of Criminal Justice (TBCJ) Ombudsman website provides a method to receive third-party reports of inmate sexual abuse or harassment. Executive Directives, ED-02.03 Ombudsman Program and ED-02.10, PREA Complaints and Inquiries address information and procedures on how to report, to whom to report and how to submit PREA complaints and inquiries. ED-02.10 attachment A is a PREA Ombudsman Inquiry Response Form containing a request for information, including the specific allegations, institutional actions, and additional pertinent information that can assist and does assist in reporting. The website and phone number of the PREA Ombudsman explained that there are resources on how to make third-party reports. Policy states "... The Texas Board of Criminal Justice established the Prison Rape Elimination Act Ombudsman Policy and Office to investigate, process PREA complaints and inquiries.". The TBCJ website gives the name, mailing address and phone number to be used for the purpose of directing inquiries and complaints to the PREA Ombudsman.

The TDCJ brochure titled: General Information Guide for Families of Offenders, outlines the mission of the TDCJ, and gives a brief description of the principle program areas for the family to review. The Table of Contents of the brochure has everything from intake to an institutional/unit directory and includes a section for the TBCJ, PREA Ombudsman and third-party reporting information.

The website, phone number, mailing address, pamphlets, posters and information are ways in which information is distributed to the public.

The auditors reviewed the above documents, and with the formal staff and inmate interviews assessed this standard as compliant.

Standard 115.61 Staff and agency reporting duties

☐ Does Not Meet Standard (requires corrective action)

☒ Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

At the Dominguez State Jail Unit, all staff are required to report immediately and according to Agency policy, any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in this facility or another facility whether or not it is part of the Agency. All staff is also required to report retaliation against staff or inmates, who report sexual abuse or staff neglect or violation of responsibilities that may have contributed to retaliation. This is outlined by the TDCJ in its Safe Prisons/PREA Plan and in its Safe Prisons/PREA Operational Manual. This requirement to report and this duty to report is directed to every TDCJ facility.

It is clearly outlined by the TDCJ in its' staff training curriculum, in its' policies, in its' manuals, and in its' directives that the staff has a duty to report sexual abuse, sexual harassment and retaliation for reporting such incidents. Policies reviewed by the auditors include:

1) Personnel Directive-29, Sexual Misconduct with Offenders
2) SPPOM-05.01 Sexual Abuse Response and Investigation
3) Safe Prisons/PREA Plan
4) AD-16.20 Reporting Incidents/Crimes to the Office of the Inspector General
5) CMCH G-57.1 Sexual Assault/Sexual Abuse
6) CMCH E-35.2 Mental Health Evaluation

These policies and procedures, plan, directives, and manual, also prohibit staff from revealing information related to sexual abuse reports to anyone other than to the extent necessary to make treatment, investigation, or other security and management decisions.

Interviews with staff, volunteers, contractors, as well as the auditors’ review of training records, training curriculum and supporting documents confirm this responsibility and duty to report. The auditors assess this standard as compliant.
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)

When the facility learns that an inmate is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the inmate. Safety and security is first, as observed by the auditors, at the Dominguez State Jail Unit. The Safe Prisons/PREA Operations Manual and the Administrative Directive AD-02.15 direct immediate action to be taken to protect inmates who are at substantial risk of imminent sexual abuse. It also outlines the action to be taken to assist and implement appropriate protective measures without unreasonable delay.

The staff at the Dominguez Unit are very knowledgeable and well-trained in their protection duties and what their responsibilities require. This was learned/observed by the auditors through interviews with specialized staff and random staff on each shift, and review of operations during the three-day visit.

In the past 12 months there have been zero (0) number of inmates subject to substantial risk of imminent sexual abuse. Intake and admission procedures were carefully reviewed by the auditors and support the facility's commitment to the individual protection of each inmate received and assessed. Intake and assessment was evaluated by the auditors as the first step and procedure in institutional security/staff and inmate security.

The auditors found this standard in compliance based on the on-site visit and tour, interviews with staff and inmates, and a review of the policies and procedures provided.

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)

The Safe Prisons/PREA Operations Manual, numbers 04.01 and 04.02, establish guidelines for processing offender reports of sexual abuse to and/or from other confinement facilities.

