

PREA Facility Audit Report: Final

Name of Facility: Lubbock County Court Residential Treatment Center

Facility Type: Community Confinement

Date Interim Report Submitted: NA

Date Final Report Submitted: 11/04/2022

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: 11/04/2022

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

FACILITY INFORMATION	
Facility name:	Lubbock County Court Residential Treatment Center
Facility physical address:	3501 North Hollywood Avenue, Lubbock, Texas - 79403
Facility mailing address:	3501 N Holly Ave, Lubbock, Texas - 79403

Primary Contact	
Name:	Valerie Monteilh
Email Address:	val.monteilh@lubbockcrtc.com
Telephone Number:	8067755603

Facility Director	
Name:	Valerie Monteilh
Email Address:	val.monteilh@lubbockcrtc.com
Telephone Number:	8067755603

Facility PREA Compliance Manager	
Name:	Emily Carter
Email Address:	emily.carter@lubbockcrtc.com
Telephone Number:	
Name:	Karri Collier
Email Address:	karri.collier@lubbockcrtc.com
Telephone Number:	

Facility Health Service Administrator On-Site	
Name:	D'Aun Chapa
Email Address:	d'aun.chapa@lubbockcrtc.com
Telephone Number:	8067755626

Facility Characteristics	
Designed facility capacity:	63
Current population of facility:	55
Average daily population for the past 12 months:	58
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:	18-90
Facility security levels/resident custody levels:	Minimum
Number of staff currently employed at the facility who may have contact with residents:	53
Number of individual contractors who have contact with residents, currently authorized to enter the facility:	0
Number of volunteers who have contact with residents, currently authorized to enter the facility:	1

AGENCY INFORMATION	
Name of agency:	Lubbock and Crosby County Community Supervision and Corrections Department
Governing authority or parent agency (if applicable):	
Physical Address:	701 Main Street, Lubbock, Texas - 79401
Mailing Address:	
Telephone number:	

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

Agency-Wide PREA Coordinator Information			
Name:	Val Monteilh	Email Address:	val.monteilh@lubbockcrtc.com

SUMMARY OF AUDIT FINDINGS	
<p>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.</p> <p>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.</p>	
Number of standards exceeded:	
3	<ul style="list-style-type: none"> • 115.211 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator • 115.213 - Supervision and monitoring • 115.231 - Employee training
Number of standards met:	
38	
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:	2022-10-10
2. End date of the onsite portion of the audit:	2022-10-10

Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	On 9.21.2022, at 11:29 am the Auditor phoned Voices of Hope at 806.763.7273. After a proper introduction and the reason for the call the operator stated the agency is aware of the agreement between the agency and the Lubbock County Community Corrections facility. When asked if the agency would make reports to law enforcement if requested by the resident the operator stated they would make those notifications. Finally, when asked if the agency would provide ongoing support services, the operator stated those services would be provided.

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	63
15. Average daily population for the past 12 months:	55
16. Number of inmate/resident/detainee housing units:	6
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<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)

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:	61
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:	1
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:	1
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:	54
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:	1
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.
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INTERVIEWS

Inmate/Resident/Detainee Interviews

Random Inmate/Resident/Detainee Interviews

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	13
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54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	<input 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
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55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	The facility provided the Auditor with resident rosters by housing unit, date of entry, SID and social security number. Resident working in the community and those who were sleeping from working overnight shifts were eliminated from the interview choices and the Auditor then randomly chosen from the remaining names on the rosters.
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56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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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.
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Targeted Inmate/Resident/Detainee Interviews

58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	3
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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 facility tour, informal and random interviews with staff and residents as well as staff and resident file review, residents with this category did not appear to be residing within the facility 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>1</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 facility tour, informal and random interviews with staff and residents as well as staff and resident file review, residents with this category did not appear to be residing within the facility 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>1</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 facility tour, informal and random interviews with staff and residents as well as staff and resident file review, residents with this category did not appear to be residing within the facility 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>1</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 facility tour, informal and random interviews with staff and residents as well as staff and resident file review, residents with this category did not appear to be residing within the facility 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 facility tour, informal and random interviews with staff and residents as well as staff and resident file review, residents with this category did not appear to be residing within the facility 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 facility tour, informal and random interviews with staff and residents as well as staff and resident file review, residents with this category did not appear to be residing within the facility 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>Facility staff stated the isolation room had not been used for purposes of PREA since the last PREA audit.</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>Targeted residents were identified when resident rosters were presented to the Auditor at the beginning of the onsite review.</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>12</p>

<p>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</p>	<p><input 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 checked="" 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 checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</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>Random staff interviews were conducted of personnel from each shift, four from each shift, primarily every staff on shift during the onsite review.</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>11</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>	<p><input type="checkbox"/> Agency contract administrator</p> <p><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</p> <p><input type="checkbox"/> Line staff who supervise youthful inmates (if applicable)</p> <p><input type="checkbox"/> Education and program staff who work with youthful inmates (if applicable)</p> <p><input checked="" type="checkbox"/> Medical staff</p> <p><input checked="" type="checkbox"/> Mental health staff</p> <p><input type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches</p> <p><input checked="" type="checkbox"/> Administrative (human resources) staff</p> <p><input type="checkbox"/> Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff</p> <p><input checked="" type="checkbox"/> Investigative staff responsible for conducting administrative investigations</p> <p><input type="checkbox"/> Investigative staff responsible for conducting criminal investigations</p> <p><input checked="" type="checkbox"/> Staff who perform screening for risk of victimization and abusiveness</p> <p><input type="checkbox"/> Staff who supervise inmates in segregated housing/residents in isolation</p> <p><input checked="" type="checkbox"/> Staff on the sexual abuse incident review team</p> <p><input checked="" type="checkbox"/> Designated staff member charged with monitoring retaliation</p> <p><input type="checkbox"/> First responders, both security and non-security staff</p> <p><input checked="" type="checkbox"/> Intake staff</p> <p><input type="checkbox"/> Other</p>
<p>81. Did you interview VOLUNTEERS 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>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.

84. Did you have access to all areas of the facility?

- Yes
 No

Was the site review an active, inquiring process that included the following:

85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?

- Yes
 No

86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?

- Yes
 No

87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?

- Yes
 No

88. Informal conversations with staff during the site review (encouraged, not required)?

- Yes
 No

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).

During the tour an informal interview with a resident demonstrated he could follow the instructions posted above the phone by dialing 1 for English and #81 or *81 to reach Voices of Hope Advocates. Upon connecting with the Advocate, the Auditor asked the Advocate if she was aware of the agreement with the facility to accept calls from facility residents, would she report for residents and would the advocacy center provide mental health services. The operator states yes to all questions asked and added the agency would accompany survivors through sexual abuse forensic exams.

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?

- Yes
 No

91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).

Staff and resident file review was conducted by utilizing the PREA Audit - Community Confinement Facilities Documentation Review Resident and Employee Files/Records tools. 12 resident and 12 staff files were reviewed.

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 had a sexual harassment or sexual abuse allegation within the past 12 months.

<p>99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files) </p>
<p>Inmate-on-inmate sexual abuse investigation files</p>	
<p>100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>0</p>
<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files) </p>
<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files) </p>
<p>Staff-on-inmate sexual abuse investigation files</p>	
<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>0</p>
<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p> <input 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) </p>
<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files) </p>
<p>Sexual Harassment Investigation Files Selected for Review</p>	
<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
<p>a. Explain why you were unable to review any sexual harassment investigation files:</p>	<p>The facility has not had a sexual harassment or sexual abuse allegation within the past 12 months.</p>

<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
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Inmate-on-inmate sexual harassment investigation files

<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
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<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
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<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
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Staff-on-inmate sexual harassment investigation files

<p>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
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<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
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<p>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
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<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>The facility has not had a sexual harassment or sexual abuse allegation within the past 12 months.</p>
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SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

<p>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.</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
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Non-certified Support Staff

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

<p>121. Who paid you to conduct this audit?</p>	<p><input type="radio"/> The audited facility or its parent agency</p> <p><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)</p> <p><input checked="" type="radio"/> A third-party auditing entity (e.g., accreditation body, consulting firm)</p> <p><input type="radio"/> Other</p>
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<p>Identify the name of the third-party auditing entity</p>	<p>PREA Auditors of America</p>
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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: Exceeds Standard

Auditor Discussion

Document Review:

- 1. Lubbock County Court Residential Treatment Center PAQ
- 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020
- 3. Lubbock County CRTC Organizational Chart demonstrating, dated 01.2021

Interviews:

- 1. Random residents
- 2. Targeted residents
- 3. Residential Monitors
- 4. Assistant Director of Operations
- 5. Facility 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.

Each resident interviewed and informal interviews demonstrated they felt sexually safe, if not happily overly safe, in the facility.

The Facility Director / PREA Coordinator could attest to having the required time to implement PREA protocols. The facility also employs an Assistant Director of Operations who plays a huge role in ensuring PREA training and protocols are current and in place.

Site Review Observation:

During the tour of the facility, the Auditor witnessed multiple large Zero Tolerance postings, with facility, hotline, agency and advocacy reporting information. Audit Notices on yellow paper were posted in the lobby, resident dorms, and hallways throughout the facility. The facility also had large grievance posters posted throughout the facility to include the Intake area where PREA education was delivered to newly admitted residents. Areas throughout the facility where searches could possibly take place had postings at entry making those entering aware searches could be taking place behind the closed door. Cameras with audio were present and found to all be functioning throughout the facility. Three blind spots were noted while touring the facility and placement of mirrors in those areas were recommended. Before the onsite review was concluded, the facility had installed mirrors in each of the three blind spot areas noted. Each staff carried PREA information/first responder duty cards for their particular job function on their lanyards or in wallets. Staff interviewed brought their own personal binders of facility PREA policies and protocols into interviews, demonstrating their awareness of how to locate resources in response to PREA. Near the Control Room a PREA binder was witnessed which obtained hard copies of the facility PREA policy, search log, staff deviation log and an Incident Response Checklist, again ensuring facility personnel had access to PREA resources. Finally, the facility also posts all PREA policies and resources on a SharePoint folder, giving all staff access to electronic PREA files.

(a) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 1, section 20. PREA Policy Introduction, states, "The Lubbock County Court Residential Treatment Center (CRTC) has a zero-tolerance policy for all forms of sexual abuse and sexual harassment of residents. The Lubbock County CRTC shall take a proactive approach concerning the detection, prevention, response and punishment of sexual abuse, including consensual sexual contact while in CRTC custody. Further, the CRTC prohibits residents and staff who report sexual abuse or sexual harassment or those who cooperate with sexual abuse or sexual harassment investigations from any form of retaliation by other residents or staff."

Lubbock County CRTC shall be vigilant in establishing a safe environment for staff and residents and take immediate action to address the safety needs of residents who are at imminent risk of sexual abuse or who have been victimized. Every attempt shall be made to prevent the sexual abuse and sexual harassment of residents in accordance with the requirements outlined within this policy.

(b) The Lubbock County Court Residential Treatment Center 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 Facility Director serves as the PREA Coordinator.

Lubbock County Residential Treatment Center PREA Policy, page 5, section 22.01 PREA Coordinator, states, "The Director serves as the PREA coordinator and is responsible for the oversight and implementation of all PREA related activities at the CRTC to ensure compliance with the PREA standards. The PREA coordinator reports directly to the Lubbock County CSCD Director.

The PREA coordinator shall have sufficient time and authority to develop, implement, and oversee the CRTC efforts to comply with the PREA standards. "

The facility provided a Lubbock County CRTC Organizational Chart demonstrating the Facility Director serves as the PREA Coordinator. The facility Assistant Director of Operations serves as the Compliance Manager.

Through such reviews of the facility going above and beyond to ensure staff have multiple accesses to PREA resources, resident PREA, grievance and search awareness postings, the facility exceeds 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. Lubbock County Court Residential Treatment Center PAQ</p> <p>Interviews: 1. Facility Director / PREA Coordinator</p> <p>During the pre-audit phase, the Facility Director / PREA Coordinator conveyed the agency is a standalone facility and does not have privatized contracts.</p> <p>(a) The Lubbock County Court Residential Treatment Center 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: Exceeds Standard

Auditor Discussion

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020
3. Lubbock County CSCD Residential Staffing Plan, dated 8.1.2022
4. Management Meeting Minutes, dated 2.4.2020, 9.11.2022

Interviews:

1. Random residents
2. Targeted residents
3. Residential Monitors
4. Assistant Director of Operations
5. Facility Director / PREA Coordinator

Staff and residents interviewed could attest to supervisory staff conducting rounds, each day, often occurring multiple times per day.

Site Observation:

Supervisory staff were observed interacting with the population throughout the onsite review. Rounds documentation witnessed demonstrated rounds are completed on each shift, each day. A staff deviation log was located near the Control Room demonstrating deviations were properly documented throughout the current year.

(a) The Lubbock County Court Residential Treatment Center 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 56. 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 56.

Lubbock County Residential Treatment Center PREA Policy, page 7, section 23.01 Supervision and Monitoring, states, "The Director or designee shall develop and document a staffing plan that provides for adequate levels of staff, and, where applicable, video monitoring, to protect residents against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, the Operations Manager shall take into consideration: (115.213a)

- The physical layout of the CRTC
- The composition of the resident population
- The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
- Any other relevant factors.

If the Shift Supervisor knows the staffing level (per staffing plan) is not being met, the Shift Supervisor shall contact the following staff in this order to ensure compliance:

- Another Residential Monitor
- Another Shift Supervisor
- The Operations Manager
- An Assistant Director
- The Director"

The facility provided a Lubbock County CSCD Residential Staffing Plan. The Staffing Plan demonstrates the following:

- Relieved Positions
- Non-relieved Positions
- Staffing Levels
- Staff Supervision of Residents
- Supervisory Personnel
- Video Monitoring System
- Facility Specific Factors Related to Sexual Safety
- Availability of Education and Programming Opportunities
- Access to Medical and Mental Health Care
- Physical Building Characteristics that can Impact Line of Sight and Visibility
- Programing
 - o Length of stay
 - o Education
 - o Criminal Conduct & Substance Abuse Treatment

- o Goal setting
- o Community Service
- o Recreation
- Staffing plan review notes (May 2021, August 2020)
- Privacy Considerations and Limits to Cross Gender Viewing
- Prevalence of Incidents of Sexual Abuse
- Applicable Laws, Regulations, and Finding
- Staffing Plan Development and Review
- Documenting Deviations to the Staffing Plan
- Appendix A: Cameral Listing and Camera Type
- Appendix B: Building Schematic

(b) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 7, section 23.01, Supervision and Monitoring, third paragraph, states, "In circumstances where the staffing plan is not complied with, the appropriate Shift Supervisor shall document and justify all deviations from the plan in the following manner.

