

PREA AUDIT: AUDITOR'S SUMMARY REPORT

ADULT PRISONS & JAILS

NATIONAL
PREA
RESOURCE
CENTER



BJA

Bureau of Justice Assistance
U.S. Department of Justice

[Following information to be populated automatically from pre-audit questionnaire]

Name of facility: East Texas Treatment Facility

Physical address: 900 Industrial Drive, Henderson, Texas 75652

Date report submitted: 20 August, 2014

Auditor Information Jack Falconer

Address: P.O. Box 72673, Phoenix, Arizona 85050

Email: jfalconer1@cox.net

Telephone number:

Date of facility visit: 11-12 August, 2014

Facility Information

Facility mailing address: (if different from above)

Telephone number:

The facility is: Military County Federal
 Private for profit Municipal State
 Private not for profit

Facility Type: Jail Prison

Name of PREA Compliance Manager:	Brandi Ferguson	Title:	PREA Compliance Manager, Sgt
Email:	Brandi.spadley@mtctrains.com	Telephone number:	903-655-3300 ext 3777

Agency Information

Name of agency: Management and Training Corporation

Governing authority or parent agency: (if applicable)

Physical address:	500 North Marketplace Drive, PO Box 10, Centerville, Utah 84014		
Mailing address: <i>(if different from above)</i>			
Telephone number:	801-693-2600		
Agency Chief Executive Officer			
Name:	Scott Marquardt	Title:	President and CEO
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Agency-Wide PREA Coordinator			
Name:	Mark Lee	Title:	Director, Corrections, Corporate PREA Coordinator
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AUDIT FINDINGS

NARRATIVE:

The PREA audit of the East Texas Treatment Facility (ETTF) was conducted on August 11-12, 2014. The facility is a Minimum security prison owned and operated by the Management & Training Corporation (MTC) for the Texas Department of Criminal Justice (TDCJ).

ETTF is the largest offender treatment facility in the State of Texas with a holding capacity of 2,282 offenders. It is located at 900 Industrial Drive, Henderson, Texas, approximately 120 miles east of Dallas, Texas.

It is the mission of **Management Training Corporation (MTC)** to "Be a leader by: implementation of our plan to achieve high performance standards and goals; Maintaining a foundation based on integrity, accountability, and excellence; Providing long-term growth and stability while ensuring fiscal responsibility; creating opportunities through a positive environment for personal growth and development; empowering employees to implement innovative ideas for continuous improvement; Building esteem and pride by celebrating our diversity and accomplishments".

It is the mission of **East Texas Treatment Facility (ETTF)** "to provide public safety, provide a safe and secure facility for staff, offenders and visitors, promote positive change in offender behavior through education and rehabilitation, and to successfully reintegrate offenders back into society".

It is the mission of the **Texas Department of Criminal Justice (TDCJ)** "to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime."

On the first day of the audit, an entrance meeting was held where introductions were made. The following staff was in attendance:

Michael Bell, Warden

Rich Gansheimer, Vice-President Region III, MTC

David Hudson, Assistant Warden

Michelle Daley, Assistant Warden

John Cochran, Major

Keith Beam, TDCJ Contract Monitor

Carl Nink, MTC Director of Policy and Audits

Terry Wilkorik, Assistant Warden - Sanders Estes

Brandi Ferguson, PREA Compliance Manager

Bruce Zeller, ACA Manager

Lonnie Douglas, Captain

Ricky Wilson, Captain

Lorie Davis, TDCJ Deputy Director of Management Operations

Kenneth Gaston, TDCJ Deputy Director of Operations

Paul Wilder, TDCJ Regional Supervisor

The auditor briefed the group on the audit process and responded to questions.

After the entrance meeting, a tour of the the offender housing, program areas, food service, medical, recreation, and other areas as required by the PREA guidance was conducted.

Facility description

The ETTF incarcerates post adjudicated male and female offenders. The majority of the population is minimum custody offenders received from the Texas Department of Criminal Justice Institutional Division or the Substance Abuse Felony Punishment Division.

The facility consists of 11 buildings on 41 acres of property. The construction of the building is concrete block walls with metal roofs and air conditioning. Four dormitory style housing units are on the west and east ends of a center core area that provides for administration, food service warehouse, medical and a 40 bed Special Housing Unit. The 2282 offender capacity is structured as follows: In each of the four housing units are 10 general population dormitories of 56 beds each. The center core area provides for a 40 special Housing Unit cells and 2 medical beds.

