

**PREA AUDIT REPORT     Interim    Final**  
**ADULT PRISONS & JAILS**

**Date of report:** September 30, 2016

<b>Auditor Information</b>			
<b>Auditor name:</b> Noelda Martinez			
<b>Address:</b> 804 E. Hutchinson St			
<b>Email:</b> <a href="mailto:martinezauditingervices@yahoo.com">martinezauditingervices@yahoo.com</a>			
<b>Telephone number:</b> (210) 790-7402			
<b>Date of facility visit:</b> August 18 & 19, 2016			
<b>Facility Information</b>			
<b>Facility name:</b> Dewitt County Jail			
<b>Facility physical address:</b> 208 E. Live Oak St. Suite C Cuero Texas 77954			
<b>Facility mailing address:</b> <i>(if different from above)</i> <a href="#">Click here to enter text.</a>			
<b>Facility telephone number:</b> (361) 275-5734			
<b>The facility is:</b>	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input checked="" type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
<b>Facility type:</b>	<input type="checkbox"/> Prison	<input checked="" type="checkbox"/> Jail	
<b>Name of facility's Chief Executive Officer:</b> Sheriff Jode Zavesky			
<b>Number of staff assigned to the facility in the last 12 months:</b> 27			
<b>Designed facility capacity:</b> 160			
<b>Current population of facility:</b> 119			
<b>Facility security levels/inmate custody levels:</b> minimum, medium, maximum			
<b>Age range of the population:</b> 18-80			
<b>Name of PREA Compliance Manager:</b> Captain Patrick Charlton		<b>Title:</b> Jail Administrator	
<b>Email address:</b> pcharlton@co.dewitt.tx.us		<b>Telephone number:</b> (361) 275-0034	
<b>Agency Information</b>			
<b>Name of agency:</b> Dewitt County Jail			
<b>Governing authority or parent agency:</b> <i>(if applicable)</i> Dewitt County Sheriff's Office			
<b>Physical address:</b> 208 E. Live Oak St. Suite C Cuero Tx 77954			
<b>Mailing address:</b> <i>(if different from above)</i> <a href="#">Click here to enter text.</a>			
<b>Telephone number:</b> (361) 275-0034			
<b>Agency Chief Executive Officer</b>			
<b>Name:</b> Sheriff Jode Zavesky		<b>Title:</b> Sheriff	
<b>Email address:</b> jzavesky@co.dewitt.tx.us		<b>Telephone number:</b> (361) 275-5734	
<b>Agency-Wide PREA Coordinator</b>			
<b>Name:</b> Captain Patrick Charlton		<b>Title:</b> Jail Administrator	
<b>Email address:</b> pcharlton@co.dewitt.tx.us		<b>Telephone number:</b> (361) 275-0034	

## AUDIT FINDINGS

### NARRATIVE

The onsite visit for the PREA audit of Dewitt County Jail, Cuero Texas was conducted on August 18 & 19, 2016. A Post Notice of the upcoming PREA audit was provided six weeks prior to the audit. Dewitt County's PREA Coordinator Captain Patrick Charlton provided the PREA auditor with current policies, procedures, and supporting documentation establishing all compliance with the PREA standards. The Pre-Audit questionnaire was submitted in a timely manner with all pertinent information required to the auditor. Prior to the onsite visit, Captain Patrick Charlton maintained an outstanding level of open verbal and written communication throughout the entire audit ensuring a high level of compliance with each and every standard. I would like to extend my appreciation as an auditor to Captain Patrick Charlton for his level of perseverance, commitment, professionalism, and personal involvement with the overall success of the Dewitt County Jail. The overall appearance of the facility was extremely clean to include the outside perimeter validating detainees are provided with a hygienic and sanitary living environment.

The entrance meeting was held on August 18, 2016 with Jail Administrator/PREA Coordinator Captain Patrick Charlton & Lieutenant Jerry Garza. There are currently 119 male/female inmates assigned to the Dewitt County Jail. The facility currently houses both male and female inmates to include under the age of 18 youth inmates. The facility did not have any youthful inmates housed at the time of the audit. In the past twelve months there have been no sexual abuse and or sexual harassment allegations reported at Dewitt county jail. There has been no staff on offender allegations reported in the past twelve months. Detainees interviewed during the audit expressed correctional staff's overall professionalism and approachable demeanor allowing them to report issues if needed with confidence.

The Sheriff, Captain, and staff at Dewitt County jail honor their overall commitment to the Zero Tolerance policy of Sexual Abuse. Patrick Charlton is a Certified Peace officer, certified jailer, Notary public, SAFVIC certified, certified TCOLE Instructor, County Taser Instructor, and holds two associates degrees. Captain Charlton will be graduating with a Bachelor in Business Management in August of 2018. He is an inducted member of the "National Association for Leadership and Success" with ten years of experience in corrections and patrol. Lt. Jerry Garza is a Certified Jailer with 18 years of correctional experience, seven years with DCSO and is also a notary public. After more than two decades of service for the Victoria Fire Department, Sheriff Jode Zavesky continues his public service by returning to law enforcement as Sheriff of Dewitt County. Professional and personal involvement includes: Lions Club, Rotary Club, Young Farmers, 4-H Sheriff Association of Texas Jail and Legislative Committees, Golden Crescent Region Planning committee, and Zion Lutheran Church Council.

PREA audit goals were discussed along with the plan of action as needed. The facility tour was conducted including informal staff and inmate interviews. Following the initial tour, staff and inmate interviews were conducted. A total of fifty-three random male and female inmates from all housing units, including LGBTI inmates, limited English speaking/intellectually limited and female inmates were interviewed onsite.

