

PREA Facility Audit Report: Final

Name of Facility: Pecos Criminal Justice Center

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 09/13/2023

Auditor Certification

The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input type="checkbox"/>
Auditor Full Name as Signed: Valerie Wolfe Mahfood	Date of Signature: 09/13/2023

AUDITOR INFORMATION

Auditor name:	Mahfood, Valerie Wolfe
Email:	wolfemahfood@aol.com
Start Date of On-Site Audit:	07/29/2023
End Date of On-Site Audit:	07/30/2023

FACILITY INFORMATION

Facility name:	Pecos Criminal Justice Center
Facility physical address:	172 Raul Florez Boulevard , Pecos , Texas - 79772
Facility mailing address:	P.O. BOX 2138, PECOS, Texas - 79772

Primary Contact

Name:	LISA TARANGO
Email Address:	ltarango@pecostx.gov
Telephone Number:	432-445-4911

Warden/Jail Administrator/Sheriff/Director

Name:	LISA TARANGO
Email Address:	ltarango@pecostx.gov
Telephone Number:	432-445-4911

Facility PREA Compliance Manager

Name:	
Email Address:	
Telephone Number:	

Facility Characteristics

Designed facility capacity:	96
Current population of facility:	91
Average daily population for the past 12 months:	85
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Both females and males
Age range of population:	17-60
Facility security levels/inmate custody levels:	Low/Medium/, Medium, Maximum
Does the facility hold youthful inmates?	Yes

Number of staff currently employed at the facility who may have contact with inmates:	41
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	2
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	0

AGENCY INFORMATION	
Name of agency:	Pecos Police Department
Governing authority or parent agency (if applicable):	
Physical Address:	172 Raul Florez Boulevard , Pecos , Texas - 79772
Mailing Address:	
Telephone number:	

Agency Chief Executive Officer Information:	
Name:	
Email Address:	
Telephone Number:	

Agency-Wide PREA Coordinator Information			
Name:	Email Address:	Telephone Number:	Facility:
Lisa Tarango	ltarango@pecostx.gov		

Facility AUDIT FINDINGS	
Summary of Audit Findings	
The OAS automatically populates the number and list of Standards exceeded, the number of	

Standards met, and the number and list of Standards not met.

Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.

Number of standards exceeded:

4

- 115.41 - Screening for risk of victimization and abusiveness
- 115.43 - Protective Custody
- 115.81 - Medical and mental health screenings; history of sexual abuse
- 115.401 - Frequency and scope of audits

Number of standards met:

41

Number of standards not met:

0

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2023-07-29
2. End date of the onsite portion of the audit:	2023-07-30

Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	Crisis Center of West Texas, JDI

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	96
15. Average daily population for the past 12 months:	85
16. Number of inmate/resident/detainee housing units:	22
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

Audited Facility Population Characteristics on Day One of the Onsite Portion of the Audit

Inmates/Residents/Detainees Population Characteristics on Day One of the Onsite Portion of the Audit

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	86
37. Enter the total number of youthful inmates or youthful/juvenile detainees in the facility as of the first day of the onsite portion of the audit:	2
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	00
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	00
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	00
41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	00
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	00

<p>43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:</p>	00
<p>44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:</p>	00
<p>45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:</p>	0
<p>46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:</p>	0
<p>47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:</p>	0

<p>48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):</p>	<p>00 = A running count of this category of inmate is not tracked within the facility for the 12 months preceding the audit. The information is recorded and kept in individual offender files, but not tracked in a manner that an institutional list can be generated</p> <p>Inmates were allowed to self-select out of and/or into all targeted categories during the interview process. As such, while facility records may or may not include inmates within targeted categories, targeted protocols were still completed for any inmate who self-selected into any targeted protocol at the time of the interview. Also, it should be noted that if there were not sufficient numbers of inmates assigned to the facility within a targeted group, oversampling was done in other targeted groups to ensure the minimum number of targeted interviews were conducted.</p>
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Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit

<p>49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:</p>	<p>19</p>
<p>50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>0</p>
<p>51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>1</p>
<p>52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:</p>	<p>NA</p>

INTERVIEWS

Inmate/Resident/Detainee Interviews

Random Inmate/Resident/Detainee Interviews

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	8
54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	<input type="checkbox"/> Age <input type="checkbox"/> Race <input type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input type="checkbox"/> Length of time in the facility <input type="checkbox"/> Housing assignment <input type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None
If "Other," describe:	Custody, Job Assignment, Program Activity, Physical Characteristics, Psychological Characteristics, Primary Language Spoken, or other distinguishing factors amongst population.
55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	Housing rosters
56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No

<p>57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>Inmates were allowed to self-select out of and/or into all targeted categories during the interview process. As such, while facility records may or may not include inmates within targeted categories, targeted protocols were still completed for any inmate who self-selected into any targeted protocol at the time of the interview. Also, it should be noted that if there were not sufficient numbers of inmates assigned to the facility within a targeted group, oversampling was done in other targeted groups to ensure the minimum number of targeted interviews were conducted.</p> <p>Otherwise, no barriers to completing interviews were noted.</p>
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Targeted Inmate/Resident/Detainee Interviews

<p>58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>9</p>
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
<p>59. Enter the total number of interviews conducted with youthful inmates or youthful/juvenile detainees using the "Youthful Inmates" protocol:</p>	<p>2</p>
<p>60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>2</p>

<p>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	1
<p>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	1
<p>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</p>	1
<p>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	5
<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	1
<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	0

<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>Reviewed facility documentation. All inmates interviewed were also asked if they were transgender, intersex, gay, lesbian, or bisexual. None of the inmates interviewed stated that they were transgender. Additionally, during random staff interviews, staff did not indicate that any transgender incarcerated persons were assigned to the facility.</p>
<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>No sexual abuse/harassment allegations filed within the auditing time frame.</p>

<p>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</p>	<p>1</p>
<p>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>Inmates were allowed to self-select out of and/or into all targeted categories during the interview process. As such, while facility records may or may not include inmates within targeted categories, targeted protocols were still completed for any inmate who self-selected into any targeted protocol at the time of the interview. Also, it should be noted that if there were not sufficient numbers of inmates assigned to the facility within a targeted group, oversampling was done in other targeted groups to ensure the minimum number of targeted interviews were conducted.</p>
<p>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</p>	<p>NA</p>

Staff, Volunteer, and Contractor Interviews

Random Staff Interviews

71. Enter the total number of RANDOM STAFF who were interviewed:	12
72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	<input checked="" type="checkbox"/> Length of tenure in the facility <input checked="" type="checkbox"/> Shift assignment <input checked="" type="checkbox"/> Work assignment <input checked="" type="checkbox"/> Rank (or equivalent) <input checked="" type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
If "Other," describe:	Gender, race, ethnicity, languages spoken, or other distinguishing factors amongst staff relative to their employment.
73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	NA
Specialized Staff, Volunteers, and Contractor Interviews	
Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.	
75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):	10

76. Were you able to interview the Agency Head?	<input checked="" type="radio"/> Yes <input type="radio"/> No
77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?	<input checked="" type="radio"/> Yes <input type="radio"/> No
78. Were you able to interview the PREA Coordinator?	<input checked="" type="radio"/> Yes <input type="radio"/> No
79. Were you able to interview the PREA Compliance Manager?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)

- Agency contract administrator
- Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment
- Line staff who supervise youthful inmates (if applicable)
- Education and program staff who work with youthful inmates (if applicable)
- Medical staff
- Mental health staff
- Non-medical staff involved in cross-gender strip or visual searches
- Administrative (human resources) staff
- Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff
- Investigative staff responsible for conducting administrative investigations
- Investigative staff responsible for conducting criminal investigations
- Staff who perform screening for risk of victimization and abusiveness
- Staff who supervise inmates in segregated housing/residents in isolation
- Staff on the sexual abuse incident review team
- Designated staff member charged with monitoring retaliation
- First responders, both security and non-security staff
- Intake staff

	<input checked="" type="checkbox"/> Other
If "Other," provide additional specialized staff roles interviewed:	Custody, Job Assignment, Program Activity, Physical Characteristics, Psychological Characteristics, Primary Language Spoken, or other distinguishing factors amongst population
81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?	<input type="radio"/> Yes <input checked="" type="radio"/> No
82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Enter the total number of CONTRACTORS who were interviewed:	1
b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)	<input type="checkbox"/> Security/detention <input type="checkbox"/> Education/programming <input checked="" type="checkbox"/> Medical/dental <input type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input type="checkbox"/> Other
83. Provide any additional comments regarding selecting or interviewing specialized staff.	NA

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

PREA Standard 115.401 (h) states, "The auditor shall have access to, and shall observe, all areas of the audited facilities." In order to meet the requirements in this Standard, the site review portion of the onsite audit must include a thorough examination of the entire facility. The site review is not a casual tour of the facility. It is an active, inquiring process that includes talking with staff and inmates to determine whether, and the extent to which, the audited facility's practices demonstrate compliance with the Standards. Note: As you are conducting the site review, you must document your tests of critical functions, important information gathered through observations, and any issues identified with facility practices. The information you collect through the site review is a crucial part of the evidence you will analyze as part of your compliance determinations and will be needed to complete your audit report, including the Post-Audit Reporting Information.

84. Did you have access to all areas of the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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Was the site review an active, inquiring process that included the following:

85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
88. Informal conversations with staff during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No

<p>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</p>	<p>NA</p>
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Documentation Sampling

Where there is a collection of records to review-such as staff, contractor, and volunteer training records; background check records; supervisory rounds logs; risk screening and intake processing records; inmate education records; medical files; and investigative files-auditors must self-select for review a representative sample of each type of record.

<p>90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
<p>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</p>	<p>Additional document sampling was done both at random, as well as in coordination with comments received from inmates and staff during the interview process.</p>

SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

Remember the number of allegations should be based on a review of all sources of allegations (e.g., hotline, third-party, grievances) and should not be based solely on the number of investigations conducted. Note: For question brevity, we use the term “inmate” in the following questions. Auditors should provide information on inmate, resident, or detainee sexual abuse allegations and investigations, as applicable to the facility type being audited.

92. Total number of SEXUAL ABUSE allegations and investigations overview during the 12 months preceding the audit, by incident type:

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	0	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0
Total	0	0	0	0

93. Total number of SEXUAL HARASSMENT allegations and investigations overview during the 12 months preceding the audit, by incident type:

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual harassment	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	0	0	0

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

Note: these counts should reflect where the investigation is currently (i.e., if a criminal investigation was referred for prosecution and resulted in a conviction, that investigation outcome should only appear in the count for "convicted.") Do not double count. Additionally, for question brevity, we use the term "inmate" in the following questions. Auditors should provide information on inmate, resident, and detainee sexual abuse investigation files, as applicable to the facility type being audited.

94. Criminal SEXUAL ABUSE investigation outcomes during the 12 months preceding the audit:

	Ongoing	Referred for Prosecution	Indicted/ Court Case Filed	Convicted/ Adjudicated	Acquitted
Inmate-on-inmate sexual abuse	0	0	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0	0
Total	0	0	0	0	0

95. Administrative SEXUAL ABUSE investigation outcomes during the 12 months preceding the audit:

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0
Total	0	0	0	0

Sexual Harassment Investigation Outcomes

Note: these counts should reflect where the investigation is currently. Do not double count. Additionally, for question brevity, we use the term "inmate" in the following questions. Auditors should provide information on inmate, resident, and detainee sexual harassment investigation files, as applicable to the facility type being audited.

96. Criminal SEXUAL HARASSMENT investigation outcomes during the 12 months preceding the audit:

	Ongoing	Referred for Prosecution	Indicted/ Court Case Filed	Convicted/ Adjudicated	Acquitted
Inmate-on-inmate sexual harassment	0	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0	0
Total	0	0	0	0	0

97. Administrative SEXUAL HARASSMENT investigation outcomes during the 12 months preceding the audit:

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	0	0	0

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:	0
a. Explain why you were unable to review any sexual abuse investigation files:	No sexual abuse investigating now...

<p>99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)</p>
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Inmate-on-inmate sexual abuse investigation files

<p>100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>0</p>
<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>

Staff-on-inmate sexual abuse investigation files

<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>0</p>
<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>

<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
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Sexual Harassment Investigation Files Selected for Review

<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
<p>a. Explain why you were unable to review any sexual harassment investigation files:</p>	<p>No sexual abuse/harassment filed for the audit time frame.</p>
<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>

Inmate-on-inmate sexual harassment investigation files

<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>

<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>Staff-on-inmate sexual harassment investigation files</p>	
<p>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
<p>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>NA</p>

SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.

Yes

No

Non-certified Support Staff

116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.

Yes

No

AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?

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

Identify the name of the third-party auditing entity

PREA Auditors of America

Standards

Auditor Overall Determination Definitions

- 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 actions)

Auditor Discussion Instructions

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none">• Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023• PMCJC Prison Rape Elimination Act Policy, 2023 <p>Interviews:</p> <ul style="list-style-type: none">• Agency Head• Agency PREA Coordinator

- PREA Compliance Manager
- Facility Warden
- Intermediate or Higher-Level Facility Staff
- Random Staff

Site Review Observations:

- The Pecos City Police Chief oversees the PMCJC PREA program.
- The PMCJC PREA Coordinator is physically assigned to the PMCJC and maintains a permanent office, with routine activities, within said institution as a function of assignment.

Standard Subsections:

(A) PMCJC Operation Guidelines, Policies, Rules, and Regulations Handbook, as well as the PMCJC PREA Policy, provides written direction mandating a zero-tolerance policy toward all forms of sexual abuse and sexual harassment. These policies also outline the facility's approach to preventing, detecting, and responding to such conduct.

(B) The agency has employed a PREA Coordinator. This position is within the upper hierarchy of organizational authority within the PMCJC. The PREA Coordinator is responsible for facilitating institutional needs specific to the implementation and advancement of the PREA standards. It should be noted that approximately two weeks before the onsite audit, the agency's PREA Coordinator retired. Pending the vacancy being filled, the Agency Head, namely the Chief of Police, had temporary assumed the role of PREA Coordinator. In speaking with the PREA Coordinator, it was noted that this individual did have sufficient time and authority to oversee the facility's efforts for compliance with the PREA Standards.

(C) The PMCJC only operates one facility.

Reasoning & Findings Statement:

	<p>This standard works to ensure the agency operates with a zero-tolerance acceptance level of sexual abuse and sexual harassment of incarcerated persons. In this regard, the PMCJC has implemented written policies designed to prevent, detect, and respond to sexual abuse and sexual harassment. The PMCJC operates only facility. Of which, a position within the upper level of the agency hierarchy, Jail Administrator, has been designated as the PREA Coordinator. While this position was vacant at the time of the onsite audit due to staff retirement, the Agency Head, the Chief of Police, was serving as the temporary PREA Coordinator and did have sufficient time and authority to oversee agency efforts to comply with the PREA standards. As such, the PMCJC has met the minimum requirements of this standard.</p>
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115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none"> • Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 • PMCJC Prison Rape Elimination Act Policy, 2023 <p>Interviews:</p> <ul style="list-style-type: none"> • Agency Head • Agency Contract Administrator • Agency PREA Coordinator <p>Site Review Observations:</p> <ul style="list-style-type: none"> • The PMCJC is a publicly operated correctional facility through Pecos City Police Department. <p>Standard Subsections:</p>

(a) The agency does not contract with private agencies or other entities for the confinement of inmates under the jurisdiction of the Pecos City Police Department.

(b) The agency does not contract with private agencies or other entities for the confinement of inmates under the jurisdiction of the Pecos City Police Department.

Reasoning & Findings Statement:

The PMCJC is a publicly operated correctional facility through Pecos City Police Department. This agency does not contract for the confinement of incarcerated individuals under the jurisdiction of the Pecos City Police Department to be housed by private agencies or other entities, including other government agencies. As such, PMCJC is in compliance with this standard.

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents:
	<ul style="list-style-type: none">· Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023· PMCJC Prison Rape Elimination Act Policy, 2023· PMCJC Staffing Plan· PMCJC Deviations from Staffing Plan· PMCJC Resolution #22-10-08R, 10/27/22· PMCJC Jail Control Retro-Fit Statement of Work, 7/18/22· PMCJC Installation of 33 New IP Cameras for City Jail, 11/8/22· PMCJC Camera Map, 2022· PMCJC Camera List, 2022

- Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023
- PMCJC Prison Rape Elimination Act Policy, 2023
- PMCJC Staffing Plan
- PMCJC Deviations from Staffing Plan
- PMCJC Resolution #22-10-08R, 10/27/22
- PMCJC Jail Control Retro-Fit Statement of Work, 7/18/22
- PMCJC Installation of 33 New IP Cameras for City Jail, 11/8/22
- PMCJC Camera Map, 2022
- PMCJC Camera List, 2022

- PMCJC United States Marshall Service Facility Inspection, 2/25/22
- PMCJC Daily PREA Visual Log, February 9, 2023 – July 24, 2023
- PMCJC Unannounced Rounds Visual Log, January – May, 2023
- PMCJC Unannounced Rounds, June 2023
- PMCJC Unannounced Rounds, July 2023
- PMCJC Rounds, East Segregation #2, 6/10/23
- PMCJC Rounds, East Segregation, 6/28/23
- PMCJC Rounds, West Segregation, 7/7/23
- PMCJC Rounds, Hall D17 East, 5/28/23

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Random Staff

Site Review Observations:

- During the site review, supervisory staff were observed making routine rounds throughout the facility. All random staff interviewed did indicate that supervisory staff were available to them as needed and did routinely conduct unannounced rounds within the facility.
- During supervisory rounds, ranking officials were observed reviewing required documentation completed by line staff as a function of their duty posts.
- During the on-site portion of the audit, the current PMCJC Daily PREA Visual Log was inspected onsite to ensure supervisory staff were conducting, and properly documenting, their unannounced rounds.

Standard Subsections:

- During the site review, supervisory staff were observed making routine and frequent rounds throughout the facility.
- All the random staff interviewed did indicate that supervisory staff were available to them as needed and did routinely conduct unannounced rounds within the facility.
- During supervisory rounds, ranking officials were observed reviewing required documentation completed by line staff as a function of their duty posts.

Reasoning & Findings Statement:

(A) The PMCJC has developed and documented a staffing plan (2023). Per the PREA Policy, facility administrators are required to make their best efforts in complying with said plan on a regular basis to provide for adequate levels of staffing and video monitoring to protect inmates against abuse. As explicitly noted within the Staffing Plan Annual Review template, the staffing plan takes into consideration generally accepted correctional practices when determining staffing needs and the need for video monitoring. If present, the staffing plan considers any judicial, federal investigative agencies, internal, and external oversight bodies' findings of inadequacy. The PMCJC Staffing Plan Annual Review template requires that the unit considers components of the facility's physical plant, composition of the inmate population, number and placement of supervisory staff, institutional programming needs, applicable state and local laws, the prevalence of substantiated and unsubstantiated incidents of sexual abuse, as well as any other relevant factors when determining staffing needs and the need for video monitoring. When asked, facility staff consistently remarked that unit administration does consider the nature of the inmate population and current issues/trends within the inmate population when determining staffing levels. As noted by the PMCJC Agency Head, the facility staffing plan was predicated consistent with average daily number of inmates assigned to the PMCJC, as well as the nature of the inmate population.

(B) The PMCJC Staffing Plan governs the minimum use of employee staffing. If unit staffing levels fall below these minimum requirements, PMCJC policy further requires that facility staff properly document each occurrence. As noted by the PMCJC PREA Compliance Manager, within the audit time frame, the staffing levels of PMCJC have fallen below the required levels. The six most significant reasons for deviations of the staffing plan have been COVID outbreaks, staff shortages due to turnover, staff training, court transportation to multiple courthouses, video court hearings at multiple court houses, and airlift transportations.

(C) The facility conducts an annual review of its staffing plan, with the last review being finalized as of September 1, 2023. As evidenced via interviews with agency and facility staff, as well as documented within the staffing plan itself, in completing the PMCJC staffing plan review, the Agency Head did collaborate with the PREA Coordinator, the PMCJC PREA Compliance Manager, and other relevant staff to develop the facility staffing plan in accordance with the aforementioned 115.13(a). PREA staffing members were consulted regarding the use of resources necessary to commit to the staffing plan, as well as the use of video monitoring technologies within the facility.

(D) The agency does have a policy in place to mandate unannounced rounds conducted by intermediate-level or higher-level supervisors (PREA Policy). This policy does require that staff document those rounds. The policy requires unannounced rounds to be made on all shifts, both day and night hours. The agency also prohibits staff from alerting others that said rounds are being conducted. The timing of the site reviewed allowed the auditor to observe the facility while employees from all three shifts were on duty. The auditor did observe line and supervisory staff conducting unannounced rounds as appropriate. While conducting the site review, the auditor also examined documentation related to these rounds. When interviewed, supervisory staff stated that they performed unannounced rounds at various times, as well as walked varying paces and routes when conducting unannounced rounds to make their presence less predictable. When interviewing random staff, all persons stated that supervisors routinely conduct unannounced rounds. Staff also noted that it was a violation of policy for supervisors to announce their rounds or for other staff to call ahead and warn their co-workers that a supervisor was conducting security rounds. At the time of the onsite audit, however, both supervisors and officers were documenting unannounced rounds on the PREA Visual Inspection Log. Corrective action was taken to ensure supervisors understood the function of unannounced rounds; specifically, only intermediate supervisors may perform unannounced rounds in order to identify and deter staff sexual abuse and sexual harassment. When interviewing random inmates, all inmates stated that they have routinely witnessed supervisory staff conducting rounds throughout the facility and said staff are available for inmates to speak with as needed. During the site review, it was further noted that both staff and incarcerated individuals seemed comfortable with the presence of supervisory staff within inmate housing areas; thus, further supporting that said staff are routinely present in inmate housing areas.