Each dorm provides basic furnishings, shower facilities, and common TV areas. All showers and commodes have panels, shower curtains and screens to enhance privacy. The cells have lav/commodes in the cell, the showers have privacy screens and the detention cells have attached recreation spaces. The Correctional Officers provide security supervision.

The security perimeter consists of two woven wire fences with multiple rolls of razor ribbon wire and an electronic intrusion system. One armed vehicle patrols the perimeter 24/7. A Control Center monitors all traffic entering and exiting the facility. Numerous cameras control the perimeter and are placed throughout the facility to monitor the security and to open doors. The facility has two entry points, the front staff and visitor entrance and the rear wire gate for vehicles. The ancillary support structures provide spaces for administration, central control, visiting, food service, education, medical, commissary, maintenance, laundry, recreation, and religion.

The offender population is structured in the following programmatic groupings:

DWI Recovery Program (500 male beds)- A six months program for those offenders serving a felony DWI offense. The program is approximately 6 months in duration.

Substance Abuse Felony Punishment (280 male beds)- The offenders are probationers and parolees with a history of drug abuse. The regular program is six months in length and offenders are selected by the parole board or sentencing judge. The program utilizes a Therapeutic Community (TC) model. Of the 280 beds, 224 are designated for special needs offenders. The program is a nine month program.

Immediate Sanction Facility Parole (112 male and 112 female beds)- This program is non-treatment for offenders who have violated conditions of their parole. Offenders complete a Life Skills program in lieu of revocation and is approximately 60 days in duration.

Intermediate Sanctions Facility Parole Treatment (448 male beds)- This program is an alternative to prison for offenders who have violated conditions of their parole. Drug dependency and Criminal thinking Patterns programs are offered. The program offers a 45 day and 90 day track.

Intermediate Sanction Facility Probation Treatment (560 male and 168 female beds)- The program is an alternative to prison for offenders sentenced to probation. Offenders are selected by the sentencing judge. The program treats drug dependency and criminal thinking patterns. There is both a 45 day and 90 day track.

In-Prison Therapeutic Community (56 female beds)- These offenders are under the jurisdiction of the Texas Department of Criminal Justice Institutional Division. The offenders have a chemical dependency. The program has duration of 6 months.

The religious program is coordinated by a full-time Chaplin. Over 200 hundred volunteers assist the Chaplin to deliver religious services to the offender population. A multi-purpose facility serves as the chapel.

The Educational Programs include Adult Basic Education (ABE) and General Educational Development (GED). Due to the brief average length of stay, vocational programs are not offered.

During the 2013-14 school year, GED tests were given on a regular basis to students. During the period, 141 students were tested and achieved a passing rate of 87.85%. (93 offenders received their GED during the period).

During the two day on-site audit, the auditor toured the facility, examined additional documentation, and conducted formal staff and offender interviews. 11 offenders from the housing units, 18 specialized staff, 2 management staff, and 10 correctional officers were interviewed using the questions provided in the audit documents. The staff and the offenders were eager to answer all questions.

The Pre-Audit document provided by the facility indicated zero allegations of staff sexual abuse and two offender allegations of offender sexual abuse. Both of the allegations were investigated and determined to be unfounded.

The interviewed offenders and staff indicated that the ETTF facility was a safe place to serve time and to work. There were no complaints from the offender population or the facility staff.

In this auditor's opinion, the East Texas Treatment Facility was well managed and the staff was well trained and professional in their assignments.

On Tuesday afternoon, an exit meeting was conducted by the auditor. The Warden and 7 ETTF staff were in attendance. In addition, the following were in attendance;

Keith Beam, TDCJ Contract Monitor

Carl Nink, MTC Director of Policy and Audits

Terry Wilkorik, Assistant Warden - Sanders Estes

Rich Gansheimer, Vice-President Region III, MTC

Kenneth Gaston, TDCJ Deputy Director of Operations

Paul Wilder, TDCJ Regional Supervisor

Lorie Davis, TDCJ Deputy Director of Management Operations

The auditor provided an overview of the audit results and congratulated the facility staff about the progress made in compliance with the PREA standards.

