

# PREA AUDIT: AUDITOR'S SUMMARY REPORT JUVENILE FACILITIES

NATIONAL  
PREA  
RESOURCE  
CENTER



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

<b>Name of Facility:</b>	Garza County Regional Juvenile Center
<b>Physical Address:</b>	800 N. Ave F, Post, TX
<b>Date report submitted:</b>	01/15/2015

**Auditor Information:**

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<b>Date of facility visit:</b>	July 31, 2014		
<b>Facility Information</b>			
<b>Facility Mailing Address: (If different from above)</b>			
<b>Telephone Number:</b>	806-495-0266		
<b>The Facility is:</b>	<input type="checkbox"/> Military <input checked="" type="checkbox"/> Private for profit <input type="checkbox"/> Private not for profit	<input type="checkbox"/> County <input type="checkbox"/> Municipal	<input type="checkbox"/> Federal <input type="checkbox"/> State
<b>Facility Type:</b>	<input checked="" type="checkbox"/> Detention	<input checked="" type="checkbox"/> Correction	<b>Other:</b>
<b>Name of PREA Compliance Manager</b>	Mike Breedlove	<b>Title:</b>	Interim Program Mgr
<b>Email Address:</b>	mike.breedlove@cornerstoneprograms.com	<b>Telephone Number:</b>	806-495-0266

**Agency Information**

<b>Name of Agency:</b>	Garza County Regional Juvenile Center		
<b>Governing Authority of Parent Agency: (if Applicable)</b>	Cornerstone Programs		
<b>Physical Address:</b>	800 N. Ave F, Post, TX		
<b>Mailing Address: (If different from above)</b>			
<b>Telephone Number:</b>	806-495-0266		
<b>Agency Chief Executive Officer:</b>			
<b>Name:</b>	Joe Newman; President		
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<b>Agency Wide PREA Coordinator:</b>			
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<b>Telephone Number:</b>	806-495-0266		

## AUDIT FINDINGS

### NARRATIVE:

The Garza County Regional Juvenile Center (RJC) is a 96-bed detention and post-adjudicated residential program for moderate to high-risk boys and girls, ages 10 to 19. The program is designed to provide treatment alternatives for adolescents' adjudicated through the juvenile justice system in a safe and physically secure setting.

The center offers individualized treatment for youth in need of intervention resulting from the effects of various behavioral, social and psychological impairments. The Garza County Regional Juvenile Center provides services for mental and behavioral health through facility staff and contracted Licensed Mental Health Professionals who are certified to treat youth for anger management, chemical dependency, sex offenses, and other relevant treatment issues. The post adjudicated program average length of stay is 6 to 9 months. The center also employs bi-lingual staff members that meet the needs of non-English speaking youth.

The certified treatment staff at the facility work as a team with a holistic approach. They treat every aspect of the youth's life, including physical, mental, emotional, spiritual and family. The treatment services are delivered through a multi-departmental approach with an emphasis on Cognitive Behavior Therapy (CBT). The treatment program focuses on four key areas.

- Cognitive Behavior Therapy challenges and nurtures the youth to become more accountable for their behavior choices.
- Acquisition of competencies that assist a youth in identifying victim and community impact with regard to their actions.
- Successful Community Reintegration
- Cornerstone I.C.A.D.O. principles, which establish a peer culture and environment conducive to personal change.

A certified teacher and a recreational therapist participate on each treatment team. Cultural programming is available to youths with special cultural needs. Cultural diversity concepts are also integrated into the program.

### DESCRIPTION OF FACILITY CHARACTERISTICS:

The Garza County Regional Juvenile Center is a 96-bed residential program for moderate to high-risk boys and girls. The facility is equipped with surveillance cameras throughout the facility and the outdoor recreational areas to ensure the safety and security of staff and youth. The cameras are monitored in the control room area and do not have recording capability. The facility is comprised of 1 building with 7 wings. Each wing houses the residents and has a multi-purpose room for resident leisure recreation and activities. There is a cafeteria and each wing uses the multi-purpose room for a dining area. The additional buildings include education and counseling portable classrooms that have recently been added. The resident sleeping areas are comprised of single rooms with doors. The residents' toilets and showers are located within the residents sleeping area and monitored by constant and direct supervision of staff.

