

PREA Facility Audit Report: Final

Name of Facility: Thirty-Third and Four Hundred and Twenty-Fourth Judicial District Intermediate Sanction Facility

Facility Type: Community Confinement

Date Interim Report Submitted: NA

Date Final Report Submitted: 11/08/2022

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" 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 checked="" type="checkbox"/>
Auditor Full Name as Signed: Karen d. Murray	Date of Signature: 11/08/2022

AUDITOR INFORMATION	
Auditor name:	Murray, Karen
Email:	kdmconsults1@gmail.com
Start Date of On-Site Audit:	10/13/2022
End Date of On-Site Audit:	10/13/2022

FACILITY INFORMATION	
Facility name:	Thirty-Third and Four Hundred and Twenty-Fourth Judicial District Intermediate Sanction Facility
Facility physical address:	501 Coke Street, Burnet, Texas - 78611
Facility mailing address:	

Primary Contact	
Name:	Katherine Cardenas
Email Address:	isf-ad@tstar.net
Telephone Number:	512-756-7628

Facility Director	
Name:	Glen Gilmore
Email Address:	501 Coke Street
Telephone Number:	512-756-7628

Facility PREA Compliance Manager	
Name:	
Email Address:	
Telephone Number:	

Facility Characteristics	
Designed facility capacity:	54
Current population of facility:	44
Average daily population for the past 12 months:	45
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Males
Age range of population:	18-no age limit
Facility security levels/resident custody levels:	minimum security-not a lock down facility
Number of staff currently employed at the facility who may have contact with residents:	22
Number of individual contractors who have contact with residents, currently authorized to enter the facility:	1
Number of volunteers who have contact with residents, currently authorized to enter the facility:	7

AGENCY INFORMATION	
Name of agency:	Thirty-Third and Four Hundred and Twenty-Fourth Judicial Districts Community Supervision and Corrections Department
Governing authority or parent agency (if applicable):	
Physical Address:	1701 East Polk Street, Suite 101, Burnet, Texas - 78611
Mailing Address:	
Telephone number:	

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

Agency-Wide PREA Coordinator Information

Name:	Katie Cardenas	Email Address:	isf-ad@tstar.net
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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:

0

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:	2022-10-13
2. End date of the onsite portion of the audit:	2022-10-13

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
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<p>a. Identify the community-based organization(s) or victim advocates with whom you communicated:</p>	<p>On 9.22.2022 at 2:23 pm MST this Auditor contacted Seton Highland Lakes Hospital at 3201 S. Water St. Burnet, TX 78611, telephone number 512.715.3000. After proper introductions and the reason for the call, the Auditor asked if this facility accepts residents from the Burnet Community Confinement Center and employs a SANE and or conducts SAFE exams. The emergency Nurse stated the facility would call in the SANE when they were made aware a resident was in transport for a forensic exam.</p> <p>The facility provided a Zero Tolerance for Sexual Abuse and Sexual Harassment flyer. The flyer provided the following information: BCWC has partnered with Domestic Violence Prevention to provide survivors of sexual abuse with emotional support services. To access these services, contact 903.793.4357 or send a letter to: 424 Spruce Street, Texarkana, TX 75501.</p> <p>On 9.27.2022 at 8:49 pm MST, this Auditor contacted Domestic Violence Prevention. After proper introduction and the reason for the call, the operator stated she was unaware of the Burnet Intermediate Sanction Facility and was unaware of an agreement between the two agencies.</p> <p>During the pre-audit phase the auditor contacted the PREA Coordinator and reported the above results. The PREA Coordinator stated poster advocate and the PREA hotline number would be corrected. During the onsite review corrected contact information was observed. Due to being unable to contact the Advocacy Center Administration during the pre-audit phase and on-site review, the PREA Coordinator had the advocacy center designee attest and affirm the following questions.</p> <ol style="list-style-type: none"> 1. Are you aware the ISF in Burnet has an MOU with your facility in case they need support or counseling services for victims of sexual violations and or PREA violations. 2. If a resident has secured services with Bluebonnet Trails-Marble Falls and they request your assistance in filing a police report for PREA sexual violations would you support and assist in that process? 3. Does your facility provide ongoing services for those residents and clients who are in need of support and counseling after sexual violation? 4. Does Bluebonnet Trails-Marble Falls provide services to community resident and ISF residents who are taken to the local hospital who are victims of sexual and/or PREA violations.
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AUDITED FACILITY INFORMATION

<p>14. Designated facility capacity:</p>	<p>54</p>
<p>15. Average daily population for the past 12 months:</p>	<p>45</p>
<p>16. Number of inmate/resident/detainee housing units:</p>	<p>4</p>
<p>17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility) </p>

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:	42
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:	0
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:	0
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:	0
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:	0
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:	0
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:	0
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:	0
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:	0
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:	0
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:	0
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):	No text provided.

Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit

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:	22
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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:	5
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:	0
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:	No text provided.

INTERVIEWS

Inmate/Resident/Detainee Interviews

Random Inmate/Resident/Detainee Interviews

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	10
54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	<input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input checked="" type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None
55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	The facility provided rosters, by dorm, of residents who were on site and who had not worked an overnight shift the day before. Of those available residents there were 10 residents available for interview and all 10 were interviewed.
56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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):	No text provided.

Targeted Inmate/Resident/Detainee Interviews

58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	0
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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>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>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>Through the tour, interviews with residents and resident file review, the facility did not appear to have residents in this category during the onsite review.</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>	<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>Through the tour, interviews with residents and resident file review, the facility did not appear to have residents in this category during the onsite review.</p>
<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>	<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>Through the tour, interviews with residents and resident file review, the facility did not appear to have residents in this category during the onsite review.</p>
<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>	<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>Through the tour, interviews with residents and resident file review, the facility did not appear to have residents in this category during the onsite review.</p>
<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>	<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>Through the tour, interviews with residents and resident file review, the facility did not appear to have residents in this category during the onsite review.</p>
<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>	<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>Through the tour, interviews with residents and resident file review, the facility did not appear to have residents in this category during the onsite review.</p>
<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>	<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>Through the tour, interviews with residents and resident file review, the facility did not appear to have residents in this category during the onsite review.</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>Through the tour, interviews with residents and resident file review, the facility did not appear to have residents in this category during the onsite review.</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>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>Through the tour, interviews with residents and resident file review, the facility did not appear to have residents in this category during the onsite review.</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>Through the tour, interviews with residents and resident file review, the facility did not appear to have residents in this category during the onsite review.</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>No text provided.</p>
<p>Staff, Volunteer, and Contractor Interviews</p>	
<p>Random Staff Interviews</p>	
<p>71. Enter the total number of RANDOM STAFF who were interviewed:</p>	<p>5</p>
<p>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</p>	<p><input checked="" type="checkbox"/> Length of tenure in the facility</p> <p><input checked="" type="checkbox"/> Shift assignment</p> <p><input checked="" type="checkbox"/> Work assignment</p> <p><input type="checkbox"/> Rank (or equivalent)</p> <p><input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>
<p>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>

<p>a. Select the reason(s) why you were unable to conduct the minimum number of RANDOM STAFF interviews: (select all that apply)</p>	<p><input type="checkbox"/> Too many staff declined to participate in interviews.</p> <p><input checked="" type="checkbox"/> Not enough staff employed by the facility to meet the minimum number of random staff interviews (Note: select this option if there were not enough staff employed by the facility or not enough staff employed by the facility to interview for both random and specialized staff roles).</p> <p><input type="checkbox"/> Not enough staff available in the facility during the onsite portion of the audit to meet the minimum number of random staff interviews.</p> <p><input type="checkbox"/> Other</p>
<p>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):</p>	<p>The facility has two 12-9hour shifts and all staff from each shift during the onsite review were interviewed.</p>
<p>Specialized Staff, Volunteers, and Contractor Interviews</p>	
<p>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.</p>	
<p>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</p>	<p>9</p>
<p>76. Were you able to interview the Agency Head?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>78. Were you able to interview the PREA Coordinator?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>79. Were you able to interview the PREA Compliance Manager?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><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)</p>

<p>80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Agency contract administrator <input checked="" type="checkbox"/> Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment <input checked="" type="checkbox"/> Line staff who supervise youthful inmates (if applicable) <input type="checkbox"/> Education and program staff who work with youthful inmates (if applicable) <input type="checkbox"/> Medical staff <input type="checkbox"/> Mental health staff <input type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches <input type="checkbox"/> Administrative (human resources) staff <input type="checkbox"/> Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff <input checked="" type="checkbox"/> Investigative staff responsible for conducting administrative investigations <input type="checkbox"/> Investigative staff responsible for conducting criminal investigations <input checked="" type="checkbox"/> Staff who perform screening for risk of victimization and abusiveness <input type="checkbox"/> Staff who supervise inmates in segregated housing/residents in isolation <input checked="" type="checkbox"/> Staff on the sexual abuse incident review team <input checked="" type="checkbox"/> Designated staff member charged with monitoring retaliation <input checked="" type="checkbox"/> First responders, both security and non-security staff <input checked="" type="checkbox"/> Intake staff <input type="checkbox"/> Other
<p>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</p>	<ul style="list-style-type: none"> <input checked="" type="radio"/> Yes <input type="radio"/> No
<p>a. Enter the total number of VOLUNTEERS who were interviewed:</p>	<p>1</p>

<p>b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)</p>	<p><input type="checkbox"/> Education/programming</p> <p><input type="checkbox"/> Medical/dental</p> <p><input type="checkbox"/> Mental health/counseling</p> <p><input checked="" type="checkbox"/> Religious</p> <p><input type="checkbox"/> Other</p>
<p>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p>83. Provide any additional comments regarding selecting or interviewing specialized staff.</p>	<p>No text provided.</p>

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.

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

<p>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)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>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)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p>88. Informal conversations with staff during the site review (encouraged, not required)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><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).	Due to interviewing all residents during the onsite review, no informal interviews were conducted. One informal interview took place with the Food Services staff. All other staff on shift were interviewed formally.
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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.

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?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).	File reviews were conducted by utilizing PREA Audit - Community Confinement Facilities Documentation Review - Employee/Resident File Records tools.
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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:	The facility has not experienced a sexual abuse allegation in the past 12 months.
99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)

Inmate-on-inmate sexual abuse investigation files

100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	0
101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<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 abuse investigation files)
102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<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 abuse investigation files)

Staff-on-inmate sexual abuse investigation files	
103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	0
104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
Sexual Harassment Investigation Files Selected for Review	
106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	0
a. Explain why you were unable to review any sexual harassment investigation files:	The facility has not experienced a sexual harassment allegation in the past 12 months.
107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)
Inmate-on-inmate sexual harassment investigation files	
108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	0
109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?	<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)
110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	<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)
Staff-on-inmate sexual harassment investigation files	

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

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.	<input type="radio"/> Yes <input checked="" type="radio"/> No
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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.	<input type="radio"/> Yes <input checked="" type="radio"/> No
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AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?	<input type="radio"/> The audited facility or its parent agency <input type="radio"/> My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option) <input checked="" type="radio"/> A third-party auditing entity (e.g., accreditation body, consulting firm) <input type="radio"/> 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 stand 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.

115.211 Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ
2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018
3. 33rd & 424th Judicial District Intermediate Sanction Facility Organizational Chart, not dated

Interviews:

1. Random residents
2. Detention Officers
3. Assistant Director / PREA Coordinator

Through interviews with residents and staff and review of resident and staff files, it is evident that this facility interweaves requirements for this standard in their daily protocols. Both residents and staff could speak to facility PREA practices and protocols being used as is described in the agency's PREA policy. The Assistant Director / PREA Coordinator could attest to having the required time to implement PREA protocols.

Site Review Observation:

During the tour of the facility, the Auditor witnessed multiple large No Means No, Zero Tolerance and Victim Support postings with facility, hotline, agency and advocacy reporting information and Audit Notices on pink paper, posted in dorms, hallways, and the reception area. The facility has cameras in each of the four dorms, hallways and administrative area to include board/break room and hallways and on the external perimeter of the buildings to include workshops and laundry facility. The facility did not have any targeted residents during the day of the onsite review. The facility has 48 cameras, and each were reviewed in the Control Room. All cameras appeared to be operable. Cameras in the dorms were reviewed and none pointed towards or could see into shower or toileting areas. All showers are single showers and are behind a half wall as is the same case for toilets and urinals.

(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility mandates zero-tolerance toward all forms of sexual abuse and sexual harassment in the facility it operates and those directly under contract. The facility has a written policy outlining how it will implement the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment. The policy includes definitions of prohibited behaviors regarding sexual abuse and sexual harassment. The policy includes sanctions for those found to have participated in prohibited behaviors. The policy includes a description of agency strategies and responses to reduce and prevent sexual abuse and sexual harassment of residents.

Prison Rape Elimination Act Policy and Procedure, page 1 section, Policy 115.211, paragraph one through three states, "Intermediate Sanction Facility - Burnet shall comply with the Prison Rape Elimination Act (PREA) of 2003. PREA mandates the elimination, reduction, and prevention of sexual assault and rape in prisons, jails, and community confinement facilities (half-way houses) housing adult male residents such as Intermediate Sanction Facility of Burnet, Texas.

In compliance with PREA, Intermediate Sanction Facility - Burnet has a zero-tolerance stance towards all forms of sexual abuse and sexual harassment and is applicable to residents, staff, volunteers, visitors and contractors. The zero-tolerance stance includes education, prevention, detection and responding to sexual abuse and sexual harassment incidents immediately.

All residents are prohibited from engaging in sexual contact with each other. All sexual contact between residents is deemed to be non-consensual and consent is not an affirmative defense, due to the custodial status of residents.

Intermediate Sanction Facility - Burnet strictly prohibits any sexual contact between staff and residents and expects staff to keep professional boundaries in all of their interactions with residents. Sexual contact between staff and residents is deemed to be non-consensual under all circumstances. Consent is not an affirmative defense to sexual contact between staff and resident, due to the custodial status of residents, and the unequal nature of the relationship.

Swift corrective action will occur with residents, staff, volunteers, visitors and contractors who violate PREA."

(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states The PREA Coordinator has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its community confinement facilities. The position of the PREA Coordinator in the agency's organizational structure. The Assistant Facility Director serves as the PREA Coordinator.

Prison Rape Elimination Act Policy and Procedure, page 3, section, B. Prevention 1-2, state,

1. "The PREA Coordinator is responsible for oversight of all PREA related activities.

2. The PREA Coordinator will:

- a. develop, implement and oversee the Intermediate Sanction Facility - Burnet's compliance with PREA.

- b. maintain related statistics of incidents of sexually abusive behavior
- c. conduct audits to ensure compliance with Intermediate Sanction Facility - Burnet's policy and the PREA of 2003."

The facility provided a 33rd & 424th Judicial District Intermediate Sanction Facility Organizational Chart. The organizational chart demonstrates the Assistant Facility Director serves as the PREA Coordinator who reports directly to the Facility Director.

Through such reviews, the facility meets the standards requirements.

115.212	Contracting with other entities for the confinement of residents
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review: 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ</p> <p>Interviews: 1. Assistant Director / PREA Coordinator</p> <p>During the pre-audit phase, the Assistant Director / PREA Coordinator conveyed the agency is a standalone facility and does not have privatized contracts.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states agency does not contract with private agencies for confinement services of their residents.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ
2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018
3. Burnet County Intermediate Sanction Facility Staffing Plan, dated 2021-2022
4. Burnet County Intermediate Sanction Facility Staffing Plan, dated 2019-2020

Interviews:

1. Random residents
2. Detention Officers
3. Assistant Director / PREA Coordinator

The facility has two staff per 12-hour shift and either a shift supervisor and or a Lieutenant present throughout each shift.

(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility requires the facility to develop, document and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect residents against abuse. Since August 20, 2012, or last PREA audit, whichever is later, the average daily number of residents is 35. Since August 20, 2012, or last PREA audit, whichever is later, the average daily number of residents on which the staffing plan was predicated is 35.

Prison Rape Elimination Act Policy and Procedure, page 3, section C. Staffing 115.213 1. a., states, "The program has developed a staffing plan that provides for expected levels of program supervision and monitoring, to ensure that the facility is safe and secure."

The facility provided a Burnet County Intermediate Sanction Facility Staffing Plan. The staffing demonstrates the following components are considered.

- Positions/Major Functions/Number of Positions Filled
- Staff Supervision of Residents
- Supervisory Personnel
- Video Monitoring System
- Facility-Specific Factors Related to Sexual Safety
- Availability of Education and Programming Opportunities
- Reference of Criminal Justice Community Justice Assistance Division Standards for C.S.C.D.s (163.40) and 163.41 Medical and Psychological Information
- Access to Medical and Mental Health Care – Reference 163.39 Residential Services
- Physical building characteristics that can impact line of sight and visibility
- Privacy Considerations
- Prevalence of Incidents of Sexual Abuse
- Applicable Laws, Regulations, and Findings
- Budget and Financial Guidelines
- Staffing Plan Development and Review
- Documenting deviations to the staffing plan

The staffing plan is signed by the Burnet County C.S.C.D. Director, Facility Director and the PREA Coordinator.