DESCRIPTION OF FACILITY CHARACTERISTICS:

Facility Demographics	East Texas Treatment Facility
Designed Capacity:	2282
Actual Population (6/17/14)	2143
Security/Custody level:	Minimum
Gender	Adult Male and Female
Age Range	20-86
Average length of Stay	95 days
Number of full time staff:	
Supervision	16
Security	261.2
Programs	132.1
Support	33
Other	24
Medical	34.2
Total Facility	500.5

SUMMARY OF AUDIT FINDINGS:

Number of standards exceeded:	0
Number of standards met:	40
Number of standards not met:	0
Number of standards not applicable	3 (115.12, 115.14, 115.66)
Total	43

§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 East Texas Treatment Facility (ETTF) and Management Training Corporation (MTC) have policies that mandate a zero tolerance for sexual abuse and sexual harassment of their offender population. The policies also present a plan to address prevention, detection, and responses for all employees. The agency (MTC) employs a full time PREA Compliance Coordinator and the facility (ETTF) assigns a Sergeant and a Major as the PREA Manager. All have sufficient time to address the needs of PREA.

§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

ETTF is not a public agency. The facility is operated by the Management Training Corporation (MTC). The MTC policy is to ensure full compliance with the PREA requirements.

§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)

The ETTF has developed a staffing plan to safely meet the PREA and correctional needs. This plan involves always filling a list of mandatory positions to meet the necessary post staffing requirements when vacancies occur. The facility reported no deviations from this custody staffing plan for the past 12 months. Unannounced rounds are conducted for all shifts and recorded by senior management staff. A review of the staffing plan was documented. A review of the authorized position vacancies indicated a vacancy rate of 9.4% from July 2012 to June 2014. Overtime was authorized to fill all mandatory positions.

§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- No offender is under 18 years of age at ETTF.

§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)

ETTF has policies that do not permit cross-gender body cavity or strip searches except in emergencies. The policy was confirmed by the staff and offenders interviewed. The facility reported zero instances where these types of searches had occurred. All showers and commode areas have curtains or protective screens. Opposite gender staff is required to announce their presence when entering the unit. Policies are in place to prevent staff (other than medical) to examine an offender solely for the purpose of determining gender. There have zero instances where these searches have occurred in the past 12 months. 100% of the staff has been trained in the correct procedure for searches.

§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 facility provides a variety of ways to ensure offenders with disabilities or limited English are provided the opportunity to understand PREA. Orientation videos, pamphlets, booklets, etc. are available. Interpreters are under contract to provide any needed service. Offender interpreters are prohibited.

§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)

ETTF has an on-site Human Resources position that manages the recruitment and hiring process. Background checks are requested by the facility and completed by the Texas Department of Criminal Justice Central Office. Review of MTC/ETTF policies and interviews of the on-site HR manager verified that the facility follows the PREA requirements. All contractors are screened by using the same process. The MTC policy requires a 5 year re-check of employees and contractors. This was verified by review of the documentation and the interview process. Agency policy does indicate that any employee misconduct or false reporting is subject to the possibility of termination of employment.

§115.18 – Upgrades to Facilities and Technology

- 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)

ETTF/MTC policy requires that any modification or expansion of existing facilities will consider the modifications impact upon the facilities ability to protect the offenders from sexual abuse. Since 2012, the facility has completed 10 separate projects needed to comply with PREA requirements. These include the addition of privacy doors, privacy walls, shakedown screens, adding shower curtains and privacy screens to the restrooms, and adding privacy barriers. The facility has 366 working cameras to enhance the safety and operation of the facility.

§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)

Per ETTF/MTC policy, the facility is responsible for conducting investigations, both administrative and criminal. In accordance with their contract with the TDCJ, any allegation involving sexual abuse or criminal activity requires that the Office of the Inspector General, TDCJ, be notified immediately to assume control of the investigation. The investigators at the facility are properly trained and meet the requirements of PREA.

The facility has an MOU with SAFE and SANE examiners using an outside health care provider. The auditor interviewed a representative of the SAFE/SANE provider and verified they were ready to provide services if needed. The facility conducted zero SAFE/SANE examinations during the last 12 months. Victim advocates are provided by two trained staff persons and outside services are under contract.

§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)

Per ETTF/MTC policy, the facility is responsible for conducting investigations, both administrative and criminal. In accordance with their contract with the TDCJ, any allegation involving sexual abuse and criminal activity requires that the Office of the Inspector General, TDCJ, be notified immediately to assume control of the investigation. The ETTF investigators at the facility are properly trained and meet the requirements of PREA.

During the 12 month period (2013-2014), 2 allegations of sexual abuse and sexual harassment were received. Both allegations were found to be unfounded.