## **SUMMARY OF AUDIT FINDINGS:**

The notification of the on-site audit was posted on May 20, 2014, at least six weeks prior to the first date of the on-site audit. The notices were posted in various locations throughout the facility including the housing unit and administrative areas. The Pre-Audit Questionnaire, policies and supporting documentation were received on July 1, 2014. The documents were downloaded on a UBS flash drive.

The on-site audit was conducted July 31, 2014. An in-brief was conducted with the Facility Administrator and Administrative staff. At the conclusion of the in-brief a complete tour of the facility was conducted including the resident sleeping, showering areas and areas where residents primarily spend their time.

The initial assessment of the facility was the youth were under direct supervision of the staff while engaged in various activities. The sanitation was acceptable throughout the facility. Staff acknowledge where the blind spots were located in the facility but noted that residents are never left without supervision. The surveillance system does not capture youth in showers or in their rooms.

During the site visit, 13 staff including those from all three shifts were interviewed. All interviews validated staff knowledge of PREA standards and their responsibilities as first responders. Eleven residents were also interviewed. Residents were well informed of their right to be free from sexual abuse and harassment, how to report sexual abuse and harassment, and the services that the community based victims advocate provides.

Memorandums of Understandings (MOUs) were provided verifying bilingual service, advocacy service and investigation services from the Sheriff's Office.

Documentation provided by the facility indicated that PREA standards were implemented in March of 2014 which did not allow for a full year worth of documentation to verify all standards were being met during the prior 12 month period.

During the previous 12 months there had not been any documented allegation of sexual abuse or sexual harassment.

**SINCE THE AUDIT:** The Garza County Regional Juvenile Facility was found to be non-compliant with 4 standards and failed to show at least a six month history of PREA compliance with practices. Since that time the facility has provided documentation which brings them in to compliance with PREA Standards. Details of the changes and proof of continued practice are discussed with the individual standards

Number of standards exceeded: 0

Number of standards met: 40

Number of standards not met: 0

**STANDARD §115.311 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator**

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

**Auditor comments, including corrective actions needed if does not meet standard**

The initial review of Garza County RJC policy 03.041 met the intent of the PREA Standard. The policy sufficiently met the zero-tolerance standard prohibiting all forms of sexual abuse and harassment. The interview with the Facility Administrator who also serves as the PREA Compliance Manager indicated that he was fully involved and instilled a zero-tolerance environment towards all forms of sexual abuse and harassment within the facility. The policy outlined the facility's approach to preventing, detecting and responding to sexual abuse and harassment, including definitions of prohibited behaviors and sanctions for prohibited behaviors.

The agency had one dedicated PREA Coordinator and one PREA Manager at the onset of the audit. The PREA Coordinator resigned just prior to the onsite tour; the Interim Program Coordinator stepped in to fulfill those responsibilities. The PREA Compliance Manager had also resigned just prior to the tour. Both were available to assist but neither was actively participating in the audit on July 31, 2014. Interviews with the PREA Coordinator/Manager/ Interim Facility Administrator, all one person, validated the responsibilities assigned to both positions and conveyed, once positions were filled, sufficient time to oversee the facility's PREA compliance efforts and to perform their other duties was allotted.

**STANDARD §115.312 - Contracting with other entities for the confinement of residents**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County Regional Juvenile Facility is a stand-alone facility contracted and governed by The Texas Juvenile Justice Department and does not contract for confinement of its residents.

**STANDARD §115.313 – Supervision and Monitoring**

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

**Auditor comments, including corrective actions needed if does not meet standard**

In reviewing the facility's documentation considerations were documented and validated for staffing ratios of 1.12 staff to resident during waking hours. It is important to note that this ratio was also maintained during the evening and midnight shifts. There was not any documentation verifying the facility had a staffing plan development process. An assessment was conducted on the physical plant layout, blind-spots and unannounced upper-level supervisors' rounds. There were no documented occurrences of exigent needed for deviations from the facility staffing plan.

In review of the facility's PREA Policy 03-041 Pg. 3 and 6 plus the documentation submitted, The facility validated compliance with the requirement to document intermediate-level or higher-level staff unannounced rounds to monitor and deter sexual harassment and sexual abuse.

**Corrective Action Requested:**

Provide documentation of a staffing plan development process.

**Since the Audit:** The Facility has provided sufficient documentation verifying a process for developing a staffing plan is now in place.