(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility documents each time the staffing plan is not complied with, the facility documents and justifies deviations. The facility had zero deviations from the required ratios of their staffing plan.

Prison Rape Elimination Act Policy and Procedure, page 3-4, section C. Staffing 115.213 1. b., states, "All staff and residents will be alert to signs of potential situations in which sexual misconduct might occur. Staff will:

- i. Utilize video monitoring of residents
- ii. Staff will look for signs which may include:
 1. Staff/resident being overly friendly
 2. Offering money, gifts, favors, etc., and
 3. Security threat group activity (i.e., gangs, mafia affiliation, religious zealots, etc.).
- iv. If a deviation ever occurs in the staffing plan, it is; documented and the reason for noncompliance is justified.

(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states at least once every year the facility, reviews the staffing plan to see whether adjustments are needed in (1) the staffing plan, (2) prevailing staffing patterns, (3) the

deployment of video monitoring systems and other monitoring technologies, or (4) the allocation of facility/agency resources to commit to the staffing plan to ensure compliance with the staffing plan.

Prison Rape Elimination Act Policy and Procedure, page 3, section C. Staffing 115.213 1. c., states, "Every year the facility will review the staffing plan to see whether adjustments are needed in: i. the staffing plan, ii. prevailing staffing patterns, iii. the deployment of video monitoring systems and other monitoring technologies, or iv. the allocation of facility/agency resources to commit to the staffing plan to ensure compliance with the staffing plan."

The facility provided a Burnet County Intermediate Sanction Facility Staffing Plan dated 2019-2020. The facility revisits all component listed in the staffing plan, annually. The annual review is signed by the Burnet County C.S.C.D. Director, Facility Director and the PREA Coordinator.

Through such reviews, the facility meets the standard requirements.

115.215	Limits to cross-gender viewing and searches
	<p data-bbox="240 145 740 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 435 300">Document Review:</p> <ol data-bbox="240 304 946 398" style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 3. Burnet I.S.F. – Cross Gender Pat Down Training Log <p data-bbox="240 432 352 461">Interviews:</p> <ol data-bbox="240 465 651 622" style="list-style-type: none"> 1. Random residents 2. Detention Officers 3. Intake staff 4. Assistant Director / PREA Coordinator 5. Agency Head <p data-bbox="240 629 1481 689">Interviews with residents demonstrated each had experienced a pat search at the facility. Each resident interviewed stated they had never been searched by a female and they believed pat searches and urinalysis processes were done respectfully.</p> <p data-bbox="240 723 1458 813">Interviews with staff demonstrated pat searches were conducted upon admission and thereafter when necessary. Staff interviewed stated cross-gender searches had been trained; however, staff interviewed stated cross-gender searches had not occurred.</p> <p data-bbox="240 846 499 875">Site Review Observation:</p> <p data-bbox="240 880 1485 1003">During the tour the auditor was able to view the area outdoors and near the dining hall where pat searches were conducted. Pat searches are conducted over clothing in both areas. The facility conducts urinalysis testing in a private bathroom with the door closed, a mirror in front of the toilet as a staff stands in the back of the room monitoring urine stream to ensure screens are conducted in good faith. There are no cameras in the urinalysis bathroom.</p> <p data-bbox="240 1037 1481 1227">(a) 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility does not conduct cross-gender strip or cross-gender visual body cavity searches of their Residents. In the past 12 months the facility has conducted zero cross-gender strip or cross-gender visual body cavity searches of residents. In the past 12 months, the number of cross-gender strip or cross-gender visual body cavity searches of residents was zero. In the past 12 months, the number of cross-gender strip or cross-gender visual body cavity searches of residents that did not involve exigent circumstances or were performed by non-medical staff was zero.</p> <p data-bbox="240 1261 1490 1350">Prison Rape Elimination Act Policy and Procedure, page 10, section 7 Limits to Cross-Gender Viewing 115.215 a. states, “Staff watch the Guidance on Cross-Gender and Transgender Pat Searches video on the PREA Resource Center Website or complete viewing approved power point and/or alternate video.”</p> <p data-bbox="240 1384 1070 1413">(b) This is provision is not applicable as the facility does not have female residents.</p> <p data-bbox="240 1447 1477 1507">(c) 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility policy requires that all cross-gender strip searches and cross-gender visual body cavity searches be documented.</p> <p data-bbox="240 1541 1469 1601">Prison Rape Elimination Act Policy and Procedure, page 9, section d). states, “If a cross gender search took place, that the facility would document that search in the communication log promptly after completion.”</p> <p data-bbox="240 1635 1493 1825">(d) 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility has implemented policies and procedures that enable residents to shower, perform bodily functions, and change clothing without non-medical 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 (this includes viewing via video camera). Policies and procedures require staff of the opposite gender to announce their presence when entering an area where residents are likely to be showering, performing bodily functions, or changing clothing.</p> <p data-bbox="240 1859 1469 1982">Prison Rape Elimination Act Policy and Procedure, page 10, section 7 Limits to Cross-Gender Viewing 115.215 b-c. state, b. “Residents at the program are able to shower, perform bodily functions, and change clothing without staff of the opposite gender viewing their buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine Dorm checks.</p> <p data-bbox="240 1993 1458 2083">c. Staff of the opposite gender announce their presence when entering a resident Dorm or bath Dorm where residents are likely to be showering, performing bodily functions or changing clothes. Staff of the same gender are used whenever possible.”</p> <p data-bbox="240 2116 1445 2145">(e) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility has a policy prohibiting staff</p>

from searching or physically examining a transgender or intersex resident for the sole purpose of determining the resident's genital status. Such searches (described in 115.215(e)-1) occurred in the past 12 months was zero.

Prison Rape Elimination Act Policy and Procedure, page 10, section 8 Staff Searches of Residents b. (1-2). state,

1. "Staff are prohibited from searching or physically examining a transgender or intersex resident for the sole purpose of determining the resident's genital status.

2. When gender is unknown, it may be determined:

a. during conversations with the resident,

b. by reviewing medical records or prior custody situation.

c. if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner

(f) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states 25 of all security staff who received training on conducting cross-gender pat-down searches and searches of transgender and intersex residents in a professional and respectful manner, consistent with security needs.

Prison Rape Elimination Act Policy and Procedure, page 10, section 7 Limits to Cross-Gender Viewing a. states, "Staff watch the Guidance on Cross-Gender and Transgender Pat Searches video on the PREA Resource Center Website or complete viewing approved power point and/or alternate video."

Prison Rape Elimination Act Policy and Procedure, page 10, section 8 Staff Searches of Residents 3., states, "The program shall train all staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex residents, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs."

The facility provided a Burnet I.S.F. – Cross Gender Pat Down Training Log. The training log documents the training topic (Cross Gender Pat Down); staff title, date, printed name-employee and signature.

Through such reviews, the facility meets the standard requirements.

115.216	Residents with disabilities and residents who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ
2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018
3. Contract with Individual Spanish Interpreter, dated 6.26.2018

Interviews:

1. Detention Officers
2. Intake staff
3. Assistant Program Director
4. Assistant Director / PREA Coordinator

During interviews with staff, each stated residents were not used for translation services. Staff interviewed attested to using Spanish speaking staff for interpreters or contacting the PREA Coordinator if other interpretations were needed. Barriers were not apparent during interviews and or on the facility tour. The facility did not have any residents who were hard of hearing, blind, physically disabled, LEP or cognitively disabled.

(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has established procedures to provide disabled residents 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.

Prison Rape Elimination Act Policy and Procedure, page 7, section 2. a.- b., state,

a. "Residents under this category include:

1. Limited English proficient
2. Deaf
3. Visually impaired
4. Otherwise disabled
5. Limited in their reading skills

b. These residents are provided equal opportunities to participate in or benefit from all aspects of Intermediate Sanction Facility - Burnet's efforts to prevent, detect, and respond to sexual abuse and sexual harassment."

The facility provided a Contract with Individual Spanish Interpreter. #3. Qualifications of Interpreter are to "translate and confer exact questions, answers, comments, and any communications that will assist the resident in reporting, testimony, and/or communications relevant to a PREA investigation; in accordance with PREA policy, state and federal laws.

(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has established procedures to provide residents with limited English proficiency 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.

Prison Rape Elimination Act Policy and Procedure, page 8, section 2. c., states, "To ensure effective communications, all efforts will be made to bring interpreters or other skilled professionals into the program as soon as staff discover any residents with disabilities and/or has limited English proficient."

(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency policy prohibits use of resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-response duties under §115.264, or the investigation of the resident's allegations. If YES, the agency or facility documents the limited circumstances in individual cases where resident interpreters, readers, or other types of resident assistants are used. In the past 12 months, the number of instances where resident interpreters, readers, or other types of resident assistants have been used and it was not the case that an extended delay in obtaining another interpreter could compromise the resident's safety, the performance of first-response duties under § 115.264, or the investigation of the resident's allegations was zero.

Prison Rape Elimination Act Policy and Procedure, page 8, section 2. c. 1-4, states,

1. "Intermediate Sanction Facility - Burnet utilizes Language Like Solutions.
2. The use of resident interpreters, resident readers, or other types of resident assistants will not be used, except in limited circumstances, where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-responder duties or the investigation of the resident's allegations.
3. In these exceptions or limited circumstances, documentation of all such cases shall be documented.
4. The program shall also provide PREA information in large print, for those residents with low vision disability."

Through such reviews, the facility meets the standard requirements.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ
2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018
3. Burnet Intermediate Sanction Facility Hiring and Promotion Decisions Form, not dated

Interviews:

1. Facility Director

Interviews with the Facility Director demonstrated applicants determined to have been convicted of sexual abuse or sexual harassment charges were screened out during the application review process. The Facility Director completes the annual background checks and provided those results during the interview.

Site Review Observation:

During review of the 10 staff personnel files reviewed, this Auditor noted background checks had been completed for all facility staff on 1.18.2022 and such checks are completed annually. This facility does not require elderly abuse checks and institutional reference checks are completed when applicable.

(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states agency policy prohibits hiring or promoting anyone who may have contact with residents and prohibits enlisting the services of any contractor who may have contact with residents who: (1) 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); (2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or (3) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.

Prison Rape Elimination Act Policy and Procedure, page 5, section 2. a., states, "Intermediate Sanction Facility - Burnet prohibits hiring or promoting anyone who may have contact with residents, and prohibits enlisting the services of any contractor who may have contact with residents, who:

- i. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution; ii. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or iii. Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph a., (2) of this section."

The facility provided a Burnet Intermediate Sanction Facility Hiring and Promotion Decisions Form. This form requires completion of the following during the hiring or interview process.

1. The agency shall not hire or promote anyone who may have contact with inmates, and shall not enlist the services of any contractor who may have contact with inmates, who-
2. 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);
3. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
4. Has been civilly or administratively adjudicated to have engaged I the activity describe in paragraph (a)(2) of this section.

Those signing and dating the for affirm they have not committed acts as described above. The form is also signed and dated by a staff witness.

(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states agency policy requires the consideration of any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents.

Prison Rape Elimination Act Policy and Procedure, page 5, section 2. b., states, "Intermediate Sanction Facility - Burnet considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents."

(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency policy requires that before it hires any new employees who may have contact with residents, it (a) conducts criminal background record checks, and (b) consistent with federal, state, and local law, makes 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. In the past 12 months, the number of persons hired who may have contact with residents who have had criminal background record checks is four.

Prison Rape Elimination Act Policy and Procedure, page 5, section 2. c., states, "Intermediate Sanction Facility - Burnet requires that before any new employee, who may have contact with residents, is hired:

i. a criminal background record checks is conducted, and ii. best efforts are made 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 (consistent with federal, state, and local law). This is documented on a form completed during the initial interview with the Directors of the facility."

(d) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency policy requires that a criminal background record check be completed before enlisting the services of any contractor who may have contact with residents. In the past 12 months, the number of contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with residents is zero.

Prison Rape Elimination Act Policy and Procedure, page 5, section 2. d., states, "In addition, Intermediate Sanction Facility - Burnet requires that a criminal background record check be completed before enlisting the services of any contractor who may have contact with residents."

(e) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency policy requires that either criminal background record checks be conducted at least every five years for current employees and contractors who may have contact with residents or that a system is in place for otherwise capturing such information for current employees.

Prison Rape Elimination Act Policy and Procedure, page 5, section 2. e., states, "Intermediate Sanction Facility - Burnet requires that either criminal background record checks be conducted at least every one year for current employees and contractors who may have contact with residents or that a system is in place for otherwise capturing such information for current employees and contractors."

(f) Prison Rape Elimination Act Policy and Procedure, page 5, section 2. g-h., states,

g. "Intermediate Sanction Facility - Burnet also imposes upon employees a continuing affirmative duty to disclose any such misconduct.

h. "Intermediate Sanction Facility - Burnet also imposes upon employees a continuing affirmative duty to disclose any such misconduct."

(g) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states Agency policy states that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

Prison Rape Elimination Act Policy and Procedure, page 5, section 2. f., states, "Any material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination."

(h) Prison Rape Elimination Act Policy and Procedure, page 12, section 26 Decisions in Personnel Issues Per PREA, first paragraph states, "Unless prohibited by law, the CRTC 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 to work."

Prison Rape Elimination Act Policy and Procedure, page 5, section 2. i., states, "Unless prohibited, Intermediate Sanction Facility - Burnet provides 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."

Through such reviews, the facility meets the standard requirements.

115.218	Upgrades to facilities and technology
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Assistant Director / PREA Coordinator <p>The Assistant Director / PREA Coordinator attested to the facility not going under modifications during the last audit cycle.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has acquired a new facility or made substantial expansions or modifications to existing facilities since the last PREA audit.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 27, section 115.218, states, "This agency has not acquired any new facilities or made any substantial expansions or modifications of existing facilities since August 20th, 2012."</p> <p>(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states, "The agency/facility has 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."</p> <p>Through such reviews, the facility meets the standard requirements.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ
2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018
3. A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents
4. Memorandum of Understanding between 33rd and 424th Judicial District Intermediate Sanction Facility and the City of Burnet Police Department, dated 11.18.2019
5. Memorandum of Understanding between 33rd and 424th Judicial District Intermediate Sanction Facility and Blue Bonnet Trails Community Services, dated 12.5.2019

Interviews:

1. Random Residents
2. Detention Officers
3. Shift Supervisor
4. Lieutenant
5. Assistant Director / PREA Coordinator
6. Facility Director
7. Agency Head

Every staff interviewed stated residents would be provided with medical care immediately after any allegation of sexual abuse has occurred.

Site Review Observation:

The facility has not had a sexual abuse allegation in the past 12 months. The facility has multiple cameras in the interior and exterior of the building. There were no blind spots observed during the onsite review.

(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency/facility is responsible for conducting administrative sexual abuse investigations (including resident-on-resident sexual abuse or staff sexual misconduct). The agency/facility is not responsible for conducting criminal sexual abuse investigations (including resident-on-resident sexual abuse or staff sexual misconduct). The Burnet Police Department is responsible for conducting sexual abuse investigations.

Prison Rape Elimination Act Policy and Procedure, page 14, section I., states, "Intermediate Sanction Facility - Burnet ensures that an administrative (internal) or criminal investigation is completed for all allegations of sexual abuse or sexual harassment. Sexual abuse allegations are referred for investigation to local law enforcement to document criminal investigations unless the allegation does not involve potentially criminal behavior. All such referrals are documented."

Prison Rape Elimination Act Policy and Procedure, page 14, section J., states,

CONTACT: PREA Coordinator. Katherine Cardenas at 5 12-905-5491 or Glen Glenore at 5 12-755-1837
 BURNET POLICE DEPARTMENT: POLICE SUPERVISOR ON DUTY. (512) 756-6404 or 91 1 after 5pm,
 MEDICAL CARE- TRANSPORT to SETON HIGHLAND LAKES HOSPITAL BLUE BONNET TRAILS-Marble Falls- Crisis Service - (512) 869-2650

(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the protocol being developmentally appropriate is not developmentally appropriate for youth as the facility does not house youthful offenders. The protocol was adapted from or otherwise based on the most recent edition of the DOJ'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.

Prison Rape Elimination Act Policy and Procedure, page 20, section N., states, "Local Authorities for Investigations. In allegations of sexual abuse, the Program Director shall notify the local law enforcement department as soon as possible and any contracting agency. (BURNET POLICE DEPT.)"

The facility provided a National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents manual demonstrating investigators follow a uniform evidence protocol.

(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility offers all residents who experience sexual abuse access to forensic medical examinations. Forensic medical examinations are offered without financial cost to the victim. Where possible, examinations are conducted by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs). When SANEs or SAFEs are not available, a qualified medical practitioner

performs forensic medical examinations. The facility documents efforts to provide SANEs or SAFEs. The number of forensic medical exams conducted during the past 12 months is zero. The number of SANEs/SAFEs during the past 12 months was zero. The number of exams performed by a qualified medical practitioner during the past 12 months was zero.