Reasoning & Findings Statement:

This standard requires the facility to ensure adequate staffing levels that promote the safety of not only all inmates assigned to the facility, but also to ensure the safety of all correctional employees, volunteers, and contractors within the institution. At the time of the onsite audit, the facility did not have a formal staffing plan. Rather,

	<p>informal staffing rosters were used to ensure accountability, adequate staffing levels, and coverage of all primary positions. During the audit time frame, the PMCJC has deviated from its usual staffing levels; however, appropriate action was taken to ensure all required staffing positions were filled. To ensure that the sexual safety of inmates assigned to the PMCJC is given sufficient weight in determining facility staffing needs, a PMCJC Staffing Plan has been developed in coordination with all staffing considerations noted within Standard 115.13(a). In helping to promote staff and inmate safety, the facility contains a host of video camera, with staff assigned to continuously monitor the feed. Lastly, to ensure meaningful and effective correctional supervision, PMCJC supervisors routinely conduct and document unannounced rounds. The auditor observed, as well as the facility provided, evidence of documented unannounced rounds of supervisory ranks of various levels. As such, the PMCJC facility complies with this provision.</p>
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115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · PMCJC Daily Population, January 2022 – December 2022 <p>Interviews:</p> <ul style="list-style-type: none"> · Agency Head · Agency PREA Coordinator · Random Staff · Line Staff Who Supervise Youthful Inmates · Random Inmates · Youthful Inmates

Site Review Observations:

- Juvenile housing areas were sight and sound separated from adult housing areas.
- Juvenile housing areas were separated by gender.
- Observed escort procedures for juvenile inmates, which required all adult inmate movement to cease prior to juvenile movement occurring.

Standard Subsections:

- (a) All youthful inmates are assigned to housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters.
- (b) In areas outside of the housing units, the PMCJC does maintain sight and sound separation between youthful inmates and adult inmates or provides direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact.
- (c) Within the audit time frame, the agency has not placed youthful inmates in isolation to comply with this provision. Rather, youthful inmates are designed housing locations within the facility that are separated by gender. As well, youthful inmates are provided access to recreational areas to engage daily large-muscle exercise. Youthful inmates are also provided any legally required special education services, as well as access to other programs and work opportunities to the greatest extent possible.

Reasoning & Findings Statement:

- (a) This standard requires that the agency ensures sight and sound separation between youthful inmates and adult inmates. Alternatively, the standard requires direct staff supervision when youthful inmates and adult inmates have the possibility of sight, sound, or physical contact. The PMCJC has designed housing within the general population for youthful inmates. This housing does ensure sight, sound,

	<p>physical separation between youthful and adult inmates. As well, there are separate housing units for each gender, with sight, sound, and physical contact between genders being mandated. If youthful inmates are required to be in sight, sound and physical proximity of adult inmates, youthful inmates must remain in constant and direct supervision of staff. All youthful inmates are provided access to recreational areas to engage daily large-muscle exercise. They are also provided any legally required special education services, as well as access to other programs and work opportunities to the greatest extent possible. As such, PMCJC has met the requirements of this standard.</p>
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115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · PMCJC Cross-Gender/Exigent Circumstance Search · PMCJC PREA Training/Transgender Policies, 1/25/23 · PMCJC Cross-Gender/Transgender Pat Searches, 7/12/23 · PMCJC Acknowledgement of Receipt, PREA Reporting Instructions, 5/10/23 · PMCJC Acknowledgement of Receipt, PREA Reporting Instructions, 3/16/23 · PMCJC Acknowledgement of Receipt, PREA Reporting Instructions, 1/12/23 · PMCJC Acknowledgement of Receipt, PREA Reporting Instructions, 7/6/23 <p>Interviews:</p> <ul style="list-style-type: none"> · Agency Head · Agency PREA Coordinator · Intermediate or Higher-Level Facility Staff

- Non-Medical Staff Involved in Cross-Gender Search Strip or Visual Search
- Random Staff
- Random Inmates
- Inmates Who Identify as Lesbian, Gay, Bisexual, Transgender, or Intersex

Site Review Observations:

- During the site review, staff were observed making cross-gender announcements when persons of the opposite gender entered inmate housing areas.
- Supervisory staff were observed conducting their routine security checks within inmate housing areas. Cross-gender announcements and supervisory rounds, both unannounced rounds and scheduled rounds, were subsequently documented on the chronological activity log, as well as the PREA Visual Inspection Log.
- Privacy shields were in place to inhibit viewing into all inmate toilet and shower areas.
- Privacy shields were in place and/or available for use in medical examination rooms.
- Video surveillance was not trained to areas where inmates would routinely be in a state of undress.

Standard Subsections:

(A) PMCJC Policy (PREA Policy, Jail Manual) prohibits cross-gender strip or visual body cavity search of inmates except in exigent circumstances or by medical practitioners. Random staff interviews confirm that staff do not engage in such activities. Documentation reflects that all staff have been trained on proper inmate search procedures. All inmates interviewed noted that they had not been, nor had they witnessed any other inmate being, stripped or body cavity searched by a security staff member of the opposite gender.

(B) The PMCJC houses both male and female inmates. Security staff have been trained on proper pat down searches of female inmates, which requires that the same gender staff conduct such searches in the absence of exigent circumstances. During both random staff and inmate interviews, it was noted that there are sufficient female staff employed to conduct female searches as required. As such, during the audit

time frame, the facility has not conducted any cross-gender pat searches on female inmates. Also, during the audit time, the facility has never denied any female inmate access to a regularly available program or out of cell activity.

(C) Agency policy (PREA Policy, Jail Manual) requires that all cross-gender strip and visual body cavity searches are documented, as well as cross-gender pat searches of female inmates. The facility has not engaged in any cross-gender female pat searches, as well as cross-gender strip searches or cross-gender body cavity searches of either male or female inmates within the audit period. However, under exigent circumstances, should the need arise, all random staff interviewed understood that such action, while extremely unlikely, would require extensive justification.

(D) The PMCJC does have policies (PREA Policy, Jail Manual) in place that allows inmates to shower, utilize toilets, and change clothing without nonmedical staff of the opposite gender viewing their breast, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. The facility does follow policy (PREA Policy, Jail Manual) requiring that staff of the opposite gender announce their presence when entering an opposite gender inmate housing area. In speaking with agency staff, all person were aware of the agency's prohibition against cross-gender strip and visual body cavity searches, as well as cross-gender female pat searches. Policy (PREA Policy, Jail Manual) requires all persons of the opposite gender to announce their presence upon entering an opposite gender housing assignment. All staff interviewed confirmed their compliance with opposite gender notifications by loudly announcing their presence when initially entering housing areas or any other area where an inmate may be in a state of undress. During the facility site review, modesty barriers and curtains were in place to inhibit the viewing of any inmate in a state of undress. Lastly, a review of the facility's video surveillance found that cameras were not trained to areas where inmates might routinely be in a state of undress.

(E) PMCJC policy (PREA Policy) prohibits searching transgender or intersex inmates for the sole purpose of determining the inmates' genital status. In interviewing staff, it was clearly expressed that if the gender of an offender is unknown, conducting a strip search to determine the gender of the inmate would be inappropriate. It was generally expressed that to determine gender, staff would contact the medical department, their supervisor, or simply ask the inmate.

(F) Records reflect that 100% of PMCJC security staff have been trained on proper policy specific to conducting cross-gender pat searches and transgender pat searches in a professional and least intrusive manner as possible consistent with security needs. All random staff interviewed did affirm their understanding of agency policy

prohibiting the search of any transgender or intersex inmate for the sole purpose of determining the inmate's genital status. Agency policy (PREA Policy) specifies that "PMCJC does not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner." Documentation reflects that staff have been provided clear instructions on how to perform searches of any inmate, to include transgender inmates. Random security staff interviewed confirmed their understanding of how to conduct a proper search of transgender/intersex inmates assigned to the PMCJC.

Reasoning & Findings Statement:

This standard requires that the agency place limits on cross-gender strip or cavity searches, as well as cross-gender pat searches of female inmates. The PMCJC has enacted policies prohibiting said searches in the absence of exigent circumstances. In the event exigent circumstances require cross-gender pat searches of female inmates, as well as any cross-gender strip or cavity search, policy subsequently requires this search to be properly documented. Agency security staff are trained on the proper procedures to conduct pat searches on transgender or intersex inmates, which require said searches to be performed in a professional and least intrusive manner as possible. An extensive review of live video surveillance reflects cameras are not trained in areas where inmates would routinely be in a state of undress. As well, the agency requires opposite gender staff to announce their presence upon entering inmate housing areas where persons may be in a state of undress. Accordingly, PMCJC has clearly satisfied each provision within this standard.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none">• Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023• PMCJC Prison Rape Elimination Act Policy, 2023

- PMCJC First Responder Card
- PMCJC Zero-Tolerance Poster, English
- PMCJC Zero-Tolerance Poster, Spanish
- PMCJC PREA Reporting Instructions, February 2008
- PMCJC Sexual Abuse Screening Tool
- PMCJC PREA Video Inmate Training Acknowledgement Form
- PMCJC Crisis Center of West Texas Hotline Pamphlet, English
- PMCJC Crisis Center of West Texas Hotline Pamphlet, Spanish
- PMCJC PREA Awareness Poster, English
- PMCJC PREA Awareness Poster, Spanish
- PMCJC PREA Inmates with Disabilities, Staff Training Roster, 7/12/23
- PMCJC PREA Inmates with Limited English Proficiency, Staff Training Roster, 7/12/23
- PMCJC Language Line Guide
- PMCJC Language Line User Information, 5/10/23
- PMCJC Municipal Jailer Course Syllabus

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Random Staff
- Inmates with Disabilities
- Inmates with Limited English Proficiency

Site Review Observations:

- Correctional staff assigned to housing areas entered each area within the building to loudly announce inmate information, to include when opposite gender staff entered the housing area.
- Handicap accommodations were easily recognizable and accessible throughout the facility.
- Viewed inmate PREA educational video - PREA: What You Need To Know
- PREA Notices, as well as other advisement notices, were posted in languages spoken by significant portions of the inmate population; namely, English and Spanish.
- Language Line Services are available for staff to communicate with offenders who do not speak English.
- Staff translators are also available if needed.

Standard Subsections:

(A) The PMCJC has developed policies (PREA Policy, Jail Manual) to enhance communication efforts with disabled inmates; such as those with hearing, vision, speech, or other physical disabilities; psychiatric or other intellectual disabilities, or those with limited English proficiency; so as to provide said inmates with an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. PREA educational information is provided in writing, verbally, as well as presented in video format (available in English and Spanish). The video format includes both a deaf interpreter and closed caption. The PMCJC has enrolled in the services of a language line for translation and interpretation services to assist inmates who do not speak a language common to PMCJC staff. In this, the Language Line Service can be used to translate PREA, as well other confidential information. As noted by the agency head, all efforts are made to provide all inmates, to include those with disabilities and limited English proficiency,

When interviewing staff, employees were aware of the need to obtain staff interpreters for sensitive security matters, such as PREA related investigations. All staff were aware that other inmates could not be used to translate for any inmate during a sexual abuse/harassment investigation or incident. During the audit time frame, there have not been any instances of PMCJC using inmate interpreters for PREA related matters. Inmates with physical and/or intellectual disabilities, as well as those with limited English proficiency were interviewed. These inmates all stated that their disabilities did not prevent them from participating in any facility-based services or that PMCJC has made accommodations for their disabilities, to include the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

(B) The PREA informational brochure is printed in two different languages: English and Spanish. As well, the PREA Informational video can be seen by inmates in those languages, along with being illustrated via closed captioning and deaf interpreter. As needed, Language Line Services can also be used to translate PREA information into other languages.

(C) The PMCJC has developed its PREA Policy to prohibit the use of inmate interpreters or other types of inmate-based assistance in the transmission or subsequent investigation of security sensitive information, such as PREA related matters. The agency has also developed policy (PREA Policy) to enhance communication efforts with disabled offenders; such as those with hearing, vision, speech, or other physical disabilities; psychiatric or other intellectual disabilities, or those with limited English proficiency; so as to provide said offenders with an equal opportunity to directly participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment without the use of inmate interpreters or other types of inmate-based assistance. PMCJC staff are aware of these agency policies and do not utilize inmate interpreters for security sensitive matters.

Reasoning & Findings Statement:

This standard empowers all inmates with the ability to redress government in light of claims of sexual abuse and sexual harassment. An essential component to that requirement is the ability to access PREA information, services, and support services. Inmates with disabilities; either cognitive, physical, or cultural, may require additional assistance in achieving said access. Hence, it is necessary for the agency to provide additional measures to ensure said inmates have equal access. The PMCJC recognizes this need and has created policies to address it. The PMCJC maintains sufficient stocks of PREA informational brochures in both English and Spanish. The PMCJC routinely stocks PREA informational brochures, as well as shows PREA informational videos in English, along with Spanish, the most commonly spoken language inside of PMCJC other than English. Additionally, the PMCJC offers a listing of other types of resources available to inmates, as well as contact information for those resources, in both English and Spanish. Lastly, it should be noted that at no time during the audit time frame, has PMCJC used inmate interpreters to help agency staff communicate with other inmates regarding security sensitive information. Rather, when needed, staff interpreters or the language assistance phone line are commonly used for communication with inmates who have limited English proficiency. As such, PMCJC has complied with all provisions of this standard.

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents:
	<ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · PMCJC IdenToGo, Texas Fingerprint Service Code Form · PMCJC Authorization for Disclosure of Social Networking Information Form · PMCJC Background Investigation Worksheet · PMCJC Neighborhood Check, Inquiry Questionnaire Content · PMCJC Neighborhood Check Questions · PMCJC Education Verification, Inquiry Questionnaire · PMCJC Law Enforcement Verification, Inquiry Questionnaire · PMCJC Reference Verification, Inquiry Questionnaire Content · PMCJC Sample Tenant Verification Cover · PMCJC Spousal or Significant Other Interview Verification · PMCJC Authorization Release of Information · PMCJC Pecos Police Department, Applicant Personal History Statement · PMCJC Pecos Police Department, Supplemental Employment Questionnaire for Agency Applicants
	Interviews:
	<ul style="list-style-type: none"> · Agency Head · Agency PREA Coordinator · Intermediate or Higher-Level Facility Staff

- Administrative (Human Resources) Staff

Site Review Observations:

- Review of four (4) employee files for required PREA/criminal background documentation.
- Review of one (1) contractor file for required PREA/criminal background documentation.

Standard Subsections:

(A) The PMCJC PREA Policy prohibits the hiring or promotion of employees and contracted workers who have engaged in sexual abuse, been convicted of engaging or attempting to engage in a sexual activity with inmates, or have been civilly or administratively adjudicated to have engaged in a sexual activity with inmates while in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution. The PREA Policy also stipulates that prior to all hiring and promotional decisions of employees and contract workers, any incidents of sexual harassment will be considered. Prior to hiring any new employee or contract worker at the facility level, PMCJC Human Resource staff ensure that criminal background checks have been conducted on the prospective employee. As well, as required by policy, PMCJC Human Resource staff ensure that all previous institutions of employment are contacted to determine if candidates have any previously substantiated claims of sexual abuse or resigned during a pending investigation of such claims. Conversely, policy also requires that the PMCJC cooperates with other correctional and law enforcement agencies to ensure that accurate information regarding PREA related employment laws are effectively shared between agencies.

(B) The PMCJC PREA Policy requires the facility to consider any incidents of sexual harassment in determining whether to hire/promote anyone who may have contact with inmates. Likewise, in speaking with the PMCJC Human Resource representative, agency policy requires Human Resource staff to also verify contractor employment history.

(C) Before hiring or promoting employees, the PREA Policy requires the agency to perform criminal background checks. The PREA Policy also requires the agency to conduct checks with prior employers for any applicant previously employed by a correctional facility.

(D) Agency policy requires that prior to enlisting the services of any contractors who may have contact with inmates, the agency performs criminal background records checks on said contractors. Documentation reflects that all persons contracted with the PMCJC received an initial background check, as well as remain continuously monitored via the Fingerprint Application Services of Texas system. As such, during the audit time frame, 100% of all contracted staff assigned to the PMCJC have been subject to a criminal background check.

(E) Once employed, agency policy requires that criminal background checks are continuously performed via the Fingerprint Application Services of Texas system. This ensures that said persons have not been found to have engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution. As well, employees have an affirmative duty to report any contact they may have had with other law enforcement agencies and to report any sexual misconduct they may have been found guilty of at any other institution. Furthermore, employees are made aware that failing to provide this information, or providing false information regarding sexual misconduct, is grounds for employee discipline, to include termination of employment (PREA Policy).

(F) All applicants, as well as current employees, are required to submit Applicant Personal History Statement Supplement. This document directly asks employees who may have contact with inmates to disclose any previous sexual misconduct that may have occurred in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution. Additionally, the PMCJC does impose a continuing affirmative duty on all employees to disclose any misconduct found within Section A of this standard (PREA Policy). Review of documentation specific to PMCJC confirms the facility's adherence to said policies.

(G) Agency policy expressly advises employees that material omissions or providing false information regarding the aforementioned misconduct is grounds for termination.

(H) Agency policy allows that unless prohibited by law, the PMCJC shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied (PREA Policy).

Reasoning & Findings Statement:

	<p>This standard requires the agency to consider the sexual safety of inmates in all hiring and promotion decisions within the agency. A review of PMCJC hiring and promotion files supports adherence to that process. The agency has numerous policies in place to ensure that end. All staff have an affirmative duty to report any contact they may have with law enforcement. As well, the PMCJC Human Resource Department utilizes the Fingerprint Application Services of Texas system to ensure all staff are continuously monitored for contact with law enforcement. A review of employee and contractor training files reflect that the PMCJC Human Resource Department complies with agency policy. As such, the PMCJC clearly meets the requirements of this standard.</p>
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115.18	Upgrades to facilities and technologies
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p>
	<p>Documents:</p> <ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · PMCJC Resolution #22-10-08R, 10/27/22 · PMCJC Jail Control Retro-Fit Statement of Work, 7/18/22 · PMCJC Installation of 33 New IP Cameras for City Jail, 11/8/22 · PMCJC Camera Map, 2022 · PMCJC Camera List, 2022
	<p>Interviews:</p> <ul style="list-style-type: none"> · Agency Head · Agency PREA Coordinator · Intermediate or Higher-Level Facility Staff

Site Review Observations:

- Observed video monitoring technologies present within the facility.
- Reviewed live video surveillance across the facility.

Standard Subsections:

(A) Per the PMCJC Agency Head, the PMCJC has not designed or constructed any substantial modifications of the existing facility since it was originally built.

(B) The PMCJC has recently updated the video monitoring system and other monitoring technology, specifically through the installation of new cameras and other monitoring technology. In doing so, the PMCJC Agency Head noted that specific consideration was given to how such technology would enhance the PMCJC's ability to protect inmates from any form of abuse, to include sexual abuse.

Reasoning & Findings Statement:

Within the audit time frame, PMCJC has not designed or constructed any substantial modification to the existing facility. As a function of its annual staffing review, the PMCJC does consider, among other factors, generally accepted correctional practices and the use of video monitoring technologies. Currently, the PMCJC is upgrading all cameras, as well as other monitoring technologies, throughout the institution. In all staffing decisions, as well as decisions involving the use of video monitoring technology, the PMCJC has certainly sought to maximize the facility's ability to protect inmates from sexual abuse. As such, the agency has met all requirements of this standard.

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Documents:

- Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023
- PMCJC Prison Rape Elimination Act Policy, 2023
- Pecos Police Department Evidence Policy
- Pecos Police Department, CID PREA Investigation Flow Chart Process
- Pecos Police Department, Coordinated Response Plan, PREA Reporting/Investigation Process
- Texas Department of Public Safety, Crime Laboratory Division Manual, 6/26/23
- Texas House Bill 2462/2706 Updates, 08/21
- U.S. Department of Justice, United States Marshals Service, Office of Detention Services Intergovernmental Agreement, 10/1/22
- U.S. Department of Justice, Office on Violence Against Women, A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents, April 2013
- Medical Center Hospital, SANE Services, Memo, 1/31/23
- Crisis Center of West Texas, Advocacy Services, Memo, 1/31/23
- Crisis Center of West Texas, Advocacy Services, English
- Crisis Center of West Texas, Advocacy Services, Spanish
- West Texas Centers Advocacy Flyer, English
- West Texas Centers Advocacy Flyer, Spanish

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Investigative Staff
- Random Staff

- Medical Staff
- SANE/SAFE Personnel
- Just Detention International
- Community-Based Victim Advocacy Staff
- Inmates Who Reported Sexual Abuse

Site Review Observations:

- Observed Medical Department and privacy screens/limitations.
- Observed visitation/phone area for rape crisis center advocates.

Standard Subsections:

(A) Agency policy (PREA Policy) mandates that the Pecos Police Department (PDD) is responsible for investigating administrative and criminal allegations of sexual abuse. In this, the Pecos Police Department Evidence Policy requires that the PPD follow a uniform evidence protocol; namely, the U.S. Department of Justice, Office on Violence Against Women, A National Protocol for Sexual Assault Medical Forensic Examinations, that maximizes the potential for obtaining usable physical evidence for administrative procedures and criminal prosecutions.

(B) The Office on Violence Against Women, A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents, is a developmentally appropriate youth protocol.

(C) In accordance with agency protocol, the PMCJC does ensure that all inmates are given access to forensic medical examinations without cost (Texas House Bills 2462 & 2706). These exams are performed at an outside facility by qualified SAFE/SANE nursing staff. As SAFE/SANE staff are either on duty or on call 24 hours a day, seven days a week, the examination will always be performed by a qualified medical practitioner. The facility utilizes Medical Center Hospital for forensic exams. During the audit time frame, however, the PMCJC has not been required to facilitate any such exams.