**Standard §115.315 – Limits to Cross-Gender Viewing and Searches**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC Policy 03.002 and 03.021 prohibits cross-gender searches only in exigent circumstances and must document reasoning for the opposite gender search. The policy additionally prohibited staff from examining a transgender or intersex youth for the sole purpose of determining the resident's genital status. Body cavity searches require the Director's authorization and must be conducted by licensed medical personnel in a medical establishment. The Search Log indicated there were no cross-gender strip searches or body cavity searches of residents in the past 12 months. This

standard was validated compliant during resident and staff interviews.

The policy limits pat-down searches to male staff absent exigent circumstances. This was validated during interviews with both residents and staff.

Policy requires female staff, volunteers and contractors entering the housing unit to announce themselves upon entering the areas where the likelihood of residents performing bodily functions occur and shower except in exigent circumstances or when viewing is incidental to routine room checks. There was no documented deviation from this policy.

Staff and Contractor training records along with staff interviews validated 100% compliance training on cross-gender pat searches, searches of transgender and intersex residents and Zero tolerance policy concerning sexual harassment and sexual abuse of Residents and Staff.

**STANDARD §115.316 – Residents with Disabilities and Residents who are Limited English Proficient**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC has Memorandums of Understandings (MOUs) to provide interpreter services, English as a second language specialist, equipment and technology for residents, as needed. Policy 03.041 requires the PREA Facility Compliance Manager to take steps to ensure residents with disabilities or who are limited English proficient are provided meaningful access to all aspects of the facility's efforts to prevent, protect and respond to sexual abuse and harassment.

This policy also states the facility will not rely on resident interpreters, resident readers or any kind of resident assistants except when a delay in obtaining interpreters services could jeopardize residents' safety. Resident interviews validate compliance that the facility does not use resident assistants and there were no instances of resident interpreter or readers being used since implementation of PREA policy.

**STANDARD §115.317 – Hiring and Promotion Decisions**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC Policy 11-002 specifically addresses all elements as required by this

standard. A review of full-time employees and contractors files and interviews revealed that all ninety four hired during the past 12 months had documented criminal background checks. Questions regarding past conduct were asked during the interview process. Additionally, signed acknowledgement forms concerning zero-tolerance of sexual harassment and sexual abuse were present in the files.

The policy also validated compliance based on the requirement to conduct background checks after employment at least every five years.

**STANDARD §115.318 – Upgrades to Facilities and Technology**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC has added two portable classrooms in the last 12 months that were not operational at the time of the audit.

**Corrective Action Requested**

The facility has identified the need for the additional cameras and video monitoring system upgrades.

**SINCE THE AUDIT:** The Garza County Facility provided a copy of a signed MOU between them and the Post Independent School District (ISD) that stated cameras would be installed, by the ISD, prior to the commencement of classes.

**STANDARD §115.321 – Evidence Protocol and Forensic Medical Examinations**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC requires the Facility Director contact local law enforcement and the Texas Juvenile Justice Department who will conduct administrative investigations of abuse allegations; however, criminal investigations are conducted by the Garza County Sheriff's Office.

Garza County RJC has submitted a Memorandum of Understanding with the Rape Crisis Center as well as an agreement signed by the Garza County Sheriff's Office. The County Sheriff's Office acknowledged that a uniform evidence protocol would

be followed to maximize the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.

**STANDARD §115.322 – Policies to Ensure Referrals of Allegations for Investigations**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC Policy 03.022 requires referrals of sexual abuse allegations to be submitted to the Garza County Sheriff's Office and the Texas Juvenile Justice Department. In the past 12 months there have not been any allegations of sexual abuse that occurred at the facility.

**STANDARD §115.331 – Employee Training**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC Policy 03.041, 12.001, 03.022 documents training requirements for PREA. The training curriculums, documented staff training records and staff interviews validates compliance. The PREA training covered requirements for direct care, workers, medical personnel and contractors during initial training and annually refresher training. Specific topics covered during PREA training are consistent with this standard's requirements and is tailored to the facility's male and female resident population. All employees are trained as new hires regardless of their previous experience. Employees signed training rosters and, the rosters were provided.

**Standard §115.332– Volunteer and Contractor Training**

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



**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC Policy 03-041 and 12.001 require volunteers and contractors who have contact with residents to receive PREA training. A review of training sign in logs and individual interviews indicated the volunteers and contractors were receiving training.