Prison Rape Elimination Act Policy and Procedure, page 13, section 3.b., states, "The medical personnel will use an evidence collection kit for the collection of forensic evidence with the resident's consent and without financial cost where evidentiary or medically appropriate."

Prison Rape Elimination Act Policy and Procedure, page 15, section 4-5., state,

4. "Staff will also attempt to make available to the victim, a victim advocate from a rape crisis center, either in person or by other means.
5. Victim services will be made available to all program residents while they reside at the program, who were victims of sexual abuse or sexual harassment by program staff, contract employees, volunteers, or other residents while in the program or in other community programs."

Prison Rape Elimination Act Policy and Procedure, page 15, section 7., states, "Access to Emergency Medical and Mental Health Services-BLUE BONNET TRAILS-Marble Falls. Crisis Services - (512) 869-2650 - MEDICAL CARE- TRANSPORT to SETON HIGHLAND LAKES HOSPITAL."

On 9.22.2022 at 2:23 pm MST this Auditor contacted Seton Highland Lakes Hospital at 3201 S. Water St. Burnet, TX 78611, telephone number 512.715.3000. After proper introductions and the reason for the call, the Auditor asked if this facility accepts residents from the Burnet Community Confinement Center and employs a SANE and or conducts SAFE exams. The emergency Nurse stated the facility would call in the SANE when they were made aware a resident was in transport for a forensic exam.

(d) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility attempts to make available to the victim a victim advocate from a rape crisis center, either in person or by other means. The efforts are documented. If and when a rape crisis center is not available to provide victim advocate services, the facility provides a qualified staff member from a community-based organization or a qualified agency staff member. Policy compliance can be found in provisions (s) and (c) of this standard.

The facility provided a Memorandum of Understanding (MOU) between 33rd and 424th Judicial District Intermediate Sanction Facility and Blue Bonnet Trails Community Services. The MOU is signed by the Facility Director and the Blue Bonnet Trails Community Services Executive Director. The MOU is in effect until either party states otherwise in writing.

(e) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states a qualified staff or community member accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information and referrals.

Prison Rape Elimination Act Policy and Procedure, page 13, section 8., states, "If requested by the victim, a victim advocate, qualified program staff member, or qualified staff from a community-based agency shall accompany and support the victim through the forensic medical examination process and investigatory reviews and shall provide emotional support, crisis intervention, information, and referrals."

(f) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states, if the agency is not responsible for investigating allegations of sexual abuse and relies on another agency to conduct these investigations, the agency has requested that the responsible agency follow the requirements of paragraphs §115.221 (a) through (e) of the standards.

The facility provided a Memorandum of Understanding (MOU) between 33rd and 424th Judicial District Intermediate Sanction Facility and the City of Burnet Police Department. The MOU is signed by the Facility and the Chief of Police. The MOU does not appear to have an expiration date and remains in effect until either organization terminates the agreement.

Through such reviews, the facility meets the standard requirements.

115.222	Policies to ensure referrals of allegations for investigations
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Residents 2. Detention Officers 3. Assistant Facility Director / PREA Coordinator 4. Program Director / Facility Investigator <p>Resident and staff interviews demonstrated each can report incidents of sexual abuse and sexual harassment through the grievance process, verbally reporting to a staff, calling law enforcement, or through a third party. Residents interviewed stated being comfortable reporting incidents of sexual harassment and assault directly to staff.</p> <p>Staff interviewed stated upon rumor, suspicion or receipt any type of allegation, each would separate victims from their abuser, ensure each did not eat, drink, change clothing or otherwise remove evidence from their person. Staff interviewed stated they would preserve any area that was alleged to be involved in an allegation, notify a supervisor, contact police, medical and or mental health services, where applicable.</p> <p>Site Review Observation:</p> <p>The facility has not experienced a sexual harassment or sexual abuse incident in the past 12 months.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency ensures that an administrative or criminal investigations are completed for all allegations of sexual abuse and sexual harassment. In the past 12 months the facility has had zero allegations of sexual abuse and sexual harassment that were received.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 20, section N, states, "Local Authorities for Investigations. In allegations of sexual abuse, the Program Director shall notify the local law enforcement department as soon as possible and any contracting agency. (Burnet Police Department.) ii. The Program Director must ensure that all protocols are followed for crime scene preservation in order to enable the local authorities to conduct a proper investigation of all allegations of sexual abuse."</p> <p>Prison Rape Elimination Act Policy and Procedure, page 20, section N. 6., states, "Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse."</p> <p>(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has a policy that requires that allegations of sexual abuse or sexual harassment be referred for investigation to an agency with the legal authority to conduct criminal investigations, including the agency if it conducts its own investigations, unless the allegation does not involve potentially criminal behavior.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 14, section 1., states, "Intermediate Sanction Facility - Burnet ensures that an administrative (internal) or criminal investigation is completed for all allegations of sexual abuse or sexual harassment. Sexual abuse allegations are referred for investigation to local law enforcement to document criminal investigations unless the allegation does not involve potentially criminal behavior. All such referrals are documented."</p> <p>The agency investigation policy is made available to the public at www.burnetisf.org.</p> <p>(c) Policy compliance can be found in provision (a) of this standard. (d) Policy compliance can be found in provision (a) of this standard. (e) Policy compliance can be found in provision (b) of this standard.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ
2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018
3. Burnet Intermediate Sanction Facility – What You Need to Know 115.231 Employee Training PowerPoint, not dated
4. Burnett Intermediate Sanction Facility PREA Refresher, not dated
5. PREA Refresher Course Test, not dated

Interviews:

1. Detention Officers
2. Shift Supervisor
3. Lieutenant
4. Assistant Program Director / PREA Coordinator

Interviews with staff demonstrated each received PREA training upon hire, throughout each year and as an annual requirement through in person training by the PREA Coordinator or online training.

Site Observation:

Review of the 10 personnel files demonstrated each staff interviewed had completed PREA training either annually and or consistently, every year, except for the year of 2021 during the outbreak of COVID. The facility did get off track as many were told by state officials that in person meetings were on hold. Since, the facility can demonstrate training occurs every six months.

(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency trains all employees who may have contact with residents on the agency's zero-tolerance policy for sexual abuse and sexual harassment.

Prison Rape Elimination Act Policy and Procedure, page 6, section I. a-j., states, "Intermediate Sanction Facility - Burnet will train any and all staff who have contact with residents on:

- a. Sanction Facility – Burnet's zero-tolerance stance for sexual abuse and sexual harassment;
- b. How to fulfill their responsibilities under Intermediate Sanction Facility - Burnet sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
- c. Resident's right to be free from sexual abuse and sexual harassment;
- d. The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment
- e. The dynamics of sexual abuse and sexual harassment in confinement
- f. The common reactions of sexual abuse and sexual harassment victims
- g. How to detect and respond to signs of threatened and actual sexual abuse
- h. How to avoid inappropriate relationships with residents
- i. How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents
- j. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities."

The facility provided a Burnet Intermediate Sanction Facility – What You Need to Know 115.231 Employee Training PowerPoint. The training consists of the following components:

- What is the Prison Rape Elimination Act?
- Everyone Has the Right to be Free from Sexual Abuse and Sexual Harassment
- It's the Law
- What will happen to me as a staff member? (Investigations/Charges)
- What will happen if a resident is found guilty?
- Policy Overview
- Definitions
- Zero Tolerance for Sexual Abuse and Sexual Harassment
- How to full fill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures
- Residents' right to be free from sexual abuse and sexual harassment
- The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment
- The dynamics of sexual abuse and sexual harassment
- The common reactions of sexual abuse and sexual harassment victims
- How to detect and respond to signs of threatened and actual sexual abuse
- How to avoid inappropriate relationships with residents
- How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or

gender nonconforming residents

- How to comply with relevant laws related to mandatory reporting sexual abuse to outside authorities
- First Responder Duties
- Sexual Misconduct, Sexual Abuse, Sexual Harassment of a resident by a staff member, volunteer, visitor or contractor
- Environmental Signs of Sexual Assault

The facility provided New Employee Mandatory Training Check Sheet. Training topics consist of the following:

- Read the PREA Pamphlet
- Watch the PREA Video titled PREA What You Need to Know. Sign the PREA Video Verification Form
- Read the Prison Rape Elimination Act Policy and Procedure. Sign Stating you Understand the Policy and Procedure and will follow all policies listed.
- Read the Policy and Procedure Manual – Facility (Big White Binder). Sign stating that you have read and understand the Policies and Procedures of this facility.
- Read the PRA Response Binder
- Read the Client Handbook
- Watch the Suicide Prevention Video and complete the questionnaire. Sign the sign in sheet along with your supervisor.
- Watch the Suicide Prevention Video and complete the questionnaire. Sign the sign in sheet along with your supervisor.
- Read the PowerPoint (paper copy) on Sexual Harassment. Ask questions to your supervisor.
- Read the LGBTQ definitions
- Watch the Cross Gender Pat Downs Video located at: <https://www.prearesoucecenter.org>
- Complete the PREA Refresher Course and turn in the quiz. Sign the sign in sheet along with your supervisor

Each employee and employee supervisor signs they have completed the above.

(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states training is tailored to the gender of the residents at the facility. Employees who are reassigned from facilities housing the opposite gender are given additional training. The 33rd and 424th Judicial District Intermediate Sanction Facility is a male only facility and a standalone facility where reassignments would not be applicable.

(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states between trainings the agency provides employees who may have contact with residents with refresher information about current policies regarding sexual abuse and harassment. The frequency with which employees who may have contact with residents receive refresher training on PREA requirements annually or when needed.

Prison Rape Elimination Act Policy and Procedure, page 6, section 2., states, "All current employees of the Intermediate Sanction Facility - Burnet shall be trained in the PREA standards (requirements), and Intermediate Sanction Facility - Burnet shall provide these employees with refresher training every year to ensure that these employees know Intermediate Sanction Facility - Burnet's current sexual abuse and sexual harassment policies and procedures. The Intermediate Sanction Facility - Burnet shall document through employee signature that they understand the training they have received."

The facility provided a 12-page PREA Refresher Course made available through the PREA Resource Center and PREA Refresher Course Test. The Community Confinement refresher training consist of the following topics:

- PREA Basics
- Handling Disclosures of Abuse
- Professional Communication and Boundaries
- Resident Privacy
- Ways Residents Can Report
- Resident Support Services
- Helping Residents Who Primarily Speak Another Language
- Duty to Report: knowledge, Suspicion, or Information
- First Responder Duties
- Completing a PREA Incident Report
- Encouraging Residents to Report Sexual Abuse
- Monitoring for Safety and Security

(d) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency documents that employees who may have contact with residents understand the training they have received through employee signature or electronic verification. Policy compliance can be found in provision (b) of this standard. Training acknowledgments are demonstrated in provision (a) of this standard.

Through such reviews, the facility meets the standard requirements.

115.232	Volunteer and contractor training
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 435 300">Document Review:</p> <ol data-bbox="242 304 1394 432" style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 3. PREA Volunteer and Contractor Training – Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors, not dated <p data-bbox="242 463 352 492">Interviews:</p> <ol data-bbox="242 497 558 526" style="list-style-type: none"> 1. Religious Services Volunteer <p data-bbox="242 530 1477 622">The Religious volunteer has been conducting services on Sundays for the past 10 years and spoke to watching videos, having a clear understanding of reporting protocols and has completed training two or three times since beginning volunteer services.</p> <p data-bbox="242 654 419 683">Site Observation:</p> <p data-bbox="242 687 1414 716">Volunteer training and acknowledgement thereof was uploaded to the online audit system during the pre-audit phase.</p> <p data-bbox="242 748 1465 907">(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states all volunteers and contractors who have contact with residents have been trained on their responsibilities under the agency’s policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response. The number of volunteers and contractors, who may have contact with residents, who have been trained in agency’s policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response is seven.</p> <p data-bbox="242 938 1490 1066">Prison Rape Elimination Act Policy and Procedure, page 6, section E.1., states, “The Intermediate Sanction Facility - Burnet will ensure that all volunteers and contractors who have contact with residents have been trained on their responsibilities under the ‘Intermediate Sanction Facility – Burnet’s sexual abuse and sexual harassment prevention, detection and response policies and procedures.</p> <p data-bbox="242 1097 1417 1155">The facility provided a Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors. The training consists of the following topics:</p> <ul data-bbox="242 1160 815 1323" style="list-style-type: none"> • Introduction to Volunteer and Contractor PREA Training • Zero Tolerance • How to Report Sexual Abuse or Sexual Harassment • Detecting Sexual Abuse and Sexual Harassment • Maintaining Professional Relationships with Residents <p data-bbox="242 1355 1422 1413">Participants sign the following, “I, _____ have received and understand the PREA training for contractors, volunteers and interns.” A signature and date is required.</p> <p data-bbox="242 1444 1485 1572">(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with residents. All volunteers and contractors who have contact with residents have been notified of the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.</p> <p data-bbox="242 1603 1493 1731">Prison Rape Elimination Act Policy and Procedure, page 6, section E.2., states, “The level and type of training provided to the volunteers and contractors shall be based on the services they provide and level of contact with residents shall be notified of the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.”</p> <p data-bbox="242 1762 1430 1821">(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency maintains documentation confirming that volunteers and contractors who have contact with residents understand the training they have received.</p> <p data-bbox="242 1852 1477 1910">Prison Rape Elimination Act Policy and Procedure, page 6, section E.3., states, “The Intermediate Sanction Facility - Burnet shall maintain documentation confirming the volunteers and contractors understand the training they have received.”</p> <p data-bbox="242 1942 919 1971">Through such reviews, the facility meets the standard requirements.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ
2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018
3. End the Silence Brochure, not dated
4. 33rd/424th Judicial District Intermediate Sanction Facility Resident Orientation Handbook, dated 8.9.2022
5. 33rd and 424th Judicial District Intermediate Sanction Facility CSO PREA Acknowledgement Form, dated 9.30.2022
6. Burnet Intermediate Sanction Facility Spanish Version Departamento De Agencias Correccionales De Burnet I.S.F. – Prevencion e Intervencion de Abuso / Agresion Sexual Informacion General para Presos/Presas, not dated

Interviews:

1. Random Residents
2. Probation Officer - Intake staff

Interviews with the 10 random residents demonstrated each understood their knowledge of PREA, reporting options to staff, third parties, PREA boxes, PREA hotline and by reading Zero-Tolerance Posters 'all over' the facility.

The Probation Officer interview demonstrated he is responsible for providing PREA education to residents as they enter the program. The Probation Officer stated he educates residents within 30 minutes of entering, right after they are cleared through medical and again comprehensive education is provided within two to three hours.

Site Observation:

Of the 10 resident files reviewed, each demonstrated evidence of PREA education within 72 hours of intake.

(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states residents receive information at time of intake about the zero-tolerance policy, how to report incidents or suspicions of sexual abuse or harassment, their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. The number of residents admitted during past 12 months who were given this information at intake was 90.

Prison Rape Elimination Act Policy and Procedure, page 6-7, section F.I. a-d states, "During the intake process residents will receive information explaining the Intermediate Sanction Facility - Burnet's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. The program provides residents with PREA education in formats accessible to all residents, including those who are limited English proficient (LEP), deaf, visually impaired, or otherwise disabled as well as residents who have limited reading skills. The program maintains documentation of resident participation in all education sessions.

Within 30 days of intake the Intermediate Sanction Facility - Burnet's shall provide comprehensive education to residents to include:

1. Intermediate Sanction Facility - Burnet's zero-tolerance policy on sexual abuse and sexual harassment
 2. Definitions of sexually abusive behavior and sexual harassment.
 3. Methods of prevention, detection, and reporting sexually abusive behaviors and sexual harassment.
 4. Treatment options and programs available to resident victims of sexually abusive behavior and sexual harassment.
 5. How to avoid inappropriate relationships with residents;
 6. How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents
 7. Their right to be free from sexual abuse and sexual harassment;
 8. Their right to be free from retaliation for reporting sexual abuse and sexual harassment
 9. Resident's right to be free from sexual abuse and sexual harassment; ii. The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment.
- b. Staff shall communicate to residents this education in formats accessible to all residents, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to residents who have limited reading skills,
- c. Definitions of sexual abuse and sexual harassment violations, and information on the various reporting mechanisms for residents who believe they are a victim of or witness to this behavior.
- d. Staff shall distribute to each resident a Resident Handbook which includes the above information in language easily understood by residents. Staff shall also orient the residents to the section of the Handbook which discusses disciplinary sanctions for residents who intentionally make false allegations."

(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility provides residents who are transferred from a different community confinement facility with refresher information referenced in 115.233(a)-1. The

number of residents transferred from a different community confinement facility during the past 12 months was zero. The number of residents transferred from a different community confinement facility, during the past 12 months, who received refresher information was zero.

Prison Rape Elimination Act Policy and Procedure, page 6-7, section F.1. f., states, "The program provides refresher information whenever a resident is transferred from or to a different facility."

(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states Resident PREA education is available in formats accessible to all residents, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled and those who have limited reading skills. Policy compliance can be found in provision (a) of this standard.

(d) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency maintains documentation of resident participation in PREA education sessions.