As outlined by policy, the Warden/Duty Warden "will notify the head of the facility or appropriate office of the agency where the alleged incident occurred, as soon as possible, but no later than 72 hours after receiving the allegation at the TDCJ". Further, if a TDCJ unit receives notification of an allegation of sexual abuse, "The individual receiving such notification shall provide the notification to the unit Warden". Appropriate follow-up to these notifications are outlined in the SPPOM.

During the past 12 months, the Dominguez Unit has received one (1) allegation that an inmate was abused while confined at another facility. Appropriate contact, and notifications were made. The auditors reviewed this instance with the Warden, the Unit PREA Compliance Manager and key staff. During the past 12 months, the Dominguez Unit has received from other facilities, one (1) notification that an inmate was abused while at the Dominguez Unit. The auditors reviewed this incident with the Warden, the Unit PREA Compliance Manager and key staff. Both of these notifications/reporting incidents were reviewed by both auditors and it was the auditors' conclusion that appropriate follow-up, notifications, investigations and contacts were made.

Based on a review by the auditors of the policy and procedures, the documented notifications, follow-up investigation, and interviews with the Warden and key staff, this standard was assessed as compliant.
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)

The TDCJ Safe Prisons/PREA Operations Manual, the Administrative Directive, AD-16.03 Evidence Handling and the Office of the Inspector General Operating Procedure Manual; detail the policy and procedure for the first responder to an allegation of sexual abuse. The following is outlined: "Response to Reports of sexual abuse 1] after learning of an allegation that an offender was sexually abused, the first correctional officers responding to the report shall: a) notify security supervisor; b) separate the alleged victim and assailant; c) preserve and protect the crime scene, if applicable, until appropriate steps can be taken to collect any evidence; d) monitor the alleged victim...to ensure physical evidence is not destroyed.... 2] if the first staff responder is not a correctional officer, the responder shall monitor the alleged victim and shall immediately notify a correctional officer..."

In order to help ensure appropriate safety and security measures are taken, each staff member is given a "pocket info card" with information concerning first responder duties.

The auditors reviewed the training curriculum, documents, policies and procedures, and the staff video presentations outlining first responder duties and responsibilities. The auditors also attended shift briefing/turnouts where PREA responsibilities were discussed and additional training was accomplished.

In the past 12 months, there were three (3) allegations that an inmate was sexually abused. In the past 12 months, there were zero (0) number of allegations made within a time frame that still allowed for the collection of physical evidence. In the past 12 months, there were zero (0) number of times a non-security member was the first responder. This information obtained from the Pre-Audit Questionnaire.

Based on the auditors' random interviews with staff, and their review of documents, training, and investigations, this standard was assessed as in compliance with PREA.

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)

The TDCJ Safe Prisons/PREA Plan and the Safe Prisons/PREA Operational Manual requires a coordinated effort when responding to an allegation of sexual abuse. This coordinated effort includes Unit security staff, the Emergency Action Center (EAC), the Office of the Inspector General, Medical and Mental Health Services, Victim Advocates/Offender Victim Representatives, leadership staff, and the Institutional PREA Compliance Manager. Procedures are outlined in the Plan and in the SPPOM. The Plan states "sexual abuse response and notification procedures contained within this plan and the SPPOM shall be followed to coordinate actions taken in response to an incident of sexual abuse".

Coordinated action begins with the notification process. "Immediately upon receiving knowledge of an alleged sexual abuse of an offender, the security supervisor responsible for notifications shall notify the following individuals: 1) the Major or the highest-ranking security supervisor on duty; 2) the Duty Wardens; 3) the Office of the Inspector General; 4) Health Services/Mental Health; 5) Victim Advocate/Offender Victim Representative (OVR), as applicable; 6) Emergency Action Center (EAC); and 7) Unit Safe Prisons/PREA Manager (USPPM)." This from the SPPOM.

Based on the auditors' review of the above policies and procedures, and interviews with the specialized staff, Warden and Duty Wardens, this standard is assessed as compliant.
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)
☒ Not Applicable

The TDCJ is not responsible for collective bargaining on the Agency's behalf. Texas is a "right to work" state and does not have collective bargaining that would interfere with the preservation of the Agency's ability to protect inmates from contact with abusers.

