

PREA AUDIT: AUDITOR'S SUMMARY REPORT

ADULT PRISONS & JAILS

NATIONAL
PREA
RESOURCE
CENTER



BJA
Bureau of Justice Assistance
U.S. Department of Justice

Name of facility: Jim Rudd Transfer Facility

Physical address: 2004 Lamesa Highway, Brownfield, Texas 79316

Date report submitted:

Auditor Information: Alton Baskerville

Address: 3115 Rock Cress Lane, Sandy Hook, Virginia 23153

Email: abville42@aol.com

Telephone number: (804) 980-6379

Date of facility visit: April 22-24, 2015

Facility Information

Facility mailing address: (if different from above) Same

Telephone number: (806) 637-4470

The facility is:

- | | | |
|---|------------------------------------|---|
| <input type="checkbox"/> Military | <input type="checkbox"/> County | <input type="checkbox"/> Federal |
| <input type="checkbox"/> Private for profit | <input type="checkbox"/> Municipal | <input checked="" type="checkbox"/> State |
| <input type="checkbox"/> Private not for profit | | |

Facility Type:

- | | |
|-------------------------------|--|
| <input type="checkbox"/> Jail | <input checked="" type="checkbox"/> Prison |
|-------------------------------|--|

Name of PREA Compliance Manager: Esmael Cantu

Title: Unit Safe Prisons Officer

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Telephone number: (806) 637-4470 ext. 3229

Agency Information

Name of agency: Texas Department of Criminal Justice

Governing authority or parent agency:

State of Texas

Physical address: 861-B I-45 North, Huntsville, Texas 77320

Mailing address: P.O. Box 99, Huntsville, Texas 77342

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Agency Chief Executive Officer

Name: Brad Livingston

Title: Executive Director

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Agency-Wide PREA Coordinator

Name: William Stephens

Title: Director, Correctional Institutions Division

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AUDIT FINDINGS

NARRATIVE:

The PREA Audit of the Jim Rudd Transfer Facility was conducted by Alton Baskerville, Certified PREA Auditor. The auditor wishes to express his appreciation to Warden Keith Gentry and his staff for the hospitality, cooperation and professionalism they showed throughout the audit. In addition, the auditor wishes to thank Jason Heaton, Regional V Director, and Kim Emsoff, Region V ACA Manager, for their support of the Unit.

On April 22, 2015, the auditor met with Warden Gentry, Major Parker and Captain Hernandez to review the schedule for the audit. As requested, the auditor was given a roster of security officers assigned by shift and a listing of the inmates according to housing assignments. The auditor conducted a thorough tour of the unit including all the housing units and major program areas. The auditor spent several hours on the third shift touring and interviewing inmates and staff. The institution was well managed with control movement, structured programs and work assignments. The unit exhibited a calm, quiet atmosphere throughout the day and night of the audit period.

The staff was professional and communicated well with the inmates. There were a number of female correctional officers working at the unit. They had good knowledge of PREA requirements when interacting with inmates of the opposite gender. They would announce their presence prior to entering the housing units. The inmates were comfortable around the female officers in the housing units. The inmates were able to dress, shower and use the toilets without being seen by female staff.

All inmates interviewed acknowledged watching the PREA video shortly after arriving to the unit and within the past several months. There were no transgender, bisexual, intersex or gender non-conforming inmates during the audit period. Video cameras were not present at the unit with the exception of the front entry walk through the gate. The small-sized dormitories, strong security supervision, frequent security rounds in the housing areas and assignment of short term, parole eligible offenders make for safe and positive environment for inmates and staff.

The auditor received the written PREA Compliance Coordinator Interview response from William Stephens, Director, Correctional Institutions Division and Compliance Coordinator. The auditor interviewed at least one offender from each housing unit. The interviewees were randomly selected by the auditor from a list of all the offenders in the facility. 10 offenders were interviewed including those in a designated group (i.e., disabled, limited English speaking ability, or gay, etc.) 15 randomly selected correctional officers and 15 other identified specialized staff were interviewed, including the Warden, PREA Manager, Investigator, first responders, healthcare providers, mental health professionals, contractors and a volunteer. A total of 40 interviews were conducted.