Prison Rape Elimination Act Policy and Procedure, page 7, section F.1. e., states, "Staff will document verification of resident orientation and education on PREA by completing the PREA Intake Orientation form. Staff will maintain the original signed acknowledgement form in the resident's case file."

The facility provided a 33rd and 424th Judicial District Intermediate Sanction Facility CSO PREA Acknowledgement Form. Residents acknowledge they have been provided the following, "Zero tolerance policy regarding sexual abuse and sexual harassment, how to report incidents or suspicions of sexual abuse or sexual harassment, their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents." The acknowledgment has the resident's printed name, signature, witness signature/position signature and date.

(e) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency ensures that key information about the agency's PREA policies is continuously and readily available or visible through posters, resident handbooks, or other written formats.

Prison Rape Elimination Act Policy and Procedure, page 7, section F.1. g., states, "In addition to providing such education, the program ensures that key information is continuously and readily available and visible to residents through posters, resident handbooks and brochures."

The facility provided a 33rd/424th Judicial District Intermediate Sanction Facility Resident Orientation Handbook. Page 6 of the handbook states, "This facility has a zero-tolerance policy for any sexual misconduct between staff, volunteers, or contractors and offenders. To include sexual misconduct between and among offenders. All forms of forced or coercive sexual misconduct will be fully investigated. Please refer to your PREA orientating for further information. Any questions or reports can be made to the Assistant Director or follow the instructions on the dorm posting/orientation for alternative options.

The facility provided an End the Silence Brochure. The brochure provides residents with the following information:

- Right to Report
- How to Report – address and telephone numbers with multiple ways to report internally or externally
- External Reporting Options
- If You Are Abused – Rape Crisis Line/Sexual Assault Legal Line
- What to do If You Have Been Sexually Abused
- Notice for Failure to Report
- PREA Coordinator/Facility Director names and phone numbers
- Zero Tolerance
- What is Sexual Harassment?
- What is Sexual Abuse?
- What is Staff Voyeurism?
- Examples of Staff / Volunteer / Approved Contractors Voyeurism
- Tips for Avoiding Sexual Abuse and Sexual Harassment

Through such reviews, the facility meets the standard requirements.

115.234	Specialized training: Investigations
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 3. Safe Prisons Program Conducting a Thorough Investigation Curriculum, not dated 4. Certificates of Completion, Specialized Training – Investigations 5. Certificate of Completion, PREA: Investigating Sexual Abuse in a Confinement Setting, dated 3.5.2019 6. Certificate of Completion, PREA: Investigating Sexual Abuse in a Confinement Setting: Advanced Investigations 3.7.2019 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Probation Officer – Facility Investigator <p>The interview with the Probation Officer demonstrated he had completed specialized investigator training through the National Institute of Corrections and advanced investigator training through the Texas Ombudsman’s Office.</p> <p>Site Observation:</p> <p>Specialized Investigator training certificates from the National Institute of Corrections were witnessed for the Assistant Facility Director and the Probation Officer.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states agency policy requires that investigators are trained in conducting sexual abuse investigations in confinement settings.</p> <p>Prison Rape Elimination Act Policy and Procedure page 7, section 115.234 a-c, states, “Facility Director, Assistant Director, and at minimum two supervisors will complete the Investigator training as provided by CJAD/TDCJ or the NICIC training website are approved options. A minimum of 3 hours of Specialized training: Investigations will be completed. The number of Investigators currently on staff for the year is four.”</p> <p>(b) The facility provided a Safe Prisons Program Conducting a Thorough Investigation Curriculum. The curriculum is presented by the Texas Ombudsman’s Office. The curriculum consists of the following components:</p> <ul style="list-style-type: none"> • Purpose of Training: Provide supervisors with the fundamental knowledge of performing a successful sexual abuse or sexual harassment investigation. <p>Objectives:</p> <ul style="list-style-type: none"> • History and definitions related to PREA • PREA Standards related to sexual abuse and sexual harassment • How a systemic approach ensures a successful investigation • Criteria and evidence used to determine investigation outcomes • Effects of report writing on administrative action and prosecution • Use of Miranda and Garrity Warnings • Investigative requirements for medical and mental health protocol • Timeline/methods for obtaining forensic medical evidence • Importance of background information • Techniques for interviewing victim – minimizing fear • Interviewing techniques for victims and special populations • Managing personal biases • PREA and Agency Standards • Definitions <p>(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency maintain documentation showing that investigators have completed the required training. The number of investigators currently employed who have completed the required training is four.</p> <p>The facility provided Certificates of Completion, Specialized Training – Investigations Certificate of Completion through the Texas Ombudsman’s Office; PREA: Investigating Sexual Abuse in a Confinement Setting and Certificate of Completion, PREA: Investigating Sexual Abuse in a Confinement Setting: Advanced Investigations through the National Institute of Corrections.</p> <p>Through such reviews the facility meets the standard requirements.</p>

115.235	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Assistant Program Director / PREA Coordinator <p>The interview with the Assistant Program Director demonstrated the facility does not have nor contract with medical or mental health personnel.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency does not have a policy related to the training of medical and mental health practitioners who work regularly in its facilities. The facility does not have medical and mental health staff.</p> <p>(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency does not have medical staff at this facility.</p> <p>Through such reviews the facility meets the standard requirements.</p>

115.241	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 3. 33rd and 424th Judicial District Intermediate Sanction Facility – Sexual Victimization and Abusiveness Risk Screening Form, dated 3.1.2015 4. Texas Department of Criminal Justice Safe Prisons/PREA Program Resident Assessment Screening, dated 12/2017 5. Response and Action Form Sexual Victimization and Abusiveness Risk Screening Form, not dated 6. Sexual Victimization and Abusiveness Reassessment Form, not dated <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random residents 2. Probation Officer <p>Residents interviewed demonstrated remembering being screened at intake and again within a month of intake.</p> <p>The interview with the Probation Officer demonstrated he screens all residents at intake and again with 30 days of intake or when collateral information may warrant a rescreening. The Probation Officer stated he asks residents risk screening questions in the privacy of his office. The Probation Officer stated he screens each resident for stature, legal history, previous incarcerations, mannerisms, perceived potentials by other residents and previous sexual abuse.</p> <p>Site Observation:</p> <p>During review of 1 resident files, this Auditor noted each resident had received screening on the first day of admission.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has a policy that requires screening (upon admission to a facility or transfer to another facility) for risk of sexual abuse victimization or sexual abusiveness toward other residents.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 7, section 3. a-d., states, “</p> <ol style="list-style-type: none"> a) All residents arriving at the program shall be assessed during an intake screening (and upon transfer to another facility) for their risk of being sexually abused by other residents or sexually abusive toward other residents, using the PREA Possible Victim/Predator Screening and Scoring Checklist. b) Intake screening shall ordinarily take place within 72 hours of arrival at the program. c) Such assessments shall be conducted using an objective screening instrument. d) The intake screening shall consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: <ol style="list-style-type: none"> 1. Whether the resident has a mental, physical, or developmental disability; 2. The age of the resident; <ol style="list-style-type: none"> a. The physical build of the resident; b. Whether the resident has previously been incarcerated; c. Whether the resident's criminal history is exclusively nonviolent; d. Whether the resident has prior convictions for sex offenses against an adult or child; e. Whether the resident is or is perceived to be (by staff or residents) gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; f. Whether the resident has previously experienced sexual victimization; and g. The resident's own perception of vulnerability. 3. In assessing residents for risk of being sexually abusive, the intake screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency. <p>(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency policy requires that residents be screened for risk of sexual victimization or risk of sexually abusing other residents within 72 hours of their intake. The number of residents entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 72 hours or more) who were screened for risk of sexual victimization or risk of sexually abusing other residents within 72 hours of their entry into the facility was 86. Policy compliance can be found in provision (a) of this standard.</p> <p>(c-e) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the risk assessment is conducted using an objective screening instrument.</p> <p>The facility provided 33rd and 424th Judicial District Intermediate Sanction Facility – Sexual Victimization and Abusiveness Risk Screening Form. The Risk Screening form captures following information.</p> <ul style="list-style-type: none"> • Resident's Name/Date of Birth/Resident Build (Small, Medium, Large)

- Today's Date
- Staff member completing form
- Does the resident have a mental, physical, or developmental disability?
- Has the resident been previously incarcerated?
- Is the resident criminal history exclusively non-violent?
- Is the resident or is the resident perceived to be lesbian, gay, bisexual, transgender, intersex, (LGBTI), or gender non-conforming?
- Has the resident previously experienced sexual victimization?
- Does the resident perceive himself/herself as being vulnerable for sexual victimization?

The facility provided a Texas Department of Criminal Justice Safe Prisons/PREA Program Resident Assessment Screening. This screening captures the following information.

Section I.

- Unit/Date Received/Screening Date/Follow up Date
- Resident Name/SID#/Age/Gender/Height/Weight

Section II

- Prior Incarcerations
- Prior Sexual Offense Convictions against a child and/or against an adult
- Criminal History is exclusively non-violent
- Evidence suggesting resident has history of prior institutional sexual victimization
- Evidence suggesting resident has a history of prior institutional violence or sexual abuse
- Completed Safe Prisons/PREA Education during current incarceration

Section III

- Prior to incarceration have you ever experienced sexual victimization?
- Engaged in sexual activity with another because you believed you would be harmed if you refused?
- Been forced or coerced to engage in sexual activity for protection or otherwise with staff or resident?
- Engaged in non-coerced sexual activity with staff or resident?
- Forced another resident by violence, threats, or promise to provide protection to engage in sexual acts?
- Been disciplined in any other institution for sexual abuse or sexual harassment of another resident?
- Do you have any mental, physical, or developmental disabilities? (Mental, developmental, physical)
- Do you feel at risk from assault or harassment from other residents? If yes, why?
- Do you wish to identify yourself as: Lesbian, Gay, Bisexual or Heterosexual?
- Do you wish to identify yourself as Transgender or Intersex?

The facility provided a Response and Action Form Sexual Victimization and Abusiveness Risk Screening Form. This form captures the following information in response to results from the risk screening form.

- Resident's Name
- Today's Date
- Staff member completing form
- Attach Sexual Victimization and Abusiveness Risk Screening Form
- Place both forms in the Assistant Director or Directors box according to whomever will be on schedule that shift.
- Response will be returned to shift supervisor
- Staff recommendations
- Facility Director or Assistant Director Response
- Facility Director or Assistant Director signature and date

Section IV:

- If any of number 1-4 is 'yes', ask if the abuse was reported to facility authorities or law enforcement. Resident response.
- If any number 1-4 is 'yes', does the resident want to be referred to a representative from mental health?
 - o If yes, complete and submit a Referral to Medical/Mental Health Services form.
 - o Date Referral submitted:
- If any of number 5, 6, 7 is 'yes', ensure the resident is referred to Medical/Mental Health for evaluation
- If #8 is yes, note why resident feels they may be at risk
- Does the resident display characteristics or demeanor of the opposite sex or appears gender non-conforming?

(f) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the number of residents entering the facility (either through intake or transfer) within the past 12 months whose length of stay in the facility was for 30 days or more who were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received since intake was 79 assessments."

Prison Rape Elimination Act Policy and Procedure, page 8, section D., states, "Within a set time period, not to exceed 30 days from the resident's arrival at the program, staff will reassess the resident's risk of victimization or abusiveness based upon any additional, relevant information received by the program since the intake screening."

The facility provided a Sexual Victimization/Abusiveness PREA Reassessment Form. The reassessment captures the

following information:

1. Since you have been at this facility have you experienced sexual abuse or sexual harassment?
2. Have you had any incidents of violence since you have been in this facility?
3. Have you been threatened in any way here at the facility?
4. Can you tell me what PREA is and how to report an incident should something happen?

(g) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the policy requires that a resident's risk level be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the resident's risk of sexual victimization or abusiveness.

Prison Rape Elimination Act Policy and Procedure, page 8, section D.1., states, "A resident's risk level shall also be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the resident's risk of sexual victimization or abusiveness."

(h) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the policy prohibits disciplining residents for refusing to answer (or for not disclosing complete information related to) the questions regarding: (a) whether or not the resident has a mental, physical, or developmental disability; (b) whether or not the resident is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming; (c) Whether or not the resident has previously experienced sexual victimization; and (d) the residents own perception of vulnerability.

Prison Rape Elimination Act Policy and Procedure, page 8-9, section g., states, "Residents may not be disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to:

1. Whether the resident has a mental, physical, or developmental disability
2. Whether the resident is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming
3. Whether the resident has previously experienced sexual victimization
4. The residents own perception of vulnerability."

(i) Prison Rape Elimination Act Policy and Procedure, page 9, section h., states, "Program staff shall implement appropriate controls on the dissemination within the program of responses to questions asked pursuant to the intake screening in order to ensure that sensitive information is not exploited to the resident's detriment by staff or other residents. This is accomplished by the screening being completed by only key staff and the information is double locked."

Through such reviews, the facility meets the standard requirements.

115.242	Use of screening information
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random residents 2. Lieutenant 3. Probation Officer 4. Assistant Program Director / PREA Coordinator <p>The interview with the Probation Officer demonstrated he notifies the PREA Coordinator, who immediately notifies the PREA Coordinator of any residents who are flagged during the risk screening. The Lieutenant and the PREA Coordinator stated residents who flag or who are perceived to be at risk are placed in the front bunk, closest to the Control Room and verbally tell staff to look out for the resident.</p> <p>On Site Observation:</p> <p>There were no targeted residents during the onsite review; however, there was a young resident who was placed near the front of the pod.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency/facility uses information from the risk screening required by §115.241 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive.</p> <p>Prison Rape Elimination Act Policy and Procedure page 9, section 5. a., states, "The program uses information from the PREA Screening and Scoring Checklist to inform housing, bed, work, education, and program assignments with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive."</p> <p>(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency/facility makes individualized determinations about how to ensure the safety of each resident.</p> <p>Prison Rape Elimination Act Policy and Procedure page 9, section 5.b., states, "The program makes individualized determinations about how to ensure the safety of each resident."</p> <p>(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency/facility makes housing and program assignments for transgender or intersex residents in the facility on a case-by-case basis.</p> <p>Prison Rape Elimination Act Policy and Procedure page 9, section 5.c., states, "The program makes housing and program assignments for transgender or intersex residents in the facility on a case-by-case basis considering whether a placement would ensure the residents health and safety, and whether the placement would present management or security problems."</p> <p>(d) Prison Rape Elimination Act Policy and Procedure, page 9, section 5. d., states, "A transgender or intersex resident's own views with respect to his or her (if applicable) own safety shall be given serious consideration."</p> <p>(e) Prison Rape Elimination Act Policy and Procedure, page 9, section 5. e., states, "Transgender and intersex residents shall be given the opportunity to shower separately from other residents."</p> <p>(f) Prison Rape Elimination Act Policy and Procedure, page 9, section 5. f., states, "The placement of lesbian, gay, bisexual, transgender, or intersex residents in dedicated units solely on the basis of such identification or status, (unless such placement is in a dedicated unit established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such residents) is prohibited."</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.251	Resident reporting
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 3. End the Silence Brochure, not dated <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random residents 2. Detention Officers 3. Assistant Director / PREA Coordinator <p>Staff and residents were comfortable reporting verbally to any staff. Each resident interviewed stated he would report to staff verbally and or through the PREA box and or hotline or advocate numbers posted on the posters available throughout the facility.</p> <p>Detention Officers interviewed stated if a resident wanted to use a staff phone to call an advocate or the hotline, they would typically notify the Lieutenant, Shift Supervisor or Probation Officer who would assist them with the call.</p> <p>Site Observations:</p> <p>During the tour No Means No and Zero Tolerance postings were witnessed with new reporting information, throughout the facility. (During the pre-audit phase, previous phone numbers on postings were not current contact numbers.)</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has established procedures allowing for multiple internal ways for residents to report privately to agency officials about: (a) sexual abuse or sexual harassment; (b) retaliation by other residents or staff for reporting sexual abuse and sexual harassment; and (c) staff neglect or violation of responsibilities that may have contributed to such incidents.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 16, section K. 1., states, “The program shall provide multiple internal ways for residents to privately report sexual abuse and sexual harassment, retaliation by other residents or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.”</p> <p>(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency provides at least one way for residents to report abuse or harassment to a public or private entity or office that is not part of the agency.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 16, section K. 2., states, “The program also shall inform residents of at least one way to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency and that is able to receive and immediately forward resident reports of sexual abuse and sexual harassment to agency officials, allowing the resident to remain anonymous upon request.”</p> <p>The facility provided an End the Silence Brochure. The brochure provides residents with the following information:</p> <ul style="list-style-type: none"> • Right to Report • How to Report – <ul style="list-style-type: none"> o Telephone 512.756.7628 o Report to any staff, volunteer, contractor, or medical or mental health staff o Submit a grievance or sick call slip o Report to the PREA Coordinator or PREA Compliance Manager o Tell a family member, friend, legal counsel, or anyone wiles outside the facility. They can report on your behalf by calling 512.756.7628 o You also can submit a report on someone’s behalf, or someone at the facility can report for you using the ways listed here. • External Reporting Option <ul style="list-style-type: none"> o You also can make a report to the Burnet Police Department at 512.756.6404 or the Blue Bonnet MHMR Crisis Services at 512.869.2650, and you can remain anonymous upon request. <p>On 9.23.2022 at 10:54 am MST, this Auditor dialed 512.756.7628. The call was answered by the Burnet ISD facility. The staff who answered the call stated she would write the caller’s name, a detailed description of what happened and give it to the Assistant Program Director.</p> <p>On 9.23.2022 at 10:59 am MST, this Auditor verified phone numbers for the Burnet Police Department and the Blue Bonnet MHMR Crisis Services. Both phone numbers were answered by the entities, above.</p>

(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has a policy mandating that staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties.