TDCJ does not have a collective bargaining agreement that limits the Agency's ability to protect inmates from contact with abusers, i.e., staff sexual abusers, pending the outcome of an investigation or a determination of whether or not discipline is warranted.

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)

The Safe Prisons/PREA Plan of the TDCJ, supported by the Safe Prisons/PREA Operations Manual, sections of 02.04 and 05.08, and specific Personnel Directives PD-13, PD-29, PD-31, protects all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other staff or inmates.

Personnel policies also cover sexual harassment and discourteous conduct of a sexual nature, discrimination in the workplace, sexual misconduct with offenders, and establish general rules of conduct; all of which assist in protection against retaliation.

There is a minimum 90 day monitoring time frame for retaliation review. Monitoring is assisted by offender and staff ninety-day monitoring forms (which can be extended if necessary), as well as other intervention practices which are indicative of the Agency's and the Institution's commitment to prevent retaliation.

The Dominguez State Jail Unit designates to its Major and PREA Compliance Manager, the responsibility of monitoring retaliation by inmates and staff with oversight by the Warden.

The Pre-Audit Questionnaire has stipulated zero (0) number of times an incident of retaliation has occurred in the last 12 months. The auditors reviewed this retaliation standard with the Warden, Major, Unit PREA Compliance Manager, and key staff.

Based on the auditors’ review of documents, policies, and formal interviews with specialized staff and those mentioned above, they assess compliance for this standard.

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)

Administrative Directives, AD-03.50 and AD-04.63 as well as the Agency's Administrative Segregation Plan prohibits the placement of inmates who allege to have suffered sexual abuse in involuntary segregated housing unless an assessment of all available alternatives have been made and a determination has been made that there is no available alternative means of separation from likely abusers. If determined such housing is necessary, the Dominguez Unit explores other alternatives, such as housing assignment, location, supervision/monitoring, or transfer. Due to the limited number of segregation cells, the placement of an inmate in any segregation status/protection status/isolation status is carefully and thoroughly considered. Policy also dictates if an involuntary segregated housing assignment is made, the facility affords each inmate a review every 30 days.

In the past 12 months there have been zero (0) number of inmates, who have alleged to have suffered sexual abuse that have been held in involuntary segregated housing.

The auditors' found this standard in compliance based on policy and procedure, a review of the Administrative Segregation Plan, and interviews with staff and inmates.

**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)

The Safe Prisons/PREA Plan of the TDCJ addresses investigations under the section of the Plan titled: Investigations, General Consideration. The General Considerations section direct and outline the following: 1) a uniform evidence protocol to investigate sexual abuse and sexual harassment, 2) sexual investigation shall be conducted promptly, early, and objectively including third-party and anonymous reports, and 3) the use of investigators who have been specially trained in sexual abuse investigations pursuant the TDCJ Safe Prisons/PREA Plan. It is noted that this standard contains 12 subsections a-l, and as with all standards and subsections, these were reviewed by the auditors utilizing policies, procedures, observation, reviews, and interviews to assess the compliance of this standard with PREA. Specifically; Administrative Directives AD-02.15 Operations of the Emergency Action Center and Reporting Procedures for Serious or Unusual Incidents, AD-16.20 Reporting Incidents/Crimes to the Office of the Inspector General, AD-16.03 Evidence Handling; Board Policy BP-01.07; and the Safe Prisons/PREA Plan, and the SPPOM; all address the Agency's policy related to criminal and administrative investigations, including substantiated allegations of conduct that appear criminal and are referred for prosecution.

The Office of the Inspector General addresses and insures retention of all written reports for as long as the alleged abuser is incarcerated or employed by the Agency, +5 years.

The auditors assessed this standard as compliant based on the information above and a review of policies, procedures, and interviews with specialized staff.