After completion of the on-site audit, the Auditor conducted an exit meeting on April 24, 2015. In addition to Warden Gentry, the following persons were present at the exit meeting:

- Kim Esmoff, Region V M&S
- Carl Johns, Rudd Unit Operational Review
- Cody Parker, Rudd Unit Major
- Keith Gentry, Rudd Unit Warden
- Federico Cervantes, Region V Safe Prison
- Ray Munoz, Rudd Unit ACA
- Esmael Cantu, Rudd STGO/USPPM

The auditor gave an overview of his findings and thanked everyone for their cooperation. The auditor found the Jim Rudd Unit to be in full compliance with the PREA Prisons and Jail Standards.

DESCRIPTION OF FACILITY CHARACTERISTICS:

The Jim Rudd Transfer Facility is a minimum-security, adult correctional facility accredited by the American Correctional Association. It is located approximately 1 mile south of Brownfield, Texas on 300 acres of land. The land is also used for contract farming and grazing, security horses and raising a unit garden.

The facility opened in March of 1995 as a transfer facility to alleviate overcrowding throughout the Texas Department of Criminal Justice (TDCJ). The facility has 92,000 square feet of building space including dorm rooms, laundry facilities, kitchen, cafeteria, educational, medical and recreation space. The facility has a total capacity to house 612 adult offenders. It is made up of 10 buildings providing housing and program spaces for a current population of 587 offenders.

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

§115.11 – 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 Texas Department of Criminal Justice (TDCJ) has a written policy, policy number ED-03.03, revised in August 2013, that mandates zero tolerance towards all forms of sexual abuse and sexual harassment.

TDCJ has appointed the Director of the Correctional Institutions Division to coordinate agency-wide compliance with PREA standards through the establishment of a Safe Prisons/PREA Compliance Plan. The Safe Prisons/PREA Compliance Plan details implementation of the agency's zero tolerance policy, defines prohibited behavior, outlines strategies and responses to reduce and prevent sexual abuse and sexual harassment, and details sanctions for violators.

§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)
- Standard Not Applicable

The Jim Rudd Transfer Facility has not entered into or renewed any contracts on or after August 20, 2012 with other entities for the confinement of inmates.

§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)

TDCJ has a written administrative directive, AD-11.52, revised in August 2013, that mandates adequate staffing levels for the safety and security of employees and offenders. According to AD-11.52, if any deviations from the staffing plan are taken, the unit staff are to document the position deviation and the reason for the deviation on the back of the shift turnout roster.

TDCJ has post orders PO-07.002 – PO-07.005, adopted in August 2013, that direct supervisory staff to conduct unannounced rounds to identify and deter staff sexual abuse and sexual harassment.

§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)
- Standard Not Applicable

The Jim Rudd Transfer Facility does not have any youthful offenders.

§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)

TDCJ has implemented an administrative directive, AD-03.22, revised in August 2013, that establishes policies and procedures for searches of all offenders, including transgender and intersex searches. 100 percent of security staff received training on conducting cross-gender pat-downs, and transgender and intersex searches consistent with security needs. Additionally, all staff received pre-service or annual in-service training.

§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)

TDCJ has established procedures to provide disabled and limited English proficiency inmates equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect and respond to sexual abuse and sexual harassment. TDCJ's agency directive AD-04.25 prohibits the use of inmate interpreters, inmate readers or other types of inmate assistants, except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties or investigation of the inmate's allegations.

§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)

TDCJ has implemented policies and procedures, through executive directives and the Safe Prisons/PREA Plan, prohibiting the hiring or promoting of anyone who may have contact with inmates who has previously been convicted or adjudicated to have engaged, or attempted to engage, in forced or nonconsensual sexual activity or sexual abuse. In the past 12 months, 29 persons who may have contact with inmates have been hired at the Jim Rudd Transfer Facility and have completed criminal background record checks. Also in the past 12 months, one contract for services included a criminal background record check requirement for all staff who may have contact with inmates.

§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)

The Jim Rudd Transfer Facility has not acquired any new facilities or made any substantial expansions or modifications to existing facilities since August 20, 2012. The Jim Rudd Transfer Facility has not installed or updated a video monitoring system, electronic surveillance system or other monitoring technology since August 20, 2012.

§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 conducting administrative and criminal sexual abuse investigations, and policies are in place for uniform evidence handling. Forensic medical exams are offered at no cost to the victim and are conducted by SAFEs/SANEs. Within the past 12 months, no forensic medical exams have been conducted at the Jim Rudd Transfer Facility.

§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)

TDCJ has policies and procedures, documented in the Safe Prisons/PREA Manual, for coordinating administrative criminal investigations for all allegations of sexual abuse and sexual harassment. During the past 12 months, the Jim Rudd Transfer Facility received 4 allegations of sexual abuse and sexual harassment, 4 of which resulted in administrative investigations and none were referred for criminal investigations.