- Write a justification under the Staff Deviation subject in the Log, who was called and the reason for the deviation."

(c) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 8, section 23.01, Supervision and Monitoring, first paragraph, states, "Whenever necessary, but no less frequently than once each year, no later than December 15 of each year, the management team shall assess, determine, and document whether adjustments are needed to: (1115.213c)

- The staffing plan established pursuant to first paragraph of this section;
- Prevailing staffing patterns;
- The CRTC deployment of video monitoring systems and other monitoring technologies; and
- The resources the CRTC has available to commit to ensure adequate staffing levels.

The following management staff shall participate in the Staffing Plan review:

- CRTC Director
- Assistant Director of Operations (ADO)
- Assistant Director of Programming (ADP)
- Operations Manager
- Probation Supervisor
- Medical Supervisor

The staffing plan review shall be documented in the management team meeting minutes and presented to the CSCD Director by the CRTC Director no later than January 31 of each year. The management team meetings minutes shall be stored on the share drive under the management team folder."

The facility provided management meeting notes, describing direct care and operations considering positions, blind spots, training, statement of fact revisions and supervision.

Through such reviews of supervision rounds being completed on each shift, each day, above and beyond the standard requirement for community confinement facilities, the facility exceeds the standard requirements.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020
3. Lubbock County Community Corrections Facility Cross-Gender Searches 2021 Log, dated 1.12.2021
4. Lubbock County Community Corrections Facility Resident Monitor Orientation Checklist, not dated

Interviews:

1. Random residents
2. Targeted residents
3. Residential Monitors
4. Shift Leader / Intake staff
5. Assistant Director of Operations
6. Facility Director / PREA Coordinator
7. Agency Head

Interviews with residents demonstrated each had experienced a strip and or pat search at the facility. Each resident interviewed stated they had never been searched by a female staff. Each resident interviewed was asked if they believed the strip and pat searches and urinalysis processes were done respectfully and each unanimously stated the process was respectable.

Staff interviewed stated cross-gender searches had been trained; however, staff interviewed stated cross-gender searches had not occurred, and the policy stated this was a 'no touch by cross-gender' facility. When staff were asked if they were prepared to search a transgender resident, each stated they were prepared and willing to complete those searches.

Upon speaking with the Facility Director, Assistant Director of Operations and the Agency Head, we discussed transgender admissions and if the transgender wishes of opposite staff searching their body would be considered.

Site Review Observation:

During the tour the auditor was able to view the area where strip searches and urinalysis testing was conducted. At entry to the strip search area is a posting alerting all who enter that a search could be in progress. The strip search area is in a location that is private to only the resident and the staff, with no possibility of anyone entering being able to view the residents during a search. Searches are conducted in an area with three stalls, each with full length walls on three sides and one open area to one staff who views the resident. Cameras in the vicinity are not pointed in the direction of the search area. and Cameras were viewed in the Control Room demonstrating searches cannot be viewed by those monitoring cameras. All cameras in the facility have audio as an extension of respect for both the resident and staff.

(a) Lubbock County Court Residential Treatment Center 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 were 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.

Lubbock County Residential Treatment Center PREA Policy, page 8, section 24 Limits to Cross-Gender Viewing and Searching, first paragraph and bullet state, "The female staff shall not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) of a resident except in exigent circumstances or when performed by medical practitioners.

The shift supervisor shall document all cross-gender strip searches and cross-gender body cavity searches of residents in the following manner:

- In the event of an exigent circumstance and time doesn't allow for a same gender staff, authorization to conduct the search must be granted by the Director or designee and documented in the com-log under the PREA subject, which includes justification for the search, the gender of the individual conducting the search, and the gender of the resident. The individual granting approval shall sign the paper log located at Central indicating the search was approved."

(b) This provision is not applicable as the facility does not have female residents.

(c) Lubbock County Court Residential Treatment Center PAQ states the facility policy does require that all cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat-down searches be documented and justified as cross-gender strip searches and body cavity searches are not allowed.

Lubbock County Residential Treatment Center PREA Policy, page 8, section 24 Limits to Cross-Gender Viewing and Searching, second and third bullets states, "Cross-gender search approval documents shall be provided to the PREA coordinator for review.

The facility provided a Cross-Gender Search log. The search log demonstrates a staff signature, printed name, date and comment would be completed when cross-gender searches occur. The log provided demonstrates zero cross-gender searches have taken place in the past 12 months.

(d) Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 8-9, section 24 Limits to Cross-Gender Viewing and Searching, third bullet states, "The PREA coordinator or designee shall maintain a log of all cross-gender strip and body cavity searches, including where a medical practitioner conducted the search that includes the information provided in first bullet paragraph of this section.

The residents shall shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine checks.

All female staff, shall announce their presence when entering the housing area and areas where residents are likely to be showering, performing bodily functions, or changing clothing. An alternative announcement, such as use a buzzer or flickering the lights shall be considered for residents who are hard of hearing; however, shall not be used as the main source of the announcement in general."

(e) The Lubbock County Court Residential Treatment Center PAQ states the facility has a policy prohibiting staff 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.

Lubbock County Residential Treatment Center PREA Policy, page 9, section 24 Limits to Cross-Gender Viewing and Searching, third paragraph states, "The CRTC staff shall not search or physically examine a transgender or intersex resident for the sole purpose of determining the resident's genital status. If the resident's genital status is unknown, it may be determined 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. The PREA coordinator or designee shall be notified immediately if the genital status of a resident cannot be determined."

(f) The Lubbock County Court Residential Treatment Center PAQ states 100% 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. The PAQ states, "National PREA video of Guidance on Cross-Gender and Transgender Searches Located in our Share Drive."

Lubbock County Residential Treatment Center PREA Policy, page 9, section 24 Limits to Cross-Gender Viewing and Searching, fourth paragraph states, "Staff shall be trained 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 of the CRTC. Staff shall sign an acknowledgement that they were trained and understand the training they received. The link is to the NIC Web Site Cross Gender Pat Searches."

The facility provided a Lubbock County Community Corrections Facility Resident Monitor Orientation Checklist. Page three of the checklist demonstrated new employees are trained on Measures for Controlling Contraband to include pat and strip searches.

Through such reviews, the facility meets the standard requirements.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020
3. inwhatlanguage Account Information Contract, dated 7.27.2022
4. Lubbock County CRTC Resident's Guide for the Prevention and Reporting Sexual Abuse and Sexual Harassment in Community Correctional Facilities, in English and Spanish, not dated
5. Certificate of Completion, PREA for Community Confinement Facilities, dated 7.26.2022

Interviews:

1. Targeted residents
2. Residential Monitors
3. Shift Leader / Intake staff
4. Assistant Director of Operations
5. Facility Director / PREA Coordinator
6. Agency Head

During interviews with staff, each stated residents were not used for translation services. Staff interviewed attested to being made aware of language line services. Barriers were not apparent during interviews and or on the facility tour. The facility had two targeted residents, one who was deaf in one ear and one who was cognitively disabled. Both targeted residents demonstrated their awareness of PREA, reporting protocols internally and externally of the facility.

(a) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 9, section .25 Residents with Disabilities and Residents Who Are Limited English Proficient, states, "The Lubbock County CRTC requires that all residents must be physically, mentally, emotionally and cognitively able to participate in all components. The program requires that potential residents are able to read at the minimum of a fifth-grade level. The potential resident must be able to read and speak English. This is determined prior to admitting a resident.

If a resident is admitted with disabilities, such as residents who are deaf or hard of hearing, blind, or have low vision, or those who have intellectual, psychiatric, or speech disabilities, have an equal opportunity to participate in or benefit from all aspects of the facilities efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps shall include:

- within 10 business days of admission, discharge the resident as an inappropriate placement;
- effective communication with residents who are deaf or hard of hearing;
- providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary; and
- providing written materials in formats or through methods that ensure effective community with residents with disabilities, including residents who have intellectual disabilities, limited reading skills, or who are blind or have low vision.

The CRTC is not required to take the actions specified above if it can demonstrate the actions would result in a fundamental alteration in the nature of a service, program, or activity, or in due financial and administrative burdens, as those terms are used in regulations promulgated under title II of the Americans with Disabilities Act, 28 CFR 35.164."

The facility provided Lubbock County CRTC Resident's Guide for the Prevention and Reporting Sexual Abuse and Sexual Harassment in Community Correctional Facilities, in both English and Spanish.

(b) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 10, section 25 Residents with Disabilities and Residents Who Are Limited English Proficient, first paragraph states, "The PREA Coordinator or designee shall ensure meaningful access to all aspects of the CRTC PREA Program to residents who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary.

The following steps shall be taken when an interpreter is required.

- Contact a Spanish speaking staff member who will interpret the information given in classes.
- If a person speaks a language other than English or Spanish, the Assistant Director of Programming or designee shall

contact InWhatLanguage at 1-385-425-0783 use pin XXXXXX to employ services for the resident.”

The facility provided a ‘inwhatlanguage’ Account Information Contract demonstrating instruction for accessing language services.

The facility provided a Certificate of Completion, PREA for Community Confinement Facilities, presented by the National Institute of Corrections.

(c) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 10, section 25 Residents with Disabilities and Residents Who Are Limited English Proficient, second paragraph states, “CRTC staff are prohibited from using resident interpreters, resident readers, or other type 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, or the investigation of the resident’s allegations. The use of a resident shall be documented in the com-log.”

Through such reviews, the facility meets the standard requirements.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020

Interviews:

1. Executive Administrative Assistant Human Resource Coordinator

Interviews with the Human Resource Coordinator demonstrated criminal background checks are completed upon hire and again annually. Applicants and promoted employees complete an applicant supplement form, answering administrative adjudication questions. Institutional reference checks are completed for applicable applicants.

Site Review Observation:

During review of the 16 staff files reviewed, all had current criminal background checks on file. Institutional reference checks had been completed on applicable employees and adjudication questions had been completed during the hiring process. The facility had no employees promoted within the past 12 months. Each file reviewed had the required specialized, initial and annual training.

(a) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 11, section 26 Decisions in Personnel Issues Per PREA, first paragraph states, "The CRTC shall not hire or promote anyone who has contact with residents, and shall not enlist 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);
- 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
- Has been civilly or administratively adjudicated to have engaged in the activity described in the above paragraph."

(b) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 11, section 26 Decisions in Personnel Issues Per PREA, third paragraph states, "The agency shall consider any incident of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of nay contractor, who may have contact with residents."

(c) The Lubbock County Court Residential Treatment Center 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 15.

Lubbock County Residential Treatment Center PREA Policy, page 11, section 26 Decisions in Personnel Issues Per PREA, fourth paragraph, bullets 1-2 state,

- "the Assistant Director of Programming shall perform a criminal background check;
- consistent with Federal, State, and local law, the Assistant Director of Programming will make the best possible effort 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."

(d) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 11, section 26 Decisions in Personnel Issues Per PREA, fourth paragraph, bullets 3-4 state,

- “the Assistant Director of Programming will maintain documentation in the employee’s file of the criminal background check, interview questions and answers regarding past conduct questions listed in the first section of this subject 1; and
- new hires will sign a consent for release of information.”

(e) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 11, section 26 Decisions in Personnel Issues Per PREA, sixth paragraph states, “Criminal background checks shall be conducted yearly on current employees and contractors who may have contact with residents or have in place a system for otherwise capturing such information for current employees.”

(f) Lubbock County Residential Treatment Center PREA Policy, page 11, section 26 Decisions in Personnel Issues Per PREA, fifth paragraph states, “The Director also imposes upon all employees a continuing affirmative duty to disclose any such misconduct. Failure to disclose is grounds for dismissal.”

(g) The Lubbock County Court Residential Treatment Center PAQ states Agency policy states that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

Lubbock County Residential Treatment Center PREA Policy, page 11, section 26 Decisions in Personnel Issues Per PREA, seventh paragraph states, “Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.”

(h) Lubbock County Residential Treatment Center PREA Policy, 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.”

Through such reviews, the facility meets the standard requirements.

115.218	<p>Upgrades to facilities and technology</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> Lubbock County Court Residential Treatment Center PAQ Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 <p>Interviews:</p> <ol style="list-style-type: none"> Facility Director / PREA Coordinator <p>The Facility Director / PREA Coordinator attested to the facility currently going under modifications. This area of the facility had been closed off to resident sleeping areas; however, groups and some education classes do take place in this wing.</p> <p>(a) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 12, section 27 Upgrades to Facilities and Technologies, first paragraph states, "When designing or acquiring any new facility and in planning any substantial expansion or modification of the existing CRTC, the Director or designee shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect residents from sexual abuse."</p> <p>(b) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 12, section 27 Upgrades to Facilities and Technologies, second paragraph states, "When installing or updating a video monitoring system, electronic surveillance system or other monitoring technology, the Director/PREA Coordinator shall consider how such technology may enhance the CRTC's ability to protect residents from sexual abuse. (115.218b)</p> <p>The PREA coordinator shall ensure documentation, which supports the consideration to protect residents from sexual abuse is included in the scope of expansion or modification design and project planning.</p> <ul style="list-style-type: none"> Documentation shall include meeting minutes with CRTC staff, designers, engineers, etc., that demonstrates the considerations to protect residents from sexual abuse was included in the planning process. Document and retain information from internal audits, sexual abuse incident reviews, annual staffing plan meetings or CRTC observations, i.e., blind spots when making decisions to install or enhance video monitoring systems." <p>Through such reviews, the facility meets the standard requirements.</p>
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Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020
3. Lubbock County Court Residential Treatment Center Employee Training and Education, not dated
4. Lubbock County Community Corrections Facility PREA Sexual Abuse Investigation Checklist, dated 2.3.2020
5. Memorandum of Understanding between Lubbock County Court Residential Treatment Center and the Forensic Nurse Staffing of West Texas, dated 4.7.2022
6. SANE Call Schedule, monthly
7. Memorandum of Understanding between Lubbock County Court Residential Treatment Center and the Voice of Hope Crisis Center, dated 7.1.2022
8. Certificate of Completion, Texas State Board of Examiners of Professional Counselors Jurisprudence Exam, dated 9.21.2021
9. Lubbock Police Department Email Communication, dated 2.28.2022

Interviews:

1. Registered Nurse

Interviews the Registered Nurse stated facility protocol depicts residents are brought to medical upon alleging sexual abuse and would receive immediate access to medical services to include being taken to the emergency room.

Site Review Observation:

The facility has not experienced a sexual harassment or sexual assault allegation in the past 12 months.