**STANDARD §115.333 Resident Education**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC Policy 03.041 and 12.001 requires residents to receive information during intake within 24- hours regarding the facility's zero tolerance policy and how to report sexual abuse and harassment. Documentation of residents' signatures were reviewed and confirmed during resident interviews. All residents interviewed stated they received this information the same day they arrived at the facility and periodically thereafter. Case management staff presents the PREA information in a manner that is accessible to all residents. During the facility tour PREA posters and reporting instructions were posted throughout the facility. If needed, the facility has an agreement to provide translation services for residents with disabilities or who may be limited English deficient.

**STANDARD §115.334 – Specialized Training: Investigations**

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

**Auditor comments, including corrective actions needed if does not meet standard**

There are no facility investigators. All criminal and administrative investigations are referred to outside agencies.

**STANDARD §115.335 – Specialized Training: Medical and Mental Health Care**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC Policy 03.041 requires that all Garza County full-time and part-time medical and mental health care practitioners receive specialize training. The training documentation reviewed validated that all staff received this training during the same time period that regular staff received training. While conducting interviews with the registered nurse, it was validated that medical staff do-not conduct forensic examinations.

**STANDARD §115.341 – Screening for Risk of Victimization and Abusiveness**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC Policy 03.041 and 04.001 addresses the screening process for vulnerability to victimization and sexual aggressive behavior by using the. All facility residents are screened within twenty-four hours upon arrival at the facility. The screening documentation instrument met the tenets of the standard. All youth without the appropriate scoring for a genera housing assignment will be placed on a Special Housing Plan. The Housing Plan will be created within 48 hours of admission by the program's Treatment Team. The plan will outline the alternative housing delivery of program services, and treatment for youth who need special considerations as determined by the outcome of the Behavior Screening. The Housing Plan will be reviewed every 30 days.

**STANDARD §115.342 – Use of Screening Information**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC has single occupancy rooms for residents. Victimization screening information may be used to determine a resident's room assignment and its proximity to direct care staff in the housing unit to ensure resident's safety.

Garza County RJC Policy 04.001 precludes gay, bi-sexual, transgender and intersex residents being placed in a particular housing unit. Isolation rooms are used for the shortest amount of time possible.

## Corrective Action Plan

The screening tool and screening procedures have not been in place long enough to determine if the facility meets the standard. The recommendation is to view documentation during the 180 day corrective action period to verify the correct use of the tool and process of how it is being used.

**SINCE THE AUDIT:** Garza County provided documentation showing the consistent use of the screening tool for at least a six month period.

### STANDARD §115.351 – Resident Reporting

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

#### Auditor comments, including corrective actions needed if does not meet standard

Garza County RJC Policy 03.022 and 03.041 provides ways for residents to report sexual abuse and harassment including; a pre-programmed telephone line to an outside agency; the facility provides the addresses in resident's handbooks and posters throughout the facility. Instructions for reporting are provided to all residents during the intake process. Instructions include the Victims Assistance Program so they or their family member can write to an outside agency; and they may report to any staff member or family member. The facility also has reporting mechanisms' in place for staff to privately report. Resident and staff interviews validated compliance with this standard.

### STANDARD §115.352 – Exhaustion of Administrative Remedies

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

#### Auditor comments, including corrective actions needed if does not meet standard

Garza County RJC Policy 03.022 outlines procedures for the administrative resident's grievances regarding sexual abuse or sexual harassment. The elements of this policy address the intent of the standard. There have been no grievances relating to sexual abuse filed in the past 12 months. Staff and resident interviews validate their knowledge of how the grievance process is used to report sexual abuse or harassment.

**STANDARD §115.353 – Resident Access to Outside Confidential Support Services**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC staff are mandated reporters and are required by Garza County RJC Policy 03.041 to immediately report any knowledge, suspicion or information they receive regarding sexual abuse and harassment, retaliation against residents or staff who report any incidents or any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Random staff and resident interviews validated the facility's compliance with this standard.

**STANDARD §115.354 – Third-Party Reporting**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC website informs the public with information regarding third-party reporting of sexual abuse or sexual harassment on behalf of any facility resident. Also, parents receive information regarding third-party reporting. Resident interviews revealed their awareness of reporting sexual abuse or harassment to others outside of the facility.