Prison Rape Elimination Act Policy and Procedure, page 16, section K. 3., states, "Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document and respond to any verbal reports."

(d) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has established procedures for staff to privately report sexual abuse and sexual harassment of residents. Employees are made aware of the following through the facility PREA policy training received at orientation and annually thereafter.

Prison Rape Elimination Act Policy and Procedure, page 16, section K. 4., states, "The program shall provide a method for staff to privately report sexual abuse and sexual harassment of residents."

Through such reviews, the facility meets the standard requirements.

115.252 Exhaustion of administrative remedies

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

- 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ
- 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018

Interviews:

- 1. Random Residents
- 2. Assistant Director / PREA Coordinator

Residents interviewed were aware of the grievance procedures and understood they could complete a grievance if they were sexually harassed or sexually abused. Residents spoke to grievance boxes being available in each dorm.

Site Observation:

The facility did not have any grievances filed within the last 12 months. Grievance boxes were observed inside each dorm.

(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has an administrative procedure for dealing with resident grievances regarding sexual abuse.

Prison Rape Elimination Act Policy and Procedure, page 17, section I. 1., states, "The program ensures a formal administrative process to address resident grievances regarding sexual abuse and sexual harassment. The program prohibits an informal grievance process or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse or sexual harassment."

(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency policy or procedure allows a resident to submit a grievance regarding an allegation of sexual abuse at any time, regardless of when the incident is alleged to have occurred.

Prison Rape Elimination Act Policy and Procedure, page 17, section I. 2., states, "The program shall not impose a time limit on when a resident may submit a grievance regarding an allegation of sexual abuse or sexual harassment."

(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency's policy and procedure allows a resident to submit a grievance alleging sexual abuse without submitting it to the staff member who is the subject of the complaint. The agency's policy and procedure require that a resident grievance alleging sexual abuse not be referred to the staff member who is the subject of the complaint.

Prison Rape Elimination Act Policy and Procedure, page 17, section I. 3., states, "A resident who alleges sexual abuse or sexual harassment may submit a grievance without submitting it to a staff member who is the subject of the complaint."

(d) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency policy and procedure requires that a decision on the merits of any grievance or portion of a grievance alleging sexual abuse be made within 90 days of the filing of the grievance. In the past 12 months, the number of grievances filed that alleged sexual abuse was zero. In the past 12 months, the number of grievances alleging sexual abuse that reached final decision within 90 days after being filed was zero.

Prison Rape Elimination Act Policy and Procedure, page 17, section I. 5-7., state,

- 1. "Intermediate Sanction Facility - Burnet shall 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."
- 2. Computation of the 90-day time period shall not include time consumed by residents in preparing any administrative appeal.
- 3. Intermediate Sanction Facility - Burnet may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision; Intermediate Sanction Facility - Burnet shall notify the resident in writing of any such extension and provide a date by which a decision will be made."

(e) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states agency policy and procedure permits third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of residents. Agency policy and procedure requires that if a resident decline to have third-party assistance in filing a grievance alleging sexual abuse, the agency documents the resident' decision to decline. The number of grievances alleging sexual abuse filed by residents in the past 12 months in which the resident declined third-party assistance, containing documentation of the residents decision to decline was zero.

Prison Rape Elimination Act Policy and Procedure, page 16, section K. d-e., state,

d. "Third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, shall be permitted to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse and sexual harassment, and shall also be permitted to file such requests on behalf of residents

e. If a third-party file such a request on behalf of a resident, Intermediate Sanction Facility – Burnet 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."

(f) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has a policy and established procedures for filing an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse. Agency policy and procedure for emergency grievances alleging substantial risk of imminent sexual abuse requires an initial response within 48 hours. The number of emergency grievances alleging substantial risk of imminent sexual abuse that were filed in the past 12 months was zero. The agency's policy and procedure for emergency grievances alleging substantial risk of imminent sexual abuse requires that a final agency decision be issued within 5 days. The number of grievances alleging substantial risk of imminent sexual abuse filed in the past 12 months that reached final decisions within 5 days was zero.

Prison Rape Elimination Act Policy and Procedure, page 17-18, section I. 9. a-b., state,

a. The program shall provide procedures for the filing of an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse or sexual harassment.

b. After receiving an emergency grievance alleging a resident is subject to a substantial risk of imminent sexual abuse or sexual harassment, the program shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse or sexual harassment) to a level of review at which immediate corrective action may be taken, shall provide an initial response within 48 hours, and shall issue a final agency decision within 5 calendar days. The initial response and final decision shall document the program's determination whether the resident is in substantial risk of imminent sexual abuse or sexual harassment and the action taken in response to the emergency grievance.

(g) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has a written policy that limits its ability to discipline a resident for filing a grievance alleging sexual abuse to occasions where the agency demonstrates that the resident filed the grievance in bad faith. In the past 12 months, the number of resident grievances alleging sexual abuse that resulted in disciplinary action by the agency against the resident for having filed the grievance in bad faith was zero.

Prison Rape Elimination Act Policy and Procedure, page 18, section I. 10. A., states, "The program may discipline a resident for filing a grievance related to alleged sexual abuse only where the program demonstrates that the resident filed the grievance in bad faith."

Through such reviews, the facility meets the standard requirements.

115.253 Resident access to outside confidential support services

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ
2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018
3. Memorandum of Understanding (MOU) between 33rd and 424th Judicial District Intermediate Sanction Facility and Blue Bonnet Trails Community Services, dated 12.5.2019
4. Zero Tolerance for Sexual Abuse and Sexual Harassment flyer, not dated
5. 33rd/424th Judicial District Intermediate Sanction Facility Resident Orientation Handbook, dated 8.9.2022
6. Bluebonnet Trails-Marble Attestation, dated 10.18.2022

Interviews:

1. Random residents
2. Targeted residents
3. Detention Officers
4. Specialized staff

Staff and residents interviewed informally and formally were aware Voices of Hope was a community advocacy center, available to the residents, if needed, free of service.

On Site Observation:

No Means No posters with Voices of Hope contact information, were observed throughout the facility.

(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility provides residents with access to outside victim advocates for emotional support services related to sexual abuse. The facility provides residents with access to such services by giving residents mailing addresses and telephone numbers (including toll-free hotline numbers where available) for local, state, or national victim advocacy or rape crisis organizations. The facility provides residents with access to such services by enabling reasonable communication between residents and these organizations in as confidential a manner as possible.

Prison Rape Elimination Act Policy and Procedure, page 14, section J. 6.a., states, "The program will provide residents with access to outside victim advocates for emotional support services related to sexual abuse by giving residents mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, and national victim advocacy or rape crisis organizations, and by enabling reasonable communication between residents and these organizations, in as confidential a manner as possible."

The facility provided a Zero Tolerance for Sexual Abuse and Sexual Harassment flyer. The flyer provided the following information:

BCWC has partnered with Domestic Violence Prevention to provide survivors of sexual abuse with emotional support services. To access these services, contact 903.793.4357 or send a letter to: 424 Spruce Street, Texarkana, TX 75501.

On 9.27.2022 at 8:49 pm MST, this Auditor contacted Domestic Violence Prevention. After proper introduction and the reason for the call, the operator stated she was unaware of the Burnet Intermediate Sanction Facility and was unaware of an agreement between the two agencies.

During the pre-audit phase the auditor contacted the PREA Coordinator and reported the above results. The PREA Coordinator stated poster advocate and the PREA hotline number would be corrected. During the onsite review corrected contact information was observed. Due to being unable to contact the Advocacy Center Administration during the pre-audit phase and on-site review, the PREA Coordinator had the advocacy center designee attest and affirm the following questions.

1. Are you aware the ISF in Burnet has an MOU with your facility in case they need support or counseling services for victims of sexual violations and or PREA violations.
2. If a resident has secured services with Bluebonnet Trails-Marble Falls and they request your assistance in filing a police report for PREA sexual violations would you support and assist in that process?
3. Does your facility provide ongoing services for those residents and clients who are in need of support and counseling after sexual violation?
4. Does Bluebonnet Trails-Marble Falls provide services to community resident and ISF residents who are taken to the local hospital who are victims of sexual and/or PREA violations.

(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility informs residents, prior to giving them access to outside support services, of the extent to which such communications will be monitored.

Prison Rape Elimination Act Policy and Procedure, page 14, section J. 6.b., states, "The program will inform residents, 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.”

The facility provided a 33rd/424th Judicial District Intermediate Sanction Facility Resident Orientation Handbook. Page 6 of the handbook states, “You can make a PREA or Hotline call in privacy, with staff, on facility phones, the call won’t be monitored or write your PREA Ombudsman at PO Box 99 Huntsville, TX 77342.”

(c) the 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency or facility maintains memorandum of understanding (MOUs) or other agreements with community service providers that are able to provide residents with emotional support services related to sexual abuse.

Prison Rape Elimination Act Policy and Procedure, page 14, section J. 6.c., states, “The program will maintain or attempt to enter into memoranda of understanding (MOUs) or other agreements with community service providers that are able to provide residents with confidential emotional support services related to sexual abuse.”

The facility provided a Memorandum of Understanding (MOU) between 33rd and 424th Judicial District Intermediate Sanction Facility and Blue Bonnet Trails Community Services. The MOU is signed by the Facility Director and the Blue Bonnet Trails Community Services Executive Director. The MOU is in effect until either party states otherwise in writing.

Through such reviews, the facility meets the standard requirements.

115.254	Third party reporting
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 3. End the Silence Brochure, not dated <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random residents 2. Detention Officers 3. Supervisory staff <p>Residents and staff interviewed demonstrated their reporting knowledge of third-party reporting stating that resident family members, friends and or legal counsel could report sexual harassment or sexual abuse allegations.</p> <p>Site Observation:</p> <p>During tours of all areas of the facility's No Mean No and Zero Tolerance posters included third party reporting information such as the PREA Ombudsman, telling a family member, and or reporting to the advocacy center.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency or facility provides a method to receive third-party reports of resident sexual abuse or sexual harassment. The agency or facility publicly distributes information on how to report resident sexual abuse or sexual harassment on behalf of residents.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 17, section K. a-f, state, “</p> <ol style="list-style-type: none"> a. The program shall allow for third parties to report sexual abuse or sexual harassment for any resident and distributes information explaining how to report sexual abuse and sexual harassment on behalf of a resident. <ol style="list-style-type: none"> i. The PREA Third Party Reporting Form is available for individuals to report sexual abuse or sexual harassment on behalf of an offender. ii. Copies of the form can be found at the program. b. All reports of sexual abuse and sexual harassment received from third parties shall be responded to according to Intermediate Sanction Facility - Burnet policy by agency staff. c. Any staff receiving a third-party report of sexual abuse or sexual harassment shall forward such report to their immediate supervisor who will in turn forward to the Program Director and PREA Coordinator who will follow the proper PREA reporting guidelines. d. Third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, shall be permitted to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse and sexual harassment, and shall also be permitted to file such requests on behalf of residents; e. If a third-party file such a request on behalf of a resident, Intermediate Sanction Facility - Burnet 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; f. If the resident declines to have the request processed on his or her behalf, I Intermediate Sanction Facility - Burnet shall document the resident's decision.” <p>The facility provided an End the Silence Brochure. The brochure provides residents with the following information:</p> <ul style="list-style-type: none"> • Right to Report • How to Report – <ol style="list-style-type: none"> o Telephone 512.756.7628 o Report to any staff, volunteer, contractor, or medical or mental health staff o Submit a grievance or sick call slip o Report to the PREA Coordinator or PREA Compliance Manager o Tell a family member, friend, legal counsel, or anyone wiles outside the facility. They can report on your behalf by calling 512.756.7628 o You also can submit a report on someone's behalf, or someone at the facility can report for you using the ways listed here. <p>Through such reviews, the facility meets the standard requirements.</p>

115.261	Staff and agency reporting duties
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random residents 2. Detention Officers 3. Shift Supervisor 4. Lieutenant 5. Probation Officer 6. Assistant Facility Director / PREA Coordinator 7. Facility Director <p>Interviews with each staff and resident interviewed demonstrated each actively practices and understood the importance of immediately reporting all allegations of sexual abuse and sexual harassment.</p> <p>Site Observations:</p> <p>The facility has not had a sexual harassment or sexual abuse allegation in the past 12 months.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency. The agency requires all staff to report immediately and according to agency policy retaliation against residents or staff who reported such an incident. The agency requires all staff to report immediately and according to agency policy any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 18, section a. i.-iii., states, "Any staff must immediately report to the Program Director or designee, any knowledge, suspicion, or information regarding:</p> <ol style="list-style-type: none"> i. an incident of sexual abuse or sexual harassment that occurred in the program; ii. ii. retaliation against residents or staff who reported an incident of sexual abuse or sexual harassment; iii. iii. any staff neglect or violation of responsibilities that may have contributed to such an incident or retaliation." <p>(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states, apart from reporting to designated supervisors or officials and designated state or local services agencies, agency policy prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 19, section 4., states, "Apart from reporting to designated supervisors or agency officials, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions."</p> <p>(c) Prison Rape Elimination Act Policy and Procedure, page 17, section 5.c., states, "Where unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to paragraph (a) of this section and to inform residents of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services</p> <p>(d) Prison Rape Elimination Act Policy and Procedure, page 17, section 5.d., states, "If the alleged victim is under the age of 18 or considered a vulnerable adult a State or local vulnerable person statute the agency shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws."</p> <p>(e) Prison Rape Elimination Act Policy and Procedure, page 18, section M. c., states, "As soon as practical, program staff must report all allegations of sexual abuse or sexual harassment, including third party and anonymous reports, to the local authorities and all contracting agencies for further investigation."</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.262	Agency protection duties
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Probation Officer / Facility Investigator 2. Assistant Director / PREA Coordinator <p>Interviews with the Assistant Director / PREA Coordinator and facility investigator demonstrated the facility staff act promptly and responds properly at the discovery of an incident.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states when the agency or facility learns that a resident is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the resident. In the past 12 months, the number of times the agency or facility determined that a resident was subject to a substantial risk of imminent sexual abuse was zero.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 26, section 115.262, states, "Agency Protection Duties-The intake screening tool is placed in the Director or Assistant Directors box immediately upon a resident answering yes to any of the questions asked. A Response and Action form for Sexual Victimization and Abusiveness Risk Screening form will be attached. The staff will fill in their area and the Facility Director or Assistant Director will conclude with a response or solution. To date no risks have been substantiated. However, if a resident appears extremely nervous, apprehensive, admits to staff they are scared to be incarcerated (not sexually related) or are low functioning they will be placed in a bunk closest to the control room window to be observed."</p> <p>Through such reviews the facility meets the standard requirements.</p>

115.263	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Facility Director <p>The interview with the Facility Director demonstrated that he was aware that upon receiving an allegation that a resident was sexually abused while confined at another facility, he had the responsibility to notify the head of the facility where the allegation occurred.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has a policy requiring that, upon receiving an allegation that a resident was sexually abused while confined at another facility, the head of the facility must notify the head of the facility or appropriate office of the agency or facility where sexual abuse is alleged to have occurred. During the past 12 months, the number of allegations the facility received that a resident was abused while confined at another facility was zero.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 17, section 6.a., states, "Upon receiving an allegation that a resident was sexually abused or sexually harassed while confined at another facility, the Program Director that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse or harassment occurred."</p> <p>(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency policy requires the facility head to provide such notification as soon as possible, but no later than 72 hours after receiving the allegation.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 17, section 6.b., states, "Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation."</p> <p>(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency or facility documents that it has provided such notification within 72 hours of receiving the allegation.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 17, section 6.c., states, "The program shall document that it has provided such notification."</p> <p>(d) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency or facility policy requires that allegations received from other facilities and agencies are investigated in accordance with the PREA standards. In the past 12 months, the number of allegations of sexual abuse the facility received from other facilities was zero.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 17, section 6.d., states, "The agency head or program director that receives such notification shall ensure that the allegation is investigated in accordance with these standards (however, this is outside of Intermediate Sanction Facility – Burnet’s control).</p> <p>Through such reviews the facility meets the standard requirements.</p>

115.264	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ
2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018

Interviews:

1. Detention Officers
2. Shift Supervisor
3. Lieutenant
4. Probation Officer
5. Assistant Facility Director

Interviews with each staff interviewed demonstrated they were aware of their first responder responsibilities. Staff stated reporting information is posted in dorms and each have access to the PREA forms they may need.