§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)

In accordance with TDCJ's administrative directive, AD-12.20, all uniformed and designated non-uniformed employees receive training on PREA requirements at least once a year during their annual in-service training. In the past 12 months, 122 employees at the Jim Rudd Transfer Facility were trained on PREA requirements.

§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)

TDCJ trains all volunteers and contractors who have contact with inmates on their responsibilities under the agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection and response. In the past 12 months, 8,426 volunteers and 2 contractors have received training on these policies.

§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)

The Jim Rudd Transfer Facility distributes information to inmates at intake about the agency's zero-tolerance policy and how to report incidents or suspicions of sexual abuse or harassment. In the past 12 months, 898 inmates have received PREA information at intake.

§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)

TDCJ maintains policies and procedures requiring investigators to be trained in sexual abuse investigations in confinement settings. TDCJ currently employs 142 investigators to investigate allegations of sexual abuse.

§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 Jim Rudd Transfer Facility employs 2 medical and mental health care practitioners who work regularly at the facility and have received the agency's required PREA training.

§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)

TDCJ has established procedures, documented in the Safe Prisons/PREA Operations

Manual, that require all inmates to be screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their intake. 888 inmates that entered the Jim Rudd Transfer Facility within the past 12 months were screened for the above-stated risks within 72 hours of their entry into the facility.

§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)

TDCJ uses information from the risk screening to inform housing, bed, work, education and program assignments with the goal of keeping separate inmates at high risk of being sexually victimized from inmates at high risk of being sexually abusive. These policies are documented in the Safe Prisons/PREA Operation Manual, administrative directives and intake procedures. Additionally, TDCJ has established procedures, documented in the Correctional Managed Health Care Policy Manual, for individualized determinations to ensure the safety of all inmates and the treatment of transgender or intersex inmates.

§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)

TDCJ has established policies, documented in the Safe Prisons/PREA Operation Manual, the Administrative Segregation Plan, and other administrative forms that prohibit the placing of inmates at high risk for sexual victimization in involuntary segregated housing unless no alternatives are available. In the past 12 months, no inmates at risk of sexual victimization were held in involuntary segregated housing.

§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)

TDCJ has established procedures for inmates and staff to privately report sexual abuse or

harassment of inmates. Inmates may report allegations directly to the major, the Office of the Inspector General or the PREA Ombudsman Office. Additionally, TDCJ staff may report suspected instances of sexual abuse or sexual harassment to the Ombudsman Office, the Office of the Inspector General or the PREA Ombudsman Office.

§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)

TDCJ has established administrative procedures for dealing with inmate grievances regarding sexual abuse documented in administrative directive AD-03.82. In the past 12 months, 3 grievances were filed of alleged sexual abuse, all of which reached a final decision within 90 days after being filed.

§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)

Inmates are given access to contact information for outside support services in the Offender Orientation Handbook.

§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 TDCJ website has information of the PREA Ombudsman Office for third parties to call and confidentially report incidents of inmate sexual abuse or sexual harassment. This information is also available in the General Information Guide for Families of Offenders, which is also publicly available on the TDCJ website.

§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)

TDCJ has established policies, documented in the Safe Prisons/PREA Plan and the Safe Prisons/PREA Operations Manual, that require staff to immediately report any knowledge, suspicion or information regarding an incident of sexual abuse or harassment, retaliation, or staff neglect or violation of PREA responsibilities.

§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)

TDCJ has established policies, documented in the Safe Prisons/PREA Operations Manual, that require immediate action to be taken to protect an inmate when the agency or facility learns that an inmate is subject to a substantial risk of imminent sexual abuse. In the past 12 months, there have been no cases where an inmate was determined to be in substantial risk of imminent sexual abuse.

§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)

TDCJ has established policies requiring notification of appropriate staff upon receiving an allegation that an inmate was sexually abused while confined at another facility. In the past 12 months, the Jim Rudd Transfer Facility received no allegations that an inmate was abused while confined at another facility. Also in the past 12 months, the Jim Rudd Transfer Facility received no allegations of sexual abuse from other facilities.

§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)

TDCJ has a first responder policy, documented in the Safe Prisons/PREA Operations Manual, Administrative Directive-16.03 and the OIG Operational Procedures Manual, for allegations of sexual abuse. In the past 12 months, there were 2 allegations that an inmate was sexually abused. There were no instances in the past 12 months where non-security staff served as first responders to an allegation of inmate sexual abuse.