**STANDARD §115.361 – Staff and Agency Reporting Duties**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC Policy 03.041 and 03.022 states all facility staff are mandated reporters. Staff is required to immediately report any knowledge, suspicion or information they receive regarding sexual abuse and harassment, retaliation against residents or staff who report any incidents or any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Random staff

and health professional interviews validated their technical knowledge. There had not been any reports in the last 12 months so compliance could not be verified.

**STANDARD §115.362 – Agency Protection Duties**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC Policy 03.041 requires residents identified as being at risk for sexual victimization to be monitored by qualified staff. There were no residents identified as being at risk for sexual abuse in the past 12 months, as indicated on a log maintained by the facility and as revealed in interviews with the Facility Director and other random staff.

**STANDARD §115.363 – Reporting to Other Confinement Facilities**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC received no allegations of sexual abuse from other facilities during the past 12 months. Upon receiving an allegation that a resident was sexually abused while confined at another facility, Garza County RJC Policy 03.041 requires facility leadership immediately notify the Texas Juvenile Justice Department. The TJJD will in turn notify the facility management overseeing the facility where the alleged abuse occurred.

**STANDARD §115.364 – Staff First Responder Duties**

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

**Auditor comments, including corrective actions needed if does not meet standard**

There were no allegations of sexual abuse during the past 12 months. Garza County RJC

Policy 03-022 and 03.041 requires staff to take specific steps to respond to a report of sexual abuse including; separating the alleged victim from the abuser; preserving any crime scene within a period that still allows for the collection of physical evidence; request that the alleged victim not take any action that could destroy physical evidence; and ensure that the alleged abuser does not take any action to destroy physical evidence, if the abuse took place within a time period that still allows for the collection of physical evidence. Random staff and first responder interviews validated their technical knowledge of actions to be taken upon learning that a resident was sexually abused.

**STANDARD §115.365 – Coordinated Response**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Interviews with the Interim Facility Administrator and other professional staff validated their technical knowledgeable of their duties in response to a sexual assault. Garza County RJC Policy 03.041 gives technical directions concerning coordinated actions taken in response to an incident of sexual assault among staff first responders, medical, and facility leadership.

**STANDARD §115.366 – Preservation of Ability to Protect Residents from Contact with Abusers**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC is not in a Collective Bargaining Agreement.

**STANDARD §115.367 – Agency Protection Against Retaliation**

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

**Auditor comments, including corrective actions needed if does not meet standard**

All Garza County RJC staff are charged with monitoring for possible retaliation. There were

no incidents of retaliation in the past 12 months reported. This was validated during an interview with the PREA Manager/ Facility Administrator. Garza County RJC Policy 03.041 requires the monitoring of residents and staff who have reported sexual abuse or harassment or who have cooperated in a sexual abuse or harassment investigation. The monitoring will take place for a period of 90 days or longer, as needed.

**STANDARD §115.368 – Post-Allegation Protective Custody**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC has two isolation rooms or segregation housing. Isolation rooms are used as a last measure to keep residents who alleged sexual abuse safe only until an alternative means for keeping the resident safe can be arranged. Random staff interviewed validated resident(s) in isolation would be monitored constantly by staff. There were no incidents of residents being placed in isolation for alleged sexual abuse in the previous 12 months.

**STANDARD §115.371 – Criminal and Administrative Agency Investigations**

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

**Auditor comments, including corrective actions needed if does not meet standard**

There was no reported investigation of alleged resident sexual abuse in the facility in the past 12 months. Garza County RJC Policy 03-041 and the TJJD establish investigation guidelines for reporting allegations of sexual abuse to the Garza County Sheriff's Office and The Texas Juvenile Justice department.

**STANDARD §115.372 – Evidentiary Standard for Administrative Investigations**

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

**Auditor comments, including corrective actions needed if does not meet standard**

The Garza County RJC Policy 03.022 states the outside investigative entities, the Garza County Sheriff's office, shall impose a standard of preponderance of evidence or lower standards of proof for determining if allegations are substantiated.

**STANDARD §115.373 – Reporting to Residents**

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

**Auditor comments, including corrective actions needed if does not meet standard**

There were no criminal and administrative investigations during the past 12 months. Garza County RJC Policy 03.022 establishes processes to notify residents should the need arise and an allegation proves substantiated, unsubstantiated or unfounded. The Agencies Interim PREA Compliance Manager validated his technical knowledge of the process during his interview.