Site Observation:

The facility has not had a sexual harassment or sexual abuse allegation for the past 12 months.

(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has a first responder policy for allegations of sexual abuse. The policy requires that, upon learning of an allegation that a resident was sexually abused, the first security staff member to respond to the report shall be required to separate the alleged victim and abuser. The policy requires that, upon learning of an allegation that a resident was sexually abused, the first security staff member to respond to the report shall be required to preserve and protect any crime scene until appropriate steps can be taken to collect any evidence. The policy requires that, upon learning of an allegation that a resident was sexually abused and the abuse occurred within a time period that still allows for the collection of physical evidence, the first security staff member to respond to the report shall be 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. The policy requires that, upon learning of an allegation that a resident was sexually abused and the abuse occurred within a time period that still allows for the collection of physical evidence, the first security staff member to respond to the report shall be required to ensure that the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

In the past 12 months, zero allegations occurred where a resident was sexually abused. Of these allegations, the number of times the first security staff member to respond to the report separated the alleged victim and abuser was zero. In the past 12 months, there were zero allegations where staff were notified within a time period that still allowed or the collection of evidence. Of these allegations the number of times the first security staff member to respond to the report was zero.

Prison Rape Elimination Act Policy and Procedure, page 12, section I. 1-2 a-d., states, "The program will work towards providing a coordinated response to all allegations of sexual abuse, including interventions by first responder staff (Custody Staff), medical facility staff, mental health practitioners, local law enforcement, investigators and program staff. This policy and procedure serves as a written plan for providing coordinated actions taken in response to an incident of sexual abuse.

1. Upon learning that a resident was sexually abused, the first staff member to respond to the scene must:

- a. Separate the alleged victim and alleged abuser (to protect the victim and prevent further violence);
- b. Not leave the alleged victim alone;
- b. Ensure no one else enters the area to preserve and protect the crime scene;
- d. Call 911 if warranted.
- c. Contact the Person-in-Charge (Program Director or designee) to request the assistance; If the abuse occurred within a time period that would still allow for the collection of physical evidence (up to 96 hours), request that the alleged victim and abuser not take any action that could destroy physical evidence, including washing or showering, drinking or eating (unless medically indicated), brushing teeth, changing clothes, or toileting.
- d. If toileting needs to take place, the resident should be instructed to not wipe.

(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility's' policy requires that if the first staff responder is not a security staff member, that responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence and notify security staff. Of the allegations that a resident was sexually abused made in the past 12 months, the number of times a non-security staff member was the first responder was zero.

Prison Rape Elimination Act Policy and Procedure, page 12, section 4. b., states, "If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence and then notify security staff."

Through such reviews, the facility meets the standard requirements.

115.265	Coordinated response
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Detention Officers 2. Shift Supervisor 3. Lieutenant 4. Probation Officer / Facility Investigator 5. Assistant Facility Director / PREA Coordinator 6. Facility Director <p>Interviews with the random and specialized staff demonstrated the response to allegations of sexual assault is written to coordinate actions taken in response to sexual abuse and sexual harassment incidents.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility has developed a written institutional plan to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 12-14, section I. 1-14., states, “</p> <ol style="list-style-type: none"> 1. “The program will work towards providing a coordinated response to all allegations of sexual abuse, including interventions by first responder staff (Custody Staff), medical facility staff, mental health practitioners, local law enforcement, investigators and program staff. This policy and procedure serves as a written plan for providing coordinated actions taken in response to an incident of sexual abuse. 2. Upon learning that a resident was sexually abused, the first staff member to respond to the scene must: <ol style="list-style-type: none"> a. Separate the alleged victim and alleged abuser (to protect the victim and prevent further violence); b. Not leave the alleged victim alone; b. Ensure no one else enters the area to preserve and protect the crime scene; d. Call 91 1 if warranted. c. Contact the Person-in-Charge (Program Director or designee) to request the assistance; If the abuse occurred within a time period that would still allow for the collection of physical evidence (up to 96 hours), request that the alleged victim and abuser not take any action that could destroy physical evidence, including washing or showering, drinking or eating (unless medically indicated), brushing teeth, changing clothes, or toileting. d. If toileting needs to take place, the resident should be instructed to not wipe. 3. In the event of an allegation of sexual abuse within the last 96 hours, including but not limited to those involving penetration, staff will have resident transported to a local hospital, with the victim's permission, equipped to evaluate and treat sexual abuse/rape victims, where he/she may receive a forensic medical exam by medical personnel not employed by the program. <ol style="list-style-type: none"> a. Staff will not allow the resident to wash, shower, toilet, change clothes, brush teeth, eat or drink (unless medically indicated) before examination, as evidence may be destroyed. b. The medical personnel will use an evidence collection kit for the collection of forensic evidence with the resident's consent and without financial cost where evidentiary or medically appropriate. c. Program staff are prohibited from providing forensic medical examinations to any victim of sexual abuse. 4. If the victim refuses medical attention following a sexual misconduct incident or allegation, staff will document the refusal on the PREA Victim Refusal Form and Communication Log. 5. Staff will have the resident transported to the medical facility, ensuring that the resident feels safe with the program staff chosen to accompany him or her. 6. Staff shall record the medical facility contact information and details of physical injury in a written Incident Report before the end of the shift. 7. If a disclosure is made of a sexual assault more than 24 hours after the incident, staff should follow the reporting steps and also refer the resident to counseling services. <ol style="list-style-type: none"> a. Law enforcement or an ambulance will transport the victim transported to a community medical facility for evidence collection. 8. If requested by the victim, a victim advocate, qualified program staff member, or qualified staff from a community based agency shall accompany and support the victim through the forensic medical examination process and investigatory reviews and shall provide emotional support, crisis intervention, information, and referrals. 9. The Program Director, or designee, will contact Crime Victims Assistance Center (or other similar local agency) to provide follow up support and services to the resident. 10. The Program Director, or designee, in consultation with the local mental health provider, shall determine if the resident

requires one-to-one observation in accordance with Intermediate Sanction Facility – Burnet Suicide Policy.

11. The Program Director, or designee, shall take steps to preserve any physical evidence of the alleged sexual abuse.

a. The Program Director or designee should prevent anyone from entering the area, altering the area, or removing anything from the area, until investigators can arrive and document it

12. Staff who receive an initial report of sexual abuse must separate the victim from the alleged assailant to protect the victim and prevent further violence, and, are required to promptly intervene on the victim's behalf to ensure the victim receives prompt medical and psychological assistance, as appropriate to his or her needs and the circumstances of the alleged offense.

13. Psychological trauma may also occur to individuals of sexual abuse or sexual harassment. Mental health staff must be available to support and assist those in need.

14. Intermediate Sanction Facility – Burnet will ensure that all 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 potential criminal behavior.

a. Intermediate Sanction Facility – Burnet will document all such referrals. Intermediate Sanction Facility – Burnet policy on this issue will be made publicly available by requesting a copy from Intermediate Sanction Facility – Burnet PREA Coordinator.”

Through such reviews, the facility meets the standard requirements.

115.266	Preservation of ability to protect residents from contact with abusers
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Assistant Director / PREA Coordinator <p>An interview with the Program Director demonstrated the facility is not responsible for collective bargaining.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency, facility, or any other governmental entity is not responsible for collective bargaining on the agency's behalf has not entered into or renewed any collective bargaining agreement or other agreement since August 20, 2012, or since the last PREA audit, whichever is later.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.267	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ
2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018
3. PREA Retaliation Monitoring Sheet: Burnet Intermediate Sanction Facility, not dated

Interviews:

1. Assistant Facility Director / Retaliation Monitor

The interview with the Assistant Facility Director / Retaliation Monitor demonstrated she would complete retaliation monitoring for the facility, whether the victim be a resident or employee. The Assistant Facility Director stated she would check in and document retaliation monitoring once a month for at least 90 days and or as long as was necessary.

(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff. The agency designates staff member(s) or charges department(s) with monitoring for possible retaliation. Monitoring is completed by the Facility Director of the Assistant Director.

Prison Rape Elimination Act Policy and Procedure, page 21, section 115.267 a., states, "The agency shall establish a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff and shall designate which staff members or departments are charged with monitoring retaliation."

(b) Prison Rape Elimination Act Policy and Procedure, page 21, section 115.267 b., states, "The agency shall employ multiple protection measures, such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services for residents or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations."

(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility monitors the conduct or treatment of residents or staff who reported sexual abuse and of residents who were reported to have suffered sexual abuse to ascertain if there are any changes that may suggest possible retaliation by residents or staff. The facility will monitor conduct or treatment until the resident is discharged. The facility acts promptly to remedy any such retaliation. In the past 12 months, the facility has had zero incidents of retaliation.

Prison Rape Elimination Act Policy and Procedure, page 21, section 115.267 c-d., states

d. "For at least 90 days following a report of sexual abuse, the agency shall monitor the conduct and treatment of residents or staff who reported the sexual abuse and of residents who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff, and shall act promptly to remedy any such retaliation. Items the agency should monitor include any resident disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The agency shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

e. In the case of residents, such monitoring shall also include periodic status checks."

The facility provided a PREA Retaliation Monitoring Sheet: Burnet Intermediate Sanction Facility. The monitoring sheet documents the following information.

- Resident Name
- Staff Name
- Reported: Sexual Abuse/Sexual Harassment/Bullying/Retaliation
- Monitoring Information: Date-Time-Shift

Questions:

5. Are you experiencing any problems from other residents and/or staff since reporting these charges?
6. Do you feel safe in this facility? If No, would you like to request to moved and/or reassigned to another facility/office?
7. Is there anything else that you would like for me to know as it pertains to you reporting this incident?
 - a. List below a plan or solution
 - b. Attach a copy of any supporting documentation
 - c. List referrals if any were made

(e) Prison Rape Elimination Act Policy and Procedure, page 21, section 115.287 e., states, "If any other individual who cooperates with an investigation expresses a fear of retaliation, the agency shall take appropriate measures to protect that individual against retaliation."

(f) Prison Rape Elimination Act Policy and Procedure, page 21, section 115.287 f., states, "An agency's obligation to monitor shall terminate if the agency determines that the allegation is unfounded."

Through such reviews, the facility meets the standard requirements.

115.271	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Probation Officer / Facility Investigator <p>The facility investigators clearly articulated processes required during an investigation, to include a thorough review and in-depth documentation process.</p> <p>Site Observation:</p> <p>The facility has not experienced a sexual harassment or sexual abuse investigation in the past 12 months.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency/facility has a policy related to criminal and administrative agency investigations.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 19, section N., states, "Local Authorities for Investigations</p> <ol style="list-style-type: none"> I. In allegations of sexual abuse, the Program Director shall notify the local law enforcement department as soon as possible and any contracting agency. (BURNET POLICE DEPT.) II. The Program Director must ensure that all protocols are followed for crime scene preservation in order to enable the local authorities to conduct a proper investigation of all allegations of sexual abuse. III. The Program Director or designee, shall make all witnesses, the scene, and any evidence immediately available to the police investigators. IV. In allegations of sexual abuse by staff upon a resident, the matter may be prosecuted." <p>(b) Prison Rape Elimination Act Policy and Procedure page 7, section 115.234 a-c, states, "Facility Director, Assistant Director, and at minimum two supervisors will complete the Investigator training as provided by CJAD/TDCJ or the NICIC training website are approved options. A minimum of 3 hours of Specialized training: Investigations will be completed. The number of Investigators currently on staff for the year is four."</p> <p>(c/d) Prison Rape Elimination Act Policy and Procedure page 18, section 4.N., ii-v., state,</p> <ol style="list-style-type: none"> i. "The Program Director must ensure that all protocols are followed for crimes scene preservation in order to enable the local authorities to conduct a proper investigation of all allegations of sexual abuse. ii. The Program or designee, shall make all witnesses, the scene, and any evidence immediately available to the police investigators. iii. In allegations of sexual abuse upon a resident, the matter may be prosecuted. iv. Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator." <p>(e) Prison Rape Elimination Act Policy and Procedure, page 20, section N. 9., states, "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 resident or staff. No agency shall require a resident 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."</p> <p>(f) Prison Rape Elimination Act Policy and Procedure, page 20, section N. 6., states, "Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse."</p> <p>(g) Prison Rape Elimination Act Policy and Procedure, page 20, section N. 7., states, "Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings."</p> <p>(h) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states substantiated allegations of conduct that appear to be criminal are referred for prosecution. The number of substantiated allegations of conduct that appear to be criminal that were referred for prosecution since the last PREA audit, was zero.</p> <p>(i) Prison Rape Elimination Act Policy and Procedure, page 13, section I. 13, states, "Intermediate Sanction Facility - Burnet will ensure that all 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 potential criminal behavior."</p>

(j) Prison Rape Elimination Act Policy and Procedure, page 20, section P. 1, states, "If the alleged abuser is a resident under the custody of a contracting agency, all written reports of the investigation must be retained while the abuser is under custody plus an additional five years."

(k) Prison Rape Elimination Act Policy and Procedure, page 20, section O.3, states, "The departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation."

(l) Prison Rape Elimination Act Policy and Procedure, page 20, section N.5., states, "Staff must cooperate fully with the local authorities and any administrative investigators in all facets of any criminal and/or administrative (internal) investigations."

Through such reviews, the facility meets the standard requirements.

115.272	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Probation Officer / Facility Investigator <p>The interview with facility investigator demonstrated the facility shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ Bureau states the agency imposes a standard of a preponderance of the evidence or a lower standard of proof for determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 18, section 8., states, "The agency shall impose no standard higher than a preponderance of the evidence in determine whether allegations of sexual abuse or sexual harassment are sustained."</p> <p>Through such reviews, the facility meets the standard requirements.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ
2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018
3. Intermediate Sanction Facility-Burnet 33red and 424th Judicial District Facility Response form to Substantiated or Unsubstantial Complaints, not dated

Interviews:

1. Assistant Facility Director / PREA Coordinator

Interviews with the Assistant Facility Director / PREA Coordinator demonstrated she would personally verbally inform the resident of the outcome of an investigation. The Assistant Director / PREA Coordinator would also document the verbal notification within the Facility Response Form.

(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has a policy requiring that any resident who makes an allegation that he or she suffered sexual abuse in an agency facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the agency. The number of criminal and/or administrative investigations of alleged resident sexual abuse that were completed by the agency/facility in the past 12 months was zero.

Prison Rape Elimination Act Policy and Procedure, page 26, section 115.273 a/c., states, "Residents who make an allegation that he or she suffered sexual abuse in an agency facility will be told in writing on the Response to Allegation form as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the agency.

Following a resident's allegation that a staff member has committed sexual abuse against the resident, the agency/facility subsequently informs the resident (unless the agency has determined that the allegation is unfounded whenever: the staff member is no longer posted within the residents' unit, the staff member is no longer employed at the facility, the agency learns that the staff member has been indicted on a charge related to sexual abuse with the facility; or the agency learns that the staff member has been convicted on a charge related to sexual abuse with the facility. Notification to resident will take place on the Response to allegation form if the finding is substantiated or unsubstantiated, but not unfounded."

(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states an outside entity conducts such investigations, the agency requests the relevant information from the investigative entity in order to inform the resident of the outcome of the investigation. The number of investigations of alleged resident sexual abuse in the facility that were completed by an outside agency in the past 12 months was zero.

(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states following a resident's allegation that a staff member has committed sexual abuse against the resident, the agency/facility subsequently informs the resident (unless the agency has determined that the allegation is unfounded) whenever: (a) the staff member is no longer posted within the resident's unit; (b) the staff member is no longer employed at the facility; (c) the agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or (d) the agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

The facility provided an Intermediate Sanction Facility-Burnet 33red and 424th Judicial District Facility Response form to Substantiated or Unsubstantial Complaints. The form documents the following:

- Person Making Complaint
- Date of Complaint
- Outcome of Complaint
- The staff member is no longer posted within the residents' unit
- The staff member is no longer employed at the facility –Burnet Intermediate Sanction Facility
- The agency has learned that the staff member has been indicted on a charge related to sexual abuse within the facility.
- The agency has learned that the alleged abuser has been indicted on a charge related to sexual abuse within the facility.
- The agency has learned that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

(d) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states following a resident's allegation that he or she has been sexually abused by another resident in an agency facility, the agency subsequently informs the alleged victim whenever: (a) the agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or (b) the agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

Prison Rape Elimination Act Policy and Procedure, page 26, section 115.273 d., states, "Following a resident's allegation that he or she has been sexually abused by another resident in an agency facility, the agency subsequently informs the alleged victim whenever: the agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or the agency learns that the alleged abuser has been convicted on a charge related to sexual abuse with the facility."

(e) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency has a policy that all notifications to residents described under this standard are documented. Policy compliance can be found in provision (a) of this standard.

Through such reviews, the facility meets the standard requirements.