§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)

TDCJ has developed a written institutional plan, documented in the Safe Prisons/PREA Operations Manual and the Safe Prisons/PREA Plan, to coordinate actions among first responders, medical staff, investigators and leadership taken in response to an incident of sexual abuse.

§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)
- Standard Not Applicable

TDCJ has not entered into any collective bargaining agreements.

§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)

TDCJ has established policies that protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with investigations from retaliation by other inmates or staff. TDCJ policies require 90-day monitoring for possible retaliation against inmates or staff who reported sexual abuse. In the past 12 months, there have been no incidents of retaliation.

§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)

TDCJ has established policies that prohibit the use of involuntary segregated housing to protect an inmate who is an alleged victim of sexual abuse. In the past 12 months, no inmates were held involuntarily in segregation housing.

§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)

TDCJ has established policies, documented in administrative directive AD-16.20 and the Safe Prisons/PREA Plan, requiring an investigation to be conducted and documented whenever a sexual assault or threat is reported, and for all substantiated allegations that appear to be criminal to be referred to the Office of Inspector General (OIG). Since August 20, 2012, no allegations of possible criminal conduct were referred to OIG for prosecution.

§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)

TDCJ has established policies, documented in the Safe Prisons/PREA Plan and the Safe Prisons/PREA Operations Manual, that impose a standard no higher than a preponderance

of the evidence for determining whether allegations of sexual abuse or sexual harassment are substantiated.

§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)

TDCJ has established policies, documented in the Safe Prisons/PREA Plan, that require the agency to inform the offender following an investigation as to whether the allegation has been substantiated, unsubstantiated or unfounded. In the past 12 months, 4 administrative investigations of alleged inmate sexual abuse were completed by the agency. None of these investigations were accepted for prosecution.

§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)

TDCJ has established personnel policies and procedures for imposing disciplinary sanctions against staff members who violate the agency's sexual abuse or sexual harassment policies. In the past 12 months, no staff has been found in violation of PREA policies, and therefore, no disciplinary sanctions have been warranted.

§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)

TDCJ has established policies requiring any contractor or volunteer who engages in sexual abuse to be reported to law enforcement and prohibited from further contact with inmates. In the past 12 months, there have been no allegations of sexual abuse against contractors or volunteers.

§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)

TDCJ has established policies stating that inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate sexually abused another inmate. In the past 12 months, there have been no administrative findings of inmate-on-inmate sexual abuse that occurred at the Jim Rudd Transfer Facility. Also, in the past 12 months, there have been no criminal findings of guilt of inmate-on-inmate sexual abuse.

§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)

TDCJ has established policies, documented in the Correctional Managed Health Care Policy Manual along with other manuals, requiring all inmates identified as high risk with a history of sexually assaultive behavior or sexual victimization to be assessed by a mental health or other qualified professional within 14 days. In the past 12 months, no inmates have disclosed prior victimization during intake screenings.

§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)

TDCJ has established policies, documented in the Correctional Managed Health Care Policy Manual along with other manuals, to provide inmate victims of sexual assault timely, unimpeded access to emergency medical treatment and crisis intervention services without any cost to the inmate.

§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)

TDCJ has established policies, documented in the Correctional Managed Health Care Policy Manual along with other manuals, stating the agency will offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse consistent with the community level of care.

§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)

TDCJ has established procedures, documented in the Safe Prisons/PREA Plan, the Safe Prisons/PREA Operations Manual and administrative directive AD-02.15, for conducting sexual abuse incident reviews. In the past 12 months, no criminal and 3 administrative investigations of alleged sexual abuse were completed at the Jim Rudd Transfer Facility, excluding unfounded incidents. All 3 administrative investigations were followed by a sexual abuse incident review within 30 days.

§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)

TDCJ uses the Department of Justice's (DOJ) Survey of Sexual Violence form as a standard form and definitions sheet to facilitate the uniform collection of data for every sexual abuse allegation.

§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)

TDCJ has established procedures for reviewing data collected and aggregated pursuant to §115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training. Annual reports, approved by the agency head, containing institutional assessment information are posted on the TDCJ website: <http://tdcj.state.tx.us/publications/index.html#PREA>.

§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)

TDCJ stores and destroys sexual abuse data pursuant to state laws governing records retention.

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. Agency-wide policies and procedures comply with relevant PREA standards.

Atton Baskerville

May 20, 2015

Auditor Signature

Date