(D) The agency does attempt to make a victim's advocate available for offender support. In this, the PMCJC PREA Policy requires the use of local advocates as available from the local rape crisis center. The facility utilizes the Crisis Center of West Texas as a local rape crisis center.

(E) In accordance with policy, and as requested by the victim, local rape crisis center advocates may remain with inmates through the forensic medical examination process and investigatory interviews. As requested, this person may provide emotional support, crisis intervention, information, and referrals.

(F) PMCJC policy mandates that the Pecos Police Department is responsible for investigating criminal allegations of sexual abuse. To this effect, PPD policy does require that PPD staff utilize the U.S. Department of Justice's Office on Violence Against Women protocol; namely, A National Protocol for Sexual Assault Medical Forensic Examination, Adults/Adolescents, as the evidence collection protocol manual.

(G) The auditor is not required to audit this provision.

(H) Through the use of a local rape crisis center, Crisis Center of West Texas, the PMCJC has ensured that all persons who have contact with PMCJC inmates have been appropriately screened and trained as qualified rape crisis advocates, as well as received education concerning sexual assault and forensic examination issues in general.

Reasoning & Findings Statement:

This standard concerns evidence protocol and forensic medical examinations. The PMCJC has policies in place to ensure proper accountability during evidence collection and the forensic exam process. During the audit time frame, the PMCJC has not been required to initiate the evidence protocol and forensic medical examination process. However, as evidenced during the interview process, facility staff are very much aware of the policies and have standard practices in place to ensure the proper flow of the evidence collection process and advocacy services should the need arise. As such, the PMCJC has met the requirements of this standard.

Auditor Overall Determination: Meets Standard
Auditor Discussion
Documents:
<ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · PMCJC 2022 Annual PREA Report · PMCJC Public Access to Website · Pecos Police Department Evidence Policy · Pecos Police Department, CID PREA Investigation Flow Chart Process · Pecos Police Department, Coordinated Response Plan, PREA Reporting/Investigation Process · U.S. Department of Justice, United States Marshals Service, Office of Detention Services Intergovernmental Agreement, 10/1/22
Interviews:
<ul style="list-style-type: none"> · Agency Head · Agency PREA Coordinator · Intermediate or Higher-Level Facility Staff · Investigative Staff · Medical Staff · SANE/SAFE Personnel · Just Detention International · Community-Based Victim Advocacy Staff · Inmates Who Reported Sexual Abuse
Site Review Observations:

- Observed Medical Department and privacy screens/limitations
- Observed visitation/phone area for rape crisis center advocates
- Review of agency website

Standard Subsections:

(A) Policy (PREA Plan, Coordinated Response Plan) requires that administrative and/or criminal investigations are completed for all allegations of sexual abuse and sexual harassment. Within the audit time frame, the PMCJC has not received any allegations of sexual abuse or sexual harassment.

(B) The PMCJC refers all allegations of sexual abuse and sexual harassment to the Pecos Police Department (PPD), a law enforcement agency with legal authority to conduct criminal investigations. The PMCJC has published this policy on the agency website. All referrals to the PPD are documented by the agency.

(C) In accordance with the PREA Policy, the “Pecos Police Department CID is responsible for conducting criminal investigations. The Pecos Police Department CID will conduct thorough investigations into all allegations of sexual abuse in accordance to the Pecos Police Department Evidence Collection Policy. During the course of these investigations, the PMCJC PREA Coordinator will corporate with CID investigators to secure and preserve the alleged crime scene, facilitate access to all required evidence, as well as to all interview subjects within the PMCJC. The PMCJC PREA Coordinator must also endeavor to remain informed of the Pecos Police Department CID investigation and to ensure subsequent written dispositions are provided to all persons alleging sexual abuse once the Pecos Police Department CID investigation has concluded.”

(D) The auditor is not required to audit this provision.

(E) The auditor is not required to audit this provision.

Reasoning & Findings Statement:

This standard ensures that proper referrals of sexual abuse allegations are made for further investigations by an agency with proper authority to conduct criminal investigations; namely, the Pecos Police Department. The PMCJC does have appropriate policies in place mandating referrals in specific instances. Within the audit time frame, the PMCJC has not received any allegations of sexual abuse. As such, there have not been any referrals required. However, in interviewing the PMCJC Agency Head, it was made clear that the PMCJC would refer all required investigations to the Pecos Police Department for further processing in accordance with policy should the need arise. Lastly, referral information, as well as the responsibilities of both the Pecos Police Department and the PMCJC, are publicly available on the PMCJC website. As such, the PMCJC complies in all material ways with this standard for the relevant review period.

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none">· Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023· PMCJC Prison Rape Elimination Act Policy, 2023· PMCJC Staff Training, PREA and Inmates with Disabilities, 7/12/23· PMCJC Staff Training, PREA and Inmates with Limited English Proficiency, 7/12/23· PMCJC Staff Training, PREA Training & Transgender Policies, 1/25/23· PMCJC Staff Training, Cross-Gender/Transgender Pat Searches, 7/12/23· PMCJC Employee Acknowledge of Unannounced Visual Rounds Form· PMCJC Municipal Jailer Course Syllabus· PMCJC Acknowledgement of Receipt, PREA Reporting Instructions, Employee Form· PMCJC Acknowledgement of Receipt, PREA Reporting Instructions, 5/10/23· PMCJC Acknowledgement of Receipt, PREA Reporting Instructions, 3/16/23

- PMCJC Acknowledgement of Receipt, PREA Reporting Instructions, 1/12/23
- PMCJC Acknowledgement of Receipt, PREA Reporting Instructions, 7/6/23
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 4/25/23a
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 4/25/23b
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 4/26/23
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 4/27/23a
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 4/27/23b
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 4/27/23c
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 4/27/23d
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 4/30/23a
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 4/30/23b
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 4/30/23c
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 5/1/23a
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 5/1/23b
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 5/1/23c
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 5/1/23
- PMCJC Acknowledgement of Receipt, PREA Employee Training, 5/9/23
- PREA Resource Center, PREA Standards in Focus, 115.11 Zero Tolerance of Sexual Abuse and Sexual Harassment; PREA Coordinator
- PREA Resource Center, PREA Compliance Audit Instrument, Checklist of Policies/Procedures and Other Documents, 4/18/14
- Permian Basin Law Enforcement Academy, Basic County Corrections Course, 10/25/18
- Permian Basin Law Enforcement Academy, Basic County Corrections Course, 5/16/12
- Texas Commission on Law Enforcement, Basic Jailers Course Exam, 10/25/18
- Texas A&M Engineering Extension, Municipal Jailer Course, 2/14/23
- Texas A&M Engineering Extension, Municipal Jailer Course, 2/21/20
- Texas A&M Engineering Extension, Municipal Jailer Course, 6/10/22

- Texas A&M Engineering Extension, Municipal Jailer Course, 3/8/23
- Texas A&M Engineering Extension, Municipal Jailer Course, 9/18/19
- Texas A&M Engineering Extension, Municipal Jailer Course, 3/8/23

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Administrative (Human Resources) Staff
- Medical Staff
- Random Staff

Site Review Observations:

- Review of several employee files; matched review of employee files to employees interviewed to confirm documentation of required PREA training.

Standard Subsections:

(A) Policy (PREA Policy) requires all employees to be fully trained on the agency's zero-tolerance policy for sexual abuse and sexual harassment. As verified by Human Resource staff, such training is now initially performed as a function of the hiring process. For persons hired before the PREA implementation process, this training has been subsequently provided to all employees of the PMCJC. This PREA training is a comprehensive analysis of state laws, the PREA standards, as well as how the implementation of these standards will affect the PMCJC. A review of training curriculum for this class reflects the agency's zero-tolerance policy for sexual abuse and sexual harassment, along with a discussion on how employees may fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures. Employees are also informed that inmates have a right to be free from sexual abuse and sexual harassment, to be free from retaliation for reporting said abuse and harassment, the

dynamics of sexual abuse/harassment, reactions to sexual abuse/harassment, how to detect and respond to signs of threatened and actual sexual abuse, how to avoid inappropriate relationships with inmates, how to comply with relevant mandatory reporting laws specific to reporting abuse to outside authorities, and how to communicate effectively and professionally with inmates; including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates. During random staff interviews, all employees confirmed receipt of said training. A review of several random staff employee files confirmed receipt of said training for these employees.

(B) Training curriculum reviews demonstrate that the material is appropriate for both the male and female inmates. As the PMCJC holds both genders of inmates, all staff assigned to the PMCJC have received appropriate training responsive to both genders of inmates.

(C) Per the Agency Head, as well as documented via employee training records, all actively employed staff have received initial PREA training. Following this initial training, in accordance with the PREA Policy, subsequent refresher trainings will be provided to staff at mandatory time intervals in accordance with agency policy.

(D) All training is verified and documented upon completion of the PMCJC PREA training curriculum.

Reasoning & Findings Statement:

This standard relates to employee training. In this, all agency staff have been provided initial PREA training as a function of their continued employment. In accordance with the PMCJC PREA Policy, staff are subsequently required to receive a PREA training refresher course at least every two years. To ensure its compliance with this standard, the PMCJC has clearly established training expectations and well-developed training curriculums. To date, PMCJC maintains compliance with those imperatives. All training is documented upon completion, with PMCJC maintaining an overall master list of all staff having completed said training. During staff interviews, all employees affirmed their having received significant amounts of training as related to the PREA standards. When asked the series of questions noted within Subsection A of this standard, all staff knew and understood their responsibilities within the agency's zero-tolerance policy. As such, PMCJC has clearly met the requirements of this provision.

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · PREA Resource Center, Specialized Training: PREA Medical and Mental Care Standards, Notification of Curriculum Utilization, December 2013 · PMCJC Specialized Training Modules and Inmate Training Video, Contractor, 3/30/23 <ul style="list-style-type: none"> • PREA Resource Center, Specialize Training: PREA Medical and Mental Care Standards, Notification of Curriculum Utilization, December 2013 <p>Interviews:</p> <ul style="list-style-type: none"> · Agency Head · Agency PREA Coordinator · Intermediate or Higher-Level Facility Staff · Administrative (Human Resources) Staff · Contractors Who May Have Contact with Inmates <p>Site Review Observations:</p> <ul style="list-style-type: none"> · PMCJC Specialized Training Modules and Inmate Training Video, Contractor Training · Review of contract worker's PREA training forms.

Standard Subsections:

(a) Policy (PREA Policy) requires that "All volunteers and contractors who have contact with inmates shall be trained on their responsibilities under PMCJC's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. The level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates shall be notified of PMCJC's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents." At the time of the audit, the PMCJC did not have any (0) volunteers and only one (1) contract worker who could have contact with inmates. As affirmed by the PMCJC Agency Head, these persons have received appropriate PREA training, dependent on the level of contact with inmates. The contractor file was reviewed for receipt of required training documentation.

(b) As affirmed by the PMCJC Agency Head, the contract worker has received PREA training appropriate for the individual's role within the facility. When interviewed, the contract worker stated that this person had been made aware of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment. This training was given to the contractor as a function of continued employment with the agency. This person further stated that if the need arose, any reports of alleged sexual abuse or harassment could be made both to a supervisor or a security staff member. The contractor file was reviewed for receipt of required training documentation.

(c) The one (1) contractor required to receive PREA training has signed an acknowledgement form indicating the date and that this person received and understood the training that had been provided. The facility maintains a copy of all training files belonging to contractors. When asked, the contract worker confirmed having received PREA training. The contractor file was reviewed for receipt of required training documentation.

Reasoning & Findings Statement:

The agency requires all volunteers and contractors to receive formal training on the agency's zero-tolerance policy for sexual abuse and sexual harassment. In this, volunteers and contractors must be provided sufficient notice of the agency's zero-tolerance policy of sexual abuse and sexual harassment. As well, said persons must be informed of how to report any knowledge they may have regarding such abuse. Lastly, the standard requires that the agency maintain appropriate training records to verify that volunteers and contractors understood the training that they had received. At the time of the onsite audit, PMCJC did not have any volunteers working within the

facility. The agency did have one (1) contractor assigned to the facility. In this, the PMCJC has ensured that the contractor conducting business on the facility has received, and subsequently documented, PREA trainings. In speaking with contracted personnel, this person stated that the nature of the PREA and this individual's own roles within it were well understood. As such, PMCJC has demonstrated compliance with the requirements of this standard.

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
23	<p>Documents:</p> <ul style="list-style-type: none">· Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023· PMCJC Prison Rape Elimination Act Policy, 2023· PMCJC PREA Audit Notices· PMCJC First Responder Card· PMCJC Staff Training, PREA and Inmates with Disabilities, 7/12/23· PMCJC Staff Training, PREA and Inmates with Limited English Proficiency, 7/12/23· PMCJC Staff Training, PREA Training & Transgender Policies, 1/25/23· PMCJC Staff Training, Cross-Gender/Transgender Pat Searches, 7/12/23· PMCJC Language Line Guide· PMCJC Language Line User Information, 5/10/23· PMCJC PREA Risk Screening Form at Intake· PMCJC Inmate Education (§ 115.33 PREA National Standards)· PMCJC Comprehensive PREA Training Acknowledgement Form, English/Spanish· PMCJC Inmate PREA Reporting Instructions· PMCJC Zero Tolerance Poster, English· PMCJC Zero Tolerance Poster, Spanish

- PMCJC Sexual Abuse Counseling Awareness Poster, English
- PMCJC Sexual Abuse Counseling Awareness Poster, Spanish
- PMCJC PREA Awareness Poster, English
- PMCJC PREA Awareness Poster, Spanish
- PMCJC Inmate PREA Training Acknowledgement Form, 7/7/23
- PMCJC Inmate PREA Training Acknowledgement Form, 7/30/23

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Intake Staff
- Staff Who Perform Screening for Risk of Victimization and Abusiveness
- Random Inmates
- Disabled Inmates
- Limited English Proficiency Inmates

Site Review Observations:

- Observed the inmate reception area.
- Observed PREA Risk Screening process.
- Observed PREA informational postings in Offender Housing, Medical, Law Library, and other areas of high traffic.
- Observed PMCJC PREA Inmate Education Video.
- Reviewed PMCJC random inmate files for documentation of PREA training.

Standard Subsections:

(A) Policy (PREA Policy, PMCJC Regulations Handbook) requires that upon receipt into the facility, inmates shall receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment. Inmates will also be informed of reporting mechanisms to expose incidents or suspicions of sexual abuse and harassment. Within the past 12 months, the PMCJC has received 851 inmates during the Intake process. Of those incarcerated individuals received after the PREA process was implemented, 100% were provided the initial PREA screening and information.

(B) As noted by Intake staff, inmates are immediately provided a summary of the PMCJC PREA policy and reporting process, via the Inmate Handbook, upon their initial arrival into the facility. Inmates are then provided a more comprehensive training detailing key points of the process within thirty (30) days of intake. Every inmate transferring into PMCJC, regardless of how many times the inmate may have been incarcerated within PMCJC, will participate in this comprehensive sexual abuse and sexual harassment prevention and reporting training. Of those 450 inmates received into the PMCJC after the PREA process was implemented and subsequently assigned to the PMCJC for thirty days or more, 100% received comprehensive education on their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents, as well as on agency policies and procedures for responding to such incidents.

(C) Upon implementation of the PREA Standards within the PMCJC, all inmates assigned to the facility were given comprehensive PREA training detailing key points of the program. Per the PMCJC Agency Head, as of March 2023, all inmates who were incarcerated within the PMCJC were required to watch the inmate PREA training video entitled Prison Rape Elimination Act: What You Need to Know. All inmates subsequently received into the PMCJC have been required to watch this PREA orientation film during their comprehensive education program. During this training, the facility also provides information on sexual abuse counseling from a local rape advocacy center. The PMCJC is the only criminal justice facility operated by the Pecos Police Department.

(D) PREA information is provided in alternative formats to ensure inmates with disabilities, to include those with limited English proficiency, have equal opportunity to receive, understand, and utilize the PREA process as necessary to promote the sexual safety of all inmates assigned to the PMCJC. PREA brochures and informational posters are provided in both English and Spanish, the two most common languages spoken within the PMCJC. The PREA video is also available in those two languages. Translation services are available for inmates who don't speak English or Spanish. As well, per the PREA Policy "inmate education shall be provided in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired,

or otherwise disabled, as well as to inmates who have limited reading skills" to ensure said inmates have equal opportunity to benefit from the PREA provisions.

(E) In accordance with the PRA Policy, and confirmed by Intake Staff, at facility reception, inmates are provided with a brief PREA overview. Within 30 days of Intake, inmates are then provided with a more comprehensive PREA training. The training received is documented on the PMCJC Comprehensive PREA Training Acknowledgement Form, which is then acknowledged by signature by both the inmate receiving training and the staff member providing it. During inmate interviews, two (2) inmates stated that they had not received, or did not remember receiving, PREA training. Accordingly, those inmate files were reviewed. At that time, it was noted that all inmates had, in fact, received PREA training, as well as signed documentation acknowledging this training.

(F) Inmates are provided personal copies of the PMCJC Inmate Handbook (available in English and Spanish) upon receipt into the PMCJC system. This handbook contains PREA information, including the reporting process. The agency's PREA policy, as well as numerous reporting methods, is continuously available within the facility's Law Library. Throughout the facility, as well as posted near all inmate phones, PREA informational posters, as well as rape crisis center advocacy information, are displayed in both English and Spanish. As well, there is information regarding other valuable inmate resource information posted in each housing area for easy inmate access.

Reasoning & Findings Statement:

This standard works to ensure that inmates are cognizant of the agency's zero-tolerance policy toward sexual abuse and sexual harassment, as well as have subsequent access to, and can effectively utilize, the PREA reporting mechanism. In speaking with inmates assigned to the PMCJC, all inmates stated that they were aware of PREA and its purpose within the facility. While inmates were collectively aware of the policy and their rights to varying degrees, all inmates interviewed were specifically aware of at least one, but generally more, methods by which they could report allegations of sexual abuse or sexual harassment. Accordingly, the PMCJC has demonstrated compliance with the standards related to this provision.

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard

Auditor Discussion	
<p>Documents:</p> <ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · PMCJC Retaliation Monitoring Checklist · PMCJC Downing a Duck, Investigator Training Handout · PREA Resource Center, Specialized Training: Investigating Sexual Abuse in Correctional Settings, Notification of Curriculum Utilization, December 2013 · PREA Resource Center, Specialized Training: Investigating Sexual Abuse in Correctional Settings, The Moss Group, Module 1-9 · Texas House Bill 2462/2706 Updates, 08/21 · U.S. Department of Justice, Office on Violence Against Women, A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents, April 2013 · Crisis Center of West Texas, Advocacy Services, Memo, 1/31/23 · Medical Center Hospital, SANE Services, Memo, 1/31/23 · Texas Department of Public Safety, Crime Laboratory Division Manual, 6/26/23 · Pecos Police Department Evidence Policy · PMCJC PREA Specialized Training Modules, Investigator Training Acknowledgement Form · PMCJC PREA Specialized Training Modules, Investigator Training Acknowledgement Form, 1/18/23a · PMCJC PREA Specialized Training Modules, Investigator Training Acknowledgement Form, 1/18/23b · PMCJC PREA Specialized Training Modules, Investigator Training Acknowledgement Form, 1/18/23c · PMCJC PREA Specialized Training Modules, Investigator Training Acknowledgement Form, 1/19/23 · PMCJC PREA Specialized Training Modules, Investigator Training Acknowledgement Form, 1/22/23a 	

- PMCJC PREA Specialized Training Modules, Investigator Training Acknowledgement Form, 1/22/23b
- PMCJC PREA Specialized Training Modules, Investigator Training Acknowledgement Form, 1/22/23c
- PMCJC PREA Specialized Training Modules, Investigator Training Acknowledgement Form, 1/24/23a
- PMCJC PREA Specialized Training Modules, Investigator Training Acknowledgement Form, 1/24/23b
- PMCJC PREA Specialized Training Modules, Investigator Training Acknowledgement Form, 7/5/23a
- PMCJC PREA Specialized Training Modules, Investigator Training Acknowledgement Form, 7/5/23b

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Administrative (Human Resources) Staff
- Investigative Staff

Site Review Observations:

- Observed investigative training certifications.
- Reviewed agency training records documenting investigative training curriculums.

Standard Subsections:

(A) Per the PREA Policy, all investigators must receive specialized training in excess of the generalized sexual abuse and sexual harassment training provided to other staff.

Among other classes, investigators participate in training which shall include, but not limited to, conducting investigations in confinement settings. In interviewing PMCJC and Pecos Police Department CID investigative staff, said staff confirmed participation in a related course. Additionally, training curriculums and employee training certifications provided additional documentation to support facility compliance.

(B) Per the PREA Policy, all investigators must receive specialized training in excess of the generalized sexual abuse and sexual harassment training provided to other staff. Among other classes, investigators participate in training which shall include, but not limited to, interviewing techniques for sexual abuse victims, proper use of Garrity warnings, sexual abuse evidence collection, as well as classes specific to the criteria and evidence required to substantiate a case for administrative action or prosecution referral. In interviewing PMCJC and Pecos Police Department CID investigative staff, said staff confirmed participation in numerous related courses. Additionally, training curriculums and employee training certifications provided additional documentation to support facility compliance.

(C) The agency maintains documentation that agency investigators have completed the required specialized training related to sexual abuse investigations. A review of training certificates confirm that such documentation is maintained within agency files for all Pecos Police Department CID investigators currently utilized within the PMCJC.

(D) The auditor is not required to audit this provision.