(a) The Lubbock County Court Residential Treatment Center 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 Lubbock Police Department is responsible for conducting sexual abuse investigations.

Lubbock County Residential Treatment Center PREA Policy, page 12, section 28.01 Evidence Protocol and Forensic Medical Exams, first paragraph states, "The Assistant Director of Operations or trained CRTC investigator is responsible for conducting administrative investigating allegations of sexual abuse. A uniform evidence protocol shall be followed that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions. The facility shall employ Lubbock Police Department for conducting criminal sexual abuse investigations."

The facility provided Lubbock County Court Residential Treatment Center Employee Training and Education. This education provides specialized training for investigators on collaboration with the Prison Rape Elimination Act, National PREA Standards and the National Institute of Corrections.

The facility provided a Lubbock County Community Corrections Facility PREA Sexual Abuse Investigation Checklist. The checklist demonstrates investigators follow a uniform protocol during investigations.

(b) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 12, section 28.01 Evidence Protocol and Forensic Medical Exams, second paragraph states, "The protocol shall be developmentally appropriate for youth where applicable, and, as appropriate, shall be 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, Adult/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011."

(c) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 12, section 28.01 Evidence Protocol and Forensic Medical Exams, third paragraph states, "The CRTC offers all victims of sexual abuse with access to Forensic Medical Examinations (FME) at an outside facility, without financial cost, where evidentiary or medically appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If a SAFE or SANE cannot be made available, the examination can be performed by other qualified medical practitioners. The medical staff shall maintain documentation of its efforts to provide SAFEs or SANEs. Documentation shall be retained by the PREA coordinator or designee."

The facility provided a Memorandum of Understanding (MOU) between Lubbock County Court Residential Treatment Center and the Forensic Nurse Staffing of West Texas. The MOU demonstrates sexual assault nurse examiners agree to provide the CRTC residents with sexual assault forensic exams. The MOU is signed by both the Facility Director and the forensic Nurse Staffing of West Texas SANE Representative. The MOU is in effect until either party, terminates in writing.

The facility provided a monthly SANE Call Schedule. This schedule demonstrates each day of each month a SANE representative is available, to include shift hours and contact phone numbers.

(d) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 13, section 28.01 Evidence Protocol and Forensic Medical Exams, first two paragraphs state, "All medical examinations shall take place at University Medical Center (UMC) where there are SANE nurses are located. The first responding employee shall call 9-911 to employ an ambulance to transport the victim to UMC.

The Assistant Director or designee shall attempt to make available to the victim a victim advocate from a rape crisis center. When a rape crisis center is not available to provide victim advocate services, the CRTC shall make available to provide these services a qualified staff member from a community-based organization or a qualified CRTC staff member. A qualified counselor staff or a qualified community-based staff member is an individual who has been screened for appropriateness to serve the role of advocate and has received education concerning sexual assault and forensic examination issues in general. The CRTC shall document efforts to secure services from rape crisis centers."

The facility provided a Memorandum of Understanding (MOU) between Lubbock County Court Residential Treatment Center and the Voice of Hope Crisis Center. The MOU demonstrates it is written to facilitate an agreement between the parties for services related to goals and implementation of the Federal Prison Rape Elimination Act. The MOU is signed by the Facility Director and a Voice of Hope Representative. The MOU is in effect until either party, terminates in writing.

The facility provided a Certificate of Completion, Texas State Board of Examiners of Professional Counselors Jurisprudence Exam from a facility staff member.

(e) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 13, section 28.01 Evidence Protocol and Forensic Medical Exams, third paragraph states, "As requested by the victim, the victim advocate, qualified CRTC staff, or qualified community-based organization staff member "shall accompany and support the victim through the FME process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals."

(f) Lubbock County Residential Treatment Center PREA Policy, page 13, section 28.01 Evidence Protocol and Forensic Medical Exams, fourth paragraph states, "The CRTC is not responsible for conducting criminal investigations. The CRTC shall request that the investigating agency follow the requirements in the above paragraph of this subject. (115.221f)

The PREA coordinator or designee shall retain the following documentation, as applicable:

- information corroborating that all victims of sexual abuse have access to Forensic Medical Exams;
- any emails, letters, meeting minutes or memorandum of understanding (MOUs) documenting the CRTC's attempts to secure advocacy services;
- information that describes the responsibilities of outside medical and mental health practitioners, i.e. agreements or MOUs with hospitals or clinics;
- CRTC staff qualifications, if staff is used to provide victim advocate services;
- relevant information that a qualified CRTC staff or qualified community-based organization staff member accompanied a supported the victim pursuant to paragraph 6; and
- MOUs or agreements with outside investigating agencies."

The facility provided a Lubbock Police Department Email Communication from the Lieutenant of the Lubbock Police Department, Crisis Intervention Team, Community Engagement Unit, stating, "Since your facility is within the city limits of Lubbock, TX the Lubbock Police Department will respond and has responded to calls for service at your facility. The LPD and Lubbock County Curt Residential Center would not need an MOU for the LPD to provide this service."

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. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Residents 2. Targeted Residents 3. Residential Monitors 4. Probation Officer / 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, calling the hotline number or through a third party. Residents interviewed stated being comfortable reporting incidents of sexual harassment and assault to facility and agency personnel.</p> <p>Staff interviewed stated upon receiving information, 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 in the past 12 months.</p> <p>(a) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 12, section 28.02 Referrals of Allegations for Investigations, second paragraph, states, "All CRTC allegations of sexual abuse and sexual harassment shall be referred for investigation to the Lubbock Police Department, who has the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. The Assistant Director of Programming shall publish such policy on its website or, if it doesn't have one, make the policy available through other means. All referrals for investigations shall be documented. The PREA Coordinator or designee shall maintain all documentation for a minimum of five years." The facility investigation policy is available on their website at PREA Information (lubbockcrtc.com).</p> <p>(b) The Lubbock County Court Residential Treatment Center 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. Policy compliance can be found in provision (a) of this standard.</p> <p>(c) Policy compliance can be found in provision (a) of this standard.</p> <p>(d) Policy compliance can be found in provision (a) of this standard.</p> <p>(e) Policy compliance can be found in provision (a) of this standard.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

Auditor Overall Determination: Exceeds Standard

Auditor Discussion

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020
3. 10 PREA Topics Trained, not dated
4. PREA PowerPoint Training, not dated
5. Lubbock County CRTC PREA Refresher: Community Confinement First Responder Duties, not dated
6. Lubbock County CRTC PREA Refresher: Community Confinement Resident Support Services, not dated
7. Lubbock County Community Corrections Facility PREA Acknowledgment Form, dated 8.19.2022

Interviews:

1. Residential Monitors
2. Specialized staff
3. Assistant Director of Operations

Interviews with staff demonstrated each received PREA training upon hire, throughout each year through monthly refreshers and as an annual requirement both in person and through on line training.

Site Observation:

Review of the 16 personnel files demonstrated each staff interviewed had completed PREA training initial, annually and consistent refresher training every year, for the past two years.

(a) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 15, section 29.01 Employee Training, first two paragraphs state, "Every September all current staff shall receive PREA training to ensure they know the facilities current sexual abuse and sexual harassment policies and procedures.

The Director or designee shall train all new employees and all current employees on the following topics: (115.231a 1-9)

- the zero-tolerance policy on sexual abuse and sexual harassment;
- how to fulfill their responsibilities under the CRTC 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 in confinement;
- 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; and
- how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities."

The facility provided a PREA PowerPoint Training. The training includes the following topics:

- Who is the PREA Coordinator
- Who are the PREA Investigators
- Zero Tolerance for Sexual Abuse and Sexual Harassment
- Sexual Abuse definition
- Sexual Harassment definition
- Voyeurism definition
- Staff Reporting Duties
- Staff Protection Duties
- Resident Rights
- Resident Screening Information
- Dynamics
- Reactions
- Communication
- What is the law
- Where do you find the policy and procedures about PREA??

The facility provided 10 PREA Topics trained. Topics include the following:

- What does the policy say word for word about zero-tolerance on sexual abuse and sexual harassment?
- If a resident tells you that he saw a RM and a resident kissing, what steps do you take?
- List all the ways the facility has to prevent sexual misconduct?
- what should you do if you detect there is misconduct between staff and a resident?
- What are the PREA rights of a resident?
- How would you describe the dynamics of a facility when PREA is not taken seriously or a priority?
- What are the common reactions of sexual abuse and sexual harassment victims?
- What does it mean to “groom” a resident?
- How do you respond if you witness an active sexual abuse incident?
- How do you avoid developing an inappropriate relationship with a resident?
- What does it mean to communicate effectively and professionally with residents? Give an example of what you say?
- In the past the facility had a resident that did not identify as being male, how should this resident be addressed?
- What is the law about reporting sexual abuse?
- What is the law about having a relationship with a resident and why does it exist?

BONUS: What are the ways a resident and staff could be retaliated against?

(b) The Lubbock County Court Residential Treatment Center 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 Program Director explained there is not an option for staff to be reassigned as the facility is stand-alone.

Lubbock County Residential Treatment Center PREA Policy, page 15, section 29.01 Employee Training, third paragraph states, “Employee training shall be tailored to the gender of the residents at the CRTC. The CRTC is an all-male CRTC.”

(c) The Lubbock County Court Residential Treatment Center 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 monthly. The PAQ states, “staff send out an email each month with a PREA refresher attached.”

Lubbock County Residential Treatment Center PREA Policy, page 15, section 29.01 Employee Training, fourth paragraph states, “Each September the employee shall sign the Training Acknowledgment Form stating that the employees understand the training they have received. All current employees who have not received such training shall be trained within one year of the effective date of the PREA standards, and the agency shall 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. In years in which an employee does not receive refresher training, the agency shall provide refresher information on current sexual abuse and sexual harassment policies.”

(d) The Lubbock County Court Residential Treatment Center 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

Lubbock County Residential Treatment Center PREA Policy, page 16, section 29.01 Employee Training, first paragraph states, “The agency shall document, through employee signature or electronic verification, that employees understand the training they have received.”

The facility provided a Lubbock County Community Corrections Facility PREA Acknowledgment Form. Staff affirm the following on the PREA Acknowledgement form:

The Lubbock County Community Supervision and Corrections Department (CSCD) Court Residential Treatment Center (CRTC) is committed providing a safe and healthy environment for residents, staff, visitors, contractors and volunteers. Lubbock County CSCD is committed to protecting residents from sexual abuse and sexual harassment. Sexual abuse and sexual harassment compromise the safety of everyone in our facility and will not be tolerated. Lubbock County CRTC had developed means and methods for complying with the Prison Rape Elimination Act (PREA) and the PREA National Standards.

A. The Lubbock County CRTC has mandated a zero-tolerance policy relating to any sexual misconduct and sexual harassment between staff, volunteers, contractors, and residents or their family members. All allegations, regardless of the source, of coercive, or consensual sexual misconduct/harassment occurring among residents will be fully investigated, sanctioned (if authority to do so exists), and referred for prosecution if the prohibited conduct violates state criminal laws.

B. The Prison Rape Elimination Act (PREA) covers incidents involving staff, residents, volunteers, and collateral contacts.
1. Prohibited behaviors include, but are not limited to the following: touching, hugging, kissing, sexual assault, penetration, fondling, inappropriate viewing, sexual conduct, sexual harassment, sexual abuse, sexual gratification, romantic relationships, relationships between staff/residents, volunteers/residents or outside the agency involvement between staff and resident.

2. Resident on Resident Sexual Abuse: Sexual contact between residents without the resident's consent, or in which the resident is unable to consent or refuse.

3. Staff Sexual Misconduct: Any behavior or act of a sexual nature whether it be consensual or non-consensual directed toward a resident by an employee, volunteer, contractor, visitor or other agency representative. Termination from employment shall be the presumptive disciplinary sanction for staff who engaged in sexual misconduct.

I have read or had read to me and fully understand each of the above items. I am aware of the location of the electronic version of the PREA Policy and Procedures Manual and standards, and am able to access it

Through such reviews of the facility providing monthly refresher training, the facility exceeds the standard requirements.

115.232	Volunteer and contractor training
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 3. Lubbock County Community Corrections Facility PREA Acknowledgement Form, not dated <p>Interviews:</p> <ol style="list-style-type: none"> 1. Facility Director / PREA Coordinator <p>The Facility Director interview demonstrated the facility utilizes one religious volunteer.</p> <p>Site Observation:</p> <p>Review of one volunteer file demonstrated the volunteer had completed and acknowledged the completion of PREA training.</p> <p>(a) The Lubbock County Court Residential Treatment Center 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 one. The PAQ states, "The Director emails the PREA policy along with the forms. They meet with the Director and watch the PREA video "What You Need to Know" Since COVID the program has shut down.</p> <p>Lubbock County Residential Treatment Center PREA Policy, page 16, section 29.02 Volunteer and Contractor Training, first paragraph states, "All volunteers and contractors who have contact with residents shall be trained on their responsibilities under the CRTC sexual abuse and sexual harassment prevention, detection and response policies and procedures."</p> <p>(b) The Lubbock County Court Residential Treatment Center 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. The PAQ states, "We have one volunteer who is here 2 hours one time a week. He provides religious services. He received the Policy and the required training."</p> <p>Lubbock County Residential Treatment Center PREA Policy, page 16, section 29.02 Volunteer and Contractor Training, second paragraph states, "The level and type of training received by volunteers and contractors shall be based on the services they provide and level of contact they have with residents, but all volunteers and contractors who have contact with residents shall be notified of the CRTC zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents to Director or any employee."</p> <p>(c) The Lubbock County Court Residential Treatment Center PAQ states the agency maintains documentation confirming that volunteers and contractors who have contact with residents understand the training they have received.</p> <p>Lubbock County Residential Treatment Center PREA Policy, page 16, section 29.02 Volunteer and Contractor Training, third paragraph states, "The Assistant Director of Operations or designee shall maintain documentation confirming that volunteers and contractors understand the training they have received."</p> <p>The facility provided a Lubbock County Community Corrections Facility PREA Acknowledgement Form. This acknowledgment affirms volunteers and contractors have been trained on the agency zero-tolerance policy, prohibited behaviors, definitions, reporting and the "What you need to know" video from the PREA Resource Center.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020
3. Lubbock County CRTC – A Residents Guide for the Preventing and Reporting Sexual Abuse and Sexual Harassment in Community Correctional Facilities, in English and Spanish, not dated
4. Lubbock County Resident Handbook
5. Texas Board of Criminal Justice PREA Ombudsman Office Flyer, not dated
6. Lubbock County CRCT PREA Information and Resident Handbook Acknowledgment, dated 3.1.2019

Interviews:

1. Random Residents
2. Targeted Residents
3. Shift Leader / Intake

Interviews with the 14 random and two targeted residents demonstrated each understood their knowledge of PREA, reporting options to staff, third parties, hotline and advocate phone numbers posted throughout the facility. Each resident interviewed attested to receiving education on PREA within hours of their intake and constantly being reminded of PREA by staff on an almost daily basis.