115.276	Disciplinary sanctions for staff
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 208 451 237">Auditor Discussion</p> <p data-bbox="242 271 435 300">Document Review:</p> <ol data-bbox="242 304 943 365" style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p data-bbox="242 396 352 425">Interviews:</p> <ol data-bbox="242 430 427 459" style="list-style-type: none"> 1. Facility Director <p data-bbox="242 463 1485 591">The interview with the Facility Director demonstrated there were zero staff who were disciplined for violation of an agency sexual abuse or sexual harassment policy. The Facility Director stated staff would be placed on administrative leave until the outcome of the investigation. If a staff investigation was substantiated, staff would be terminated, and law enforcement and licensing bodies would be notified.</p> <p data-bbox="242 620 419 649">Site Observation:</p> <p data-bbox="242 654 1449 714">During the last audit cycle, the facility did not have any staff subject to disciplinary action due to violating sexual abuse or sexual harassment policies.</p> <p data-bbox="242 777 1481 837">(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.</p> <p data-bbox="242 869 1422 965">Prison Rape Elimination Act Policy and Procedure, page 21, section I. a., states, "Staff shall be subject to disciplinary sanctions up to and including termination for violating Intermediate Sanction Facility – Burnet’s sexual abuse or sexual harassment policies."</p> <p data-bbox="242 994 1481 1055">(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states in the last 12 months, there has been zero staff from the facility that had violated agency sexual abuse or sexual harassment policies.</p> <p data-bbox="242 1084 1449 1144">Prison Rape Elimination Act Policy and Procedure, page 21, section I. a. i., states, "Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse."</p> <p data-bbox="242 1173 1469 1339">(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member’s disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. In the past 12 months there have zero staff requiring discipline for sexual abuse or sexual harassment.</p> <p data-bbox="242 1368 1485 1496">Prison Rape Elimination Act Policy and Procedure, page 21, section I. b., states, "Disciplinary sanctions for violations of Intermediate Sanction Facility-Burnet 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.</p> <p data-bbox="242 1525 1449 1653">(d) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies. In the past 12 months, zero staff have been terminated for sexual abuse or harassment.</p> <p data-bbox="242 1682 1490 1809">Prison Rape Elimination Act Policy and Procedure, page 21, section I. c., states, "All terminations for violations of Intermediate Sanction Facility-Burnet 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."</p> <p data-bbox="242 1839 919 1868">Through such reviews, the facility meets the standard requirements.</p>

115.277	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Facility Director <p>The interview with the Facility Director demonstrated the facility would not allow a volunteer into the facility until an investigation was completed. Volunteers involved in substantiated investigations would be reported to law enforcement and licensing bodies.</p> <p>Site Observation:</p> <p>During the last audit cycle, the facility did not have any volunteers or contractors subject to disciplinary action due to violating sexual abuse or sexual harassment policies.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states agency policy requires that any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies (unless the activity was clearly not criminal) and to relevant licensing bodies. Agency policy requires that any contractor or volunteer who engages in sexual abuse be prohibited from contact with residents. In the past 12 months, contractors or volunteers have not been reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of residents. In the past 12 months, the number of contractors or volunteers reported to law enforcement for engaging in sexual abuse of residents was zero.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 22, section 2. a., states, "Any contractor or volunteer who engages in sexual abuse or sexual harassment shall be prohibited from entry to any Intermediate Sanction Facility - Burnet programs and shall be reported to law enforcement agencies, (unless the activity was clearly not criminal), and to relevant licensing bodies."</p> <p>(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ the facility takes appropriate remedial measures and considers whether to prohibit further contact with residents in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 22, section 2. b., states, "The facility shall take appropriate remedial measures and shall consider whether to prohibit further contact with residents, in the case of any other violation of Intermediate Sanction Facility - Burnet sexual abuse or sexual harassment policies by a contractor or volunteer.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.278	Disciplinary sanctions for residents
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Facility Director <p>An interview with the Facility Director demonstrated residents involved in sexual harassment or sexual abuse would be unsuccessfully discharged, the jail and Probation Officer would be notified, and the resident would be held in isolation until picked up by law enforcement.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states residents are subject to disciplinary sanctions only pursuant to a formal disciplinary process following an administrative finding that a resident engaged in resident-on-resident sexual abuse. Residents are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a criminal finding of guilt for resident-on-resident sexual abuse. In the past 12 months, the number of administrative findings of resident-on-resident sexual abuse that have occurred at the facility was zero. In the past 12 months, the number of criminal findings of guilt for resident-on-resident sexual abuse that have occurred at the facility was zero.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 22, section 3.a., states, "Residents shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the resident engaged in resident-on-resident sexual abuse or sexual harassment or following a criminal finding of guilt for resident-on-resident sexual abuse or sexual harassment."</p> <p>(b) Prison Rape Elimination Act Policy and Procedure, page 22, section 3.b., states, "Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories."</p> <p>(c) Prison Rape Elimination Act Policy and Procedure, page 22, section 3. c., states, "The disciplinary process shall consider whether a resident's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed."</p> <p>(d) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse. If the facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse, the facility considers whether to require the offending resident to participate in such interventions as a condition of access to programming or other benefits.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 22, section 3. d., states, "The program may offer therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse and shall consider whether to require the offending resident to participate in such interventions as a condition of continued access to programming or other benefits."</p> <p>(e) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency disciplines residents for sexual conduct with staff only upon finding that the staff member did not consent to such contact.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 22, section 3. e., states, "The program may discipline a resident for sexual contact with staff only upon a finding that the staff member did not consent to such contact."</p> <p>(f) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 22, section 3. f., states, "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."</p> <p>(g) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency prohibits all sexual activity between residents. If the agency prohibits all sexual activity between residents and disciplines residents for such activity, the agency deems such activity to constitute sexual abuse only if it determines that the activity is coerced.</p>

Prison Rape Elimination Act Policy and Procedure, page 22, section 3. g., states, "The program prohibits all consensual sexual activity between residents and will discipline residents for such activity. However, according to PREA, Intermediate Sanction Facility - Burnet may not deem such activity to constitute sexual abuse if it determines that the activity was not coerced."

Through such reviews, the facility meets the standard requirements.

115.282	Access to emergency medical and mental health services
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Detention Officers 2. Shift Supervisor 3. Lieutenant 4. Probation Officer 5. Assistant Facility Director / PREA Coordinator 6. Facility Director <p>Interviews with staff demonstrated each would make proper notifications, to include medical or mental health care, for residents involved in allegations of sexual harassment or sexual abuse.</p> <p>Site Observation:</p> <p>The facility has not experienced an allegation of sexual harassment or sexual abuse in the past 12 months.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states resident victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The nature and scope of such services are determined by medical and mental health practitioners according to their professional judgment.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 15, section 7. a., states, "Resident 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."</p> <p>(b) Prison Rape Elimination Act Policy and Procedure, page 28, section 35.01 Access to Emergency Medical and Mental Health Services, second paragraph states, "If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, the first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate medical and mental health practitioners."</p> <p>Prison Rape Elimination Act Policy and Procedure, page 15, section 7. b., states "At the time a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim pursuant to the program's protection duties and shall immediately notify the appropriate medical and mental health practitioners."</p> <p>(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states, resident victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 15, section 7. c., states, "Resident victims of sexual abuse while in community confinement 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."</p> <p>(d) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states, treatment services are provided to every victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 15, section 7. d., states, "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."</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.283	Ongoing medical and mental health care for sexual abuse victims and abusers
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Detention Officers 2. Shift Supervisor 3. Lieutenant 4. Probation Officer 5. Assistant Facility Director / PREA Coordinator 6. Facility Director <p>Interviews with staff demonstrated each would make proper notifications, to include medical or mental health care, for residents involved in allegations of sexual harassment or sexual abuse.</p> <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility offers medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 15, section 8. a., states, "The program shall offer medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any criminal justice setting."</p> <p>(b) Prison Rape Elimination Act Policy and Procedure, page 15, section 8. b., states, "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."</p> <p>(c) Prison Rape Elimination Act Policy and Procedure, page 16, section 8. c., states, "The program shall provide such victims with medical and mental health services consistent with the community level of care."</p> <p>(d) This provision is not applicable as the facility does not care for female residents.</p> <p>(e) This provision is not applicable as the facility does not care for female residents.</p> <p>(f) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states resident victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 16, section 8. e., states, "Resident victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate."</p> <p>(g) Prison Rape Elimination Act Policy and Procedure, page 16, section 8. f., states, "On-going 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."</p> <p>(h) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility does attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offers treatment when deemed appropriate by mental health practitioners.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 16, section 8. g., states, "The program shall attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners."</p> <p>Through such reviews, the facility meets the standard requirements.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ
2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018
3. Burnet Intermediate Sanction Facility Sexual Abuse Incident Review Form, not dated

Interviews:

1. Assistant Facility Director / PREA Coordinator
2. Facility Director
3. Agency Head

The team on-site clearly articulated their review of all incidents reported and investigations of sexual harassment and sexual abuse. The team considers demographics of residents, facility area where abuse is alleged to have taken place, staffing patterns and technology when reviewing incidents of sexual harassment or sexual abuse.

(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility conducts a sexual abuse incident review at the conclusion of every criminal or administrative sexual abuse investigation, unless the allegation has been determined to be unfounded. In the past 12 months there has been zero criminal and or administrative investigations of alleged sexual abuse completed at the facility,

Prison Rape Elimination Act Policy and Procedure, page 22, section R. 1., states, "The facility shall conduct a sexual abuse or sexual harassment incident review at the conclusion of every sexual abuse/harassment investigation, including where the allegation has not been substantiated."

(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states sexual abuse incident reviews are ordinarily conducted within 30 days of concluding the criminal or administrative investigation. In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility that were followed by a sexual abuse incident review within 30 days, excluding only "unfounded" incidents were zero.

Prison Rape Elimination Act Policy and Procedure, page 22, section R. 2., states, "Such review shall ordinarily occur within 30 days of the conclusion of the investigation."

(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the sexual abuse incident review team includes upper-level management officials and allows for input from line supervisors, investigators, and medical or mental health practitioners.

Prison Rape Elimination Act Policy and Procedure, page 23, section R. 3., states, "The review team shall include upper-level management officials, with input from line supervisors, investigators, local law enforcement and medical or mental health practitioners."

(d) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the facility prepares a report of its findings from sexual abuse incident reviews, including but not necessarily limited to determinations made pursuant to paragraphs (d) (1) - (d)(5) of this section, and any recommendations for improvement and submits such report to the facility head and Assistant Director / PREA Coordinator.

Prison Rape Elimination Act Policy and Procedure, page 23, section R. 4., states, "The review team shall:

- a. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
- b. 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 the facility;
- c. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
- d. Assess the adequacy of staffing levels in that area during different shifts;
- e. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff and current camera systems; and
- f. Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to sections a. — e. (above) and any recommendations for improvement, and submit such report to the Program Director and the PREA Coordinator."

The facility provided a Burnet Intermediate Sanction Facility Sexual Abuse Incident Review Form. The form demonstrates

the following is documented.

- Incident Review Date:
- Date of Incident
- Person's present on the Review Team and job titles
- Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse
- Policy change
- Conclusive response
- 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 the facility;
- Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
- Assess the adequacy of staffing levels in that area during different shifts
- Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff
- The facility shall implement the recommendations for improvement, or shall document its reason for not doing so
- Conclusive report of findings

(e) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states, the facility implements the recommendations for improvement or documents its reasons for not doing so.

Prison Rape Elimination Act Policy and Procedure, page 23, section R. 5., states, "The facility shall implement the recommendations for improvement or shall document its reasons for noncompliance."

Through such reviews, the facility meets the standard requirements.

115.287	<p>Data collection</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 23, section S. 1., states, “Intermediate Sanction Facility - Burnet shall collect accurate, uniform data for every allegation of sexual abuse and sexual harassment at all facilities under its direct control using a standardized instrument and set of definitions.</p> <p>(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency aggregates the incident-based sexual abuse at least annually. Policy compliance can be found in provision (a) of this standard.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 23, section S. 2., states, “Intermediate Sanction Facility - Burnet shall aggregate the incident-based sexual abuse data at least annually.”</p> <p>(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 23, section S. 3., states, “Intermediate Sanction Facility - Burnet shall maintain, review, and collect data as needed from all available incident-based documents including reports, investigation files, and sexual abuse incident reviews.</p> <p>(d) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. Policy compliance can be found in provision (a) of this standard.</p> <p>(e) This provision is not applicable as the Intermediate Sanction Facility - Burnet does do not have private facilities.</p> <p>(f) This provision is not applicable as the Intermediate Sanction Facility - Burnet as DOJ has not requested agency data.</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.288	Data review for corrective action
	<p data-bbox="240 143 740 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 208 451 235">Auditor Discussion</p> <p data-bbox="240 271 435 297">Document Review:</p> <ol data-bbox="240 302 1394 398" style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 3. Burnet Intermediate Sanction Facility Prison Rape Elimination Act Annual Report Calendar Year 202, 2020, 2019 <p data-bbox="240 427 1485 591">(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency reviews data collected and aggregated pursuant to §115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training, including: (a) identifying problem areas; (b) taking corrective action on an ongoing basis; and (c) preparing an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency as a whole.</p> <p data-bbox="240 629 1449 723">Prison Rape Elimination Act Policy and Procedure, page 23, section T. 1., states, “Intermediate Sanction Facility - Burnet shall review data collected and aggregated pursuant to Section Q. in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including:</p> <ol data-bbox="240 728 1493 853" style="list-style-type: none"> a. Identifying problem areas; b. Taking corrective action on an ongoing basis; and c. Preparing an annual report of its findings and corrective actions for each program, as well as Intermediate Sanction Facility - Burnet as a whole. <p data-bbox="240 887 1493 981">(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the annual report includes a comparison of the current year’s data and corrective actions to those from prior years. The annual report provides an assessment of the agency’s progress in addressing sexual abuse.</p> <p data-bbox="240 1019 1481 1113">Prison Rape Elimination Act Policy and Procedure, page 23, section T. 2., states, “Such 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.”</p> <p data-bbox="240 1176 1485 1270">(c) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency makes its annual report readily available to the public, at least annually, through its website. Annual reports are approved by the agency head. The Annual report is available at Contact Us and Important Documents (burnetisf.org).</p> <p data-bbox="240 1303 1485 1361">The facility provided a Burnet Intermediate Sanction Facility Prison Rape Elimination Act Annual Report Calendar Year 2021, 2020 and 2019. The report is comprised of the following information.</p> <ul data-bbox="240 1368 734 1630" style="list-style-type: none"> • PREA establishment • Zero Tolerance • Definitions of possible outcomes • Statistics – current year (past years 2018-2021) <ul style="list-style-type: none"> o Inmate on Inmate Nonconsensual Sexual Acts o Inmate on Inmate Abusive Sexual Contact o Inmate on Inmate Sexual Harassment o Staff Sexual Harassment <p data-bbox="240 1664 1481 1758">(d) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states when the agency redacts material from an annual report for publication, the redactions are limited to specific materials where publication would present a clear and specific threat to the safety and security of the facility.</p> <p data-bbox="240 1787 1497 1881">Prison Rape Elimination Act Policy and Procedure, page 23, section T. 3., states, “Intermediate Sanction Facility - Burnet may redact specific material from the when publication would present a clear and specific threat to the safety and security of a program but must indicate the nature of the material redacted.”</p> <p data-bbox="240 1910 919 1937">Through such reviews, the facility meets the standard requirements.</p>

115.289	<p>Data storage, publication, and destruction</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. 33rd and 424th Judicial District Intermediate Sanction Facility PAQ 2. Prison Rape Elimination Act Policy and Procedure, dated 6.21.2018 <p>(a) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency ensures that incident-based and aggregate data are securely retained.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 24, section U. 1., states, “Intermediate Sanction Facility - Burnet shall ensure that data collected pursuant to Section Q. are securely retained.”</p> <p>(b) The 33rd and 424th Judicial District Intermediate Sanction Facility PAQ states the agency policy requires that aggregated sexual abuse data from facilities under its direct control and private facilities with which it contracts be made readily available to the public at least annually through its website.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 24, section U. 2., states, “Intermediate Sanction Facility - Burnet shall make all aggregated sexual abuse data, from programs under its direct control, readily available to the public at least annually through its website.”</p> <p>(c) The 33rd and 424th Judicial District Intermediate Sanction Facility – Burnet PAQ states before making aggregated sexual abuse data publicly available, the agency removes all personal identifiers.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 24, section U. 3., states, “Before making aggregated sexual abuse data publicly available, Intermediate Sanction Facility – Burnet shall remove all personal identifiers.”</p> <p>(d) Compliance can be found in provision (c) of this standard. Prison Rape Elimination Act Policy and Procedure, page 30, section 36.04 Data Storage, Publication, and Destruction, last paragraph states, The Director or designee shall maintain sexual abuse data collected pursuant to section 31.02 for at least 10 years after the date of initial collection unless Federal, State, or local law requires otherwise.</p> <p>Prison Rape Elimination Act Policy and Procedure, page 24, section U. 4., states, “Intermediate Sanction Facility – Burnet shall maintain sexual abuse data collected pursuant to Section Q. for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>
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115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 208 453 235">Auditor Discussion</p> <p data-bbox="244 271 1326 297">(a) This standard is not applicable as the facility is a standalone facility and not part of an agency of facilities.</p> <p data-bbox="244 327 1418 353">(b) This is the second audit cycle for Intermediate Sanction Facility – Burnet and the first year of the fourth audit cycle.</p> <p data-bbox="244 383 1222 409">(h) The Auditor was granted complete access to, and the ability to observe, all areas of the facility.</p> <p data-bbox="244 439 1414 501">(i) The Auditor was permitted to request and receive copies of any relevant documents (including electronically stored information).</p> <p data-bbox="244 530 987 557">(m) The Auditor was permitted to conduct private interviews with residents.</p> <p data-bbox="244 586 1490 649">(n) Residents were permitted to send confidential information or correspondence to the Auditor in the same manner as if they were communicating with legal counsel.</p> <p data-bbox="244 678 919 705">Through such reviews, the facility meets the standard requirements.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	(b) The agency completed an audit report during their third audit cycle. Through such reviews, the facility meets the standard requirements.