Reasoning & Findings Statement:

This standard works to ensure that persons investigating allegations of sexual abuse and sexual harassment in a confinement setting have been sufficiently trained in related procedural and due process requirements necessary for both administrative prison hearings, as well as for state and federal judiciary proceedings. Pecos Police Department CID investigative staff assigned to conduct investigations within the PMCJC are required to attend both general PREA training, as well as PREA trainings specific to conducting investigations of sexual victimization in a confinement setting. PMCJC and Pecos Police Department CID investigative staff affirmed receipt of sufficient training necessary to confidently conduct sexual abuse investigations in a confinement setting. As well, documentation verified that PMCJC staff do receive specialized training in excess of the generalized training provided to all staff. As such, the PMCJC meets the requirements of this standard.

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · PMCJC PREA Specialized Training Modules, Medical Training Acknowledgement Form · PMCJC Specialized Training Modules and Inmate Training Video, Contractor (Medical), 3/30/23 · PMCJC PREA Specialized Training Modules, Medical Training Acknowledgement Form, 1/23/23 · PREA Resource Center, Specialized Training: PREA Medical and Mental Care Standards, Notification of Curriculum Utilization, December 2013 <p>Interviews:</p> <ul style="list-style-type: none"> · Agency Head · Agency PREA Coordinator · Intermediate or Higher-Level Facility Staff · Administrative (Human Resources) Staff · Medical Staff · SANE/SAFE Personnel <p>Site Review Observations:</p> <ul style="list-style-type: none"> · Review of facility training records.

Standard Subsections:

(a) The PMCJC provides medical services to incarcerated persons assigned to the facility. The PREA Policy requires that in addition to the generalized training provided to all staff, “all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in (1) how to detect and assess signs of sexual abuse and sexual harassment; (2) how to preserve physical evidence of sexual abuse; (3) how to respond effectively and professionally to victims of sexual abuse and sexual harassment; and (4) how and to whom to report allegations or suspicions of sexual abuse and sexual harassment.” During interviews with PMCJC medical staff, as well as with SAFE/SANE personnel associated with the local hospital, all confirm that said persons have received trainings as required. A review of PMCJC training records document 100% of medical personnel have participated in the PREA training requirements.

(b) In accordance agency policy and verified through interviews with PMCJC medical staff, medical staff at PMCJC do not conduct forensic medical examinations. Rather, as confirmed by SAFE/SANE personnel, inmates are transported to a nearby public medical facility for such services.

(c) A review of training records reflects that 100% of the two (2) medical employees assigned to the PMCJC, have received specialized training appropriate for their professional roles.

(d) In accordance with their professional role, a review of training records reflects these medical practitioners have also received the generalize PREA training provided to all other persons working within a correctional setting. As well, contracted staff have also received training appropriate for contracted personnel.

Reasoning & Findings Statement:

This standard works to ensure that medical staff have received specialized training for medical services provided to victims of sexual abuse and sexual harassment. The PMCJC has policies in place to ensure all PMCJC medical staff are furnished this training. PMCJC medical administration confirmed that said staff have received all required and continuing education classes specific to their professional role as it applies to medical services administered when assisting victims of sexual abuse and sexual harassment. Also, the SAFE/SANE personnel associated with the local hospital confirmed that all persons conducting forensic medical exams are properly certified to

perform said exams. Documentation of agency training verified that said staff do receive specialized training in excess of the generalized training provided to all staff. As such, the PMCJC meets the requirements of this standard.

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none">· Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023· PMCJC Prison Rape Elimination Act Policy, 2023· PMCJC Sexual Abuse Screening Tool, English· PMCJC Sexual Abuse Screening Tool, Spanish· PMCJC Comprehensive PREA Training Acknowledgement Form, English/Spanish· PMCJC Comprehensive PREA Training Acknowledgement Form, 4/5/23· PMCJC Sexual Abuse Screening Tool, Initial, 4/5/23· PMCJC Sexual Abuse Screening Tool, 30-Day Assessment, 5/3/23· PMCJC Sexual Abuse Screening Tool, Subsequent Assessment, 6/7/23· PMCJC Sexual Abuse Screening Tool, Subsequent Assessment, 7/7/23· PMCJC Sexual Abuse Screening Tool, Initial, 3/28/23· PMCJC Sexual Abuse Screening Tool, 30-Day Assessment, 4/20/23· PMCJC Sexual Abuse Screening Tool, Subsequent Assessment, 5/15/23· PMCJC Sexual Abuse Screening Tool, Subsequent Assessment, 6/15/23· PMCJC Sexual Abuse Screening Tool, Subsequent Assessment, 7/28/23 <p>Interviews:</p>

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Intake Staff
- Medical Staff
- Staff Who Perform Screening for Risk of Victimization and Abusiveness
- Random Inmates
- Inmates Who Identify as Lesbian, Gay, Bisexual, Transgender, or Intersex
- Limited English Proficient Inmates
- Disabled Inmates

Site Review Observations:

- Observed Intake process.
- Observed PREA screening demonstration.
- Reviewed inmate files.

Standard Subsections:

(a) The PREA Policy requires that “all inmates shall be assessed during an intake screening and upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates.” The PMCJC Intake staff affirm the facility’s adherence to agency policy. Specifically, all inmates received into the facility are screened for sexual victimization and/or sexually abusive risk factors on the same day that the inmates are received into the facility. Intake and Risk Screen Processes were both observed by the auditor.

(b) The PREA Policy requires that the screenings will be completed “ordinarily take place within 72 hours of arrival at PMCJC.” In speaking with PMCJC Intake staff, as well as the PMCJC Agency Head, it was noted that said screenings take place immediately upon each inmate’s arrival to the facility. In accordance with agency policy, since adopting the PREA Standards and its required screening process, all inmates entering

the facility have subsequently been provided risk screening assessments for their risk of being sexually victimized or for being a sexual abuser within 72 hours of their entry into the facility.

(c) The PREA screening assessment is conducted using an objective screening instrument (PMCJC Sexual Abuse Screening Tool). A review of the twenty-two survey questions provided to inmates does not present with either an implicit bias or leading statements. The PREA Assessment Process does not contain value statements, bias language, or implied negative consequences for affirmative answers to any of the questions asked. Rather, it is a strictly utilitarian form that was administered in a nonjudgmental manner during a screening demonstration. To determine an inmate's risk of sexual victimization or sexual abusiveness, an inmate is asked a series of questions. The screener is also able to insert observable and documented historical facts to increase the validity of the screening instrument.

(d) The PREA risk assessment process does consider, at a minimum, if the inmate has a mental, physical, or developmental disability. It considers the age of the inmate, the inmate's physical build, whether the inmate has previously been incarcerated, whether the inmate's criminal history is exclusively nonviolent, whether the inmate has prior convictions for sex offenses against an adult or child, whether the inmate has previously experienced sexual victimization, the inmate's own perception of vulnerability, and whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming. Inmates are explicitly asked if they are gay, lesbian, bisexual, transgender, intersex, or gender nonconforming/gender nonbinary. Inmates are then asked if others perceive them as the same. The risk screener is allowed to enter his/her subjective perception of the inmate's gender expression, as well as any additional information regarding the inmate's sexual safety. During inmate interviews, all inmates stated that they had, in fact, been asked the aforementioned questions upon their receipt into the PMCJC. Of these, only two (2) inmates stated that staff did not perform subsequent reassessments within 30 days of their arrival. However, review of documentation within related inmate files reflects that 30-day reassessments were made in accordance to policy requirements, as well as several additional 30-day subsequent assessments.

(e) In assessing inmates for their risk of being sexually abusive, the PMCJC Sexual Abuse Screening Tool does consider prior acts of sexual abuse, prior convictions for violent offenses, and the history of prior institutional violence or sexual abuse. Along with observing the screening process, the auditor also reviewed several PREA Assessment Forms completed within the auditing time frame. All forms were filled out in their entirety, with inmates having generally provided relevant answers to each of the questions asked. It should further be noted that Intake and Medical staff both confirmed that inmates may refuse to answer any question on the survey or may refuse participation in the entire survey without the threat of negative consequences.

(f) The PREA Policy requires that “within a set time period, not to exceed 30 days from the inmate’s arrival at PMCJC, PMCJC will reassess the inmate’s risk of victimization or abusiveness based upon any additional, relevant information received by PMCJC since the intake screening.” As affirmed by the Agency Head, within the audit time frame, 100% of the inmates received by the PMCJC following the adoption of the PREA Standards, whose length of stay in the facility was for 30 days or more, were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival to the PMCJC. In speaking with the PMCJC Intake and Risk Screening Staff, their adherence to this policy was confirmed. Additionally, a review of documentation specific to said assessments confirmed both initial and subsequent assessments were provided within the required time frames. It is also noted that following the first 30-day assessment, PMCJC then continues to reassess all inmates every 30 days to ensure their continued safety within the facility.

(g) The PREA Policy allows that “an inmate’s risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate’s risk of sexual victimization or abusiveness.” Both the PMCJC Agency Head, as well as staff who perform screening for risk of victimization and abusiveness, confirm reassessments are conducted as required. As well, in discussing reassessment processes with inmates, one inmate stated that after having brought concerns for the safety of another person not incarcerated within the facility to the attention of security personnel, this person was subsequently interviewed by PMCJC Investigative Staff regarding these concerns. Ultimately, all inmates believed that PMCJC staff have addressed all their needs in a timely manner, regardless of their nature. When asked, all inmates interviewed, stated that they felt their sexual safety was not at risk at the PMCJC.

(h) The PREA Policy expressly prohibits disciplinary sanctions against any inmate who refuses to answer or fails to provide complete and/or accurate answers to any of the questions noted on the PMCJC Sexual Abuse Screening Tool. When interviewed, Intake and Risk Screening Staff, as well as the PMCJC Agency Head, affirmed that disciplinary sanctions were not imposed against inmates for refusing or failing to answer any of the questions on the PMCJC Sexual Abuse Screening Tool. As well, inmate interviews confirmed that said population was aware of their right not to answer related questions.

(i) The PREA Policy requires that the “PMCJC shall implement appropriate controls on the dissemination within PMCJC of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate’s detriment by staff or other inmates.” Accordingly, all PREA screenings forms are

considered confidential in nature. Policy further requires, as well as reinforced by the security clearance required to access completed PMCJC Sexual Abuse Screening Tool forms, that facility staff must restrict the spread of information obtained as a function of the PREA assessment form to only those designated staff members with an operational need for said information in order to inform classification, housing and work assignments, programmatic and non-programmatic activities, or other relevant institutional activities. Lastly, the auditor observed that completed PMCJC Sexual Abuse Screening Tool forms did require authorized credentials in order to access said documents within PMCJC inmate files.

Reasoning & Findings Statement:

This standard works to ensure inmates are properly screened for their risks of sexual victimization and abusiveness. Agency policy provides for an objective PMCJC Sexual Abuse Screening Tool, which is administered and scored at the facility level as a simple fact assessment. Inmates are reassessed as required by policy, to include if new information is discovered by facility staff that might warrant changes in inmates' risk status. Additionally, following the initial and first 30-day assessment, PMCJC then continues to reassess all inmates every 30 days to ensure their continued safety within the facility. Interviews with facility Intake and screening staff, as well as with inmates, confirm that the proper screening tool is being utilized at the PMCJC. As well, the information gleamed from this form is appropriately used to inform classification, housing, work, and other facility-based activities. Staff charged with administering the PMCJC Sexual Abuse Screening Tool affirm the restricted nature of the information and their adherence to the facility's limited distribution list. As such, by their adherence to the provisions, the PMCJC has satisfied the requirements of this standard. Furthermore, by conducting a monthly reassessment of every inmate after the initial 30-day assessment, PMCJC is clearly exceeding the risk screening requirements.

115.42 Use of screening information	
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: <ul style="list-style-type: none">• Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023• PMCJC Prison Rape Elimination Act Policy, 2023

- PMCJC Sexual Abuse Screening Tool
- PMCJC Comprehensive PREA Training Acknowledgement Form, English/Spanish
- PMCJC Comprehensive PREA Training Acknowledgement Form, 4/5/23
- PMCJC Sexual Abuse Screening Tool, Initial, 4/5/23
- PMCJC Sexual Abuse Screening Tool, 30-Day Assessment, 5/3/23
- PMCJC Sexual Abuse Screening Tool, Subsequent Assessment, 6/7/23
- PMCJC Sexual Abuse Screening Tool, Subsequent Assessment, 7/7/23
- PMCJC Sexual Abuse Screening Tool, Initial, 3/28/23
- PMCJC Sexual Abuse Screening Tool, 30-Day Assessment, 4/20/23
- PMCJC Sexual Abuse Screening Tool, Subsequent Assessment, 5/15/23
- PMCJC Sexual Abuse Screening Tool, Subsequent Assessment, 6/15/23
- PMCJC Sexual Abuse Screening Tool, Subsequent Assessment, 7/28/23

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Intake Staff
- Medical Staff
- Staff Who Perform Screening for Risk of Victimization and Abusiveness
- Random Staff
- Inmates Who Identify as Lesbian, Gay, Bisexual, Transgender, or Intersex
- Disabled Inmates
- Limited English Proficient Inmates

Site Review Observations:

- Observed PREA screening process.
- Reviewed inmate files.
- Observed inmate housing and work assignments.

Standard Subsections:

(A) The PREA Policy requires that the agency use information from the PMCJC Sexual Abuse Screening Tool to help separate inmates with a high risk of being sexually victimized from those inmates with a high risk of being sexually abusive. As such, the information gleaned from the PMCJC Sexual Abuse Screening Tool is used to inform inmate housing, bed, work, education, and program assignments. In speaking with Intake and Medical staff, as well as the PMCJC Agency Head, once an inmate is deemed as a possible high risk for sexual victimization, staff will ensure that the inmate at risk is not housed in a vulnerable location with respect to other inmates who are assessed at a high risk to sexually abuse other inmates. Facility documentation reflects this is an institutionalized process.

(B) The PREA Policy requires that the facility makes individualized determinations on how to ensure the safety of each inmate. In speaking with the Agency Head, Risk Screeners, and Intermediate Supervisors, said persons affirmed that the concerns for every inmate are reviewed on an individual basis. In speaking with inmates currently assigned to the PMCJC, all stated that their own opinions regarding their personal safety are considered by PMCJC staff when provided housing or job assignments. Inmates further stated that if their concerns for their own safety changed, they believed PMCJC staff would take their concerns seriously. As such, there weren't any inmates who expressed any fear or concern for their sexual safety while assigned to PMCJC.

(C) In deciding whether to assign a transgender or intersex offender to a facility for male or female offenders, the PMCJC PREA Policy requires that administrators consider, on a case-by-case basis, whether such a placement would ensure the offender's health and safety and whether such a placement would present management or security problems. In deciding whether to assign a transgender or intersex offender to a specific housing or program assignment, agency policy dictates administrators consider, on a case-by-case basis, whether such a placement would ensure the inmate's health and safety and whether such a placement would present management or security problems. In speaking with the Agency Head and Intermediate Supervisors, staff affirmed that an inmate's genital status is not the sole determining factor in placing transgender or intersex inmates in male or female

facilities, or in placing said inmates within specific housing or program assignments within a facility.

(D) The PMCJC PREA Policy requires “placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate.

(E) The PMCJC PREA Policy requires that “a transgender or intersex inmate’s own view with respect to his or her own safety shall be given serious consideration.”

(F) The PMCJC PREA Policy also requires that “transgender and intersex inmates shall be given the opportunity to shower separately from other inmates in a single cell shower/individual shower.”

(G) The PMCJC is the only correctional facility operated by the Pecos Police Department. The PMCJC is not subject to consent decrees, legal settlements, or legal judgments requiring any facility to be established as a dedicated facility or housing unit for lesbian, gay, bisexual, transgender, or intersex offenders. As such, policy expressly states that the “PMCJC shall not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated housing units, or wings on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates.” In speaking with the Agency Head, Risk Screeners, and Intermediate Supervisors, staff adamantly affirm that inmates who identify as transgender or intersex are not placed in a facility, or within a housing assignment, based solely on their sexual or gender identity. While there weren’t any transgender inmates assigned to the PMCJC at the time of the onsite audit, none of the other targeted inmates interviewed stated that they had ever been housed in a facility, or in a specific housing assignment within the PMCJC, based solely on their gender identity or sexual orientation. Nor did any of these incarcerated persons have any knowledge of anyone who had been housed in any location based solely on their gender identity or sexual orientation. As well, of the random staff interviewed, all staff affirmed that the PMCJC does not house transgender, intersex, gay, or bisexual inmates in any specific areas based solely on their gender identity or sexual orientation.

Reasoning & Findings Statement:

This standard works to ensure the adequate use of screening information to promote

and protect inmates who may be at high risk of being sexually victimized. The PMCJC has numerous policies in place to ensure the most effective and secure use of the PMCJC Sexual Abuse Screening Tool. Inmates deemed to be at high risk are routinely monitored by the PMCJC PREA Compliance Manager, as well as unit staff, to ensure their sexual safety. Agency policies require staff to make individualized determinations on a case-by-case basis regarding inmate safety. Interviews with the Agency Head and Intermediate Supervisors reflect that facility staff have discretion in managing the safety of individual inmates. The Agency Head affirms adherence to agency policies and also confirms that inmates' own views regarding their own safety are given serious consideration specific to facility operations. Transgender inmates are allowed to shower separately from the general population. Additionally, transgender inmates are reviewed every six months specific to their placement and programming assignments. As such, agency policy meets, and PMCJC adheres to, the requirements of this standard.

115.43	Protective Custody
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Documents: <ul style="list-style-type: none">· Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023· PMCJC Prison Rape Elimination Act Policy, 2023· PMCJC Restrictive Housing (Isolation Cells) – 7 Day Review· PMCJC Screening Form for Suicide & Medical/Mental/Development Impairments
	Interviews: <ul style="list-style-type: none">· Agency Head· Agency PREA Coordinator· Intermediate or Higher-Level Facility Staff· Designated Staff Member Charged with Monitoring Retaliation· Incident Review Team Member

- Staff Who Supervise Inmates in Segregated Housing
- Random Inmates
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Observed custody housing assignments.

Standard Subsections:

- a) The PMCJC PREA Policy mandates that “inmates at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If PMCJC cannot conduct such an assessment immediately, PMCJC may hold the inmate in involuntarily segregated housing for less than 24 hours while completing the assessment.” In speaking with the PMCJC Agency Head, Intermediate Staff, and Staff Who Supervise Inmates in Segregated Housing, said persons confirm that there have not been any inmates placed in segregated housing for high risk of sexual victimization during the audit time frame. As well, inmate interviews did not suggest that PMCJC utilizes any form of restrictive housing as a primary means of separation for investigatory purposes related to protection from sexual abuse. As such, there wasn’t any relevant documentation to review.
- b) The PMCJC PREA Policy allows that “inmates placed in segregated housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If PMCJC restricts access to programs, privileges, education, or work opportunities, PMCJC shall document the opportunities that have been limited, the duration of the limitation, and the reasons for such limitations.” In speaking with the PMCJC Agency Head and PMCJC Intermediate Staff, said persons confirm that there have not been any offenders placed in segregated housing for risk of sexual safety during the audit time frame. Additionally, no inmates stated that they had been placed in such housing. As such, there wasn’t any relevant documentation to review.
- c) The PREA Policy requires that PMCJC shall assign such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers

can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days." In speaking with the PMCJC Agency Head and PMCJC Intermediate Staff, said persons confirm that there have not been any offenders placed in segregated housing for risk of sexual safety during the audit time frame. Additionally, no inmates stated that they had been placed in such housing. As such, there wasn't any relevant documentation to review.

d) In accordance with the PREA Policy, "if an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, PMCJC shall clearly document the basis for PMCJC's concern for the inmate's safety; and the reason why no alternative means of separation can be arranged." In speaking with the PMCJC Agency Head and PMCJC Intermediate Staff, said persons confirm that there have not been any offenders placed in segregated housing for risk of sexual safety during the audit time frame. Additionally, no inmates stated that they had been placed in such housing. As such, there wasn't any relevant documentation to review.

e) In accordance with the PREA Policy and with the PMCJC Restrictive Housing (Isolation Cells) Policy, all inmates assigned to segregated housing for any reason, to include those placed in segregated housing for being at a high risk of sexual victimization, are reviewed every seven days to ensure there is a continued need for such placement. As well, inmates are also screened for suicide risks, along with any medical, mental, and development impairments. In speaking with the PMCJC Agency Head and PMCJC Intermediate Staff, said persons confirm that there have not been any offenders placed in segregated housing for risk of sexual safety during the audit time frame. Additionally, no inmates stated that they had been placed in such housing. As such, there wasn't any relevant documentation to review.

Reasoning & Findings Statement:

This standard works to ensure that the use of segregated housing is not a de facto management solution for inmate sexual safety concerns. Agency policy explicitly mandates that staff refrain from placing inmates at high risk for sexual victimization in segregated housing unless an assessment of all available alternative has been made and there are no other available means of separation from likely abusers. In speaking with the PMCJC Agency Head and PMCJC Intermediate Staff, staff confirmed that there have not been any inmates placed in segregated housing for risk of sexual safety during the audit time frame. Additionally, no inmates stated that they had been placed in such housing. As such, there wasn't any relevant documentation to review. Correctional staff routinely assigned to work within Segregated Housing were interviewed. While these staff confirmed that inmates assigned to segregated housing for high risk of sexual victimization would be afforded similar activities as inmates within general population, to the best of their knowledge, there have not been any

	<p>such inmates assigned to such housing within the audit time frame. Additionally, as noted by the PMCJC Agency Head, all inmates placed in to segregated housing for any reason, to include those placed in segregated housing for being at a high risk of sexual victimization, are reviewed every seven days to ensure there is a continued need for such placement. As well, inmates are also screened for suicide risks, along with any medical, mental, and development impairments. In total, the PMCJC has satisfied all component parts of this standard and found to have exceeded its provisions by way of its continuous, expedite, and very thorough segregated housing screening process.</p>
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115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · PMCJC Sexual Abuse Screening Tool · PMCJC Comprehensive PREA Training Acknowledgement Form, English/Spanish · PMCJC Inmate Reporting Methods, English · PMCJC Inmate Reporting Methods, Spanish · PMCJC Inmate Rules and Regulations, English · PMCJC Inmate Rules and Regulations, Spanish · PMCJC First Responder Card · PMCJC Zero-Tolerance Poster, English · PMCJC Zero-Tolerance Poster, Spanish · PMCJC PREA Reporting Instructions, February 2008 · PMCJC PREA Awareness Poster, English · PMCJC PREA Awareness Poster, Spanish · PMCJC Public Website

- PMCJC Public Notice of PREA Reporting Information
- Crisis Center of West Texas, Advocacy Service Memo, 1-31-23

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Random Staff
- Just Detention International
- Community-Based Victim Advocacy Staff
- Random Inmates
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Reviewed PREA Risk Screening Assessment form.
- Observed PREA Risk Screening process.
- Observed informational posters throughout the facility advising inmates of various reporting mechanisms for allegations of sexual abuse and sexual harassment.
- Observed PREA educational and reporting references available for inmate use within the facility Law Library.
- Observed the PMCJC PREA Inmate Education Video.
- Tested inmate reporting hotline via inmate phone.