The interview with the Shift Leader demonstrated he personally completed PREA education with residents, during the intake process. During the onsite tour the Shift Leader demonstrated a private setting, in the intake area where a large Zero Tolerance and Grievance poster was placed at the table where PREA education was delivered to intakes.

Site Observation:

Of the 12 resident files reviewed, each demonstrated evidence of PREA education on the same day as intake.

(a) The Lubbock County Court Residential Treatment Center 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 84.

Lubbock County Residential Treatment Center PREA Policy, page 16, section 29.03 Resident Education, first paragraph states, "During the intake process, residents shall receive information explaining the following: (115.233a)

- A zero-tolerance policy regarding sexual abuse and sexual harassment;
- How to report incidents or suspicions of sexual abuse and sexual harassment;
- Their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents;
- Policies and procedures for responding to such incidents; and
- consequences of false allegations."

The facility provided a Lubbock County CRTC – A Residents Guide for the Preventing and Reporting Sexual Abuse and Sexual Harassment in Community Correctional Facilities, in English and Spanish. The guide provides the following information to residents:

- What is Sexual Harassment
- What is Abuse
- Reporting Abuse and/or Harassment
- The Prison Rape Elimination Act
- History of Victimization
- An Abuse of Power
- Reporting options:
 - o Reports can be made anonymously.
 - o Report to any staff, volunteer, contractor, or medical or mental health staff.
 - o Submit a grievance, or IOC to any CRTC employee or volunteer.
 - o Call the Lubbock Police Department at 806-775-1400.
 - o Write or call the TDCJ Ombudsman at (936) 437-5570, PO Box 99, Huntsville, TX 77342.
 - o Ask a family member, friend, legal counsel, or anyone outside the facility to report the incident on your behalf by calling 806-775- 5600. They may request to speak to the CRTC Director or Assistant Director.

The facility provided pages 8-9 from the Resident Handbook, which provides the following information:

1. The Lubbock county CRTC has a zero tolerance policy for sexual abuse and sexual harassment.

2. Right to Report Sexual Abuse/Harassment

- If you or someone you know is experiencing sexual abuse or sexual harassment, the CRTC wants to know. We want you to report right away!
- We want to keep YOU safe and it is each person's right to be free from sexual abuse and sexual harassment.
- A formal investigation of the reported incident will be conducted immediately.
- Relevant information (on a need to know basis/confidentiality) and support services will be provided.
- We want the perpetrator held accountable for his/her actions.

3. How to Report Sexual Abuse

The Lubbock CRTC offers multiple ways to report sexual abuse and sexual harassment. Reporting can be made anonymously.

- Call our Director Val Monteilh at 806-775-5600.
- You can call the Lubbock Police Department at 806-775-1400.
- Report to any staff, volunteer, contractor, medical or mental health staff.
- Submit an IOC or grievance and place it in the grievance box where the Assistant Director or Director will retrieve the information.
- Tell a family member, friend, legal counsel, or anyone else outside the facility. They can report on your behalf by calling 806-775-5600 and asking for Director Monteilh or Assistant Director Carter, or the Lubbock Police Department at 806-775-1400.
- You can submit a report on someone's behalf, or someone at the facility can report for you using the above listings.
- Call the Voice of Hope Crisis Line by calling 806-763-7273 from an outside line; or by dialing *81 or #81 from the resident phones located outside each dorm. Calls made on the resident phones are free and never recorded.

4. Victim Support Services

- The Lubbock CRTC is with the Lubbock County Community Supervision and Corrections Department (CSCD) Counseling Unit. The Supervisor of the counseling unit, Julia Finch, can be reached 806-775-1258 or send a letter to: 701 Main Street, Lubbock, Texas 79401.
- Voice of Hope Crisis Intervention & Advocacy provides victim services: Hotline 806-763-7273; Phone 806-763-1801 or write at P.O. Box 2000 Lubbock, Texas 79457.
- LEGAL REPORTING:
 - If a sexual misconduct warrants a criminal investigation, the director or designee will contact the Lubbock Police Department to report the incident.
 - Resident Rules
 - There are FIVE levels of rule violations: warning, minor, moderate, major, and ZERO tolerance. A rule's level starts at the level printed after it in parenthesis. A level of the violation may be enhanced based the severity of the infraction. The level shall then increase each subsequent time the resident breaks the same or a similar rule.

5. Zero Tolerance Rules

Violation of the following rules shall not be tolerated. Residents who violate these rules shall be immediately placed on indoor restriction until the Discipline/Treatment Team can take further action. Residents who violate these rules shall receive one of the following consequences once the team has met: PLACED ON ADMIN RESTRICTION, OR TERMINATION from treatment, sent to the Lubbock County Detention Center and returned to the court of jurisdiction.

- A resident shall not engage in sexual harassment or activities with residents or staff. Sexual activities include intercourse, oral, anal, manual and other genital-involved acts. (PREA)
- Any PREA allegation/report deemed to be false with the intent of embarrassing or harassing the individual named in the report shall result in the resident receiving disciplinary action and/or immediate unsuccessful discharge from the program.
- A resident shall not physically threaten and/or harm, directly or indirectly, themselves or another person.

The facility provided a Texas Board of Criminal Justice PREA Ombudsman Office Flyer, not dated. This flyer provides residents with the following information:

- What is PREA
- Who is the PREA Ombudsman?
- Reporting Allegations
- Providing Helpful Information

(b) The Lubbock County Court Residential Treatment Center 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. The agency states residents who are transferred from a different community confinement facility will receive the above-described training.

Lubbock County Residential Treatment Center PREA Policy, page 16, section 29.03 Resident Education, second paragraph states, "The Director or designee shall provide PREA training whenever a resident is transferred to the CRTC."

(c) The Lubbock County Court Residential Treatment Center 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. The PAQ states, "Information would be read to the resident in their language. If a blind offender is to be admitted, prior provisions would need to be met. Although the offender must be able to read at a 5th grade level, the education coordinator will help the resident learn to read and will ensure they understand PREA."

Lubbock County Residential Treatment Center PREA Policy, page 16, section 29.03 Resident Education, third paragraph states, "Residents shall be provided with education in formats accessible to all residents, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled as well as residents who have limited reading skills."

- The residents shall view the video "PREA: What You Need to Know" which is in both English and Spanish and closed-caption can be used if needed.
- The residents receive pamphlets available in both English and Spanish."

(d) The Lubbock County Court Residential Treatment Center PAQ states the agency maintains documentation of resident participation in PREA education sessions.

Lubbock County Residential Treatment Center PREA Policy, page 16, section 29.03 Resident Education, fourth paragraph states, "The CRTC shall maintain documentation of resident participation in these education sessions. The resident shall sign the PREA Acknowledgement form which will be scanned into the facilities system."

The facility provided a Lubbock County CRCT PREA Information and Resident Handbook Acknowledgment. The acknowledgment states, "I hereby acknowledge that I have received a copy of the Lubbock County Resident Handbook which includes the PREA procedures. I understand that it is my responsibility to read the handbook and follow the rules, procedures and practices of the facility. The handbook will be read to me during the handbook class. I understand that I am responsible to follow the PREA procedures in the handbook." The acknowledgment is signed and dated by the resident and a staff member.

(e) The Lubbock County Court Residential Treatment Center 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. The PAQ states, "Posted throughout the buildings; resident possess his own copy of the handbook; and received a PREA pamphlet. This all takes place in the intake."

Lubbock County Residential Treatment Center PREA Policy, page 16, section 29.03 Resident Education, fifth paragraph states, "In addition to providing such education, the CRTC shall ensure that key information is continuously and readily available or visible to residents through posters, resident handbooks, or other written formats."

Through such reviews, the facility meets the standard requirements.

115.234	Specialized training: Investigations
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <hr/> <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 1361 432" style="list-style-type: none"> 1. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 3. Lubbock County Court Residential Treatment Center Employee Training and Education Curriculum, not dated 4. Certificates of Completion PREA: Investigating Sexual Abuse in a Confinement Setting <p data-bbox="242 461 352 490">Interviews:</p> <ol data-bbox="242 495 651 524" style="list-style-type: none"> 1. Probation Officer / Facility Investigator <p data-bbox="242 528 1477 591">Interviews with the Probation Officer / Facility Investigator demonstrated she had completed specialized investigator training through the National Institute of Corrections and the Relias training database.</p> <p data-bbox="242 620 419 649">Site Observation:</p> <p data-bbox="242 654 1417 716">Specialized Investigator training certificates from the National Institute of Corrections were witnessed for the Assistant Director of Operations and Facility Director, and the Probation Officer's training files.</p> <p data-bbox="242 745 1490 808">(a) The Lubbock County Court Residential Treatment Center PAQ states agency policy requires that investigators are trained in conducting sexual abuse investigations in confinement settings.</p> <p data-bbox="242 837 1474 965">Lubbock County Residential Treatment Center PREA Policy, page 16, section 29.04 Specialized Training: Investigations, first paragraph states, "In addition to the employee training described in section in the training section of this policy., all employees designated as sexual abuse investigators shall receive training in conducting such investigations in confinement settings.</p> <ul data-bbox="242 969 1461 1097" style="list-style-type: none"> • The Assistant Director of Operations or designee shall train as the lead internal investigator. The investigators shall train using the curriculum from PREA and National Institute of Corrections website websites. • All CRTC investigations shall train using the curriculum from the PREA and National Institute of Corrections website websites." <p data-bbox="242 1126 1484 1189">(b) Lubbock County Residential Treatment Center PREA Policy, page 16, section 29.04 Specialized Training: Investigations, second paragraph states, "Specialized training shall include the following topics: (115.234b)</p> <ul data-bbox="242 1193 1265 1290" style="list-style-type: none"> • proper use of Miranda and Garrity warnings; • sexual abuse evidence collection in confinement settings; and • criteria and evidence required to substantiate a case for administrative action or prosecution referral." <p data-bbox="242 1319 1489 1382">The facility provided Lubbock County Court Residential Treatment Center Employee Training and Education Curriculum. The curriculum has the following objectives:</p> <ol data-bbox="242 1386 1469 1850" style="list-style-type: none"> 1. Understand the history of the Prison Rape Elimination Act and PREA definitions consistent with Lubbock CRTC policy 2. Explain the PREA standards relating to sexual abuse and sexual harassment investigations 3. Discuss the systematic approach to ensure successful sexual abuse and sexual harassment investigations 4. Discuss the criteria and evidence used for determining whether an allegation is substantiated, unsubstantiated or unfounded 5. Describe the effect of report writing on administrative action and prosecutorial referral 6. Understand the proper use of Miranda and Garrity warnings 7. Describe the requirements of the PREA standards regarding medical and mental health protocols as they relate to the investigative process 8. Identify the timeline and methods for successfully obtaining evidence through the FME process 9. Explain how background information about the victim can aid an investigation and how delayed reporting impacts the investigation 10. Explain techniques for interviewing sexual abuse victims as they relate to group dynamics and identify ways to manage personal biases <p data-bbox="242 1879 1484 1975">(c) The Lubbock County Court Residential Treatment Center 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 three.</p> <p data-bbox="242 2004 1479 2110">Lubbock County Residential Treatment Center PREA Policy, page 16, section 29.04 Specialized Training: Investigations, third paragraph states, "The Director or designee shall maintain documentation that all designated CRTC investigators have completed the required specialized training in conducting sexual abuse investigations."</p>

The facility provided Certificates of Completion PREA: Investigating Sexual Abuse in a Confinement Setting for three facility staff. Certificates are dated 9.3.2017, 9.21.2017, and 10.8.2019.

(d) Lubbock County Residential Treatment Center PREA Policy, page 16, section 29.04 Specialized Training: Investigations, fourth paragraph states, "The facility in not an entity or Department of Justice component that investigates sexual abuse in confinement settings shall provide such training to its agents and investigators who conduct such investigations."

Through such reviews the facility meets the standard requirements.