**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)

The Standard, 115.72 Evidentiary Standard for Administrative Investigations stipulates that the Agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. To assess this standard, the auditors reviewed policy, and documentation, including the Safe
Prisons/PREA Plan, the SPPOM (attachment J), and the Agency's Administrative Review: Sexual Assault/Abuse policy. Additionally, the auditors interviewed OIG investigators as well as institutional investigators according to script, and the question was asked "What standard of evidence do you required to substantiate allegations of sexual abuse or sexual harassment?". A preponderance of the evidence for administrative investigations, was the given answer.

The policy direction by the TDCJ indicated: "... The agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated". The information goes on further to inform us that a preponderance of the evidence means more than 50% of the evidence supports the allegation.

The auditors assessed this standard as compliant, based on the above information and interviews.

**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)

The Agency has a policy requiring that any inmate who makes an allegation that he or she suffered sexual abuse is informed verbally or in writing as to whether or not the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation. All allegations are investigated as outlined by the Agency's Safe Prisons/PREA Plan and the SPPOM. Staff at the institution are directed to notify the inmate following an investigation. Specifically, form F, Classification, Committee Notification of Substantiated, Unsubstantiated, or Unfounded; form J Offender Acknowledgment Form, and form M Offender Notification (signed by the Warden); all these forms from the SPPOM, help ensure reporting, and notification to the inmate. Notifications are documented and maintained.

Policy also prescribes that following an inmate's allegation that a staff member has committed sexual abuse against an inmate, the facility subsequently informs the inmate (unless unfounded) of whether the staff member is no longer posted, no longer employed, or has been indicted (again, this from the SPPOM).

According to the Pre-Audit Questionnaire, there have been three (3) criminal and/or administrative investigations completed in the past 12 months. Of these three (3) completed investigations, three (3) inmates were notified verbally or in writing of the results of the investigation. These notifications were reviewed by the auditors.

Based on the auditors’ review of documents, including the signed notifications, the auditors assessed this standard as compliant.

**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)

Personnel policy of the TDCJ stipulates that employees or representatives of the Department are expected to adhere to the highest standards of conduct while on duty or off duty, including adherence to the Rules of Conduct and Outlines for Disciplinary Sanctions. Executive Directive, ED-13 Sexual Harassment and Discourteous Conduct of a Sexual Nature, further outlines expectations for TDCJ employees. Personnel policy, PD-29, Sexual Misconduct with Offenders, addresses sexual abuse, sexual harassment, sexual misconduct, and voyeurism with inmates. These policies all address performance and behavior expected of staff who work with inmates in the TDCJ. Additionally, the Human Resource Department Guidelines for
Employees details the sanctions and actions required related to sexual abuse, sexual harassment, sexual misconduct, and voyeurism.

In addition to the guidelines, policies and procedures; the Texas Penal Code, addresses sexual abuse of inmates and the fact that it may rise to the level of a felony offense.

In the past 12 months there have been zero (0) number of staff from the Dominguez Unit that have violated Agency sexual abuse or sexual harassment policies. In the past 12 months there have been zero (0) number of staff who have been terminated or resigned prior to termination, for violating Agency sexual abuse or sexual harassment policies. In the past 12 months there have been zero (0) number of staff who have been disciplined, short of termination, for violation of Agency sexual abuse or sexual harassment policies.

Based on the auditors' review of policies and procedures, and interviews with staff and inmates, the auditors assesses this standard as compliant.

**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)

The TDCJ has a very thorough and comprehensive Volunteer Service Plan (VSP) which, in conjunction with its Safe Prisons/PREA Plan, outlines the responsibilities and conduct for volunteers and contractors who have contact with inmates. The Agency has a policy that requires any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies (unless the activity was clearly not criminal) and to relevant and licensing bodies.

Special training and orientation is required of volunteers and contractors. The training of volunteers and contractors is outlined in PREA standard 115.32. Included in this training is a volunteer services training curriculum, video, and information, along with forms acknowledging that the training has been understood and completed. The auditors reviewed the training acknowledgment forms, training curriculum, and interviewed several volunteers. The auditors noted that each volunteer and contractor is made aware of how to appropriately conduct themselves with inmates. Moreover, the auditors noted that volunteers and contractors were well aware of the gravity of disciplinary sanctions that may affect any volunteer or contractor who engages in sexual abuse and/or sexual harassment of an inmate, including notification of law enforcement agencies and/or licensing boards.