Agency (MTC) policy regarding allegations of sexual abuse/harassment investigations is published on www.mtctrains.com

§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)

All East Texas Treatment Facility employees, contractors and volunteers, are trained to meet the PREA standards. 500 staff was trained in the past 12 months. The facility has a comprehensive training program which includes pre-service and annual in-service training and is tailored to meet the gender needs of the facility. The training documentation includes a signature roster that indicates the trainees understand the training presented. The interview process documented that employees understood the materials presented.

§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 for ETTF were trained about PREA and correctional requirements during the last 12 months. Signatures documented that they understood the training presented.

§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)

In the past 12 months, 7146 ETTF offenders were trained on the principals of PREA. This represented 100% of both the offenders in the facility prior to August 12, 2012 and those offenders that were received since August 12, 2012. Provisions are made to assist those offenders with disabilities or those not proficient in English to ensure their understanding of PREA. Orientation videos, posters, inmate handbooks, etc. are readily available to the population. The offender interviews indicated that they understood their rights under PREA.

§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)

Per ETTF/MTC policy, the facility is responsible for conducting investigations, both administrative and criminal. In accordance with their contract with the TDCJ, any allegation involving sexual abuse and criminal activity requires that the Office of the Inspector General, TDCJ, be notified immediately to assume control of the investigation. The ETTF investigators at the facility are properly trained and meet the requirements of PREA.

§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)

Fifty ETTF Medical and Mental Health services staff has been trained in the requirements of PREA. Forensic examinations are not conducted by the medical staff. These exams, if needed, are provided by a certified local health care organization.

§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).

100 % of the 7146 offenders received by ETTF were screened for the risk of sexual abuse victimization or sexual abuse towards other offenders. This screening is accomplished within the first 72 hours of arrival. The risk assessment document is an instrument that meets the PREA requirements. The risk level is reassessed if warranted within the time frames required. The facility reported two reassessments were required in the past 12 months.

§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 information obtained in the offender screening process is used to make individualized determination to ensure their safety. This documentation is also used to make decisions to place each offender in appropriate housing, work, education, and program assignments.

§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 MTC/ETTF policies govern the use of segregation housing. These policies include looking at alternatives for victims of sexual abuse. The facility reported zero use of segregation in the past 12 months for the purpose of protecting a sexual abuse victim. Policies require a review every 30 days for any offender in segregation.

§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)

The facility has several ways that an offender can report sexual abuse/harassment. They can report an incident to any staff person, write a grievance or report, use a special PREA hot line, write letters, or notify a third person. No offenders are held for civil immigration purposes at the facility. Offender and staff interviews confirm that the process is well understood.

§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)

MTC and ETTF have an offender grievance process that meets the requirements of PREA. The process allows the offender to file an informal written complaint/grievance about sexual abuse or any correctional issue. The complaint can be filed with any staff and will be directed to the Warden for response if necessary. The Offender Handbook clearly outlines the process required. In the past 12 months, there have been zero complaints or grievances filed concerning sexual abuse or harassment.

§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)

The facility provides, to the offenders, confidential access to outside victim advocates by providing the name of the organization, toll free telephone number, posters, and the information is in the offender handbook. Agreements and an MOU are available. To ensure that the offenders have someone who can assist them to provide advocacy services, the facility has two of its staff trained to provide this service.

§115.54 – Third-Party Reporting

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

The agency has a website (mtctrains.com) that provides the opportunity for third party reporting of sexual violence. The website also provides the reporting policies regarding any sexual violence.

§115.61 – Staff and Agency Reporting Duties

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

MTC/ETTF policies require all staff to immediately report any incident of sexual abuse/harassment. The policy also addresses the need to maintain confidentiality. The policies address possible retaliation. Senior management staff has been assigned the task to monitor possible retaliation and the monitoring is recorded.

§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)

The MTC/ETTF policies require all staff to immediately take steps to protect an offender who is the subject of imminent sexual abuse. There have been two incidents of this action being required in the past 12 months

§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)

MTC/ETTF policy requires the notification of another facility when they learn of an offender being sexually abused at that other facility. This notification is done within the 72 hour time frame. Documentation is required that the report will be investigated and properly acted upon. In the past 12 months, the facility reported zero allegations of sexual abuse inmates received at another facility.

§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)

Agency and facility policy meets all first responder requirements of PREA. This policy was verified by the responses from the staff being questioned. In the past 12 months, 2 allegations from inmates were recorded. These allegations were investigated with the following results: 2 were unfounded. Two of the allegations required first responders.