115.235	Specialized training: Medical and mental health care
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 3. Certificates of Completion: PREA: Behavioral Health Care for Sexual Assault victims in a Confinement Setting, dated 6.16.2022 4. Certificate of Completion: PREA: Medical Health Care for Sexual Assault Victims in a Confinement Setting, dated 6.15.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Registered Nurse <p>The interview with the Registered Nurse she had completed specialized Medical and Mental Health PREA training through the National Institution of Corrections and the Relias training database.</p> <p>Site Observation:</p> <p>Certificates of completed PREA Medical and Mental Health training were uploaded onto the online audit system demonstrating specialized training had been completed.</p> <p>(a) The Lubbock County Court Residential Treatment Center PAQ states the agency has a policy related to the training of medical and mental health practitioners who work regularly in its facilities. The number of all medical and mental health care practitioners who work regularly at this facility and have received the training required by agency policy is three. The percent of all medical and mental health care practitioners who work regularly at this facility and have received the training required by agency policy is 100%.</p> <p>Lubbock County Residential Treatment Center PREA Policy, page 17, section Specialized Training: Medical and Mental Health, first paragraph states, "All full and part-time medical and mental health care practitioners who work regularly in the CRTC shall be trained in (see curriculum located on the CRTC share drive):</p> <ul style="list-style-type: none"> • how to detect and assess signs of sexual abuse and sexual harassment; • how to preserve physical evidence of sexual abuse; • how to respond effectively and professionally to victims of sexual abuse and sexual harassment; and • how and to whom to report allegations or suspicions of sexual abuse and sexual harassment." <p>(b) The Lubbock County Court Residential Treatment Center PAQ states the agency medical staff at this facility do not conduct forensic medical exams. The PAQ states, "FME will be conducted ONLY at UMC Hospital by SANE or hospital medical staff."</p> <p>Lubbock County Residential Treatment Center PREA Policy, page 17, section Specialized Training: Medical and Mental Health, second paragraph states, "If medical staff employed by the agency conduct forensic examinations, such medical staff shall receive the appropriate training to conduct such examinations. Forensic examination should be conduct by UMC SANE or other medical staff."</p> <p>(c) The Lubbock County Court Residential Treatment Center PAQ states the agency maintains documentation showing that medical and mental health practitioners have completed the required training.</p> <p>Lubbock County Residential Treatment Center PREA Policy, page 17-18, section Specialized Training: Medical and Mental Health, third paragraph states, "The Facility Nurse shall maintain documentation supporting that all mental health practitioner have received the training referenced either from the CRTC and/or the National Institute of Corrections website and PREA website. The topic of training: Screening for risk of sexual victimization and abusiveness. Medical and mental health care practitioners shall also receive the training mandated for employees under § 115.231 or for contractors and volunteers under § 115.232, depending upon the practitioner's status at the agency."</p> <p>The facility provided a Certificate of Completion: PREA: Behavioral Health Care for Sexual Assault victims in a Confinement Setting and a Certificate of Completion: PREA: Medical Health Care for Sexual Assault Victims in a Confinement Setting. Both certificates were awarded by the National Institute of Corrections.</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. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 3. Lubbock County Community Corrections Facility Sexual Victimization/Abusiveness Screening Form, dated 2.7.2022 4. Lubbock County Community Corrections Facility Sexual Victimization/Abusiveness PREA Reassessment Form, dated 2.7.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random residents 2. Targeted residents 3. Registered Nurse <p>Residents interviewed demonstrated each remembered being screened at intake and subsequently thereafter about a month later. Residents recalled being asked questions such as being in jail or prison, if they had been sexually abused in the past, their sexual orientation and if they felt safe around their peers.</p> <p>The interview with the Registered Nurse demonstrated she completed risk assessments for each resident on the day of intake and again within 30 days of intake and if she receives additional information. The Registered Nurse stated she completes risk assessments in a private setting with herself and the resident and assesses mental health status, past history of victimization, abuse, sexual orientation and if they are fearful of placement. The Registered Nurse stated risk assessments are only made available to the CNA, Assistant Director of Operations and the Facility Director.</p> <p>Site Observation:</p> <p>During review of 14 resident files, this Auditor noted each resident had received screening on the day of intake and within 30 days of intake.</p> <p>(a) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 18, section 30.01 Screening for Risk of Sexual Victimization and Abusiveness, first paragraph states, "All residents shall be assessed during the intake screening and upon transfer to another facility for their risk of being sexually abused by other residents or sexually abusive toward other residents."</p> <p>(b) The Lubbock County Court Residential Treatment Center 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 83. Policy compliance can be found in provision (a) of this standard. The PAQ states, "All residents are assessed by the medical team and then work with a counselor who conduct their assessments."</p> <p>Lubbock County Residential Treatment Center PREA Policy, page 18, section 30.01 Screening for Risk of Sexual Victimization and Abusiveness, second paragraph states, "Intake screening shall ordinarily take place within 72 hours of arrival at the CRTC and is conducted by the medical personnel or the probation officer if the medical personnel is not available."</p> <p>(c-e) The Lubbock County Court Residential Treatment Center PAQ states the risk assessment is conducted using an objective screening instrument.</p> <p>Lubbock County Residential Treatment Center PREA Policy, page 18, section 30.01 Screening for Risk of Sexual Victimization and Abusiveness, paragraphs three through five state,</p> <p>Such assessments shall be conducted using the established objective screening instrument required by the CRTC. This assessment instrument may be found in the CRTC software Sentry Soft.</p> <p>The intake screening shall consider, at a minimum, the following criteria to assess residents for risk of sexual victimization:</p> <ul style="list-style-type: none"> • whether the resident has a mental, physical, or developmental disability; • the age of the resident;

- the physical build of the resident;
- whether the resident has previously been incarcerated;
- whether the resident's criminal history is exclusively nonviolent;
- whether the resident has prior convictions for sex offenses against an adult or child;
- whether the resident is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- whether the resident has previously experienced sexual victimization; and
- the resident's own perception of vulnerability.

The CRTC 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 CRTC, in assessing residents for risk of being sexually abusive.

The facility provided a Sexual Victimization/Abusiveness Screening form. The screening captures the following information:

- Resident Name/Current Date/Admit Date
- Staff Member Name
- Resident's Date of Birth/Age/Height/Weight/Build

Screening Questions:

1. Do you have a mental, physical, or developmental disability?
2. Have you been previously incarcerated?
3. Is your criminal history exclusively non-violent?
4. Are you, or do you perceive yourself to be, lesbian, gay, bisexual, transgender, intersex, (LGBTI) or gender non-conforming?
5. Have you previously experienced sexual victimization?
6. Do you perceive yourself as being vulnerable/easy target for sexual victimization?
7. Do you have any prior conviction for sex offenses against an adult or child?

Comments:

PREA Coordinator notified of R history of being sexually abused.

In assessing residents for risk of being sexually abusive, the Assistant Director runs a background check on all potential residents to ensure the initial PREA risk screening considers, history of prior institutional violence or sexual abuse. If a referral has any sex offenses, they are denied placement into the facility.

(f) The Lubbock County Court Residential Treatment Center 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 84. The PAQ states, "All residents are reassessed by the medical team and then work with a counselor who conduct their assessments."

Lubbock County Residential Treatment Center PREA Policy, page 18, section 30.01 Screening for Risk of Sexual Victimization and Abusiveness, sixth paragraph states, "Between the 20th day and no later than the 30th day of arrival at the CRTC, the residents shall be reassessed for risk or abusiveness based upon any additional, relevant information received by the medical staff, since the initial intake screening."

The facility provided a Lubbock County Community Corrections Facility 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 Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 18-19, section 30.01 Screening for Risk of Sexual Victimization and Abusiveness, last paragraph states, "A resident's risk level shall also be reassessed when warranted due to:

- a referral;
- request;
- reported incident of sexual abuse, or
- any relevant information received by the CRTC medical staff since the initial intake screening."

(h) The Lubbock County Court Residential Treatment Center 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 resident's own perception of vulnerability.

Lubbock County Residential Treatment Center PREA Policy, page 19, section 30.01 Screening for Risk of Sexual Victimization and Abusiveness, first paragraph states, "Residents shall not be disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs 4.a., g., h., or i."

(i) Lubbock County Residential Treatment Center PREA Policy, page 19, section 30.01 Screening for Risk of Sexual Victimization and Abusiveness, third paragraph states, "The medical staff shall ensure appropriate controls on the dissemination within the CRTC of responses to questions asked pursuant to this section in order to ensure that sensitive information is not exploited to the resident's detriment by staff or other residents. This information is kept in the resident's file in Sentry. Sentry has control over who will see this information.

All staff designated to conduct resident assessment screenings shall be trained to ensure the assessment is completed accurately and they are familiar with determining the risks of sexual victimization and abusiveness. In addition, staff shall understand the control procedures for restricting dissemination of a resident's screening information only to those who make decisions regarding the resident's bed, housing, education, program, and work assignments."

Through such reviews, the facility meets the standard requirements.

115.242	Use of screening information
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 3. Email Communication pertaining to risk vulnerability <p>Interviews:</p> <ol style="list-style-type: none"> 1. Targeted residents 2. Random residents 3. Shift Leader 4. Assistant Director of Operations 5. Facility Director / PREA Coordinator <p>Interviews with staff demonstrated risk assessments were documented in the facility database with strict controls of who had access to the risk assessment. The Assistant Director of Operations stated only herself, the Shift Leader, Nurse, Probation Officer and Program Director were privy to completed risk assessments.</p> <p>There were two targeted residents, in total. Of those residents none had disclosed victimization at intake; however, two indicated they had disclosed to this Auditor. The Auditor requested the facility complete additional risk assessments based on the disclosure to the Auditor.</p> <p>On Site Observation:</p> <p>Review of targeted resident files indicated that of the residents interviewed, none had disclosed victimization at intake and or during their reassessment.</p> <p>(a) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 19, section 30.02 Use of Screening Information, first paragraph states, "The Director or designee shall use information from the risk screening 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>The facility provided an email communication demonstrating the screening counselor communicates resident vulnerability to the Assistant Director of Operations.</p> <p>(b) The Lubbock County Court Residential Treatment Center PAQ states the agency/facility makes individualized determinations about how to ensure the safety of each resident.</p> <p>Lubbock County Residential Treatment Center PREA Policy, page 19, section 30.02 Use of Screening Information, second paragraph states, "The Director or designee shall make individualized determinations about how to ensure the safety of each resident."</p> <p>(c) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 19, section 30.02 Use of Screening Information, second paragraph states, "When deciding whether to assign a transgender or intersex resident to a CRTC for male or female residents, and in making other housing a programming assignment, the Director or designee shall consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether the placement would present management or security problems."</p> <p>(d) Lubbock County Residential Treatment Center PREA Policy, page 19, section 30.02 Use of Screening Information, third paragraph states, "The CRTC staff shall consider a transgender or intersex resident's own view with respect to his or her own safety."</p> <p>(e) Lubbock County Residential Treatment Center PREA Policy, page 19, section 30.02 Use of Screening Information, fourth paragraph states, "All residents including transgender and intersex residents shall be given the opportunity to shower separately from other residents."</p> <p>(f) Lubbock County Residential Treatment Center PREA Policy, page 19, section 30.02 Use of Screening Information, last</p>

paragraph states, "The Director or designee shall not place lesbian, gay, bisexual, transgender, or intersex residents in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated CRTC, unit, or wing established in connection with a consent decree, legal settlement, or legal judgement for the purpose of protecting such residents."

Through such reviews, the facility meets the standard requirements.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020
3. Lubbock County CRTC – A Residents Guide for the Preventing and Reporting Sexual Abuse and Sexual Harassment in Community Correctional Facilities, in English and Spanish, not dated
4. Lubbock County Resident Handbook
5. Texas Board of Criminal Justice PREA Ombudsman Office Flyer, not dated
6. Lubbock County Community Corrections Facility Outcry Documentation, dated 6.4.2021
7. Lubbock County Community Corrections Facility PREA Acknowledgment Form, dated 8.19.2022

Interviews:

1. Random residents
2. Targeted residents
3. Residential Monitors
4. Facility Director / PREA Coordinator

Staff and residents were comfortable reporting verbally to any staff. Each resident interviewed stated he would report to staff verbally and or through the hotline or advocate numbers posted on the Zero Tolerance posters available throughout the facility.

Residential Monitors interviewed stated if a resident wanted to use a staff phone to call an advocate or the hotline, they would offer a private setting for them to do so.

Site Observations:

During the tour an informal interview with a resident demonstrated he could follow the instructions posted above the phone by dialing 1 for English and #81 or *81 to reach Voices of Hope Advocates. Upon connecting with the Advocate, the Auditor asked the Advocate if she was aware of the agreement with the facility to accept calls from facility residents, would she report for residents and would the advocacy center provide mental health services. The operator states yes to all questions asked and added the agency would accompany survivors through sexual abuse forensic exams.

(a) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 19, section 31.01 Resident Reporting, last paragraph states, "The CRTC provides 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. Residents may report in any of the following ways.

- Report to any staff, volunteer, contractor, or medical and mental health staff.
- Submit a grievance, or Inter-Office Communication (IOC) to any CRTC employee or volunteer.
- Tell a family member, friend, legal counsel, or anyone else outside the CRTC. They can report on the resident's behalf by calling the Director or Assistant Director."

The facility provided a Lubbock County CRTC – A Residents Guide for the Preventing and Reporting Sexual Abuse and Sexual Harassment in Community Correctional Facilities, in English and Spanish. The guide provides the following information to residents:

- What is Sexual Harassment
- What is Abuse
- Reporting Abuse and/or Harassment
- The Prison Rape Elimination Act
- History of Victimization
- An Abuse of Power
- Reporting options:
 - o Reports can be made anonymously.
 - o Report to any staff, volunteer, contractor, or medical or mental health staff.
 - o Submit a grievance, or IOC to any CRTC employee or volunteer.
 - o Call the Lubbock Police Department at 806-775-1400.
 - o Write or call the TDCJ Ombudsman at (936) 437-5570, PO Box 99, Huntsville, TX 77342.

o Ask a family member, friend, legal counsel, or anyone outside the facility to report the incident on your behalf by calling 806-775- 5600. They may request to speak to the CRTC Director or Assistant Director.

The facility provided pages 8-9 from the Resident Handbook, which provides the following information:

6. The Lubbock county CRTC has a zero tolerance policy for sexual abuse and sexual harassment.

7. Right to Report Sexual Abuse/Harassment

- If you or someone you know is experiencing sexual abuse or sexual harassment, the CRTC wants to know. We want you to report right away!
- We want to keep YOU safe and it is each person's right to be free from sexual abuse and sexual harassment.
- A formal investigation of the reported incident will be conducted immediately.
- Relevant information (on a need to know basis/confidentiality) and support services will be provided.
- We want the perpetrator held accountable for his/her actions.

8. How to Report Sexual Abuse

The Lubbock CRTC offers multiple ways to report sexual abuse and sexual harassment. Reporting can be made anonymously.

- Call our Director Val Monteilh at 806-775-5600.
- You can call the Lubbock Police Department at 806-775-1400.
- Report to any staff, volunteer, contractor, medical or mental health staff.
- Submit an IOC or grievance and place it in the grievance box where the Assistant Director or Director will retrieve the information.
- Tell a family member, friend, legal counsel, or anyone else outside the facility. They can report on your behalf by calling 806-775-5600 and asking for Director Monteilh or Assistant Director Carter, or the Lubbock Police Department at 806-775-1400.
- You can submit a report on someone's behalf, or someone at the facility can report for you using the above listings.
- Call the Voice of Hope Crisis Line by calling 806-763-7273 from an outside line; or by dialing *81 or #81 from the resident phones located outside each dorm. Calls made on the resident phones are free and never recorded.

9. Victim Support Services

- The Lubbock CRTC is with the Lubbock County Community Supervision and Corrections Department (CSCD) Counseling Unit. The Supervisor of the counseling unit, Julia Finch, can be reached 806-775-1258 or send a letter to: 701 Main Street, Lubbock, Texas 79401.
- Voice of Hope Crisis Intervention & Advocacy provides victim services: Hotline 806-763-7273; Phone 806-763-1801 or write at P.O. Box 2000 Lubbock, Texas 79457.
- LEGAL REPORTING:
 - If a sexual misconduct warrants a criminal investigation, the director or designee will contact the Lubbock Police Department to report the incident.
 - Resident Rules
 - There are FIVE levels of rule violations: warning, minor, moderate, major, and ZERO tolerance. A rule's level starts at the level printed after it in parenthesis. A level of the violation may be enhanced based the severity of the infraction. The level shall then increase each subsequent time the resident breaks the same or a similar rule.

10. Zero Tolerance Rules

Violation of the following rules shall not be tolerated. Residents who violate these rules shall be immediately placed on indoor restriction until the Discipline/Treatment Team can take further action. Residents who violate these rules shall receive one of the following consequences once the team has met: PLACED ON ADMIN RESTRICTION, OR TERMINATION from treatment, sent to the Lubbock County Detention Center and returned to the court of jurisdiction.