Volunteers and contractors signed acknowledgment forms indicating their orientation, training, and understanding of the rules and regulations, and the appropriate behavior expected. The acknowledgment forms are maintained by the Agency.

In the past 12 months there have been zero (0) number of contractors or volunteers who have been reported to law enforcement for engaging in sexual abuse of inmates.

Based on the auditors' review of policies, procedures, and documents, and interviews with volunteers and contractors, this standard is assessed as compliant.

**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)
The Inmate Discipline Policy, GR-106, Disciplinary Rules and Procedures for Offenders, and the Safe Prisons/PREA Plan outline disciplinary sanctions for inmate on inmate sexual abuse and sexual harassment. The Inmate Discipline Policy identifies individual disciplinary sanctions for the inmates. The Inmate Discipline Policy is a substantial 45 page policy document outlining major and minor offenses, all with different levels of sanctions, in detail but clearly indicating a very formal disciplinary process by administrative action. Inmates are subject to administrative disciplinary sanctions only pursuant this formal disciplinary process.

In addition to the Disciplinary Policy and PREA Plan, the auditors also reviewed the Mental Health Appraisal for Incoming Offenders policy, CMHC E-35.1, the Sexual Offender Treatment Program (SOTP) overview, and recent documentation on new disciplinary codes.

In the past 12 months there have been zero (0) number of administrative findings of inmate on inmate sexual abuse that occurred at the facility. In the past 12 months there have been zero (0) number of criminal findings of guilt for inmate on inmate sexual abuse that occurred at the facility (numbers provided by the Pre-Audit Questionnaire).

The Agency disciplines inmates for sexual conduct with staff only upon the finding that the staff member did not consent to such conduct. The Agency prohibits disciplinary action for reports of sexual abuse meeting good-faith. The Agency also prohibits all sexual activity between inmates. This Agency direction is outlined in the Inmate Discipline policy, GR-106, and the Safe Prisons/PREA Plan. Healthcare interventions, therapy, and counseling are addressed in the Correctional Managed Healthcare policy, CMHC E-35.

Based on the auditors' review of the above policies and information, and based on interviews with staff and inmates, this standard is assessed as compliant.

**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)

Medical and mental health screenings and history of sexual abuse is directed by this standard, 115.81. The Safe Prisons/PREA Plan, Safe Prisons/PREA Operational Manual (with its' attachment E), and Correctional Managed Healthcare policies, CMHC G-35.1, G-35.2, and G-57.1, stipulate that all inmates at the Dominguez Unit who have disclosed any prior sexual victimization during a screening pursuant standard 115.41 are offered a follow-up meeting with a medical or mental health practitioner. This meeting takes place within 14 days of intake screening. If the screening indicates that the inmate previously perpetrated sexual abuse, staff also insures that the inmate is offered a follow-up meeting (within 14 days). All information related to sexual victimization and abusiveness that occurred in the institutional setting is strictly limited to medical and mental health practitioners and other staff as necessary to make informed treatment plans and security and management decisions.

In the past 12 months, 100% of the inmates who disclosed prior victimization during screening were offered a follow-up meeting with a medical or mental health practitioner within 14 days. In the past 12 months 100% of the inmates who have previously perpetrated sexual abuse as indicated during screening are offered a follow-up meeting with a mental health practitioner.

The UTMB healthcare staff at the Dominguez Unit were professional in the performance of their duties, responsibilities and information disclosure, as observed and reviewed by the PREA auditors. Interviews with UTMB healthcare staff were insightful and assisted the auditors to assess compliance with PREA standards.