§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)

A written institutional plan for a coordinated response to any incident of sexual abuse was available at the East Texas Treatment Facility. The plan meets the requirements of both MTC and PREA.

§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 East Texas Treatment Facility does not have a union.

§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 facility has policies that protect offenders and staff from retaliation who report sexual abuse/harassment. Senior management supervises the plan. The facility reported zero instances of retaliation in the past 12 months.

§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)

Both the MTC and ETTF have policies in place that govern the use of involuntary segregation. These policies do meet the PREA requirements.

§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)

Per ETTF/MTC policy, the facility is responsible for conducting investigations, both administrative and criminal. In accordance with their contract with the TDCJ, any allegation involving sexual abuse or criminal activity requires that the Office of the Inspector General, TDCJ, be notified immediately to assume control of the investigation. The ETTF investigators at the facility are properly trained and meet the requirements of PREA.

The facility reported zero cases of substantiated allegations since 20 August, 2012. Written reports are developed per PREA requirements.

§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 investigative unit indicates they use as a standard the preponderance of the evidence.

§115.73 – Reporting to Inmate

- 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 ETTF and the TDCJ OIG conducts all investigations. In the past 12 months, 2 allegations from offenders were recorded. These allegations were investigated with the following results: 2 were unfounded. The offenders who filed allegations were informed of the results of the investigation. These reports are documented.

§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)

The MTC and ETTF have disciplinary sanctions for staff up to and including termination for violating sexual abuse/harassment policies. The facility reported zero cases of staff terminated or resigned for violating policies on sexual abuse/harassment.

§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 MTC/ETTF has disciplinary sanctions for volunteers and contractors up to and including termination of contract for violating sexual abuse/harassment policies. The facility reported zero cases of volunteers/contractors terminated for violating policies on sexual abuse/harassment.

§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 MTC/ETTF has policies providing sanctions for offenders engaged in sexual abuse of another inmate. These sanctions meet the PREA requirements. Consideration is given to the offenders' mental status in final determinations. Treatment is also offered to those found guilty. The agency has a policy that does not permit consensual sex between offenders. The facility reported zero cases of administrative or criminal findings of offender-on-offender sexual abuse in the past 12 months.

§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)

MTC/ETTF policy requires that all offenders who disclosed prior sexual victimization during initial screening be offered a follow-up meeting with medical or mental health. The meeting is required within 14 days of the initial screening. The same policy also applies to offenders who perpetrated sexual abuse. The facility reported 2 offenders were offered follow-up meetings and that 100% of the offender meetings were met. Information found in the follow-up meeting is strictly limited to medical, mental health, security, and management staff. Informed consent is obtained by the medical staff.

§115.82 – Access to emergency medical and mental health services

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

The medical program at the East Texas Treatment Facility is staffed 24/7. All offenders who report to be sexual abused have unimpeded access to medical treatment. The community standard medical treatment includes proper medical care, treatment for sexual transmitted disease, and at no cost to the offender.

§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 facility provides medical and mental health evaluation and treatment consistent with the community standard for health care. These services are provided to all offenders who have been sexually abused. These services are at no cost. Offender abusers are also offered mental health evaluations within a 60 day period.

§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 facility policy requires that all incidents of sexual abuse are thoroughly reviewed by an incident review team. This team includes the PREA Compliance Manager and several top facility management staff. The reports are then reviewed by the Warden and MTC Administrative staff. The team is required to review and make recommendations within 30 days of the incident. The facility reported zero sexual abuse incidents in the past 12 months.

§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)

MTC collects sexual abuse data from all of its facilities and compiles the data annually. The process followed meets the requirement of PREA.

§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 MTC collects sexual abuse data from all facilities and aggregates into an annual report. This report is available on the web at www.mtctrains.com. The report is approved by the CEO of Management and Training Corporation.

§§115.89 – Data Storage, Publication, and Destruction

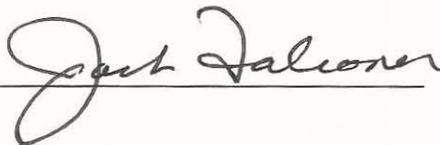
- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

The MTC collects and securely retains data for a period of at least 10 years. This data is compiled from reports of all its facilities. This information is a public document and is readily available to the public.

AUDITOR CERTIFICATION:

The auditor certifies that the contents of the report are accurate to the best of his/her knowledge and no conflict of interest exists with respect to his or her ability to conduct an audit of the agency under review.

Jack Falconer



20 August, 2014

Auditor Signature

Date