- A resident shall not engage in sexual harassment or activities with residents or staff. Sexual activities include intercourse, oral, anal, manual and other genital-involved acts. (PREA)
- Any PREA allegation/report deemed to be false with the intent of embarrassing or harassing the individual named in the report shall result in the resident receiving disciplinary action and/or immediate unsuccessful discharge from the program.
- A resident shall not physically threaten and/or harm, directly or indirectly, themselves or another person.

The facility provided a Texas Board of Criminal Justice PREA Ombudsman Office Flyer, not dated. This flyer provides residents with the following information:

- What is PREA
- Who is the PREA Ombudsman?
- Reporting Allegations
- Providing Helpful Information

(b) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 20, section 31.01 Resident Reporting, first paragraph states, "The CRTC ensures all residents are informed of at least one way to report abuse or harassment to public or private entity or office that is not part of the CRTC and that is able to receive and immediately forward resident reports of sexual abuse and sexual harassment to CRTC officials, allowing the resident to remain anonymous upon request. The resident can write the PREA Ombudsman at P.O. Box 99, Huntsville, Tx 77340."

(c) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 20, section 31.01 Resident Reporting, second paragraph states, "All CRTC staff shall accept reports made verbally, in writing, anonymously, and from third parties (family, friends, etc.) and shall promptly document any verbal reports using the PREA Outcry Form located in the share drive in the PREA Folder."

The facility provided a Lubbock County Community Corrections Facility Outcry Documentation form. The form provides staff and residents the opportunity to document reports of sexual harassment and sexual abuse verbally reported to staff. The form documents the following:

- In the event of a staff member being informed of any sexual abuse or sexual harassment, the staff member shall document their actions on this form before promptly giving it to the Director or designee.
- Does the resident need medical attention?
- Per the resident's report, who assaulted/harassed the resident?
- Per the resident's report, when (date and time) did this happen?
- Per the resident's report, where did the assault/harassment take place?
- If applicable, did you secure the potential crime scene?
- If applicable, did you place the resident in a separate room for safety?
- If applicable, did you request that the resident not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating?
- Additional details of what resident reported.

(d) The Lubbock County Court Residential Treatment Center 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. The PAQ states, "All staff have access to the P&P. All new employees meet with the Director to complete their checklist (includes PREA information), & discuss the chain of command."

Lubbock County Residential Treatment Center PREA Policy, page 20, section 31.01 Resident Reporting, third paragraph states, "The Director provides staff with a method to privately report sexual abuse and sexual harassment of residents. The staff member may report to:

- any supervisor in their office or either Assistant Director or Director in their individual office;
- telephone the Director, either Assistant Directors or any supervisor; or
- write the Ombudsman at PREA Ombudsman P.O. Box 99 Huntsville, Tx 77340.
- telephone the Lubbock Police Department at 806-775-2865."

The facility provided a Lubbock County Community Corrections Facility PREA Acknowledgment Form. The contents of the staff acknowledgment are highlighted in §115.231.

Through such reviews, the facility meets the standard requirements.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020

Interviews:

1. Random Residents
2. Targeted Residents

Residents interviewed were aware of the grievance procedures and understood they could complete a grievance.

Site Observation:

The facility did not have any grievances filed within the last 12 months. A grievance box was observed outside of the counselor offices. The facility has large grievance posting in the intake area where PREA education is delivered and throughout the facility.

(a) The Lubbock County Court Residential Treatment Center PAQ states the agency has an administrative procedure for dealing with resident grievances regarding sexual abuse.

(b) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 20, section 31.02 Exhaustion of Administrative Remedies, first two paragraphs state, "The Director, designee or any staff member shall not impose a time limit on when a resident may submit a grievance regarding an allegation of sexual abuse. However, may apply otherwise-applicable time limits on any portion of a grievance that does not allege an incident of sexual abuse.

The staff shall not require a resident to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse."

(c) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 20, section 31.02 Exhaustion of Administrative Remedies, third paragraph states, "Nothing in this section shall restrict the facilities ability to defend against a lawsuit filed by a resident on the ground that the applicable statute of limitations has expired.

The Director or designee shall 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, and
- such grievance is not referred to a staff member who is the subject of the complaint."

(d) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 20-21, section 31.02 Exhaustion of Administrative Remedies, fourth paragraph states, "The Director or designee shall issue a final decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance.

- Computation of the 90-day time period shall not include time consumed by resident in preparing any administrative appeal.
- The Director or designee may claim an extension of the time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The Director or designee shall notify the resident in writing of any such extension and provide a date by which a decision will be made.
- At any level of the administrative process, including the final level, if the resident does not receive a response within the time allotted for reply, including any properly noticed extension, the resident may consider the absence of a response to be a denial at that level."

(e) The Lubbock County Court Residential Treatment Center 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 residents' 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.

Lubbock County Residential Treatment Center PREA Policy, page 21, section 31.02 Exhaustion of Administrative Remedies, first paragraph states, "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 shall also be permitted to file such requests on behalf of residents.

- If a third-party file such a request on behalf of a resident, the Director or designee may require as a condition of processing the request that the alleged victim sign an agreement 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. This agreement shall be scanned into the resident's file located in Sentry.
- If the resident declines to have the request processed on his or her behalf, the Director or designee shall document the residents' decision. The resident shall be required to complete a wavier form and the form will be scanned and placed in the resident's file located in Sentry."

(f) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 21, section 31.02 Exhaustion of Administrative Remedies, second and third paragraphs state, "The Director or designee shall establish procedures for the filing of an emergency grievance alleging that resident is subject to a substantial risk of imminent sexual abuse.

After receiving an emergency grievance alleging a resident is subject to a substantial risk of imminent sexual abuse, the Director or designee shall immediately forward the grievance (or any portion of the grievance that alleges the substantial risk of imminent sexual abuse) 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 decision within 5 calendar days. The initial response and final decision shall document the determination whether the resident is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance."

(g) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 21, section 31.02 Exhaustion of Administrative Remedies, fourth paragraph states, "The Director or designee may discipline a resident for filing a grievance related to alleged sexual abuse only where it demonstrates that the resident filed the grievance in bad faith or lied."

Through such reviews, the facility meets the standard requirements.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020
3. Lubbock County Resident Handbook, not dated
4. Zero Tolerance Flyer, English and Spanish, not dated
5. Memorandum of Understanding, Voices of Hope Crisis Center, dated 6.29.2022

Interviews:

1. Random residents
2. Targeted residents
3. Residential Monitors
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 a sexual assault had occurred at the facility.

On Site Observation:

No Means No posters with Voices of Hope contact information, were observed throughout the facility. As stated previously, an informal resident interview demonstrated by following directions posted above resident phones access to confidential support services.

(a) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 21, section Resident Access to Outside Confidential Support Services, first paragraph states, "The Director or designee shall 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 number where available, of local, State, or national victim advocacy or rape crisis organizations, and by enabling reasonable communication between residents and these organizations, in as confidential manner as possible."

The facility provided a page of the resident handbook with the following advocate information: Call the Voice of Hope Crisis Line by calling 806-763-7273 from an outside line; or by dialing *81 or #81 from the resident phones located outside each dorm. Calls made on the resident phones are free and never recorded, or write at P.O. Box 2000 Lubbock, Texas 79457.

The facility provided a Zero Tolerance Flyer, in English and Spanish. The flyer includes the following information: "Lubbock County CRTC has partnered with Voice of Hope to provide survivors of sexual abuse with emotional support services. To access these services, call the Crisis Line at (806)763.7273 from an outside line; or by dialing *81 or #81 from a resident phone. Calls to Voice of Hope are free and never recorded."

(b) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 21, section Resident Access to Outside Confidential Support Services, second paragraph states, "The residents shall receive information during New Resident Orientation 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."

(c) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 21-22, section Resident Access to Outside Confidential Support Services, last paragraph states, "The Director or designee shall maintain or attempt to enter into memoranda of understanding or other agreements with community services providers what are able to provide residents with confidential emotional support services related to sexual abuse. The Director or designee shall maintain copies of agreements or

documentation showing attempts to enter into such agreements.”

The facility provided a Memorandum of Understanding (MOU), Voices of Hope Crisis Center. The MOU states, “Voice of Hope agrees to allow their crisis line number to be posted in the CRTC. The residents of the facility can call the crisis line if they experience or witness any sexual abuse/ harassment or to make an outcry for another resident.” The MOU does not have a termination date and can be terminated by either party. The MOU is signed by the CRTC Director and a Voice of Hope Representative.

On 9.21.2022, at 11:29 am the Auditor phoned Voices of Hope at 806.763.7273. After a proper introduction and the reason for the call the operator stated the agency is aware of the agreement between the agency and the Lubbock County Community Corrections facility. When asked if the agency would make reports to law enforcement if requested by the resident the operator stated they would make those notifications. Finally, when asked if the agency would provide ongoing support services, the operator stated those services would be provided.

Through such reviews, the facility meets the standard requirements.

115.254	Third party reporting
	<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 1042 398" style="list-style-type: none"> 1. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 3. Zero Tolerance Flyer, English and Spanish, not dated <p data-bbox="242 432 352 461">Interviews:</p> <ol data-bbox="242 465 475 557" style="list-style-type: none"> 1. Random residents 2. Targeted residents 3. Residential Monitors <p data-bbox="242 562 1458 622">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 data-bbox="242 656 419 685">Site Observation:</p> <p data-bbox="242 689 1484 750">During tours of all areas of the facility's No Mean No laminated posters were present with third party. Flyers included contact information and instruction for third party reports.</p> <p data-bbox="242 781 1477 875">(a) The Lubbock County Court Residential Treatment Center 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 data-bbox="242 907 1484 1001">Lubbock County Residential Treatment Center PREA Policy, page 22, section 31.04 Third-Party Reporting, states, "The Director or designee shall establish a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of a resident.</p> <p data-bbox="242 1032 1493 1093">CRTC staff shall ensure the following guidelines for receiving and processing reports of sexual abuse and sexual harassment of residents from third-party individuals.</p> <ul data-bbox="242 1097 1477 1223" style="list-style-type: none"> • Upon receiving a phone call or letter, the CRTC staff member shall complete the outcry form and submit it to the Director who will contact the lead investigator. • The investigator shall conduct an investigation into the allegations using the steps listed in the investigations section of the PREA policy." <p data-bbox="242 1254 1469 1314">The facility provided a Zero Tolerance Flyer, in English and Spanish. The flyer provides the following information on How to Report.</p> <ul data-bbox="242 1319 1477 1583" style="list-style-type: none"> • Report to any staff, volunteer, contractor, or medical or mental health staff. • Submit a grievance, or IOC to any CRTC staff member or volunteer. • Call the Lubbock Police Department at (806)775.1400 • Write of call the TDCJ Ombudsman at (936)437.5570, PO Box 99, Huntsville, TX 77342. • Tell a family member, friend, legal counsel, or anyone else outside the facility. They can report on your behalf by calling (806)775.5600, and request to speak with the Facility Director or Assistant Director. • You also can submit a report on someone's behalf, or someone at the facility can report for you using the ways listed here. • A false report is a violation of Zero Tolerance Rule #2 in the Resident Handbook. <p data-bbox="242 1615 919 1644">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. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random residents 2. Targeted residents 3. Residential Monitors 4. Probation Officer / Facility Investigator 5. Assistant Director of Operations 6. Facility Director / PREA Coordinator <p>Interviews with each staff and residents 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 experienced a sexual harassment or sexual abuse investigation in the past 12 months.</p> <p>(a) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 22, section 32.01 Staff and Agency Reporting Duties, first paragraph states, ‘All staff members shall report immediately and according to the CRTC policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a CRTC, whether or not it is part of the CRTC; retaliation against residents or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to any incident or retaliation.’</p> <p>(b) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 22, section 32.01 Staff and Agency Reporting Duties, second paragraph states, “Apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in CRTC policy, to make treatment, investigation, and other security and management decisions.”</p> <p>(c) Lubbock County Residential Treatment Center PREA Policy, page 22, section 32.01 Staff and Agency Reporting Duties, third paragraph states, “Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to paragraph 1 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) Lubbock County Residential Treatment Center PREA Policy, page 22, section 32.01 Staff and Agency Reporting Duties, fourth paragraph states, “If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable person’s statute, the Director or designee shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws.”</p> <p>(e) Lubbock County Residential Treatment Center PREA Policy, page 22, section 32.01 Staff and Agency Reporting Duties, last paragraph states, “The staff member shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the CRTC designated investigators. A list of the investigators is provided in the CRTC Sexual Abuse Coordinated Response Plan.”</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. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Probation Officer / Facility Investigator 2. Facility Director / PREA Coordinator <p>Interviews with the Facility 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 Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 22, section 32.02 Agency Protection Duties, states, "When an employee learns that a resident is subject to a substantial risk of imminent sexual abuse, staff shall immediately remove the resident to protect the resident from harm.</p> <p>The employee can take the resident to Medical, place him in a crisis room or take him into the control area for safety reasons. A staff member shall stay with the resident until the Director or designee gives different instructions."</p> <p>Through such reviews the facility meets the standard requirements.</p>

115.263	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020
3. Lubbock County Community Corrections External PREA Notification, dated 8.1.2022

Interviews:

1. Facility Director / PREA Coordinator

The interview with the Facility Director demonstrated that she was aware that upon receiving an allegation that a resident was sexually abused while confined at the Lubbock County Residential Treatment Facility or another facility, she had the responsibility to notify the head of the facility where the allegation occurred.

(a) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 23, section 32.03 Reporting to Other Confinement Facilities, first paragraph states, "Upon receiving an allegation that a resident was sexually abused while confined at another facility, the Director or designee shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred."

(b) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 23, section 32.03 Reporting to Other Confinement Facilities, second paragraph states, "Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation."

(c) The Lubbock County Court Residential Treatment Center PAQ states the agency or facility documents that it has provided such notification within 72 hours of receiving the allegation.

Lubbock County Residential Treatment Center PREA Policy, page 23, section 32.03 Reporting to Other Confinement Facilities, third paragraph states, "The CRTC or designee shall document that it has provided such notification. Notification may be in the form of a letter or email. If notification is provided telephonically, staff shall ensure to follow-up with a letter or email demonstrating the notification is documented."