Standard Subsections:

- (a) The agency provides multiple internal ways for inmates to privately report sexual abuse and sexual harassment, as well as neglect or violations of staff responsibilities

that may have contributed to such incidents. Additionally, the agency provides numerous avenues by which inmates may report any subsequent retaliatory measures experienced by inmates as a result of having reported said abuse. Upon receipt onto the facility, all inmates are provided a PREA risk screening, via the PMCJC Sexual Abuse Screening Tool, and advised of their right to be free of sexual abuse and sexual harassment under the PREA standards. Inmates are subsequently given a more comprehensive inmate orientation within 30 days of their receipt into the facility. This orientation includes detailed training on the PMCJC PREA program. This training includes information on, and contact information for, internal and external reporting agencies. Inmates are also provided with an PMCJC Regulations Handbook, which contains contact information for internal and external reporting agencies and victim services organizations. In interviewing staff, all employees were aware of an inmate's right to report allegations of sexual abuse and sexual harassment and to be free from measures of retaliation for having reported said abuse. In interviewing inmates, all inmates were equally aware of their right to report allegations of sexual abuse and sexual harassment and to be free from measures of retaliation for having reported said abuse. During random and targeted interviews, all inmates were able to articulate at least one manner by which a report could be made.

(b) As noted in the PREA Policy, and the PMCJC Regulations Handbook, the facility also provides multiple avenues and contact information for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency. Inmates are provided tollfree phone numbers to the U.S. Marshalls Service and an outside agency sexual abuse hotline, with calls to both agencies taken anonymously and without cost to the inmate. During the onsite portion of the audit, the auditor attempted to conduct a test call to the tollfree number of the local rape crisis center; the Crisis Center of West Texas. At that time, it was noted that a technical difficulty prevented inmates from being able to dial toll-free numbers from inmate phones. Hence, to make a call to either the U.S. Marshalls Service or the Crisis Center of West Texas, an inmate would require the use of facility phones. Corrective action was taken to alleviate that intermediary requirement and inmates are now able to directly access all tollfree numbers via inmate phones. Inmates are provided the address to the primary reporting entity, the U.S. Department of Justice Civil Rights Division, which can receive and immediately forward inmate reports to agency officials for their investigation. Upon an inmate's request, the U.S. Department of Justice Civil Rights Division will also allow an inmate to remain anonymous. Per the PMCJC Agency Head, the PMCJC does not detain inmates solely for civil immigration purposes. Nonetheless, information on how to contact relevant consular officials is available in the PMCJC Regulations Handbook.

(c) Per policy (PREA Policy, PMCJC Regulations Handbook), staff accept all reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties. All employees interviewed stated that they would act on any report of sexual abuse or sexual harassment regardless of how they became aware of that

information. In doing so, all staff stated they would document the information as soon as possible following the allegations being presented to them. All inmates interviewed affirmed their right to make either verbal or written reports of sexual abuse and sexual harassment. Most inmates were also aware that they could make reports of sexual abuse and sexual harassment via third party or anonymously. All inmates interviewed stated that they believed PMCJC staff would take any complaint of sexual safety seriously and act accordingly to address their concerns.

(d) Per policy (PREA Policy), staff have an affirmative duty to report any knowledge, suspicion, or information they may have regarding sexual abuse, sexual harassment, or retaliation against inmates or staff for having reported such abuse. Nonetheless, per the agency's PREA Policy, "PMCJC staff can privately report sexual abuse and sexual harassment of inmates to the Office of Inspector General, US Department of Justice, 950 Pennsylvania Ave. Room 4706, Washington, D.C. 20530. As well, PMCJC staff can make online private reports to the City of Pecos, Human Resources Department, as well as contact the PMCJC PREA Coordinator directly via email. When asked, staff were generally aware that they could make anonymous reports of sexual abuse and sexual harassment.

Reasoning & Findings Statement:

This standard works to ensure all inmates have the ability to report all instances of sexual abuse and sexual harassment against inmates. The agency does have multiple avenues by which inmates may make formal reports, to include verbal, written, anonymous, and third-party reports. Inmates are provided detailed instructions, contact persons, phone numbers, and addresses for correspondence where incidents or suspicions of sexual abuse, sexual harassment, and retaliation may be reported. Additionally, while inmates are not encouraged to utilize rape counseling support service centers as reporting avenues, they will also serve in this capacity if explicitly requested by the inmate. Due to a technical difficulty, at the time of the onsite audit, the inmate phone system would not allow for inmates to call the tollfree numbers of the crisis center or the U.S. Marshall Service. That difficulty has since been corrected. Hence, no further action is needed regarding such. When interviewing correctional staff, all such persons were aware that inmates could report allegations of sexual abuse and sexual harassment verbally, in writing, anonymously, and through a third party. When receiving verbal reports of sexual abuse and sexual harassment, all staff recognized the need to take immediate action to protect the inmate in question and the need to document the verbal complaint as soon as possible. In speaking with inmates, all persons were aware of their right to be free from sexual abuse and sexual harassment, as well as their right not to suffer retaliation for having reported such abuse. All inmates also understood their right to make verbal and written complaints. The majority of inmates understood their right to make anonymous and third-party complaints. As such, it is evident that the PMCJC has met the requirements of this

	standard.
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115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents:
	<ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · PMCJC Inmate Grievance Rules, English · PMCJC Inmate Grievance Rules, Spanish · PMCJC Inmate Reporting Methods, English · PMCJC Inmate Reporting Methods, Spanish · PMCJC Inmate Rules and Regulations, English · PMCJC Inmate Rules and Regulations, Spanish
	Interviews:
	<ul style="list-style-type: none"> · Agency Head · Agency PREA Coordinator · Intermediate or Higher-Level Facility Staff · Investigative Staff · Random Inmates
	Site Review Observations:

- Reviewed the complaint submission process.

Standard Subsections:

(a) The PMCJC does have an administrative remedies process to address issues of sexual abuse. According to the PMCJC Regulations Handbook, “all inmates are allowed to file a grievance at any time they are subject to abuse, harassment, and/or abridgement of civil rights while in custody at PMCJC.” In speaking with the PMCJC Agency Head and PMCJC Intermediate Staff, said persons confirm that there have not been any grievances filed during the audit time frame related to sexual abuse or sexual harassment. Additionally, no inmates stated that they had ever filed such a complaint. As such, there wasn’t any relevant documentation to review.

(b) Per the PMCJC Regulations Handbook, inmates may submit reports of sexual abuse and sexual harassment without time limits. Inmates are not required to attempt an informal resolution to their concerns prior to submitting a facility grievance. In speaking with the PMCJC Agency Head and PMCJC Intermediate Staff, said persons confirm that there have not been any grievances filed during the audit time frame related to sexual abuse or sexual harassment. Additionally, no inmates stated that they had ever filed such a complaint. As such, there wasn’t any relevant documentation to review.

(c) Per the PMCJC Regulations Handbook, inmates may submit grievances regarding allegations of sexual abuse and sexual harassment directly to the Grievance Board. The complaint is subsequently processed by an institutional investigator, not the person with whom the complaint is against. In speaking with the PMCJC Agency Head and PMCJC Intermediate Staff, said persons confirm that there have not been any grievances filed during the audit time frame related to sexual abuse or sexual harassment. Additionally, no inmates stated that they had ever filed such a complaint. As such, there wasn’t any relevant documentation to review.

(d) The PREA Policy requires that the PMCJC “shall issue a final decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance. Computation of the 90-day time period shall not include time consumed by inmates in preparing any administrative appeal. PMCJC may claim an extension of time to respond, of up to 65 days, if the normal time period for response is insufficient to make an appropriate decision. PMCJC shall notify the inmate in writing of any such extension and provide a date by which a decision will be made. At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly

noticed extension, the inmate may consider the absence of a response to be a denial at that level.” In speaking with the PMCJC Agency Head and PMCJC Intermediate Staff, said persons confirm that there have not been any grievances filed during the audit time frame related to sexual abuse or sexual harassment. Additionally, no inmates stated that they had ever filed such a complaint. As such, there wasn’t any relevant documentation to review.

(e) Per the PREA Policy, “third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of inmates. If a third-party files such a request on behalf of an inmate, PMCJC may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process. If the inmate declines to have the request processed on his or her behalf, PMCJC shall document the inmate’s decision.” In speaking with the PMCJC Agency Head and PMCJC Intermediate Staff, said persons confirm that there have not been any grievances filed during the audit time frame related to sexual abuse or sexual harassment. Additionally, no inmates stated that they had ever filed such a complaint. As such, there wasn’t any relevant documentation to review.

(f) Per the PREA Policy, “PMCJC has established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse. After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, PMCJC shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken. PMCJC shall provide an initial response within 48 hours, and PMCJC shall issue a final agency decision within 5 calendar days. The initial response and final facility decision shall document PMCJC’s determination whether the inmate is at substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.” In speaking with the PMCJC Agency Head and PMCJC Intermediate Staff, said persons confirm that there have not been any grievances filed during the audit time frame related to sexual abuse or sexual harassment. Additionally, no inmates stated that they had ever filed such a complaint. As such, there wasn’t any relevant documentation to review.

(g) Per the PREA Policy, “PMCJC may discipline an inmate for filing a grievance related to alleged sexual abuse only where PMCJC demonstrates that the inmate filed the grievance in bad faith.” In speaking with the PMCJC Agency Head and PMCJC Intermediate Staff, said persons confirm that there have not been any grievances filed during the audit time frame related to sexual abuse or sexual harassment.

Additionally, no inmates stated that they had ever filed such a complaint. As such, there wasn't any relevant documentation to review.

Reasoning & Findings Statement:

This standard works to ensure inmate access to courts by way of exhausting administrative remedies specific to allegations of sexual abuse and sexual harassment. Policy (PREA Policy, PMCJC Regulations Handbook) does permit inmates to submit grievances alleging sexual abuse and sexual harassment. All grievances are subsequently processed by unbiased investigators within a timely manner. Agency policy also allows third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, the ability to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and are also permitted to file such requests on behalf of inmates. Once received, the PMCJC shall provide an initial response within 48 hours and a final agency decision within 5 calendar days. The initial response and final facility decision shall document PMCJC's determination whether the inmate is at substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance. As the proper submission of an inmate complaint alleging sexual abuse and sexual harassment constitutes exhaustion of administrative remedies, the PMCJC meets the provisions of this standard.

115.53 Inmate access to outside confidential support services	
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents:
	<ul style="list-style-type: none">• Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023• PMCJC Prison Rape Elimination Act Policy, 2023• Medical Center Hospital, SANE Services, Memo, 1/31/23• Crisis Center of West Texas, Advocacy Services, Memo, 1/31/23• Crisis Center of West Texas, Advocacy Services, English• Crisis Center of West Texas, Advocacy Services, Spanish

- West Texas Centers Advocacy Flyer, English
- West Texas Centers Advocacy Flyer, Spanish
- PMCJC Inmate PREA Reporting Instructions
- PMCJC Zero Tolerance Poster, English
- PMCJC Zero Tolerance Poster, Spanish
- PMCJC Sexual Abuse Counseling Awareness Poster, English
- PMCJC Sexual Abuse Counseling Awareness Poster, Spanish
- PMCJC PREA Awareness Poster, English
- PMCJC PREA Awareness Poster, Spanish

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Medical Staff
- SANE/SAFE Personnel
- Mailroom Staff
- Random Staff
- Website Third Party Reporting Coordinator
- Just Detention International
- Community-Based Victim Advocacy Staff
- Random Inmates
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Reviewed PREA Risk Screening Assessment.

- Review of distributed information upon PMCJC reception at Intake areas.
- Observed informational posters throughout the facility advising offenders of various reporting mechanisms for allegations of sexual abuse and sexual harassment.
- Observed PREA educational and reporting references available for offender use within the facility Law Library.
- Observed inmate general visitation and legal visitation informational posters.
- Observed visitation area designated for members of an approved victim advocate service.

Standard Subsections:

(a) The PREA Policy notes that “PMCJC shall provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations, and, for persons detained solely for civil immigration purposes, immigrant services agencies. PMCJC shall enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible.” The PMCJC Regulations Handbook provides contact information for reporting sexual abuse and sexual harassment, as well as contact information for counseling services. Via institutional awareness posters, inmates are also provided the phone number to call and the physical address to write for confidential emotional support services. The contact information for local rape crisis centers; namely, Crisis Center of West Texas, as well as a listing of services provided is posted, in both English and Spanish, in all inmate living areas. Per the Agency Head, the PMCJC does not detain inmates solely for civil immigration purposes. When interviewed, all inmates knew that the agency provided free rape crisis support services to inmates in need of such assistance. Additionally, all inmates were aware of at least one means by which they could contact rape crisis support services, with most offenders knowing that they could access those services by way of the phone number (aka the PREA Hotline) provided via the PREA posters located throughout the facility. During the onsite portion of the audit, however, the auditor conducted a test of the PREA Hotline number (Crisis Center of West Texas). In doing this, it was noted that a technical difficulty prevented inmates from being able to dial toll-free numbers from inmate phones. Hence, to make a call to the Crisis Center of West Texas, an inmate would require the use of facility phones. Corrective action was taken to alleviate that intermediary requirement and inmates are now able to directly access counseling services via inmate phones. If requested, however, the facility does coordinate the following access to outside victim advocate support services: Zoom Meetings, In-Person Visitation in a private area, as well as the availability of literature showing further emotional support resources.

(b) Per the PREA Policy and the PMCJC Regulations Handbook, inmates are notified that calls to rape crisis support services are subject to monitoring.

(c) The PMCJC has entered into an informal agreement with a local community service provider; namely, the Crisis Center of West Texas, that is able to provide inmates with confidential emotional support services related to sexual abuse. The PMCJC does maintain, and did supply, a facility-based communication between itself and the Crisis Center of West Texas to confirm and clarify the services provided to all inmates assigned to the PMCJC.

Reasoning & Findings Statement:

This policy works to ensure that inmates assigned to the PMCJC have access to outside confidential rape crisis support services and that access is provided in the most confidential manner as possible. Inmates assigned to the PMCJC are provided with contact information for a local rape crisis center, as well as information for related services. Inmates are advised that calls to rape crisis centers are subject to monitoring. During the onsite portion of the audit, the auditor conducted a test to the local rape crisis center; the Crisis Center of West Texas. At that time, it was noted that a technical difficulty prevented inmates from being able to dial toll-free numbers from inmate phones. Hence, to make a call to the Crisis Center of West Texas, an inmate would require the use of facility phones. Corrective action was taken to alleviate that intermediary requirement and inmates are now able to directly access counseling services via inmate phones. Additionally, along with contacting the Crisis Center of West Texas, the auditor also solicited inmate contact information from a nationally based rape counseling center referral service. The referral service, Just Detention International, indicated that it did not receive any complaints of sexual abuse or sexual harassment from inmates assigned to the PMCJC within the reporting time frame. The PMCJC has entered into an informal agreement with the Crisis Center of West Texas to provide inmates with confidential emotional support services related to sexual abuse. The PMCJC does maintain, and did supply, a facility-based communication between itself and the Crisis Center of West Texas to confirm and clarify the services provided to all inmates assigned to the PMCJC. When interviewed, all employees and inmates knew that the agency provided free emotional support or mental health services to inmates upon request. As well, most inmates knew that they could initiate access to those services using the information posted on the PREA awareness posters predominately displayed throughout the facility. As such, the PMCJC has met the minimum standards of this provision.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · PMCJC Public Website · PMCJC Public Notice of PREA Reporting Information <p>Interviews:</p> <ul style="list-style-type: none"> · Agency Head · Agency PREA Coordinator <p>Agency Website Third Party Reporting Coordinator</p> <ul style="list-style-type: none"> · Intermediate or Higher-Level Facility Staff · Investigative Staff · Random Inmates · Just Detention International · Community-Based Victim Advocacy Staff
	<p>Site Review Observations:</p> <ul style="list-style-type: none"> · Review PMCJC website specific to PREA and third-party reporting methods. · Tested PMCJC online third-party reporting system. · Observed the Offender Visitation Area informational posters. · Observed informational postings and other publications throughout the inmate housing areas.

- Observed PREA reporting information available in the Law Library.

Standard Subsections:

(A) The PREA Policy allows for the use of third-party reporting on allegations of sexual abuse and sexual harassment. During the on-site review, signage throughout the facility encouraged inmates to third-party report if needed. As well, public notices on PREA reporting, specifically third-party reporting, were available for review by inmate family and friends via the facility's Offender Visitation Room. Additionally, public notice on third party PREA reporting is available to the general public on the agency's website. To verify the system was operational, the auditor submitted test emails to the agency's online reporting address. A response was received back from the agency within one business day. Documentation review reflected that PMCJC staff would accept, and does process, third-party PREA allegations to the same extent as complaints made by affected inmates. All staff interviewed confirmed that the PMCJC would accept third-party reports of sexual abuse. As well, all inmates interviewed believed that the facility would accept, and take seriously, any allegations of sexual abuse reported by a third party.

Reasoning & Findings Statement:

This standard works to ensure a publicly available third-party reporting mechanism exists for claims of sexual abuse and sexual harassment being inflicted upon inmates. In accordance with policy, the PMCJC promotes the use of third-party reporting via informational posters spread out across the facility, to include the Inmate Visitation Area. Electronic contact information is freely distributed on the agency's website to allow the general public direct access to reporting information. To ensure the functionality of the PMCJC site, all electronic links were tested and found to be operating as required. To ensure the functionality of the PMCJC online third-party reporting system, a test submission was successfully sent. As well, PREA informational posters and the inmate PREA training video also provide inmates with contact methods that can be used to make a third-party report. While inmates themselves should not be able to access Internet resources, they can communicate this reference information to their family, friends, and personal advocates. Inmates themselves are provided numerous state and advocacy addresses to submit third-party correspondence. As well, inmates may also submit a third-party party complaint via any staff member or other PREA reporting mechanisms. When interviewed, all staff were aware that the facility would accept and investigate third-party complaints of sexual abuse and sexual harassment from inmate advocates. Accordingly, the PMCJC has met the provisions of this standard.

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents:
	<ul style="list-style-type: none"> • Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 • PMCJC Prison Rape Elimination Act Policy, 2023 • PMCJC Prison Rape Elimination Act Reporting Information, English • PMCJC Prison Rape Elimination Act Reporting Information, Spanish • PMCJC Public Website • PMCJC Public Notice of PREA Reporting Information
	Interviews:
	<ul style="list-style-type: none"> • Agency Head • Agency PREA Coordinator • Intermediate or Higher-Level Facility Staff • Investigative Staff • Medical Staff • Random Staff • Random Inmates • Inmates Who Disclosed Sexual Victimization During Risk Screening
	Site Review Observations: <ul style="list-style-type: none"> • Review employee training records. • Review inmate training records.

Standard Subsections:

- (a) The PMCJC PREA Policy requires that all staff “report immediately and according to facility policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of PMCJC; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.” A review of employee training records reflects that 100% of PMCJC staff have received initial PREA training, including acknowledgment of their affirmative duty responsibilities. When interviewed, all staff confirmed their obligation to immediately report any information they might have regarding allegations of sexual abuse and sexual harassment.
- (b) The PMCJC PREA Policy requires that “apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in policy, to make treatment, investigation, and other security and management decisions.” As such, per the PMCJC Prison Rape Elimination Act Reporting Information, employees are cautioned to share reported information only with authorized staff. Random staff interviews confirm that facility employees are aware of the sensitive and confidential nature of said complaints. In speaking with the PMCJC Agency Head, the totality and reasoning surrounding the confidential investigatory process was clearly explained.
- (c) The PMCJC PREA Policy requires that “Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse... and to inform inmates of the practitioner’s duty to report, and the limitations of confidentiality, at the initiation of services.” During medical staff interviews, the need for medical staff to inform inmates (at the initiation of professional services) of their duty to report, as well as to their limitations of confidentiality, was affirmed.
- (d) The PMCJC PREA Policy requires that “if the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, PMCJC shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws.” During interviews with the Agency Head and Intermediate Supervisors, the reporting process for juvenile inmates and vulnerable persons was explained in detail.

(e) The PMCJC PREA Policy requires that “PMCJC shall report all allegations of sexual abuse and sexual harassment, including third- party and anonymous reports, to PMCJC’s designated investigators.” When interviewing random facility staff, all employees affirmatively responded that any reports of sexual abuse and sexual harassment received by them would be immediately referred to supervisory, investigative, and/or other entities appropriate for further investigations. Investigative staff noted that all referral of sexual abuse and sexual harassment would be investigated, regardless of how these reports were received.