Appendix: Provision Findings		
115.211 (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
115.211 (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 community confinement facilities?	yes
115.212 (a)	Contracting with other entities for the confinement of residents	
	If this agency is public and it contracts for the confinement of its residents with private agencies or other entities, including other government agencies, has the agency included the entity's obligation to adopt and 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 residents.)	na
115.212 (b)	Contracting with other entities for the confinement of residents	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure 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 residents.)	na
115.212 (c)	Contracting with other entities for the confinement of residents	
	If the agency has entered into a contract with an entity that fails to comply with the PREA standards, did the agency do so only in emergency circumstances after making all reasonable attempts to find a PREA compliant private agency or other entity to confine residents? (N/A if the agency has not entered into a contract with an entity that fails to comply with the PREA standards.)	na
	In such a case, does the agency document its unsuccessful attempts to find an entity in compliance with the standards? (N/A if the agency has not entered into a contract with an entity that fails to comply with the PREA standards.)	na
115.213 (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 residents against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The physical layout of each facility?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the resident population?	yes
	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

115.213 (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? (NA if no deviations from staffing plan.)	na
115.213 (c)	Supervision and monitoring	
	In the past 12 months, has the facility 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 assessed, determined, and documented whether adjustments are needed to prevailing staffing patterns?	yes
	In the past 12 months, has the facility 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 assessed, determined, and documented whether adjustments are needed to the resources the facility has available to commit to ensure adequate staffing levels?	yes
115.215 (a)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting any cross-gender strip searches or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
115.215 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female residents, except in exigent circumstances? (N/A if the facility does not have female inmates.)	na
	Does the facility always refrain from restricting female residents' access to regularly available programming or other outside opportunities in order to comply with this provision? (N/A if the facility does not have female inmates.)	na
115.215 (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 residents?	yes
115.215 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies that enable residents to shower, perform bodily functions, and change clothing without non-medical 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 enable residents to shower, perform bodily functions, and change clothing without non-medical 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 area where residents are likely to be showering, performing bodily functions, or changing clothing?	yes

115.215 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex residents for the sole purpose of determining the resident's genital status?	yes
	If the resident's genital status is unknown, does the facility determine genital status during conversations with the resident, 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
115.215 (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 residents in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

115.216 (a)	Residents with disabilities and residents who are limited English proficient	
	Does the agency take appropriate steps to ensure that residents 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: Residents who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that residents 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: Residents who are blind or have low vision?	yes
	Does the agency take appropriate steps to ensure that residents 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: Residents who have intellectual disabilities?	yes
	Does the agency take appropriate steps to ensure that residents 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: Residents who have psychiatric disabilities?	yes
	Does the agency take appropriate steps to ensure that residents 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: Residents who have speech disabilities?	yes
	Does the agency take appropriate steps to ensure that residents 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 residents 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 with residents with disabilities including residents who: Have intellectual disabilities?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with residents with disabilities including residents 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 residents with disabilities including residents who: Who are blind or have low vision?	yes
115.216 (b)	Residents with disabilities and residents 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 residents 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

115.216 (c)	Residents with disabilities and residents who are limited English proficient	
	Does the agency always refrain from relying on resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-response duties under §115.264, or the investigation of the resident's allegations?	yes
115.217 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents 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 residents 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 may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the two questions immediately above ?	yes
	Does the agency prohibit the enlistment of the services of any contractor who may have contact with residents 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 the services of any contractor who may have contact with residents 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 the services of any contractor who may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the two questions immediately above ?	yes
115.217 (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 residents?	yes
	Does the agency consider any incidents of sexual harassment in determining to enlist the services of any contractor who may have contact with residents?	yes
115.217 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with residents, does the agency: Perform a criminal background records check?	yes
	Before hiring new employees who may have contact with residents, 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
115.217 (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 residents?	yes
115.217 (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 residents or have in place a system for otherwise capturing such information for current employees?	yes

115.217 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with residents 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 residents 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
115.217 (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
115.217 (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
115.218 (a)	Upgrades to facilities and technology	
	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 residents 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
115.218 (b)	Upgrades to facilities and technology	
	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 residents from sexual abuse? (N/A if agency/facility has not installed or updated any video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012 or since the last PREA audit, whichever is later.)	na
115.221 (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
115.221 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (NA 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? (NA if the agency/facility is not responsible for conducting any form of criminal or administrative sexual abuse investigations.)	yes

115.221 (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)?	no
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.221 (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?	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
115.221 (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
115.221 (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.)	yes
115.221 (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 attempts to make a victim advocate from a rape crisis center available to victims per 115.221(d) above).	na
115.222 (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

115.222 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy 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
115.222 (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 conducting criminal investigations. See 115.221(a).)	yes
115.231 (a)	Employee training	
	Does the agency train all employees who may have contact with residents on: Its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with residents 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 residents on: Residents' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with residents on: The right of residents 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 residents on: The dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with residents on: The common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with residents 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 residents on: How to avoid inappropriate relationships with residents?	yes
	Does the agency train all employees who may have contact with residents on: How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents?	yes
	Does the agency train all employees who may have contact with residents on: How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
115.231 (b)	Employee training	
	Is such training tailored to the gender of the residents at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male residents to a facility that houses only female residents, or vice versa?	no

115.231 (c)	Employee training	
	Have all current employees who may have contact with residents 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
115.231 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.232 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with residents have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.232 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with residents 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 residents)?	yes
115.232 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
115.233 (a)	Resident education	
	During intake, do residents receive information explaining: The agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do residents receive information explaining: How to report incidents or suspicions of sexual abuse or sexual harassment?	yes
	During intake, do residents receive information explaining: Their rights to be free from sexual abuse and sexual harassment?	yes
	During intake, do residents receive information explaining: Their rights to be free from retaliation for reporting such incidents?	yes
	During intake, do residents receive information regarding agency policies and procedures for responding to such incidents?	yes
115.233 (b)	Resident education	
	Does the agency provide refresher information whenever a resident is transferred to a different facility?	yes

115.233 (c)	Resident education	
	Does the agency provide resident education in formats accessible to all residents, including those who: Are limited English proficient?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Are deaf?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Are visually impaired?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Are otherwise disabled?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Have limited reading skills?	yes
115.233 (d)	Resident education	
	Does the agency maintain documentation of resident participation in these education sessions?	yes
115.233 (e)	Resident education	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to residents through posters, resident handbooks, or other written formats?	yes
115.234 (a)	Specialized training: Investigations	
	In addition to the general training provided to all employees pursuant to §115.231, 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 criminal or administrative sexual abuse investigations. See 115.221(a)).	yes
115.234 (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 criminal or administrative sexual abuse investigations. See 115.221(a)).	yes
	Does this specialized training include: Proper use of Miranda and Garrity warnings?(N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(a)).	yes
	Does this specialized training include: Sexual abuse evidence collection in confinement settings?(N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(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 criminal or administrative sexual abuse investigations. See 115.221(a)).	yes
115.234 (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 criminal or administrative sexual abuse investigations. See 115.221(a).)	yes

115.235 (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.)	na
	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.)	na
	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.)	na
	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 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.)	na
115.235 (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 does not employ medical staff or the medical staff employed by the agency do not conduct forensic exams.)	na
115.235 (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.)	na
115.235 (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 §115.231? (N/A for circumstances in which a particular status (employee or contractor/volunteer) does not apply.)	na
	Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.232? (N/A for circumstances in which a particular status (employee or contractor/volunteer) does not apply.)	na
115.241 (a)	Screening for risk of victimization and abusiveness	
	Are all residents assessed during an intake screening for their risk of being sexually abused by other residents or sexually abusive toward other residents?	yes
	Are all residents assessed upon transfer to another facility for their risk of being sexually abused by other residents or sexually abusive toward other residents?	yes
115.241 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
115.241 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

115.241 (d)	Screening for risk of victimization and abusiveness	
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The age of the resident?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The physical build of the resident?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident 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 residents for risk of sexual victimization: Whether the resident is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the resident about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the resident 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 residents for risk of sexual victimization: Whether the resident has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The resident's own perception of vulnerability?	yes
115.241 (e)	Screening for risk of victimization and abusiveness	
	In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior acts of sexual abuse?	yes
	In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses?	yes
	In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: history of prior institutional violence or sexual abuse?	yes
115.241 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the resident's arrival at the facility, does the facility reassess the resident's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes
115.241 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess a resident's risk level when warranted due to a: Referral?	yes
	Does the facility reassess a resident's risk level when warranted due to a: Request?	yes
	Does the facility reassess a resident's risk level when warranted due to a: Incident of sexual abuse?	yes
	Does the facility reassess a resident's risk level when warranted due to a: Receipt of additional information that bears on the resident's risk of sexual victimization or abusiveness?	yes

115.241 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that residents 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
115.241 (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 information is not exploited to the resident's detriment by staff or other residents?	yes
115.242 (a)	Use of screening information	
	Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents 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 § 115.241, with the goal of keeping separate those residents 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 § 115.241, with the goal of keeping separate those residents 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 § 115.241, with the goal of keeping separate those residents 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 § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
115.242 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each resident?	yes
115.242 (c)	Use of screening information	
	When deciding whether to assign a transgender or intersex resident to a facility for male or female residents, does the agency consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns residents 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 residents, does the agency consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether a placement would present management or security problems?	yes
115.242 (d)	Use of screening information	
	Are each transgender or intersex resident'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
115.242 (e)	Use of screening information	
	Are transgender and intersex residents given the opportunity to shower separately from other residents?	yes

115.242 (f)	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 residents, does the agency always refrain from placing: lesbian, gay, and bisexual residents 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 residents pursuant to a consent decree, 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 residents, does the agency always refrain from placing: transgender residents 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 residents pursuant to a consent decree, 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 residents, does the agency always refrain from placing: intersex residents 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 residents pursuant to a consent decree, legal settlement, or legal judgement.)	yes
115.251 (a)	Resident reporting	
	Does the agency provide multiple internal ways for residents to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for residents to privately report: Retaliation by other residents or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for residents to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
115.251 (b)	Resident reporting	
	Does the agency also provide at least one way for residents 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 resident reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the resident to remain anonymous upon request?	yes
115.251 (c)	Resident reporting	
	Do staff members accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Do staff members promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.251 (d)	Resident reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of residents?	yes

115.252 (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 resident grievances regarding sexual abuse. This does not mean the agency is exempt simply because a resident 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.	yes
115.252 (b)	Exhaustion of administrative remedies	
	Does the agency permit residents 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 a resident 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
115.252 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: a resident 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 this standard.)	yes
	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
115.252 (d)	Exhaustion of administrative remedies	
	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 residents in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency determines that the 90-day timeframe is insufficient to make an appropriate decision and claims an extension of time (the maximum allowable extension is 70 days per 115.252(d)(3)), does the agency notify the resident 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 resident does not receive a response within the time allotted for reply, including any properly noticed extension, may a resident consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
115.252 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, permitted to assist residents 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 residents? (If a third party files such a request on behalf of a resident, 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 resident declines to have the request processed on his or her behalf, does the agency document the resident's decision? (N/A if agency is exempt from this standard.)	yes

115.252 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that a resident 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 a resident 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 resident 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
115.252 (g)	Exhaustion of administrative remedies	
	If the agency disciplines a resident for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the resident filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes
115.253 (a)	Resident access to outside confidential support services	
	Does the facility provide residents with access to outside victim advocates for emotional support services related to sexual abuse by giving residents 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 enable reasonable communication between residents and these organizations, in as confidential a manner as possible?	yes
115.253 (b)	Resident access to outside confidential support services	
	Does the facility inform residents, 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
115.253 (c)	Resident 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 residents 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
115.254 (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 a resident?	yes

115.261 (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 residents 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 abuse or sexual harassment or retaliation?	yes
115.261 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, do 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
115.261 (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 residents of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
115.261 (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
115.261 (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
115.262 (a)	Agency protection duties	
	When the agency learns that a resident is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the resident?	yes
115.263 (a)	Reporting to other confinement facilities	
	Upon receiving an allegation that a resident 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
115.263 (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
115.263 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes
115.263 (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

115.264 (a)	Staff first responder duties	
	Upon learning of an allegation that a resident 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 a resident 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 a resident 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 a resident 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
115.264 (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
115.265 (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 response to an incident of sexual abuse?	yes
115.266 (a)	Preservation of ability to protect residents 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 limits the agency's ability to remove alleged staff sexual abusers from contact with any residents pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	no
115.267 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.267 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services for residents or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

115.267 (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 residents or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by residents 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 residents who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by residents 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: Act promptly to remedy any such retaliation?	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 any resident 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:4. Monitor resident 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 resident 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 reassignment of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
115.267 (d)	Agency protection against retaliation	
	In the case of residents, does such monitoring also include periodic status checks?	yes
115.267 (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
115.271 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations 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 115.221(a).)	yes
	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 115.221(a).)	yes
115.271 (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 115.234?	yes

115.271 (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
115.271 (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
115.271 (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 resident or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring a resident who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.271 (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
115.271 (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
115.271 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.271 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.271(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
115.271 (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 facility or agency does not provide a basis for terminating an investigation?	yes
115.271 (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 any form of administrative or criminal sexual abuse investigations. See 115.221(a).)	yes
115.272 (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

115.273 (a)	Reporting to residents	
	Following an investigation into a resident's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
115.273 (b)	Reporting to residents	
	If the agency did not conduct the investigation into a resident'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 resident? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
115.273 (c)	Reporting to residents	
	Following a resident'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 posted within the resident's unit?	yes
	Following a resident'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 a resident'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 a resident'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
115.273 (d)	Reporting to residents	
	Following a resident's allegation that he or she has been sexually abused by another resident, 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 a resident's allegation that he or she has been sexually abused by another resident, 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?	yes
115.273 (e)	Reporting to residents	
	Does the agency document all such notifications or attempted notifications?	yes
115.276 (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
115.276 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes

115.276 (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
115.276 (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
115.277 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with residents?	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
115.277 (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 residents?	yes
115.278 (a)	Disciplinary sanctions for residents	
	Following an administrative finding that a resident engaged in resident-on-resident sexual abuse, or following a criminal finding of guilt for resident-on-resident sexual abuse, are residents subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
115.278 (b)	Disciplinary sanctions for residents	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories?	yes
115.278 (c)	Disciplinary sanctions for residents	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether a resident's mental disabilities or mental illness contributed to his or her behavior?	yes
115.278 (d)	Disciplinary sanctions for residents	
	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 resident to participate in such interventions as a condition of access to programming and other benefits?	yes
115.278 (e)	Disciplinary sanctions for residents	
	Does the agency discipline a resident for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes

115.278 (f)	Disciplinary sanctions for residents	
	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 evidence sufficient to substantiate the allegation?	yes
115.278 (g)	Disciplinary sanctions for residents	
	Does the agency always refrain from considering non-coercive sexual activity between residents to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between residents.)	yes
115.282 (a)	Access to emergency medical and mental health services	
	Do resident 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
115.282 (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 § 115.262?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
115.282 (c)	Access to emergency medical and mental health services	
	Are resident 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
115.282 (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
115.283 (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 residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
115.283 (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
115.283 (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
115.283 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are resident 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 residents 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.)	na

115.283 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.283(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 residents 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.)	na
115.283 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are resident victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.283 (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
115.283 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners?	yes
115.286 (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
115.286 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.286 (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
115.286 (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 §§ 115.286(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
115.286 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes

115.287 (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
115.287 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.287 (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
115.287 (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
115.287 (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 residents? (N/A if agency does not contract for the confinement of its residents.)	na
115.287 (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.)	na
115.288 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.287 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 § 115.287 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 to § 115.287 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?	yes
115.288 (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
115.288 (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
115.288 (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
115.289 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.287 are securely retained?	yes

115.289 (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
115.289 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.289 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.287 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.)	yes
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.)	yes
	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.)	na
	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 residents?	yes
115.401 (n)	Frequency and scope of audits	
	Were inmates, residents, and detainees 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 (f)	Audit contents and findings	
	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.)	yes