The facility provided a Lubbock County Community Corrections External PREA Notification. The notification documents the following:

- Report date
- Resident name
- Cause Number
- Date/Time Resident Reported Abuse
- Name of Staff Resident Reported Abuse to:
- Brief summary of information reported by resident:
- Director or Designee Reporting Abuse:
- Date/Time Staff Reported Abuse
- Other Facility Staff Information:
- Summary of Notification:
- Staff Name/Staff Signature/Date

(d) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 23, section 32.03 Reporting to Other Confinement Facilities, last paragraph states, "All such notifications shall be retained by the Director or designee. Any allegation reported to the facility will be investigated following the procedures of these policies and PREA standards."

Through such reviews the facility meets the standard requirements.

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

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020

Interviews:

1. Residential Monitors
2. Shift Leader
3. Registered Nurse
4. Investigator
5. Assistant Director of Operations
6. Facility Director / PREA Coordinator

Interviews with each staff interviewed demonstrated they were aware of their first responder responsibilities. Staff stated reporting information is posted throughout the facility and they have access to the 'PREA Binder' for any PREA forms they may need. Staff stated they would document PREA incidents of the Incident Checklist.

Site Observation:

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

(a) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 23, section 32.04 Staff First Responder Duties, first paragraph states, "Upon learning of an allegation that a resident was sexually abused, the direct care staff to respond shall:

- separate the alleged victim and abuser;
- preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;
- if the abuse occurred within 120 hours, request 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; and
- if the abuse occurred within 120 hours, ensure that the alleged abuser doesn't not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating."

(b) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 23, section 32.04 Staff First Responder Duties, second paragraph states, "If the first staff responder is not a direct care staff member, the responder shall request that the alleged victim not take any actions that could destroy evidence and then notify the Operations Manager or designee."

Through such reviews, the facility meets the standard requirements.

115.265	Coordinated response
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 3. Lubbock County Community Corrections Facility Sexual Abuse Response and Investigation Coordinated Response Plan, 8.4.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Residential Monitors 2. Shift Leader 3. Registered Nurse 4. Investigator 5. Assistant Director of Operations 6. Facility Director / PREA Coordinator <p>Interviews with the facility staff demonstrated the response to allegations of sexual assault is written to coordinate actions taken in response to facility coordinated response.</p> <p>Site Observation:</p> <p>The facility maintains a PREA Binder at the main Control Desk with agency policies, PREA forms and the Coordinated Response ensuring all staff have ready access to documentation. In addition, duplicate PREA information is available on the facilities intranet.</p> <p>(a) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 23, section 32.05 Coordinated Response Plan, states, "The Director or designee shall develop and maintain 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, both a CRTTC and Criminal investigators, and CRTTC leadership."</p> <p>The facility provided a Lubbock County Community Corrections Facility Sexual Abuse Response and Investigation Coordinated Response Plan. The plan includes the following components.</p> <ol style="list-style-type: none"> 1. Authority 2. Purpose 3. Applicability 4. Policy 5. Procedures, to include: <ol style="list-style-type: none"> i. Reporting of Sexual Abuse, Sexual Harassment, and Retaliation ii. Response and Investigation iii. First Responders Duties iv. Process Following an Allegations Resident Sexual Abuse v. Notification and Investigation Process vi. Investigation Documentation – Attachment A Sexual Abuse Investigation Checklist vii. Other Responsibilities <p>Through such reviews, the facility meets the standard requirements.</p>

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. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Facility Director / PREA Coordinator <p>An interview with the Program Director demonstrated the facility is not responsible for collective bargaining.</p> <p>(a) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 23, section 32.06 Preservation of Ability to Protect Residents from Contact with Abusers, first paragraph states, "The CRTC nor any other governmental entity responsible for collective bargaining on behalf of the CRTC shall enter into or renew any collective bargaining agreement or other agreement that limits the facilities ability to remove alleged staff sexual abusers from contact with residents pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted."</p> <p>(b) Lubbock County Residential Treatment Center PREA Policy, page 24, section 32.06 Preservation of Ability to Protect Residents from Contact with Abusers, second paragraph states, "Nothing in this section shall restrict the entering into or renewal of agreements that govern:</p> <ul style="list-style-type: none"> • the conduct of the disciplinary process, as long as such agreements are not inconsistent with the evidentiary standard for administrative investigations and disciplinary sanctions for staff outlined later in this policy; or • whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member's personnel file following a determination that the allegation of sexual abuse is not substantiated." <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. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020

Interviews:

1. Assistant Director of Operations

The interview with the Assistant Director of Operations / Retaliation Monitor demonstrated she would complete retaliation monitoring for the facility, whether the victim be a resident or employee. The Assistant Director of Operations 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 Lubbock County Court Residential Treatment Center 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 Operations Manager, Assistant Director of Operations or designee.

Lubbock County Residential Treatment Center PREA Policy, page 24, section 32.07 Agency Protection Against Retaliation, first paragraph states, "The CRTC shall protect all residents and staff who report sexual abuse or sexual harassment or cooperated with sexual abuse or sexual harassment investigations from retaliation by other residents or staff. The following CRTC staff are responsible for monitoring retaliation:

- Operations Manager and
- Assistant Director of Operations or designee."

(b) Lubbock County Residential Treatment Center PREA Policy, page 24, section 32.07 Agency Protection Against Retaliation, second paragraph states, "The CRTC shall employ multiple protection measures, such as housing changes or transfer for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services for resident or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. These measures include but are not limited to:

- housing changes;
- counseling services;
- Operations Manager talking with the resident;
- medical support and reassessment; and/or
- the perpetrator removal from the CRTC."

(c) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 24, section 32.07 Agency Protection Against Retaliation, third paragraph states, "For at least 90 days following a report of sexual abuse, the Director or designee 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. Monitoring shall include a review of any resident disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The Director or designee shall continue monitoring beyond the 90 days if the initial monitoring indicates a continuing need."

(d) Lubbock County Residential Treatment Center PREA Policy, page 24, section 32.07 Agency Protection Against Retaliation, fourth paragraph states, "In the case of residents, monitoring shall include monthly status checks by the Director or designee. The Director or designee shall meet face-to-face with the resident to discuss whether he or she has experienced retaliation."

(e) Lubbock County Residential Treatment Center PREA Policy, page 24, section 32.07 Agency Protection Against Retaliation, fourth paragraph states, "If any other individual who cooperates with an investigation expresses a fear of retaliation, the Director or designee shall take appropriate measures to protect that individual against retaliation."

(f) Lubbock County Residential Treatment Center PREA Policy, page 24, section 32.07 Agency Protection Against Retaliation, last paragraph states, "The CRTC's obligation to monitor shall terminate if the allegations were determined to be unfounded."

Through such reviews, the facility meets the standard requirements.

115.271 Criminal and administrative agency investigations

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020

Interviews:

1. Probation Officer / Facility Investigator
2. Assistant Director of Operations / Facility Investigator
3. Facility Director / PREA Coordinator / Facility Investigator

The facility investigators clearly articulated processes required during an investigation, to include a thorough review and in-depth documentation process.

Site Observation:

The facility has not had a sexual harassment or sexual abuse investigation in the past 12 months.

(a) The Lubbock County Court Residential Treatment Center PAQ states the agency/facility has a policy related to criminal and administrative agency investigations.

Lubbock County Residential Treatment Center PREA Policy, page 25, section 33.01 Criminal and Administrative Agency Investigations, first paragraph states, "When the CRTC conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports."

(b) Lubbock County Residential Treatment Center PREA Policy, page 25, section 33.01 Criminal and Administrative Agency Investigations, second paragraph states, "Where sexual abuse is alleged, the CRTC uses investigators who have received special training in sexual abuse investigation pursuant to Chapter 4.D. of this policy."

(c) Lubbock County Residential Treatment Center PREA Policy, page 25, section 33.01 Criminal and Administrative Agency Investigations, third paragraph states, "Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator. CRTC investigators shall cooperate with law enforcement officials while they conduct a criminal investigation, as applicable. 9115.271c)

Law enforcement will act as the PREA criminal investigator and will conduct investigations of all incidents of sexual abuse and sexual harassment.

- The Director or designee shall ensure that the victim has access to services from the crisis center while law enforcement investigates the incident."

(d) Lubbock County Residential Treatment Center PREA Policy, page 25, section 33.01 Criminal and Administrative Agency Investigations, fourth paragraph states, "When the quality of evidence appears to support criminal prosecution, the investigator shall consult with the Director. The CRTC Director will contact the CSCD Director to provide him/her with the findings of the investigation. The CSCD Director will contact the Lubbock Police Department prior to the CRTC conducting compelled interviews and they may consult with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution."

(e) Lubbock County Residential Treatment Center PREA Policy, page 25, section 33.01 Criminal and Administrative Agency Investigations, fifth paragraph 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. At no time shall a resident be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with a sexual abuse investigation."

(f) Lubbock County Residential Treatment Center PREA Policy, page 25, section 33.01 Criminal and Administrative Agency Investigations, sixth paragraph states, "Administrative investigations shall:

- include an effort to determine whether staff actions or failures to act contributed to the abuse; and,
- 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 finds."

(g) Lubbock County Residential Treatment Center PREA Policy, page 25, section 33.01 Criminal and Administrative Agency Investigations, seventh paragraph states, "Criminal investigations shall be documented in a written report that contains a

thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.”

(h) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 25, section 33.01 Criminal and Administrative Agency Investigations, eight paragraph states, “Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.”

(i) Lubbock County Residential Treatment Center PREA Policy, page 25, section 33.01 Criminal and Administrative Agency Investigations, ninth paragraph states, “The Director or designee shall retain all written reports for as long as the alleged abuser is incarcerated or employed by the CRTC, plus five years.”

(j) Lubbock County Residential Treatment Center PREA Policy, page 26, section 33.01 Criminal and Administrative Agency Investigations, first paragraph states, “The departure of the alleged abuser or victim from the employment or control of the CRTC shall not provide a basis for terminating an investigation.”

(k) Lubbock County Residential Treatment Center PREA Policy, page 26, section 33.01 Criminal and Administrative Agency Investigations, second paragraph states, “Any state entity or Department of Justice component that conducts such investigations shall do so pursuant to the above requirements.”

(l) Lubbock County Residential Treatment Center PREA Policy, page 26, section 33.01 Criminal and Administrative Agency Investigations, last paragraph states, “When an outside agency, such as law enforcement investigates sexual abuse, the CRTC shall cooperate with outside investigators and shall attempt to remain informed about the progress of the investigation.”

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. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 <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 Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 26, section Evidentiary Standard for Administrative Investigations, states, "The CRTC imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. Under the preponderance standard, the burden of proof is met when the party with the burden convinces the fact finder that there is a greater than 50% chance that the claim is true."</p> <p>Through such reviews, the facility meets the standard requirements.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020
3. Lubbock County Community Corrections Facility PREA Acknowledgement Form, dated 8.19.2022

Interviews:

1. Facility Director / PREA Coordinator

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

(a) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 26, section 33.03 Responding to Residents, first paragraph states, "Following an investigation into a resident's allegation of sexual abuse suffered in the CRTC, the Director or designee shall inform the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded."

(b) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 26, section 33.03 Responding to Residents, second paragraph states, "If the CRTC did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the resident."

(c) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 26, section 33.03 Responding to Residents, third paragraph states, "Following a resident's allegation that a staff member has committed sexual abuse against the resident, the Director or designee shall subsequently inform the resident (unless the allegation was determined unfounded) whenever:

- The staff member is no longer posted within the resident's unit;
- The staff member is not employed at the CRTC;
- The CRTC learns that staff member has been indicted on a charge related to sexual abuse within the CRTC; or
- the Director or designee learns that the staff member has been convicted on a charge related to sexual abuse within the CRTC."

(d) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 26, section 33.03 Responding to Residents, fourth paragraph states, "Following a resident's allegation that he or she has been sexually abused by another resident, the Director or designee shall subsequently inform the alleged victim whenever:

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

(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.

Lubbock County Residential Treatment Center PREA Policy, page 26, section 33.03 Responding to Residents, fifth paragraph states, "All such notifications or attempted notification shall be documented with a copy placed in the Directors or designees corresponding investigative file."

(f) Lubbock County Residential Treatment Center PREA Policy, page 26, section 33.03 Responding to Residents, last paragraph states, "The CRTC obligation to report under this section shall terminate if the resident is released from facilities custody."

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 1042 365" style="list-style-type: none"> 1. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 <p data-bbox="242 396 352 425">Interviews:</p> <ol data-bbox="242 430 630 459" style="list-style-type: none"> 1. Facility Director / PREA Coordinator <p data-bbox="242 463 1430 524">The interview with the Facility Director / PREA Coordinator demonstrated there were zero staff who were disciplined for violation of an agency sexual abuse or sexual harassment policy.</p> <p data-bbox="242 555 419 584">Site Observation:</p> <p data-bbox="242 589 1445 649">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="242 680 1461 741">(a) The Lubbock County Court Residential Treatment Center 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="242 772 1477 864">Lubbock County Residential Treatment Center PREA Policy, page 27, section 34.01 disciplinary Sanctions for Staff, first paragraph states, "Staff shall be subject to disciplinary sanctions up to and including termination for violating facilities sexual abuse and sexual harassment policies."</p> <p data-bbox="242 896 1445 956">(b) The Lubbock County Court Residential Treatment Center 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="242 987 1477 1048">Lubbock County Residential Treatment Center PREA Policy, page 27, section 34.01 disciplinary Sanctions for Staff, second paragraph states, "Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse."</p> <p data-bbox="242 1079 1493 1238">(c) The Lubbock County Court Residential Treatment Center 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 1270 1477 1397">Lubbock County Residential Treatment Center PREA Policy, page 27, section 34.01 disciplinary Sanctions for Staff, third paragraph states, "Disciplinary sanctions for violations of facilities policies relating to sexual abuse or sexual harassment (other than 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 1429 1493 1556">(d) The Lubbock County Court Residential Treatment Center 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 1588 1477 1693">Lubbock County Residential Treatment Center PREA Policy, page 27, section 34.01 disciplinary Sanctions for Staff, last paragraph states, "All terminations for violations of the facilities sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignations, shall be reported by the Director or designee to law enforcement, unless the activity was clearly not criminal, and to any relevant licensing bodies."</p> <p data-bbox="242 1724 919 1753">Through such reviews, the facility meets the standard requirements.</p>

115.277	Corrective action for contractors and volunteers
	<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 1042 365" style="list-style-type: none"> 1. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 <p data-bbox="242 398 352 427">Interviews:</p> <ol data-bbox="242 432 632 461" style="list-style-type: none"> 1. Facility Director / PREA Coordinator <p data-bbox="242 465 1493 526">The interview with the Facility Director / PREA Coordinator demonstrated there were zero volunteers or contractors who were disciplined for violation of an agency sexual abuse or sexual harassment policy.</p> <p data-bbox="242 560 419 589">Site Observation:</p> <p data-bbox="242 593 1485 654">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 data-bbox="242 687 1473 875">(a) The Lubbock County Court Residential Treatment Center 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 data-bbox="242 909 1493 1032">Lubbock County Residential Treatment Center PREA Policy, page 27, section 34.02 Corrective Action for Contractor and Volunteers, first paragraph states, "Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with residents and shall be reported to law enforcement, unless the activity was clearly not criminal, and to relevant licensing bodies."</p> <p data-bbox="242 1066 1437 1158">(b) The Lubbock County Court Residential Treatment Center 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 data-bbox="242 1191 1453 1314">Lubbock County Residential Treatment Center PREA Policy, page 27, section 34.02 Corrective Action for Contractor and Volunteers, last paragraph states, "The Director or designee shall take appropriate remedial measures and shall consider 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 data-bbox="242 1348 919 1377">Through such reviews, the facility meets the standard requirements.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020

Interviews:

1. Facility Director / PREA Coordinator

An interview with the Facility Director / PREA Coordinator demonstrated residents would be discharged from the facility if they consensually participated in sexual relations.