Reasoning & Findings Statement:

This standard works to ensure mandatory staff and agency reporting requirements. PMCJC policies mandate staffs’ duty to report all allegations of sexual abuse and sexual harassment. Policy further stresses the importance of confidentiality as it applies to reported incidents of sexual abuse and sexual harassment. Lastly, policy requires that all medical staff disclose their limits of confidentiality and obtain informed consent prior to the initiation of services. In interviewing both uniformed and non-uniformed staff, all employees expressed an understanding of policy. Training records document correctional staff training specific to mandatory reporting requirements. In interviewing PMCJC medical staff, the process of limited confidential and informed consent used by said staff was explained in detail. As well, training records for the specialized training of medical staff document an understanding of mandatory reporting requirements. As such, the PMCJC meets the provisions established within this standard.

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: <ul style="list-style-type: none">· Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023· PMCJC Prison Rape Elimination Act Policy, 2023· PMCJC Retaliation Monitoring Checklist

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Designated Staff Member Charged with Monitoring Retaliation
- Incident Review Team Member
- Investigative Staff
- Intake Staff
- Staff Who Perform Screening for Risk of Victimization and Abusiveness
- Medical Staff
- Random Staff
- Random Inmates
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Review of retaliation monitoring processes.

Standard Subsections:

(A) Per the PREA Policy, when the PMCJC learns that an inmate is subject to a substantial risk of imminent sexual abuse, agency officials have an affirmative duty to take immediate action to protect the offender. In speaking with the PMCJC Agency Head, Intermediate Supervisors, and Random Staff, a plethora of possible options were discussed specific to inmate protection measures. However, as the PMCJC did not find any (0) evidence within the audit time frame that any inmates assigned to the facility were at a substantial risk of sexual abuse, the facility has no documentation for review. Likewise, no protective actions were required.

	<p>Reasoning & Findings Statement:</p> <p>This standard works to actualize the processes of inmate protection. The PMCJC PREA Policy requires staff to take immediate action to ensure the safety of all inmates who are at a high risk of sexual victimization. Provided there are no other alternative options available to ensure the inmate's safety, policy would allow the facility to immediately increase the safety of the at-risk inmate by placing said inmate in segregated housing. However, placement in segregated housing would only be used if no other general housing assignments available could ensure inmate safety. During the audit time frame, the PMCJC did not receive any reports from inmates who were at a substantial risk of sexual abuse. In interviewing random staff, all persons were asked specifically what actions would be taken if an inmate presented as a high risk for sexual victimization. Unequivocally, all staff responded that they would take immediate action to protect the potential victim. Additionally, supervisory staff were questioned as to their role in this potentially dangerous situation. While supervisory staff did provide a more technical and inclusive response, they too, were centrally focused on protecting the inmate. Hence, the PMCJC has clearly realized the provisions of this standard.</p>
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115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none"> • Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 • PMCJC Prison Rape Elimination Act Policy, 2023 <p>Interviews:</p> <ul style="list-style-type: none"> • Agency Head • Agency PREA Coordinator • Intermediate or Higher-Level Facility Staff • Random Inmates

- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Review of facility-to-facility referral process.

Standard Subsections:

(a) The PMCJC PREA Policy requires that “upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of PMCJC shall notify the head of the facility, or appropriate office of the agency, where the alleged abuse occurred.” During the audit time frame, the PMCJC did not receive any allegations from inmates who claim to have been sexually abused or harassed while confined at another facility. As such, there isn’t any documentation to review. However, the PMCJC Agency Head did discuss the notification process as it would occur should the facility received such a complaint.

(b) The PMCJC PREA Policy requires that should the PMCJC receive a complaint specific to another facility, “notification (to the other facility) shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.” During the audit time frame, the PMCJC did not receive any allegations from inmates who claim to have been sexually abused or harassed while confined at another facility. As such, there isn’t any documentation to review. However, the PMCJC Agency Head did discuss the notification process as it would occur should the facility received such a complaint.

(c) The PMCJC PREA Policy requires that the “PMCJC shall document that it has provided such notification.” During the audit time frame, the PMCJC did not receive any allegations from inmates who claim to have been sexually abused or harassed while confined at another facility. As such, there isn’t any documentation to review. However, the PMCJC Agency Head did discuss the notification process as it would occur should the facility received such a complaint.

(d) The PMCJC PREA Policy requires that the “PMCJC head or agency office that receives such notification (from another facility) shall ensure that the allegation is investigated in accordance with these standards.” During the audit time frame, the PMCJC did not receive any notifications from other facilities where inmates claimed to

	<p>have been sexually abused or harassed while previously confined at the PMCJC. As such, there isn't any documentation to review. However, the PMCJC Agency Head did discuss the investigation process as it would occur should the facility received such a notification.</p> <p>Reasoning & Findings Statement:</p> <p>This policy works to ensure agency staff are provided sufficient due process with respect to the timely notification of inmate allegations involving sexual abuse and sexual harassment. However, within the audit time frame, the PMCJC did not receive any complaints of sexual abuse or sexual harassment from inmates who alleged said abuse or harassment occurred at another facility. Additionally, during the audit time frame, the PMCJC did not receive any notifications from other facilities that inmates previously assigned to PMCJC alleged they had been sexually abused or harassed while confined at that facility. As such, there wasn't any documentation relevant to this reporting process available for review. Nonetheless, facility staff were aware of the requirement to provide documented notification should the facility receive such information in the future. Given PMCJC policy, as well as the Agency Head's explanation of collaborative processes regarding interagency notifications, the PMCJC has satisfied the provisions of this standard.</p>
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115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · PMCJC First Responder Card · Pecos Police Department, Coordinated Response Plan, PREA Reporting/Investigation Process <p>Interviews:</p>

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Investigative Staff
- Random Staff
- Security Staff and/or Non-Security Staff Who Have Acted As First Responders
- Random Inmates
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Review of employee training records.
- Review of first responder protocols.

Standard Subsections:

(A) The PMCJC PREA Policy requires the first responding security staff member to immediately separate the alleged victim and abuser. After ensuring the safety of the victim, policy requires staff to preserve and protect the crime scene until evidence collection is possible. If the first responder learns that the victim has been sexually abused, and the abuse occurred within a time period that still allows for the collection of physical evidence, the first responder should request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. Once the first responder learns that an inmate has been sexually abusive, and the abuse occurred within a time period that still allows for the collection of physical evidence, the first responder should ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. Within the audit time frame, PMCJC has not received any allegations from inmates who claim to have been victims of sexual abuse. As such, there wasn't any documentation to review. However, interviews with uniform staff who could become first responders reflect that staff understand the appropriate actions required of their role consistent with policy.

(B) The PMCJC PREA Policy requires that non-security first responders “shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.” Within the audit time frame, PMCJC has not received any allegations from inmates who claim to have been victims of sexual abuse. As such, there wasn’t any documentation to review. However, in speaking with non-uniform staff who could become a first responder, it was noted that said staff understood the appropriate actions required of their role consistent with policy.

Reasoning & Findings Statement:

This standard works to determine whether facility staff understand their role when responding to inmate allegations of sexual abuse and sexual harassment. Of primary importance is separating and securing the alleged victim and abuser. Of this, all staff interviewed absolutely articulated that point. Most staff then articulated the need to preserve any evidence possibly remaining at the crime scene, as well as on the alleged victim and abuser. Employee training records reflect that staff have received required training specific to the preservation of evidence regarding allegations of sexual abuse and sexual harassment. The immediate notification of a security supervisor provides assurance that all subsequent critical steps will be followed. This information, combined with agency policy, staff interviews, facility training documentation, and the review of documentation related to initiating the PREA investigation process sufficiently supports the expectations required by this standard.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents:
	<ul style="list-style-type: none">• Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023• PMCJC Prison Rape Elimination Act Policy, 2023• Pecos Police Department, Coordinated Response Plan, PREA Reporting/Investigation Process

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Designated Staff Member Charged with Monitoring Retaliation
- Incident Review Team Member
- Investigative Staff
- Medical Staff
- SANE/SAFE Personnel
- Random Staff
- Security Staff and/or Non-Security Staff Who Have Acted As First Responders
- Random Inmates
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Review of level facility processes.

Standard Subsections:

(a) The PMCJC has developed a written institutional plan; namely, Pecos Police Department, Coordinated Response Plan, PREA Reporting/Investigation Process, to coordinate actions amongst first responders, medical practitioners, investigators, and facility leadership in response to alleged incidents of sexual abuse.

Reasoning & Findings Statement:

	<p>This provision works to coordinate facility efforts so that alleged victims of sexual abuse and sexual harassment receive adequate support services. To coordinate facility efforts in the most efficient manner possible, the PMCJC implemented a unit-based policy; Pecos Police Department, Coordinated Response Plan, PREA Reporting/Investigation Process; that details the coordinated response plan to an incident of alleged inmate sexual abuse. In this, the roles of all facility staff are discussed and, perhaps even more importantly, the way those roles interact with one another are outlined. This policy is a conveniently written overview of departmental responsibilities, equipped with notification and referral reminders. When asked, various departmental staff were able to articulate their role in the response process. As such, the PMCJC has met all the provisions within this standard.</p>
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115.66	<p>Preservation of ability to protect inmates from contact with abusers</p>
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p>
	<p>Documents:</p> <ul style="list-style-type: none"> • Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 • PMCJC Prison Rape Elimination Act Policy, 2023 <p>Interviews:</p> <ul style="list-style-type: none"> • Agency Head • Agency PREA Coordinator • Agency Contract Administrator • Intermediate or Higher-Level Facility Staff • Administrative (Human Resources) Staff • Random Inmates • Inmates Who Disclosed Sexual Victimization During Risk Screening

	<p>Site Review Observations:</p> <ul style="list-style-type: none"> Reviewed state/agency-based labor laws. <p>Standard Subsections:</p> <p>(a) Per the PMCJC PREA Policy, “neither the agency nor any other governmental entity responsible for collective bargaining on the agency’s behalf shall enter into or renew any collective bargaining agreement or other agreement that limits the agency’s ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.” In speaking with the PMCJC Agency Head, it was also noted that the facility is in a right to work state. As such, facility administration is not required to engage, nor has it engaged, any collective bargaining processes.</p> <p>(b) The auditor is not required to audit this provision.</p> <p>Reasoning & Findings Statement:</p> <p>This provision allows the agency to protect inmates from having contact with sexual abusers and sexual harassers. The PMCJC PREA Policy allows for employees to be suspended from duty pending the outcome of a sexual abuse or sexual harassment investigation. In speaking with investigative staff and the PMCJC Agency Head, the process of suspending or separating an employee from employment as a function of a negative sexual abuse or sexual harassment investigation finding was explained. It was also noted that the PMCJC doesn’t have any reservations about discharging employees for engaging in sexual abuse and sexual harassment. Hence, the PMCJC has satisfactorily met all provisions within this standard.</p>
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115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Documents:

- Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023
- PMCJC Prison Rape Elimination Act Policy, 2023
- PMCJC Retaliation Monitoring Checklist

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Investigative Staff
- Designated Staff Member Charged with Monitoring Retaliation
- Random Staff
- Random Inmates
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Reviewed retaliation monitoring log process.

Standard Subsections:

(a) PMCJC PREA Policy mandates that the “PMCJC shall protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff and shall designate which staff members or departments are charged with monitoring retaliation. As there haven’t been any allegations of sexual abuse within the audited time frame, there wasn’t any documentation to review. However, per the PMCJC

Agency Head, retaliation monitoring will be performed only by CID Investigators, the Jail Administrator (or designee), or by Jail Lieutenants.

(b) PMCJC PREA Policy requires that the “PMCJC shall employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.” As there haven’t been any allegations of sexual abuse within the audited time frame, there wasn’t any documentation to review. However, in speaking with the PMCJC Agency Head, the absolute need to protect victims of sexual abuse was stressed.

(c) The PMCJC PREA Policy requires that “for at least 90 days following a report of sexual abuse, PMCJC shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff and shall act promptly to remedy any such retaliation. Items PMCJC will monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. PMCJC shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need. As there haven’t been any allegations of sexual abuse within the audited time frame, there wasn’t any documentation to review. However, in speaking with the PMCJC Agency Head, the absolute need to protect victims of sexual abuse was stressed.

(d) PMCJC PREA Policy requires that “in the case of inmates, such monitoring shall also include periodic status checks.” As there haven’t been any allegations of sexual abuse within the audited time frame, there wasn’t any documentation to review. However, the PMCJC Retaliation Monitoring Checklist indicates that such monitoring will be performed approximately every 30 days. Also, in speaking with the PMCJC Agency Head, it was noted that status checks would be performed every month, for at least three months. The Agency Head also stated that monitoring would continue for longer if there was a continued need for it.

(e) PMCJC PREA Policy further dictates that “if any other individual who cooperates with an investigation expresses a fear of retaliation, PMCJC shall take appropriate measures to protect that individual against retaliation. As there haven’t been any allegations of sexual abuse within the audited time frame, there wasn’t any documentation to review. However, in speaking with the PMCJC Agency Head, the need to protect cooperating witnesses from retaliation was stressed.

	<p>(f) The auditor is not required to audit this provision.</p>
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Reasoning & Findings Statement:

This standard works to prevent retaliation against employees and inmates for reporting sexual abuse and sexual harassment or for having cooperated with an investigation into such. PMCJC policy provides an overview of agency protection against sexual abuse and sexual harassment. In speaking with inmates, none noted that they had ever experienced or witnessed retaliation for participating in a facility investigation. Both the PMCJC Agency Head and PMCJC Intermediate Supervisors provided detailed explanations of the monitoring process. As there haven't been any allegations of sexual abuse within the audited time frame, there wasn't any documentation to review. However, given the totality of the policy provided and staff knowledge regarding the process, the PMCJC has satisfied the basic provisions of this standard.

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none">• Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023• PMCJC Prison Rape Elimination Act Policy, 2023• PMCJC Sexual Abuse Screening Tool, English• PMCJC Sexual Abuse Screening Tool, Spanish• PMCJC Restrictive Housing (Isolation Cells) – 7 Day Review• PMCJC Screening Form for Suicide & Medical/Mental/Development Impairments
	<p>Interviews:</p> <ul style="list-style-type: none">• Agency Head

- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Designated Staff Member Charged with Monitoring Retaliation
- Random Staff
- Staff Who Supervise Inmates in Segregated Housing
- Random Inmates
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Observed segregated housing units.

Standard Subsections:

(a) The PMCJC PREA Policy requires that “any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements of Protective Custody.” Specifically, this policy prohibits placing inmates who allege sexual abuse or to be at a high risk of sexual abuse, in segregated housing unless an assessment of all other available alternatives has been made and a subsequent determination concludes that there are no available alternative means of separation from likely abusers. As confirmed by the PMCJC Warden, within the audit time frame, the PMCJC has not placed any inmates who have alleged sexual abuse, or who are at a high risk of sexual abuse, in the segregated housing.

Reasoning & Findings Statement:

Agency policy strictly prohibits the use of segregated housing as a de facto response to inmate safety concerns. Rather, as explained by the PMCJC Agency Head, the use of segregated housing should be considered only as the last available option, and even at that, as only a temporary measure. While conversations with the PMCJC Agency Head and Intermediate Supervisors did indicate that if absolutely necessary, inmates would be placed in segregated housing, it would be their absolute last option. Within the reporting time frame, PMCJC did not receive any allegations of sexual abuse or sexual harassment. As such, there wasn’t any documentation to review. Nonetheless, given the totality of the policy provided and staff knowledge

regarding the process, the PMCJC has satisfied the basic provisions of this standard.

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: <ul style="list-style-type: none">• Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023• PMCJC Prison Rape Elimination Act Policy, 2023• PMCJC PREA Report Annual Statistics, 2022• Pecos Police Department, Coordinated Response Plan, PREA Reporting/Investigation Process
	Interviews: <ul style="list-style-type: none">• Agency Head• Agency PREA Coordinator• Intermediate or Higher-Level Facility Staff• Investigative Staff• Random Staff• Random Inmates• Inmates Who Disclosed Sexual Victimization During Risk Screening
	Site Review Observations: <ul style="list-style-type: none">• Reviewed investigator training rosters.• Review investigator training certificates.

Standard Subsections:

- (a) The PMCJC PREA Policy requires that when the "PMCJC conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports." As there weren't any allegations of sexual abuse or sexual harassment filed during the audit time frame, there wasn't any documentation to review. However, in speaking with the Agency Head and Investigative Staff, the need to be thorough and objective for all investigations was stressed.
- (b) The PMCJC PREA Policy requires that all Pecos Police Department CID staff who complete investigations into allegations of sexual abuse and sexual harassment inside of the PMCJC have "special training in sexual abuse investigations pursuant to Specialized training: Investigations." Documentation supporting the completion of this provision was reviewed.
- (c) The PMCJC PREA Policy mandates that "Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator." While the PMCJC has not received any allegations of sexual abuse or sexual harassment within the audited time frame, in speaking with the Agency Head and Institutional Investigators, the general process of conducting any administrative or criminal investigation was discussed. As noted at the time of that discussion, the collection of evidence to support investigative findings is of paramount importance.
- (d) The PMCJC PREA Policy requires that "when the quality of evidence appears to support criminal prosecution, PMCJC shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution." In speaking with the Agency Head, it was noted that adherence to this policy is strictly maintained.
- (e) The PMCJC PREA Policy requires that "the credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff. PMCJC shall not require an inmate who alleges sexual abuse to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an allegation." In speaking

with the Agency Head, it was noted that adherence to this policy is strictly maintained.

(f) The PMCJC PREA Policy requires administrative investigations to consider whether staff actions or failures to act contributed to the sexual abuse and sexual harassment. All administrative investigations are documented in written reports. As a function on that documentation, these reports should include a description of the physical evidence and testimonial evidence, the reasoning behind credibly assessments, as well as investigative facts and findings. The PMCJC Agency Head and Investigative staff confirm that the credibility of the interviewed subject is, in fact, determined on an individual basis considering the totality of the evidence presented. As the PMCJC did not receive any allegations of sexual abuse or sexual harassment within the audited time frame, there wasn't any documentation available for review.

(g) The PMCJC PREA Policy requires criminal investigations to "be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible." As the PMCJC did not receive any allegations of sexual abuse or sexual harassment within the audited time frame, there wasn't any documentation available for review. However, the Agency Head and Investigative Staff did confirm that criminal investigations are documented in written reports and contain relevant evidence to support any investigative dispositions.

(h) The PMCJC PREA Policy mandates that all "substantiated allegations of conduct that appears to be criminal shall be referred for prosecution." As the PMCJC did not receive any allegations of sexual abuse or sexual harassment within the audited time frame, there wasn't any documentation available for review. However, the Agency Head and Investigative Staff did confirm that all substantiated allegations of criminal activities are referred for prosecution.

(i) The PMCJC PREA Policy mandates that the "PMCJC shall retain all written reports referenced in paragraphs (f) and (g) of this section for as long as the alleged abuser is incarcerated or employed by the agency, plus five years." As the PMCJC did not receive any allegations of sexual abuse or sexual harassment within the audited time frame, there wasn't any documentation available for review. However, the Agency Head and Investigative Staff did confirm that investigative records are maintained as required by the PREA Standards in coordination with the agency retention policy.

(j) The PMCJC PREA Policy mandates that "the departure of the alleged abuser or victim from the employment or control of PMCJC or agency shall not provide a basis

for terminating an investigation.” Rather, as noted by the Agency Head, Pecos Police Department CID Investigators have the authority to pursue criminal investigations outside the confines of the PMCJC.

(k) Auditor is not required to audit this provision.

(l) The PMCJC PREA Policy stipulates that “when outside agencies investigate sexual abuse, PMCJC shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.”

Reasoning & Findings Statement:

The Pecos Police Department, CID operates as the law enforcement branch inside of the PMCJC and maintains an office inside of the PMCJC. As such, all administrative and criminal sexual abuse and sexual harassment investigations are conducted via Pecos Police Department CID staff. To work as a criminal investigator within the PMCJC, personnel must have law enforcement credentials. As well, to perform either criminal or administrative investigations, PMCJC staff must have met additional training requirements for conducting sexual abuse and sexual harassment investigations within a confinement setting. Pecos Police Department CID staff do have the authority to investigate criminal cases within the PMCJC, to include collecting evidence, as well as interviewing victims, suspected perpetrators, and witnesses. Pecos Police Department CID officers have been trained on the standards of evidence required to support a finding of guilt in criminal cases. As well, Pecos Police Department CID officers have been trained on due process and procedural requirements of criminal cases. As confirmed through interviews with PMCJC and Pecos Police Department CID staff, Pecos Police Department CID officers and PMCJC staff work collaboratively to facilitate communication between the two components of the agency. Lastly, it is noted by the Agency Head that all PMCJC staff would actively cooperate with Pecos Police Department CID investigators, as well as endeavor to remain informed about the progress of an investigation. As such, the PMCJC has clearly met the requirements of this standard.

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents:

- Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023
- PMCJC Prison Rape Elimination Act Policy, 2023
- Pecos Police Department, Coordinated Response Plan, PREA Reporting/Investigation Process

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Investigative Staff

Site Review Observations:

- Reviewed investigator training rosters.
- Review investigator training certificates.
- Reviewed procedures for processing sexual abuse and sexual harassment allegations.