Based on the review of policies, procedures, supporting documents, the tour and observation of the Medical and Mental Health Department, and based on the interviews with specialized staff, this standard is assessed as compliant.
**Standard 115.82 Access to emergency medical and mental health services**

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

Access to emergency medical treatment and crisis intervention services is outlined in the Correctional Managed Healthcare policies, CMHC A-01.1 Access to Care, CMHC G-57.1 Sexual Assault/Sexual Abuse; and further outlined in the Safe Prisons/PREA Operations Manual specifically, in policy, CMHC A-01.1. The University of Texas Medical Branch describes procedures whereby offenders have access to care to meet their medical, dental and mental health needs 24/7. Medical for the Dominguez Unit is described as follows: “Ambulatory medical, dental, and mental health services. Telemedicine and Digital Medical Services (DMS) available. All services on a single level, including assisted disability services (ADS), showers and CPAP accommodating housing. Managed by UTMB.” CPAP stands for Continuous Positive Airway Pressure.

Emergency medical services are offered at the local hospital and the emergency transport through EMS Bexer County. These services are the same as offered to the local community. The nature and scope of services are determined by the medical and mental health practitioners at the facility, according to their professional judgment.

Based on the auditors' review of policy, procedures, and the many formal and informal interviews with specialized staff, supervisory staff, and inmates, this standard is assessed as compliant.

**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)

The Safe Prisons/PREA Plan, the SPPOM 05.01 attachment J, and CMHC G-57.1, direct and outline the medical and mental health evaluations for sexual abuse victims and abusers at the Dominguez Unit. Treatment is extended by professional judgment of health services practitioners to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. The Safe Prisons/PREA Plan is loosely quoted as follows: 1) all offenders who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile unit shall be offered medical and mental health evaluation and treatment as appropriate, 2) the evaluation and treatment of sex offenders shall include follow-up services, treatment plans, and when necessary, referrals for continued care following the transfer or placement in other institutions, and in accordance with CMHC policies after release from custody, 3) the offender victim shall be provided medical and mental health services, consistent with the community level of care, 4) not applicable (this is for female inmates), 5) offenders will be offered medical services as determined by health care practitioners, 6) a mental health evaluation of all offender on offender abusers is attempted within 60 days of hearing of the abuse and treatment offered when deemed appropriate in accordance with CMHC policies.

Brochures, handouts and materials on sexual assault awareness are distributed to the inmates during intake, advising the population of offerings by medical and mental health care. Randomly selected inmates confirmed the UTMB's attention to, and care for, victims and abusers pursuant PREA.

In addition to documented, referrals, and the above policies, the auditors interviewed a number of specialized UTMB health care staff, the Warden, and the Unit PREA Compliance Manager, confirming compliance. This standard is assessed as compliant.
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)

The TDCJ Administrative Directive, AD-02.15 Operations of the Emergency Action Center and Reporting Procedures for Serious and Unusual Incidents, and the Safe Prisons/PREA Plan directs that the Warden and key staff at the facility will review sexual abuse incident reports/reviews. Specifically, the SPPOM dictates that a sexual abuse incident review team will review all instances of sexual abuse at the conclusion of every criminal or administrative investigation unless the investigation was determined to be unfounded. Specifically, the plan directs that the incident review team shall 1) complete an administrative review for all alleged sexual abuse and staff sexual harassment incidents, 2) the review shall be conducted in accordance with policy, 3) the review team will include upper-level management with input from line supervisors, investigators, and medical or mental health practitioners, 4) the unit shall implement recommendations that result from the review, or document the reasons for not doing so.

There is an Incident Review Team at the Dominguez Unit that includes the Assistant Warden, the Unit PREA Compliance Manager, and other key staff including medical and mental health practitioners. The team adheres to the SPPOM when conducting an administrative review and follows the procedures outlined including, submitting appropriate corrective action and suggestions for improvement. The Warden reviews the team's submission for corrective action and suggestions for improvement and follows through according to the above policy.

At the end of each month, the Unit PREA Compliance Manager submits a monthly Safe Prisons/PREA report to the Regional Office and then further to the Central Office of the Agency.

In the past 12 months there have been three (3) criminal and/or administrative investigations of alleged sexual abuse (excluding only unfounded incidents). These incidents were reviewed with the Warden and key staff by the PREA auditors. Appropriate documentation was noted.

Based on the auditors' review of the documentation, the policies, the Incident Review Team's comments and findings, and based on the interviews with the Warden and key staff including the Incident Review Team members, the auditors find this standard compliant.