(a) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 27, section 34.03 Disciplinary Sanctions for Residents, first paragraph states, "Residents shall be subject to disciplinary sanctions and/or immediate unsuccessful discharge from the program pursuant to a formal disciplinary process following an administrative finding that the resident engaged in resident-on-resident sexual abuse or following a criminal finding of guilt for resident-on-resident sexual abuse."

(b) Lubbock County Residential Treatment Center PREA Policy, page 27, section 34.03 Disciplinary Sanctions for Residents, second paragraph 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."

(c) Lubbock County Residential Treatment Center PREA Policy, page 27, section 34.03 Disciplinary Sanctions for Residents, third paragraph 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."

(d) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 27, section 34.03 Disciplinary Sanctions for Residents, fourth paragraph states, "The Director or designee is responsible to require the offending resident to participate in therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse shall be considered as a condition of access to programming or other benefits."

(e) The Lubbock County Court Residential Treatment Center PAQ states the agency disciplines residents for sexual conduct with staff only upon finding that the staff member did not consent to such contact.

Lubbock County Residential Treatment Center PREA Policy, page 27, section 34.03 Disciplinary Sanctions for Residents, fifth paragraph states, The Director or designee may discipline a resident for sexual contact with staff ONLY upon a finding that the staff member did not consent to such contact. "

(f) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 28, section 34.03 Disciplinary Sanctions for Residents, sixth paragraph 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."

(g) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 28, section 34.03 Disciplinary Sanctions for Residents, last paragraph states, "The CRTC prohibits all sexual activity between residents and may discipline residents for such activity. However, the Director or designee shall not deem such activity to constitute sexual abuse if it determines that the activity is 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. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 3. Lubbock County Community Corrections Facility, PREA Incident Response Checklist, dated 8.1.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Registered Nurse <p>Interviews with the Registered Nurse demonstrated residents are escorted to medical, would immediately be seen by herself and or taken to the emergency room.</p> <p>Site Observation:</p> <p>In the past 12 months the facility has not experienced a sexual abuse allegation.</p> <p>(a) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 28, section 35.01 Access to Emergency Medical and Mental Health Services, first paragraph 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>The facility provided a Lubbock County Community Corrections Facility, PREA Incident Response Checklist. Page 1, under Shift Supervisor Actions, states, "Nurse evaluation to determine if the resident needs emergency medical services." Page 1-2, under Medical Department Actions, states, "Address any emergency medical issues related by the victim. Perform a cursory exam to discover additional injuries that may be a result of a sexual assault (scrapes, bruising, etc.). Chart any injuries discovered and include in the victim's medical file. Information victim of their right to undergo a forensic medical exam if appropriate. Notify advocacy center, if warranted. All entries include the date, time and staff initials.</p> <p>(b) Lubbock County Residential Treatment Center PREA Policy, 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>(c) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 28, section 35.01 Access to Emergency Medical and Mental Health Services, third paragraph states, "Resident victims of sexual abuse while incarcerated shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with accepted standards of care, where medically appropriate."</p> <p>(d) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 28, section 35.01 Access to Emergency Medical and Mental Health Services, last paragraph 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> <p>Auditor Discussion</p> <p>Document Review: 1. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020</p> <p>Interviews: 1. Registered Nurse 2. Dual Diagnosis Counselor</p> <p>Interviews with Roistered Nurse demonstrated she would notify a counselor if a resident disclosed prior sexual victimization and or had abused an individual. The Dual Diagnosis Counselor stated he would see the resident who disclosed; however, he would not force the resident to participate in therapy unless participation was a requirement of his program.</p> <p>(a) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 28, section 35.02 Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers, first paragraph states, "The Director or designee shall 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."</p> <p>(b) Lubbock County Residential Treatment Center PREA Policy, page 28, section 35.02 Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers, second paragraph 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) Lubbock County Residential Treatment Center PREA Policy, page 28, section 35.02 Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers, third paragraph states, "The CRTC shall provide such victims with medical and mental health care services consistent with the community level of care."</p> <p>(d) This is provision is not applicable as the facility does not care for female residents.</p> <p>(e) This is provision is not applicable as the facility does not care for female residents.</p> <p>(f) The Lubbock County Court Residential Treatment Center PAQ states resident victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.</p> <p>Lubbock County Residential Treatment Center PREA Policy, page 28, section 35.02 Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers, sixth paragraph states, "Resident victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate."</p> <p>(g) Lubbock County Residential Treatment Center PREA Policy, page 29, section 35.02 Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers, first paragraph states, "Consistent with 115.283d of this section, treatment and services shall be provided to the victim without financial cost."</p> <p>(h) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 29, section 35.02 Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers, last paragraph states, "The CRTC mental health staff 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. Lubbock County Court Residential Treatment Center PAQ
2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020
3. Lubbock County Community Corrections Facility PREA Sexual Abuse Incident Review Team Form, dated 8.1.2022

Interviews:

1. Probation Officer / Facility Investigator
2. Assistant Director of Operations / Facility Investigator
3. Facility Director / PREA Coordinator / Facility Investigator

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 Lubbock County Court Residential Treatment Center 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,

Lubbock County Residential Treatment Center PREA Policy, page 29, section 36.01 Sexual Abuse Incident Reviews, first paragraph states, "The management team shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded."

The facility provided a Lubbock County Community Corrections Facility PREA Sexual Abuse Incident Review Team Form. The form documents the following:

- Incident Number/Date of Review
- Investigator Name/Title
- Name/Title of management review team members who reviewed the incident
- Brief summary of Incident
- Policy and Practice
- Motivation for the Incident
- Physical Plant
- Supervision of the Area
- Other Factors
- Overall Findings and Recommendations for Improvement
- Name of Individual Completing Form
- PREA Coordinator Acknowledgement of Receipt
- PREA Coordinator Signature

(b) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 29, section 36.01 Sexual Abuse Incident Reviews, third paragraph states, "The facility ordinarily conducts a sexual abuse incident review within 30 days of the conclusion of the criminal or administrative sexual abuse investigation."

(c) The Lubbock County Court Residential Treatment Center 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.

Lubbock County Residential Treatment Center PREA Policy, page 29, section 36.01 Sexual Abuse Incident Reviews, second paragraph states, "The management team shall include upper-level management official, with input from line supervisors, investigators, and medical or mental health practitioners. The management team consist of the Director, the Assistant Directors, the Register Nurse medical, the Operations Manager and the Probation Supervisor. The management team must have a quorum of three managers."

(d) The Lubbock County Court Residential Treatment Center 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 Facility Director / PREA Coordinator.

Lubbock County Residential Treatment Center PREA Policy, page 29, section 36.01 Sexual Abuse Incident Reviews, fourth paragraph states, "The management team shall:

- consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
- 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 CRTC;
- examine the area in the CRTC 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; and
- prepare a report of its findings, including but not necessarily limited determinations made pursuant to section, and any recommendations for improvement, and submit such report to the Director.

(e) The Lubbock County Court Residential Treatment Center PAQ states, the facility implements the recommendations for improvement or documents its reasons for not doing so.

Lubbock County Residential Treatment Center PREA Policy, page 29, section 36.01 Sexual Abuse Incident Reviews, last paragraph states, "The CRTC shall implement the recommendations for improvement or shall document its reasons for not doing so."

Through such reviews, the facility meets the standard requirements.

115.287	Data collection
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 3. Lubbock County Community Corrections Facility 2020 Prison Rape Elimination Act (PREA) Annual Data Collection and Review 4. Lubbock County Community Corrections Facility 2021 Prison Rape Elimination Act (PREA) Annual Data Collection and Review <p>(a) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 29, section 36.02 Data Collection, first paragraph states, "The CRTC shall use a standardized instrument and set of definitions to collect accurate, uniform data for every allegation of sexual abuse at the CRTC and shall aggregate the incident-based sexual abuse data at least annually. (115.287 a, b & c)</p> <p>The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Victimization conducted by the Department of Justice. Survey of Sexual Victimization Incident forms are available at the U.S. Department of Justice - Bureau of Justice Statistics website https://www.bjs.gov."</p> <p>(b) The Lubbock County Court Residential Treatment Center 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>(c) The Lubbock County Court Residential Treatment Center 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. Policy compliance can be found in provision (a) of this standard.</p> <p>The facility provided Lubbock County Community Corrections Facility 2020 and 2021 Prison Rape Elimination Act (PREA) Annual Data Collection and Reviews. Annual reviews include the following:</p> <ul style="list-style-type: none"> • Zero Tolerance Policy • Continued efforts regarding PREA by focusing on improving current policies and procedures • Population decrease from 164 to 60 for construction purposes • Allegation type/Allegations/Sustained/Not Sustained/Unfounded and Ongoing for 2019, and 2020 • Corrective action recommendations <p>(d) The Lubbock County Court Residential Treatment Center 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.</p> <p>Lubbock County Residential Treatment Center PREA Policy, page 30, section 36.02 Data Collection, second paragraph states, "The Director or designee 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>(e) This provision is not applicable as the Lubbock County Court Residential Treatment Center does not have private facilities.</p> <p>(f) This provision is not applicable as the Lubbock County Court Residential Treatment Center as DOJ has not requested agency data.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.288	Data review for corrective action
	<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 1042 365" style="list-style-type: none"> <li data-bbox="242 304 847 333">1. Lubbock County Court Residential Treatment Center PAQ <li data-bbox="242 338 1042 365">2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 <p data-bbox="242 396 1477 557">(a) The Lubbock County Court Residential Treatment Center 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="242 595 1477 689">Lubbock County Residential Treatment Center PREA Policy, page 30, section 36.03 Data Review for Corrective Action, first paragraph states, “The management team shall review data collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including:</p> <ul data-bbox="242 696 906 790" style="list-style-type: none"> <li data-bbox="242 696 517 725">• identifying problem areas; <li data-bbox="242 730 746 759">• taking corrective action on an ongoing basis; and <li data-bbox="242 763 906 790">• preparing an annual report of its findings and corrective actions. “ <p data-bbox="242 822 1445 916">(b) The Lubbock County Court Residential Treatment Center 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. Annual report is available at www.lubbockcrtc.com.</p> <p data-bbox="242 954 1453 1048">Lubbock County Residential Treatment Center PREA Policy, page 30, section 36.03 Data Review for Corrective Action, second paragraph states, “The facilities annual report shall include a comparison of the current year’s data and corrective actions with those from prior years and shall provide an assessment of the CRTC progress in addressing sexual abuse.”</p> <p data-bbox="242 1079 1493 1140">(c) The Lubbock County Court Residential Treatment Center 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.</p> <p data-bbox="242 1171 1485 1265">Lubbock County Residential Treatment Center PREA Policy, page 30, section 36.03 Data Review for Corrective Action, third paragraph states, “The facilities report shall be approved by the CSCD Director and made readily available to the public through its website or, if it does not have one, through other means.”</p> <p data-bbox="242 1296 1469 1391">(d) The Lubbock County Court Residential Treatment Center 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="242 1422 1441 1547">Lubbock County Residential Treatment Center PREA Policy, page 30, section 36.03 Data Review for Corrective Action, fourth paragraph states, “The Director or designee shall redact specific material from the reports when publication would present a clear and specific threat to the safety and security of the CRTC but must indicate the nature of the material redacted.”</p> <p data-bbox="242 1579 919 1608">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. Lubbock County Court Residential Treatment Center PAQ 2. Lubbock County Residential Treatment Center PREA Policy, dated 1.24.2020 <p>(a) The Lubbock County Court Residential Treatment Center PAQ states the agency ensures that incident-based and aggregate data are securely retained.</p> <p>Lubbock County Residential Treatment Center PREA Policy, page 30, section 36.04 Data Storage, Publication, and Destruction, first paragraph states, "All data collected pursuant to section 31.01 shall be securely retained in either a password protected electronic data system or locked storage cabinet."</p> <p>(b) The Lubbock County Court Residential Treatment Center 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>Lubbock County Residential Treatment Center PREA Policy, page 30, section 36.04 Data Storage, Publication, and Destruction, second paragraph states, "The Director or designee shall make all aggregated sexual abuse data from its CRTC readily available to the public at least annually through its website or, if it does not have one, through other means."</p> <p>(c) The Lubbock County Court Residential Treatment Center PAQ states before making aggregated sexual abuse data publicly available, the agency removes all personal identifiers.</p> <p>Lubbock County Residential Treatment Center PREA Policy, page 30, section 36.04 Data Storage, Publication, and Destruction, third paragraph states, "Prior to making aggregated sexual abuse data publicly available, the agency shall remove all personal identifiers."</p> <p>(d) Compliance can be found in provision (c) of this standard. Lubbock County Residential Treatment Center PREA Policy, 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>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="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 318">(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="229 318 1509 380">(b) This is the second audit cycle for Lubbock County Court Residential Treatment Center and the first year of the fourth audit cycle.</p> <p data-bbox="229 380 1509 443">(h) The Auditor was granted complete access to, and the ability to observe, all areas of the facility.</p> <p data-bbox="229 443 1509 506">(i) The Auditor was permitted to request and receive copies of any relevant documents (including electronically stored information).</p> <p data-bbox="229 506 1509 568">(m) The Auditor was permitted to conduct private interviews with residents.</p> <p data-bbox="229 568 1509 631">(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="229 631 1509 757">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 has their 2019 audit report posted on their facility website. 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?	no
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.)	yes
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.)	yes
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.)	na
	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)?	yes
	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).	yes
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.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How and to whom to report allegations or 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.)	yes
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.)	yes
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.)	yes
	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.)	yes
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?	yes
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