**STANDARD §115.376 – Disciplinary sanctions for staff**

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

**Auditor comments, including corrective actions needed if does not meet standard**

There were no employees terminated or disciplined in the past 12 months for violation of the facility's sexual abuse or harassment policies. Garza County RJC Policy 11-02 requires staff disciplinary sanctions up to and including termination for violating the facility's sexual abuse or harassment policies. The policy also mandates that the violation be reported to law enforcement.

**STANDARD §115.377 – Corrective action for contractors and volunteers**

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



**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC Policy 11.002 requires volunteers and contractors in violation of the facility's policies and procedures regarding sexual abuse and harassment of residents are reported to local law enforcement. During the interview with the Facility Administrator/PREA Compliance Manager, it was reported that there have been no volunteers or contractors in direct contact with residents in the past 12 months.

The policy also requires the facility staff to take remedial measures and prohibit future contact with residents in the case of any violation of the facility's sexual abuse and harassment policies by contractors or volunteers.

**STANDARD §115.378 – Disciplinary sanctions for residents**

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

**Auditor comments, including corrective actions needed if does not meet standard**

There have been no reported cases of resident-on-resident sexual abuse case in the past 12 months. Garza County RJC Policy 03.004 requires all youth alleged to have participated in a major rule violation, which includes resident sexual abuse, will be subject to disciplinary sanctions pursuant to a formal disciplinary process.

**STANDARD §115.381 – Medical and Mental Health Screenings; History of Sexual Abuse**

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

**Auditor comments, including corrective actions needed if does not meet standard**

The Garza County RJC Policy 03.041 requires mental health and medical staff to monitor and provide counseling on an on-going basis for residents who disclose a history of sexual abuse or who disclose previously perpetrating sexual abuse. There were no residents that reported a history of sexual abuse in the past 12 months.

**STANDARD §115.382 – Access to Emergency Medical and Mental Health Services**

- Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

There have been no reported cases of sexual abuse in the past 12 months. The Health Services Administrator interview validated the resident's access to medical and mental care of the alleged incident. Garza County RJC Policy 03.041 mandates residents receive timely, unimpeded on-site and off-site emergency care and crisis intervention services.

**STANDARD §115.383 – Ongoing Medical and Mental Health Care for Sexual Abuse victims and abusers**

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

There have been no alleged sexual assault victims in the past 12 months. The Facility Administrator/ PREA Compliance Manager's interview revealed that both the alleged victim and accuser receive ongoing counseling during individual and group counseling sessions as needed.

**STANDARD §115.386 – Sexual Abuse Incident Reviews**

Exceeds Standard (substantially exceeds requirement of standard)

Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC provided a form that was used in a meeting of an incident review team. The review team included the PREA Compliance Manager, Department program staff and upper-level management with input from line supervisors. The facility has a specific review form to capture all aspects of the incident. The facility did not provide Policy indicating the policy for the reviews.

**Corrective Action Required**

Provide verification of Policy on conducting sexual abuse incident reviews.

**SINCE THE AUDIT:** The facility provided a copy of their modified policy GCRJC 03-041 which provides the protocols for conducting sexual abuse incident reviews.

**STANDARD §115.387 – Data Collection**

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

**Auditor comments, including corrective actions needed if does not meet standard**

Garza County RJC Policy 03.041 requires the collection of accurate, uniform data for every allegation of sexual assault. The facility's PREA Coordinator collects all data relating to PREA.

**STANDARD §115.388 – Data Review for Corrective Action**

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

**Auditor comments, including corrective actions needed if does not meet standard**

There have been no alleged sexual abuse allegations within the past 12 months. The Garza County RJC Policy 03.041 requires the review of data for corrective action to improve the effectiveness of its prevention, protection and response policies, practices and training.

**STANDARD §115.389 – Data Storage, Publication, and Destruction**

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

**Auditor comments, including corrective actions needed if does not meet standard**

The Garza County RJC Policy 03.041 directs that data from every allegation of sexual misconduct at its facilities shall be collected. The PREA Coordinator will review data collected in order to assess and improve the effectiveness of the facilities' sexual misconduct prevention, detection and response policies, practices and training. The policy

established that aggregated sexual abuse data be reviewed annually and place on the facility's website after all personal identifiers are removed. All data collected will be maintained for at least 10 years after the date of the initial collection.

**AUDITOR CERTIFICATION:**

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



Auditor Signature



Date