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)

The TDCJ and the Dominguez Unit collects accurate, uniform data for every allegation of sexual abuse. The Texas Board of Criminal Justice has established policy outlining the mission of the PREA Ombudsman to monitor and conduct administrative investigations, as well as to provide a point of contact for the public, elected officials, and offenders who have complaints or inquiries regarding allegations of sexual assault, sexual contact, staff sexual misconduct, or initiatives related to PREA. The Ombudsman's Office also includes collecting statistics regarding allegations of sexual assault, sexual contact, and staff sexual misconduct from each correctional facility. The Office directs that statistical information regarding the total number of allegations of sexual assault, sexual contact, and staff sexual misconduct investigated by the TDCJ, and the outcome of investigations, and any disciplinary actions resulting from allegations will be made public and will be in the Annual Report. This above required by Policy BP-02.09, PREA Ombudsman Policy Statement.

The Survey of Sexual Violence (SSV), the federal government's standardized instrument for data collection, which is used by and conducted by the Department of Justice, was completed by the TDCJ and was used as part of the documentation for
compliance with standard 115.87 Data Collection. The auditors reviewed this report and the monthly reports submitted by the Dominguez Unit PREA Compliance Manager.

Based on the reports, the survey, the PREA Ombudsman’s Office website, and interviews with the Warden and the Unit PREA Compliance Manager, the auditors assess this standard as compliant.

**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)

The auditors reviewing the Dominguez Unit had the opportunity to work with the Regional PREA Compliance Manager as well as the Unit PREA Compliance Manager and reviewed reports and data collected from the facility. In discussions with the Warden and the Regional PREA Compliance Manager, the auditors learned that the TDCJ is continually assessing and collecting Prison Rape Elimination Act data. The PREA office in the Correctional Institution Division (CID) as well as the PREA Ombudsman’s Office are collecting a wealth of information concerning PREA and the safety and security of inmates. The TDCJ and the Ombudsman’s Office websites detailed the following available publications/information:

1) Administrative Review and risk management information
2) Advisory Council on Ethics information
3) Annual Reviews of the TDCJ, years 2005 to 2014
4) Business and Finance Review,
5) Correctional Institutions Division information
6) Executive Administrative Services information
7) Health Services information
8) Human Resources information
9) Internal Audit information
10) Manufacturing and Logistics Division
11) Office of the General Counsel
12) Parole Division information
13) PREA Ombudsman Safe Prisons Program Report, years 2009 to 2014
14) Reentry and Integration Division
15) Rehabilitation Programs Division
16) Texas Board of Criminal Justice information
17) Texas Correctional Office of Offenders with Medical or Mental Impairment,
18) Victim Services.

Obviously there is a wealth of information outlined in the above list. Particular attention was paid, by the auditors, to number thirteen PREA ombudsman’s Safe Prisons Program Report which addresses PREA standard 115.88 and the data review.

The information and website contacts, mentioned in Standard 115.89, along with the interviews with the Warden, the Regional PREA Compliance Manager, and Institutional PREA Compliance Manager confirmed, for the auditors, compliance for this PREA standard.

**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)
The Agency, TDCJ, ensures that incident-based and aggregate data is retained pursuant PREA standard 115.87, and also pursuant Texas State Statute, the State of Texas Record Retention Schedule, and through the Agency's own policies and procedures. Specifically, we have seen appropriate and complete collection and use of data through the previous two standards and the website mentioned here, through the Institutional PREA Compliance Manager's monthly reports and through the aggregate data collection and information review for corrective action. This information is kept for at least 10 years from the initial date of collection. Some materials are kept much longer as directed for criminal investigations, and etc.

The Agency's Safe Prisons/PREA Plan also addresses aggregate sexual abuse data collection from private facilities with which the TDCJ has contracted for housing Texas criminal/inmate offenders.

Data information (concerning the Agency as a whole and individual institutional PREA summary reports) is located on the TDCJ website http://www.tdcj.texas.gov and its various links.

Based on the review of data, documents, information, the retention schedule, and interviews with the Warden and Institutional and Regional PREA Compliance Managers, the auditors assess this standard as compliant.

**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.

*James Curington*____________  July 9, 2016

Auditor Signature  Date