Standard Subsections:

The PMCJC PREA Policy clearly establishes the standard of proof required to substantiate claims of sexual abuse and sexual harassment. Specifically, policy requires that “PMCJC shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.” Specifically, as noted by Investigative staff, allegations are determined substantiated, unsubstantiated, or unfounded based on a minimum requirement of reasonable suspicion and a maximum requirement of preponderance of the evidence, on a case-by-case basis. For substantiated claims, this simply means that at the maximum requirement, the weight of the evidence must indicate that the allegations are more likely to be true than not true. An examination of the

	<p>investigation process for sexual abuse/sexual harassment investigations was conducted to understand the evidence required in supporting determinations of substantiated, unsubstantiated, or unfounded investigation conclusions.</p> <p>Reasoning & Findings Statement:</p> <p>Agency policy requires that the PMCJ establish a standard of proof no higher than a preponderance of the evidence when determining whether allegations of sexual abuse or sexual harassment are substantiated. When interviewed, the PMCJC Agency Head and PMCJC Intermediate Supervisors confirmed that standard of proof to be slightly more than half. Documentation supporting this assertion was reviewed and determined to following policy as required. As such, the PMCJC has satisfied all material provisions for this standard.</p>
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115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · PMCJC Notice of Sexual Abuse Outcome Form · PRC Document Review Worksheet, Investigation & Response Records · PRC PREA Audit, Sexual Abuse Incident Review <p>Interviews:</p> <ul style="list-style-type: none"> · Agency Head · Agency PREA Coordinator · Intermediate or Higher-Level Facility Staff

- Designated Staff Member Charged with Monitoring Retaliation
- Investigative Staff
- Random Staff
- Random Inmates

Site Review Observations:

- Reviewed procedures for processing sexual abuse and sexual harassment allegations.

Standard Subsections:

(a) Per the PMCJC PREA Policy, “following an investigation into an inmate’s allegation that he or she suffered sexual abuse in PMCJC, PMCJC shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.” As the PMCJC did not receive any allegations of sexual abuse or sexual harassment within the audited time frame, there wasn’t any documentation available for review. However, the Agency Head and Investigative Staff did confirm that inmates would be provided written documentation of the investigative findings. The PMCJC Notice of Sexual Abuse Outcome Form was subsequently explained.

(b) Per the PMCJC PREA Policy, “if PMCJC does not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate once the investigation is complete.” However, as noted by the Agency Head, PMCJC is responsible for conducting administrative and criminal investigations.

(c) As noted by the Agency Head, the PMCJC did not receive any allegations of sexual abuse or sexual harassment within the audited time frame. As such, there wasn’t any documentation available for review. However, per the PMCJC PREA Policy, “following an inmate’s allegation that a staff member has committed sexual abuse against the inmate, PMCJC shall subsequently inform the inmate (unless the investigator has determined that the allegation is unfounded) whenever:

- The staff member is no longer posted within the inmate’s unit;
- The staff member is no longer employed at PMCJC;

- The agency learns that the staff member has been indicted on a charge related to sexual abuse within PMCJC; or
- PMCJC learns that the staff member has been convicted on a charge related to sexual abuse within PMCJC.”

(d) As noted by the Agency Head, the PMCJC did not receive any allegations of sexual abuse or sexual harassment within the audited time frame. As such, there wasn't any documentation available for review. However, per the PMCJC PREA Policy, “following an inmate's allegation that he or she has been sexually abused by another inmate, PMCJC shall subsequently inform the alleged victim whenever:

- PMCJC learns that the alleged abuser has been indicted on a charge related to sexual abuse within PMCJC; or
- PMCJC learns that the alleged abuser has been convicted on a charge related to sexual abuse within PMCJC.

(e) As noted by the Agency Head, the PMCJC did not receive any allegations of sexual abuse or sexual harassment within the audited time frame. As such, there wasn't any documentation available for review. However, per the PMCJC PREA Policy, “all such notifications or attempted notifications shall be documented.”

(f) Auditor is not required to audit this provision.

Reasoning & Findings Statement:

Agency policy requires PMCJC staff to provide inmates with dispositions for all claims of sexual abuse and sexual harassment. The PMCJC conducts all administrative, as well as criminal, sexual abuse and sexual harassment investigations. However, in the event that an outside agency were to conduct any related investigation, PMCJC staff would endeavor to remain actively informed of those investigations. Agency policy provides that all inmates who have filed sexual abuse and sexual harassment claims against agency staff or other inmates, receive notification upon a change in housing status for the inmate or a change in job status for the employee. Lastly, policy requires these notifications to be documented. Within the audit time frame, the PMCJC did not receive any allegations of sexual abuse or sexual harassment. Nonetheless, the Agency Head, Investigators, and Intermediate Supervisor Staff did explain the notification process in detail. As such, the PMCJC is operating in accordance with all parts of this provision.

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none"> • Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 • PMCJC Prison Rape Elimination Act Policy, 2023
	<p>Interviews:</p> <ul style="list-style-type: none"> • Agency Head • Agency PREA Coordinator • Intermediate or Higher-Level Facility Staff • Administrative (Human Resource) Staff • Investigative Staff • Random Staff
	<p>Site Review Observations:</p> <ul style="list-style-type: none"> • Review of staff disciplinary protocols for sexual abuse and sexual harassment determinations.
	<p>Standard Subsections:</p>
	<p>(a) Per the PMCJC PREA Policy, “staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.” Interviews with the Agency Head, Investigative Staff, and Intermediate Supervising Staff, confirm facility adherence to agency policy specific to employee disciplinary and termination processes for any employee found to be engaging in acts</p>

of sexual abuse or sexual harassment. Interviews with random staff reflect employee awareness to zero-tolerance policies for engaging in sexual abuse and sexual harassment of inmates.

(b) Per the PMCJC PREA Policy, “termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse.” Interviews with the Agency Head, Investigative Staff, and Intermediate Supervising Staff, confirm facility adherence to agency policy specific to employee disciplinary and termination processes for any employee found to be engaging in acts of sexual abuse or sexual harassment. Interviews with random staff reflect employee awareness to zero-tolerance policies for engaging in sexual abuse and sexual harassment of inmates.

(c) As noted by the Agency Head, the PMCJC did not receive any allegations of sexual abuse or sexual harassment within the audited time frame. As such, there wasn’t any documentation available for review. However, per the PMCJC PREA Policy, “disciplinary sanctions for violations of facility policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member’s disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.”

(d) As noted by the Agency Head, the PMCJC did not receive any allegations of sexual abuse or sexual harassment within the audited time frame. As such, there wasn’t any documentation available for review. However, per the PMCJC PREA Policy, “all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.”

Reasoning & Findings Statement:

This standard works to ensure agency staff understand the gravity and the criminal nature of engaging in sexual abuse or sexual harassment of incarcerated persons. The PMCJC has made the consequences of engaging in such behavior exceptionally clear. Within the audit time frame, PMCJC has not found any staff to have violated agency sexual abuse or sexual harassment policies. Lastly, during staff interviews, all PMCJC staff expressed their knowledge of the agency’s zero tolerance policy. In total, the PMCJC administration has satisfied all provisions of this standard.

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none"> • Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 • PMCJC Prison Rape Elimination Act Policy, 2023 <p>Interviews:</p> <ul style="list-style-type: none"> • Agency Head • Agency PREA Coordinator • Agency Contract Administrator • Intermediate or Higher-Level Facility Staff • Investigative Staff • Administrative (Human Resources) Staff • Contractors Who May Have Contact With Offenders <p>Site Review Observations:</p> <ul style="list-style-type: none"> • Review contractor file. <p>Standard Subsections:</p> <p>(a) The PMCJC PREA Policy advises contractors and volunteers that “any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.” It should be noted, however, that the PMCJC does not have any volunteers operating inside of the facility. In</p>

speaking with the agency's only contracted staff member, it was clear that said contractor understood the agency's zero-tolerance policy. A review of this contractor file, as well as PREA training materials used for contractors, indicates that contractors are made aware of agency policy prohibiting sexual abuse and sexual harassment of inmates. During the audit time frame, PMCJC has not found any contractors to have engaged in sexual abuse of inmates.

(b) The PMCJC PREA Policy further advises that "PMCJC shall take appropriate remedial measures and shall consider whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer." It should be noted, however, that the PMCJC does not have any volunteers operating inside of the facility. In speaking with the agency's only contracted staff member, it was clear that said contractor understood the agency's zero-tolerance policy. A review of this contractor file, as well as PREA training materials used for contractors, indicates that contractors are made aware of agency policy prohibiting sexual abuse and sexual harassment of inmates. During the audit time frame, PMCJC has not found any contractors to have engaged in sexual abuse of inmates.

Reasoning & Findings Statement:

Policy expressly states that contractors and volunteers who engage in sexual abuse or sexual harassment of inmates will be prohibited from contact with inmates and shall be reported to law enforcement agencies, as well as relevant licensing bodies, unless the activity was clearly not criminal. While the PMCJC does not have any volunteers operating inside of the facility, the one contractor assigned to the institution was interviewed. During this interview, both the prohibition against sexual abuse and sexual harassment of inmates, as well as the consequences of having engaged such, were clearly known. Documentation of contractor training records further supports this assertion. Over the audit time frame, the PMCJC has not had any contractors/ volunteers engage in the sexual abuse or sexual harassment of an inmate. As such, PMCJC has demonstrated their adherence to both agency policy and federal law. Hence, the provisions of this standard have been met.

115.78 Disciplinary sanctions for inmates	
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents:

- Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023
- PMCJC Prison Rape Elimination Act Policy, 2023

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Investigative Staff
- Medical Staff
- Random Staff
- Random Inmates

Site Review Observations:

- Review of inmate disciplinary regulations.

Standard Subsections:

(a) The PMCJC PREA Policy notes that “inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.” During the audit time frame, the PMCJC has not had any administrative or criminal findings of inmate-on-inmate sexual abuse.

(b) The PMCJC PREA Policy requires that when disciplinary sanctions are imposed, the “sanctions shall be commensurate with the nature and circumstances of the abuse committed, the inmate’s disciplinary history, and the sanctions imposed for

comparable offenses by other inmates with similar histories." During the audit time frame, the PMCJC has not had any administrative or criminal findings of inmate-on-inmate sexual abuse.

- (c) The PMCJC PREA Policy requires that "the disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed." During the audit time frame, the PMCJC has not had any administrative or criminal findings of inmate-on-inmate sexual abuse. However, in speaking with the Agency Head, it was noted that the facility's disciplinary process does consider all mitigating and aggravating factors related to any inmate infraction within the facility.
- (d) While the PMCJC does not offer therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for sexual abuse, the PMCJC Agency Head noted that these intervention services are provided by other facilities. As such, and in accordance to the PMCJC PREA Policy, the "PMCJC wouldn't deny a request for therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse. PMCJC shall consider whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits." In this, as noted by the PMCJC Agency Head, the facility would coordinate with other agencies to ensure that those needing or requesting intervention services would be able to receive some measure of assistance.
- (e) Per the PMCJC PREA Policy, the "PMCJC may discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact."
- (f) Per the PMCJC PREA Policy, "for the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation." Rather, as noted by the PMCJC Agency Head, inmates would only be subject to disciplinary action if it was absolutely known that the inmate made allegations deliberately false allegations.
- (g) Per the PMCJC PREA Policy, the "PMCJC prohibits all sexual activity between inmates and may discipline inmates for such activity. PMCJC may not, however, deem such activity to constitute sexual abuse if it determines that the activity is not coerced."

Reasoning & Findings Statement:

The inmate disciplinary process is a formal means to address institutional misconduct. The PMCJC uses a progressive disciplinary system, which allows for consideration of aggravating and mitigating factors. Within the audit time frame, the PMCJC has not had any administrative or criminal findings of inmate-on-inmate sexual abuse. A review of documentation reflects that the mental health and of an inmate is given serious consideration in sentencing and availability of subsequent mental health services. In considering agency policies, facility procedures, staff interviews, and inmate comments, PMCJC is compliant with disciplinary standards as required under this provision.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none">· Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023· PMCJC Prison Rape Elimination Act Policy, 2023· PMCJC Restrictive Housing (Isolation Cells) – 7 Day Review· PMCJC Sexual Abuse Screening Tool, English· PMCJC Sexual Abuse Screening Tool, Spanish· PMCJC Screening Form for Suicide & Medical/Mental/Development Impairments, English, 4/21/23· PMCJC Screening Form for Suicide & Medical/Mental/Development Impairments, Spanish, 4/21/23· Crisis Center of West Texas, Advocacy Services, Memo, 1/31/23· Crisis Center of West Texas, Advocacy Services, English· Crisis Center of West Texas, Advocacy Services, Spanish

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Intake Staff
- Investigative Staff
- Medical Staff
- Staff Who Perform Screening for Risk of Victimization and Abusiveness
- Inmates Who Disclosed Sexual Victimization During Risk Screening

Site Review Observations:

- Observed Medical Department and Risk Screening Areas.
- Review of PREA Screening Forms.

Standard Subsections:

(a) While the PMCJC is not a prison, the PMCJC PREA Policy requires that upon arrival, all PMCJC inmates will be screened for sexual abuse risk factors. If the assessment indicates that the inmate has had prior sexual victimization, whether it occurred in an institutional setting or in the community, staff will offer a follow-up meeting with a medical or mental health practitioner within fourteen calendar days of the intake screening. Within the audit time frame, 100% of inmates received at the PMCJC after the implementation of the PREA Standards who disclosed prior victimization during risk screenings were offered a follow-up meeting with a medical or mental health practitioner. Interviews with inmates who reported previous sexual victimization verify this finding. Also, a review of medical referrals, as well as conversations with medical staff, confirms the institutionalization of this practice.

(b) While the PMCJC is not a prison, any person with a history of being sexually abusive is offered a follow-up meeting with a mental health practitioner within 14 calendar days. In speaking with medical staff, it is noted that the nature of any such

referral would be in accordance with the individualized needs of each inmate. As noted by the PMCJC Agency Head, following the implementation of the PREA Standards, inmates received at the PMCJC who had previously perpetrated sexual abuse, as indicated during their risk screening, were offered a follow-up meeting with a mental health practitioner. Furthermore, in accordance to the PMCJC PREA Policy, the "PMCJC wouldn't deny a request for therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse." Rather, as noted by the PMCJC Agency Head, the facility would coordinate with other agencies to ensure that those needing or requesting intervention services would be able to receive some measure of assistance.

(c) The PMCJC PREA Policy requires that upon arrival, all PMCJC inmates will be screened for sexual abuse risk factors. If the assessment indicates that the inmate has had prior sexual victimization, whether it occurred in an institutional setting or in the community, staff will offer a follow-up meeting with a medical or mental health practitioner within fourteen calendar days of the intake screening. Within the audit time frame, 100% of offenders received at the PMCJC after the implementation of the PREA Standards who disclosed prior victimization during risk screenings were offered a follow-up meeting with a medical or mental health practitioner. Interviews with inmates who reported previous sexual victimization verify this finding. Also, a review of medical referrals, as well as conversations with medical staff, confirms the institutionalization of this practice.

(d) Per the PMCJC PREA Policy, "any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by federal, state, or local laws."

(e) As noted by medical staff during the interview process, medical practitioners shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18 years or considered a vulnerable adult. In speaking with medical staff, it was confirmed that staff do require informed consent prior to reporting incidents of prior sexual victimization that did not occur in an institutional setting for all persons except juveniles and individuals with developmental disabilities.

Reasoning & Findings Statement:

Following the implementation of the PREA Standards and within the audit time frame, 100% of inmates who had disclosed prior victimization during risk screening were offered a follow-up meeting with a medical practitioner. As well, in excess of the standards required by jails, following the implementation of the PREA Standards, inmates who have previously perpetrated sexual abuse as indicated during risk screenings are also offered follow-up meetings with mental health practitioners. As noted by medical staff, the PMCJC is providing routine and regular medical screens and other health services in accordance to qualified medical assessments. Documentation specific to the PREA Assessment Form for medical staff reflects the appropriate use of the screening tool to determine necessary housing and other needs. Lastly, per agency policy, all inmates except juveniles and individuals with developmental disabilities, are required to provide informed consent prior to facility staff reporting information about prior sexual victimization that did not occur in an institutional setting. PMCJC has provided documentation, as well as staff interviews and policy, to demonstrate its compliance with all provisions within this standard, to include those provisions applicable only to prisons. As such, the facility has clearly exceeded the provisions established within this standard.

115.82 Access to emergency medical and mental health services	
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none">· Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023· PMCJC Prison Rape Elimination Act Policy, 2023· Pecos Police Department, Coordinated Response Plan, PREA Reporting/Investigation Process· Medical Center Hospital, SANE Services, Memo, 1/31/23· Crisis Center of West Texas, Advocacy Services, Memo, 1/31/23· Crisis Center of West Texas, Advocacy Services, English· Crisis Center of West Texas, Advocacy Services, Spanish· West Texas Centers Advocacy Flyer, English· West Texas Centers Advocacy Flyer, Spanish

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Medical Staff
- SANE/SAFE Personnel
- Security Staff and/or Non-Security Staff Who Have Acted As First Responders
- Random Staff
- Random Inmates

Site Review Observations:

- Observed Medical Department
- Review of Coordinated Response Plan
- Review of Risk Assessment Screening Form

Standard Subsections:

(a) In accordance with the PMCJC PREA Policy, “inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.” In interviewing medical staff, said staff confirmed the ability to treat inmates in accordance to their professional medical judgement.

(b) Per the PMCJC PREA Policy, “if no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to Agency protection duties. (§ 115.62 PREA National Standards) and shall immediately notify the appropriate medical and mental health practitioners.” Per Investigative Staff, and in accordance to the Pecos Police Department, Coordinated Response Plan, PREA

Reporting/Investigation Process, time is of the utmost importance when investigating claims of sexual abuse. As such, victims of such abuse will be immediately offered a SANE examine by a qualified medical practitioner. In speaking with staff, 24-hour availability of qualified medical practitioners was affirmed via the local hospital. Lastly, during interviews with persons who could serve as first responders, as well as random security staff, all personnel recognized with immediacy the need to notify medical staff of any sexual abuse allegations.

(c) Per the PMCJC PREA Policy, “inmate victims of sexual abuse while incarcerated shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.” In speaking with medical staff, adherence to this policy was confirmed. Per Investigative Staff, and in accordance to the Pecos Police Department, Coordinated Response Plan, PREA Reporting/Investigation Process, inmates claiming sexual abuse would be provided a SANE/SAFE exam by way of the local hospital. In speaking with the SANE/SAFE coordinator for the local hospital, it was further noted that all medical precautions, to include appropriate prophylactic information and treatment for sexually transmitted diseases, are given to victims of sexual abuse. It should be noted that during the audit time frame, the PMCJC did not have any allegations of sexual abuse. As such, there wasn’t any documentation to review.

(d) Per the PMCJC PREA Policy, ‘treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. The cost is paid by the PMCJC.’ As the PMCJC did not have any allegations of sexual abuse during the audit time frame, there wasn’t any documentation to review. However, in speaking with the Agency Head, adherence to this policy was confirmed.

Reasoning & Findings Statement:

This standard is designed to provide inmates access to emergency medical and mental health services. The PMCJC PREA Policy allows that upon receipt of an inmate into the Medical Department, medical staff shall determine the inmate’s course of treatment; specifically, what is medically indicated on the basis of evidence collection or physical trauma. Inmate interviews further acknowledge that inmates are provided appropriate medical and mental health treatment. Lastly, documentation reflecting access to medical and mental health care, to include outside rape crisis services, was reviewed. In considering the totality of the information provided, the PMCJC is meeting all provisions within this standard.

115.83	<p>Ongoing medical and mental health care for sexual abuse victims and abusers</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Documents:</p> <ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · Pecos Police Department, Coordinated Response Plan, PREA Reporting/Investigation Process · Medical Center Hospital, SANE Services, Memo, 1/31/23 · Crisis Center of West Texas, Advocacy Services, Memo, 1/31/23 · Crisis Center of West Texas, Advocacy Services, English · Crisis Center of West Texas, Advocacy Services, Spanish · West Texas Centers Advocacy Flyer, English · West Texas Centers Advocacy Flyer, Spanish <p>Interviews:</p> <ul style="list-style-type: none"> · Agency Head · Agency PREA Coordinator · Intermediate or Higher-Level Facility Staff · Medical Staff · Random Inmates <p>Site Review Observations:</p> <ul style="list-style-type: none"> · Observed Medical Department.
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- Review of Coordinated Response Plan.
- Review of Risk Assessment Screening Form.

Standard Subsections:

(a) In accordance to the PMCJC PREA Policy, the “PMCJC shall offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.” In speaking with medical staff, adherence to this policy was confirmed. In speaking with correctional staff, there were no instances where any staff indicated that the medical department had ever, or would ever, refuse to provide medical treatment to any inmate who claimed to have been a victim of sexual abuse. In speaking with inmates who were previously receiving mental health treatment services for sexual abuse allegations, they confirmed that upon disclosing such, they were allowed to speak with medical staff at their assigned facility.

(b) Per the PMCJC PREA Policy, “the evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.” In speaking with medical staff, adherence to this policy was confirmed. In speaking with correctional staff, there were no instances where any staff indicated that the medical department had ever, or would ever, refuse to provide medical treatment to any inmate who claimed to have been a victim of sexual abuse. In speaking with inmates who were previously receiving mental health treatment services for sexual abuse allegations, they confirmed that upon disclosing such, they were allowed to speak with medical staff at their assigned facility.

(c) Per the PMCJC PREA Policy, “PMCJC shall provide such victims with medical and mental health services consistent with the community level of care.” In speaking with medical staff, it was noted that victims of sexual abuse receive medical and mental health services from community providers. As such, their treatment is certainly consistent with the community level of care. As there weren’t any claims of sexual abuse within the audit time frame, there wasn’t any documentation to review.

(d) Per the PMCJC PREA Policy, “inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.” In speaking with medical staff, adherence to this policy was confirmed. However, as there weren’t any claims of sexual abuse within the audit time frame, there wasn’t any documentation to review.

(e) Per the PMCJC PREA Policy, “if pregnancy results from the conduct described in paragraph (d) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.” In speaking with medical staff, adherence to this policy was confirmed. However, as there weren’t any claims of sexual abuse within the audit time frame, there wasn’t any documentation to review.

(f) Per the PMCJC PREA Policy, “inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.” In speaking with medical staff, it was noted that all inmates would be provided medical services as appropriate for the nature of their concerns. However, as there weren’t any claims of sexual abuse within the audit time frame, there wasn’t any documentation to review.

(g) Per the PMCJC PREA Policy, “treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.” In speaking with the Agency Head, it was noted that the cost of any SANE/SAFE exam would be assumed by the PMCJC. However, as there weren’t any claims of sexual abuse within the audit time frame, there wasn’t any documentation to review.

(h) As the PMCJC is a jail facility, the auditor is not required to audit this provision.

Reasoning & Findings Statement:

This standard is designed to ensure ongoing medical and mental health care for sexual abuse victims and abusers. The PMCJC offers qualified and coordinated medical and mental health care regardless of an inmate’s ability to pay for said services. As appropriate, inmates are provided the opportunity to attend follow-up treatments, for both medical and mental health services, with said mental health services being provided via rape crisis counseling offered by qualified advocates within the local community. As medical and mental health services are facilitated by community providers, the treatment received by incarcerated individuals within the PMCJC is consistent with the community level of care. Accordingly, the PMCJC has met all provisions within this standard.

<p>Auditor Overall Determination: Meets Standard</p>
<p>Auditor Discussion</p>
<p>Documents:</p> <ul style="list-style-type: none">• Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023• PMCJC Prison Rape Elimination Act Policy, 2023• PMCJC PREA Review Team Form• PMCJC Inmate Notification Brochure• Pecos Police Department, Coordinated Response Plan, PREA Reporting/Investigation Process• PRC Document Review Worksheet, Investigation & Response Records• PRC PREA Audit – Sexual Abuse Incident Reviews Worksheet
<p>Interviews:</p> <ul style="list-style-type: none">• Agency Head• Agency PREA Coordinator• Intermediate or Higher-Level Facility Staff• Incident Review Team Member
<p>Site Review Observations:</p> <ul style="list-style-type: none">• Reviewed Incident Review Team procedures.
<p>Standard Subsections:</p> <ul style="list-style-type: none">(a) Per the PMCJC PREA Policy, the “PMCJC shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the

allegation has not been substantiated, unless the allegation has been determined to be unfounded.” As noted by the Agency Head, the facility has a need to understand why such incidents may have occurred and a vested interest in stopping any abuse if it is occurring. As such, if an allegation of sexual abuse is made, the facility will conduct sexual abuse incident reviews following all substantiated or unsubstantiated claims. However, as there weren’t any allegations of sexual abuse within the audit time frame, there wasn’t any documentation to review.

- (b) Per the PMCJC PREA Policy “such review shall ordinarily occur within 30 days of the conclusion of the investigation.” As noted by the Agency Head, the facility has a need to understand why such incidents may have occurred and a vested interest in stopping any abuse if it is occurring. As such, if an allegation of sexual abuse is made, the facility will conduct sexual abuse incident reviews following all substantiated or unsubstantiated claims. However, as there weren’t any allegations of sexual abuse within the audit time frame, there wasn’t any documentation to review.
- (c) Per the PMCJC PREA Policy, “the review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.” However, as there weren’t any allegations of sexual abuse within the audit time frame, there wasn’t any documentation to review.
- (d) Per the PMCJC PREA Policy, the Sexual Abuse Review Team will:
 - 1) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
 - 2) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at PMCJC;
 - 3) Examine the area in PMCJC where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
 - 4) Assess the adequacy of staffing levels in that area during different shifts;
 - 5) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
 - 6) Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1)-(d)(5) of this section, and any recommendations for improvement and submit such report to PMCJC head and PREA compliance manager.”

(e) Per the PMCJC PREA Policy, upon completion of the sexual abuse review report, the “PMCJC shall implement the recommendations for improvement or shall document its reasons for not doing so.” In speaking with the PMCJC Agency Head, the responsibility of implementing incident review recommendations was explained. However, as there weren’t any allegations of sexual abuse within the audit time frame, there wasn’t any documentation to review.

Reasoning & Findings Statement:

During the audit time frame, the PMCJC did not receive any sexual abuse allegations. As such, there wasn’t any documentation to review. However, in speaking with the PMCJC Agency Head, Intermediate Supervisors, and Investigators, each person explained their role within the incident review process. As such, it is evident that the facility has procedures in place to engage incident reviews and that staff are knowledgeable in their obligations to the team. Accordingly, PMCJC has satisfied the requirements of this standard.

115.87	Data collection
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p> <ul style="list-style-type: none">· Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023· PMCJC Prison Rape Elimination Act Policy, 2023· PMCJC Annual PREA Report, 2020· PMCJC Annual PREA Report, 2021· PMCJC Annual PREA Report, 2022· Tyler Technologies Records Management System, Incode Public Safety Overview Brochure, 2017
	<p>Interviews:</p>

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff

Site Review Observations:

- Extensive review of agency website/PREA section
- Reviewed 2020-2022 PREA Outcome Measures

Standard Subsections:

The PMCJC PREA Policy provides all staff within the PMCJC a standardized set of definitions specific to sexual abuse/sexual harassment allegations. Policy further mandates that all “PMCJC (staff) shall report accurate, uniform incident-based data for every allegation of sexual abuse at PMCJC using a standardized instrument and set of definitions to the agency (PMCJC). In speaking with the PMCJC Institution Investigator, adherence to this provision was confirmed.

The PMCJC PREA Policy further requires that “PMCJC shall collect the data reported and shall aggregate the incident-based sexual abuse data at least annually.” In speaking with the PMCJC Agency Head, adherence to this provision was confirmed.

Per the PMCJC PREA Policy, “the incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.” Furthermore, as confirmed by the PMCJC Agency Head, the data includes all information necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) facilitated by the Bureau of Justice Statistics. While the facility has not yet completed this survey (as it’s only been PREA compliant since March 2023), all 2023 data will be submitted by the next annual due date for the SSV.

The PMCJC PREA Policy requires that “PMCJC shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. PMCJC does obtain incident-based and aggregated data from every facility which it operates for the confinement of inmates.” The PMCJC Agency Head confirms the agency’s overall adherence to this policy.

The PMCJC PREA Policy mandates that “Upon request, PMCJC is required to provide all such data from the previous calendar year to the Department of Justice no later than June 30.” The PMCJC Agency Head confirmed the agency’s overall adherence. It should be noted; however, that the PMCJC only operates one facility.

The PMCJC PREA Policy requires that the PREA Coordinator provide aggregated data on sexual abuse and sexual harassment occurring within the PMCJC to the Department of Justice (DOJ); specifically, the Bureau of Justice Statistics, on an annual basis. As confirmed by the PMCJC Agency Head, said data is provided to the DOJ no later than June 30th of each year.

Reasoning & Findings Statement:

This standard works to ensure that specific data relative to promoting sexual safety within a correctional institution is collected on a monthly basis. That data is then aggregated and made available for public review. The PMCJC has complied with the timely collection of said data and subsequently furnishes it to appropriate entities as required. Hence, the PMCJC has met all provisional requirements and is in compliance with this standard.

115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents: <ul style="list-style-type: none">• Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023• PMCJC Prison Rape Elimination Act Policy, 2023

Documents:

- Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023
- PMCJC Prison Rape Elimination Act Policy, 2023

- PMCJC Annual PREA Report, 2020
- PMCJC Annual PREA Report, 2021
- PMCJC Annual PREA Report, 2022
- PMCJC Pecos CJC Structural Assessment, 4/27/23
- PMCJC Resolution #22-10-08R, Control & Camera Upgrades, 10/27/22

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff

Site Review Observations:

- Extensive review of agency website/PREA section
- Reviewed 2021 PREA Outcome Measures

Standard Subsections:

(a) Per the PMCJC PREA Policy, the “PMCJC shall review data collected and aggregated pursuant to Data collection (§ 115.87 PREA National Standards) in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by:

- Identifying problem areas.
- Taking corrective action on an ongoing basis; and
- Preparing an annual report of its findings and corrective actions for PMCJC, as well as the agency as a whole.”

(b) In speaking with the Agency Head, it was noted that the facility does review, collect, and aggregate data as specified by the DOJ's Survey of Sexual Victims. In doing so, the facility works to identify areas of concern and take immediate corrective action to address any trends or other deficiencies observed. Also, since the implementation of the PREA Standards, the PMCJC has documented these findings, for the current year, as well as two years prior, and published these reports on its agency website. A review of these documents does reflect that the PMCJC is operating with transparency in government.

(c) Per the PMCJC PREA Policy, the annual "report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse." A review of the annual reports developed for 2020, 2021, and 2022 does reflect comparative data based on annual statistics specific for each calendar year.

(d) As required by the PMCJC PREA Policy, the "PMCJC's report shall be approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means." A review of the agency's website reflects these reports are posted and publicly available for review.

(e) As permitted within the PMCJC PREA Policy, the "PMCJC may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility but must indicate the nature of the material redacted." In speaking with the Agency Head, however, it was noted that annual reports do not contain personally identifying information. As such, it is not necessary to redact any of the material. A review of the agency's website reflects all reports are published in full without redaction.

Reasoning & Findings Statement:

This standard works to ensure that specific data relative to promoting sexual safety within a correctional institution is collected on a continuous basis. That data is subsequently reviewed by agency staff to identify and address any trends or other concerns found within the facility. Afterward, both the data, as well as corrective actions taken to address sexual abuse with the facility, are aggregated and made available for public review. The PMCJC has complied with the timely collection of said data and subsequently furnishes it to appropriate entities as required. Hence, the PMCJC has met all provisional requirements of this standard.

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents:</p>
	<ul style="list-style-type: none"> · Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023 · PMCJC Prison Rape Elimination Act Policy, 2023 · PMCJC Annual PREA Report, 2020 · PMCJC Annual PREA Report, 2021 · PMCJC Annual PREA Report, 2022
	<p>Interviews:</p>
	<ul style="list-style-type: none"> · Agency Head · Agency PREA Coordinator · Intermediate or Higher-Level Facility Staff
	<p>Site Review Observations:</p>
	<ul style="list-style-type: none"> · Extensive review of agency website/PREA section.
	<p>Standard Subsections:</p> <p>(a) Per the PMCJC PREA Policy, the “PMCJC is required to ensure that data collected pursuant to Data collection (§ 115.87 PREA National Standards) are securely retained.” The PMCJC Agency Head confirms compliance with this directive. During the onsite portion of the audit, the record storage area was inspected and access policies were reviewed.</p>

(b) The PMCJC PREA Policy requires the PMCJC “to make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means.” As noted by the PMCJC Agency Head, the agency does have an active website where all PREA related information can be found. A review of the agency’s website confirms that the facility does make publicly available aggregated sexual abuse data on an annual basis. It should also be noted that the PMCJC is a single facility and does not contract with any other facilities, public or private, to house inmates under the jurisdiction of the City of Pecos.

(c) As required by the PMCJC PREA Policy, the facility is “required to remove all personal identifiers before making aggregated sexual abuse data publicly available through the department website.” In speaking with the Agency Head, however, it was noted that annual reports do not contain personally identifying information. As such, it is not necessary to redact any of the material. A review of the agency’s website reflects all reports are published in full without redaction.

(d) As required by the PMCJC PREA Policy, ‘the PMCJC is required to maintain sexual abuse data collected pursuant to Data collection (§ 115.87 PREA National Standards) for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.’ The PMCJC Agency Head confirms compliance with this directive.

Reasoning & Findings Statement:

This standard works to ensure both public availability and agency integrity in the presentation of aggregated sexual abuse data. In reviewing agency documents and speaking with staff, it is more than apparent that both the PMCJC Agency Head, as well as the administration of the PMCJC, operate with transparency in government. As such, the facility has clearly obtained each provision, and thus, satisfactorily achieve overall compliance.

115.401	Frequency and scope of audits
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Documents:

- Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023
- PMCJC Prison Rape Elimination Act Policy, 2023
- PMCJC Audit Notices, English
- PMCJC Audit Notices, Spanish

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff
- Random Staff
- Random Inmates

Site Review Observations:

- On-site inspection of the entire PMCJC
- Review of documentation available via the PMCJC PREA website

Standard Subsections:

- (a) The PMCJC is the sole facility operated by the Pecos Police Department. This is its initial audit.
- (b) This is Audit Year 2 of Cycle 4.

(A) The auditor had full access to all areas of the facility.

(B) All documents requested by the auditor were received in a timely manner.

(a) The auditor was permitted to conduct private interviews with inmates.

(b) Inmates were permitted to correspond with the auditor using privileged mail processes.

Reasoning & Findings Statement:

The PMCJC Agency Head diligently worked to ensure the auditor had full access to the facility and that all documents requested were provided in a timely manner. As an initial audit, there were naturally areas within the agency's PREA policy and procedures that required additional measures to ensure facility compliance with all provisions of the PREA Standards. All concerns, as well as suggestions for best practices, were promptly addressed by the Agency Head with the sincere intention of ensuring the sexual safety of all inmates assigned to the PMCJC. The auditor was given unrestricted access to the institution and provided with all reference materials requested. The auditor was also provided with a convenient location from which to interview both employees and staff in a confidential manner. Agency staff ensured that the flow of interview traffic was never restricted and that the auditor was able to attend all requested inmate functions throughout the facility as needed. The auditor did not experience any significant barriers, at any stage of the audit, that were under the control of the PMCJC. Accordingly, PMCJC has exceeded the provisions of this standard.

115.403 Audit contents and findings	
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents:
	<ul style="list-style-type: none">· Pecos Municipal Criminal Justice Center (PMCJC) Operation Guidelines, Policies, Rules, and Regulations Handbook, 2023· PMCJC Prison Rape Elimination Act Policy, 2023

Interviews:

- Agency Head
- Agency PREA Coordinator
- Intermediate or Higher-Level Facility Staff

Documents:

- PMCJC PREA Webpage
- PMCJC Record Retention Schedule

Interviews:

- Agency PREA Coordinator

Site Review Observations:

- Review of documentation available via the PMCJC PREA website

Standard Subsections:

(F). The current audit is of a single facility agency (PMCJC) that has never had a Final Audit Report issued.

Reasoning & Findings Statement:

The function of this standard is to promote transparency in government by ensuring that all facility audits are available for public review, by way of, for example, the agency's website. In this case, the PMCJC does have an agency website. However, as this is the initial audit for this single facility agency, this standard does not fully apply at this time. However, it should be noted that the PMCJC does have all required PREA reports, contract information, and other relevant information conveniently accessible to the public via its website. As such, the agency is in substantial compliance with all aspects of this standard that do currently apply for this audit cycle.

Appendix: Provision Findings

115.11 (a)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes
115.11 (b)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?	yes
115.11 (c)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)	na
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	na
115.12 (a)	Contracting with other entities for the confinement of inmates	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	na
115.12 (b)	Contracting with other entities for the confinement of inmates	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure	na

	that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	
115.13 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into	yes

	consideration: Any applicable State or local laws, regulations, or standards?	
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes
115.13 (b)	Supervision and monitoring	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	yes
115.13 (c)	Supervision and monitoring	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes
115.13 (d)	Supervision and monitoring	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes

115.14 (a)	Youthful inmates	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	yes
115.14 (b)	Youthful inmates	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	yes
	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	yes
115.14 (c)	Youthful inmates	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	yes
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	yes
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	yes
115.15 (a)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
115.15 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	yes
	Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A if the	yes

	facility does not have female inmates.)	
115.15 (c) Limits to cross-gender viewing and searches		
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	yes
115.15 (d) Limits to cross-gender viewing and searches		
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
115.15 (e) Limits to cross-gender viewing and searches		
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
115.15 (f) Limits to cross-gender viewing and searches		
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

115.16 (a)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are blind or have low vision?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have intellectual disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have psychiatric disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have speech disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other (if "other," please explain in overall determination notes.)	yes
	Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing?	yes
	Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication	yes

	with inmates with disabilities including inmates who: Have intellectual disabilities?	
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes
115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes
115.17 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who	yes

	may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
115.17 (b) Hiring and promotion decisions		
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes
115.17 (c) Hiring and promotion decisions		
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.17 (d) Hiring and promotion decisions		
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes

115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes
115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
115.18 (a)	Upgrades to facilities and technologies	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na
115.18 (b)	Upgrades to facilities and technologies	

	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
115.21 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes

	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.21 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	na
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	na
115.21 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	na
115.22 (a)	Policies to ensure referrals of allegations for investigations	

	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	na
115.31 (a)	Employee training	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes

	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
115.31 (b) Employee training		
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes
115.31 (c) Employee training		
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
115.31 (d) Employee training		
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.32 (a) Volunteer and contractor training		

	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.32 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
115.33 (a)	Inmate education	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
115.33 (b)	Inmate education	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
115.33 (c)	Inmate education	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes

	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes
115.33 (d) Inmate education		
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes
115.33 (e) Inmate education		
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
115.33 (f) Inmate education		
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats?	yes
115.34 (a) Specialized training: Investigations		
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.34 (b) Specialized training: Investigations		
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and	yes

	Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.34 (c) Specialized training: Investigations		
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.35 (a) Specialized training: Medical and mental health care		
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or	yes

	suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	
115.35 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	na
115.35 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
115.41 (a)	Screening for risk of victimization and abusiveness	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective	yes

	screening instrument?	
115.41 (d)	Screening for risk of victimization and abusiveness	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10)	yes

	Whether the inmate is detained solely for civil immigration purposes?	
115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
115.41 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes
115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive	yes

	information is not exploited to the inmate's detriment by staff or other inmates?	
115.42 (a) Use of screening information		
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
115.42 (b) Use of screening information		
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
115.42 (c) Use of screening information		
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would	yes

	present management or security problems?	
115.42 (d)	Use of screening information	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes
115.42 (e)	Use of screening information	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
115.42 (g)	Use of screening information	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent degree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent degree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing	yes

	solely for the placement of LGBT or I inmates pursuant to a consent degree, legal settlement, or legal judgement.)	
115.43 (a) Protective Custody		
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes
115.43 (b) Protective Custody		
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
115.43 (c) Protective Custody		

	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
115.43 (d) Protective Custody		
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
115.43 (e) Protective Custody		
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
115.51 (a) Inmate reporting		
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
115.51 (b) Inmate reporting		
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain	yes

	anonymous upon request?	
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na
115.51 (c) Inmate reporting		
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d) Inmate reporting		
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a) Exhaustion of administrative remedies		
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	no
115.52 (b) Exhaustion of administrative remedies		
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
115.52 (c) Exhaustion of administrative remedies		
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from	yes

	this standard.)	
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
115.52 (d) <i>Exhaustion of administrative remedies</i>		
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
115.52 (e) <i>Exhaustion of administrative remedies</i>		
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes
115.52 (f) <i>Exhaustion of administrative remedies</i>		

	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.).	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
115.52 (g)	Exhaustion of administrative remedies	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes
115.53 (a)	Inmate access to outside confidential support services	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers,	na

	including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility never has persons detained solely for civil immigration purposes.)	
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
115.53 (b)	Inmate access to outside confidential support services	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
115.53 (c)	Inmate access to outside confidential support services	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
115.54 (a)	Third-party reporting	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes
115.61 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual	yes

	abuse or sexual harassment or retaliation?	
115.61 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes
115.61 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
115.61 (d)	Staff and agency reporting duties	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
115.61 (e)	Staff and agency reporting duties	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes
115.62 (a)	Agency protection duties	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes
115.63 (a)	Reporting to other confinement facilities	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
115.63 (b)	Reporting to other confinement facilities	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes

115.63 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes
115.63 (d)	Reporting to other confinement facilities	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
115.64 (a)	Staff first responder duties	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in	yes

	response to an incident of sexual abuse?	
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.67 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes
115.67 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of	yes

	sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
115.67 (d)	Agency protection against retaliation	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
115.67 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
115.68 (a)	Post-allegation protective custody	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
115.71 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations	yes

	of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
115.71 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
115.71 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
115.71 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes

	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.71 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.71 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
115.71 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	na
115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
115.73 (a)	Reporting to inmates	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes

115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	na
115.73 (c)	Reporting to inmates	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
115.73 (d)	Reporting to inmates	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually	yes

	abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	
115.73 (e)	Reporting to inmates	
	Does the agency document all such notifications or attempted notifications?	yes
115.76 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
115.76 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
115.76 (c)	Disciplinary sanctions for staff	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes

	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
115.78 (a)	Disciplinary sanctions for inmates	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
115.78 (b)	Disciplinary sanctions for inmates	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
115.78 (c)	Disciplinary sanctions for inmates	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
115.78 (d)	Disciplinary sanctions for inmates	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes
115.78 (e)	Disciplinary sanctions for inmates	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes
115.78 (f)	Disciplinary sanctions for inmates	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish	yes

	evidence sufficient to substantiate the allegation?	
115.78 (g)	Disciplinary sanctions for inmates	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	na
115.81 (b)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	na
115.81 (c)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior	yes

	sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	
115.82 (a)	Access to emergency medical and mental health services	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
115.82 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
115.82 (c)	Access to emergency medical and mental health services	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
115.83 (c)	Ongoing medical and mental health care for sexual abuse	

victims and abusers		
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	na

115.86 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes
115.86 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.86 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
115.86 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
115.86 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes

115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.87 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
115.87 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.87 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	na
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes
115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant	yes

	to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	
115.88 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
115.88 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
115.88 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
115.89 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.89 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
115.401 (a)	Frequency and scope of audits	

	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	no
115.401 (b)	Frequency and scope of audits	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	no
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	yes
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	na
115.401 (h)	Frequency and scope of audits	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
115.401 (i)	Frequency and scope of audits	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
115.401 (m)	Frequency and scope of audits	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes
115.401 (n)	Frequency and scope of audits	
	Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes
115.403	Audit contents and findings	

(f)		
	<p>The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)</p>	na