The second day of the audit consisted of staff interviews to include specialized trained staff. Five specialized staff and seventeen random staff members to include all shifts were interviewed regarding PREA training, the reporting procedures, and zero tolerance of sexual abuse and harassment. The De Tar Hospital in Victoria Texas was contacted on August 19, 2016 to validate the mutual agreement of SANE Examines between the facility and the hospital. The hospital Administrator at the DeTar confirmed a SANE nurse was on call 24 hours 7 days a week. Random correctional staff was interviewed throughout the audit and were very knowledgeable of PREA first responder duties.

Dewitt County Sherriff's Office has partnered with Midcoast Family Services to provide Victim Support Services for survivors of sexual abuse with emotional support services. Detainees may contact the Mid Coast Family Services by phone or by sending a letter to 120 S. Main Ste., 310 Victoria TX, 77901. The facility has taken proactive approach in the Zero-Tolerance for Sexual Abuse and Sexual Harassment to include the reporting process offering multiple ways to report sexual abuse and sexual assault by calling the National Sexual Assault Hotline (800) 275-0034, Report to any staff, volunteer, contractor, or medical or mental health staff; grievance procedures, sick calls, reporting to PREA coordinator, tell a family member, legal counselor, or anyone else outside the facility.

## DESCRIPTION OF FACILITY CHARACTERISTICS

The Dewitt County Jail is located on 208 E. Live St. Suite C, Cuero Texas 77954. The 160 bed facility provides the physical plant for management of a unique incarcerated population of males, females, and youthful offenders. The mission of the Dewitt County Jail is the Effective Care Custody and Control of all inmates. The facility provides space for booking, administrative areas, U.S. Marshal Services, court, laundering, medical services, indoor recreational activities and secured general population housing units.

The Dewitt County Jail consists of one large building which includes 17 single cells, 18 multiple occupancy housing units, no open bay/dorms, and 17 segregation cells. The facility is centrally controlled by a security system that manages door controls, intercoms, and camera views throughout the facility. The central control has the ability to open doors throughout the facility, view any facility camera and use two way intercoms throughout the facility.

The Dewitt County Jail currently has a total of 96 video surveillance cameras monitoring the overall jail environment. The cameras feed into a central matrix which output analog video to a digital video recorder Bosch DVR system. The central control has multiple monitors with the ability to view as many cameras as needed with the ability to access any of the 96 cameras throughout the entire facility. Argyle security installed all cameras at the Dewitt County jail to include 16 new fixed mini dome cameras in the work areas and is vandal resistant 960. Each NVR comes with 12TB of storage. Access to the DVR system is controlled by user credentials, maintenance and replaced by Argyle security and only authorized staff has access to the DVR system for live feed or playback viewing/recording for investigations.

The Jail Classification department consists of different custody levels to include Minimum Custody (green) which are first time, non-assaultive offenses and or young offenders. Medium Custody (yellow) is commonly drug cases that do not have an assaultive history or lengthy moderate to high history without assaultive elements. Maximum Custody (red) is inmates with current or assaultive past history and sex offenders. US Marshals (blue) are housed according to US Marshal Regulations. The classification system is utilized to identify factors, separate inmates from immediate danger, protect victims of crime, assess victims/predators and housing assignments according to the PREA standards.

Jail Services consist of Religious services, anger management classes, baptism, coordination with schools to continue high school diploma, and complete Muslim prayer and celebration schedules for one Muslim offender two year consecutively. The community programs include Local animal shelter, Yorktown Heritage museum, Western Days festival, Cuero Turkey Fest, cleaning and preparing concession stands for high school football games; inmates maintain the local shooting club grounds for law enforcement and 4H shooters. Detainees maintain the local historical cemetery and sort food for the local food shelter at the Camal House.

The highlights of the Dewitt County Jail include the classification system which is designed to separate the majority of potential aggressors and potential victims upon arrival. The hiring requirements of the county are a level higher than the PREA background checks going above and beyond the background checks. High level intermediate supervisors are stationed on the production floor to monitor staff and inmates daily to ensure PREA Compliance. All employees are certified by the Texas Commission of Jail Standards and have been complaint for seven years in a row. The Dewitt County Jail is maintained in immaculate condition.

The Dewitt County Jail provides visitation for all detainees with a schedule of Male detainee visiting hours on Wednesday from 0800-1100, 1300-1530, and Saturday from 0800-1100, 1300-1530. Female detainee visitation days are Sunday from 0800-1500 and Monday from 1300-1500 and Trustees are on Sunday from 0800-1100, 1500-1600 and Monday from 0800-1100, 1500-1600. Visits are for 20 minutes unless you live more than 300 miles away as stated on your valid ID. Extended visits for this instance is 40 minutes. One visit is allowed per person per day. Family and friends may add money to a residents account by using the Money machine in the jail lobby that accepts credit cards and paper currency for easy deposits. Deposits may be made by phone using secure deposits at 1-800-354-1884 or [www.inmatedeposits.com](http://www.inmatedeposits.com).

## **SUMMARY OF AUDIT FINDINGS**

Number of standards exceeded: 2

Number of standards met: 40

Number of standards not met: 0

Number of standards not applicable: 1

### **Standard 115.11 Zero tolerance of sexual abuse and sexual harassment; PREA Coordinator**

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

**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.**

The Dewitt County Jail has a written policy mandating zero tolerance toward all forms of sexual abuse and harassment outlining their approach for preventing, detecting, and responding to such conduct. The agency wide PREA coordinator has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards. The PREA Compliance manager has sufficient time and authority to coordinate the efforts to comply with the PREA standards.

The supervisory staff and correctional staff utilize the S.M.E.A.R Separate, Medical if necessary, Evidence protocol if possible, and Report to chain of command approach. The facility trains on several ways to report sexual abuse to include verbally, written, letter to captain, letter to Texas Rangers, family or third party reporting and anonymously. The staff understands their individual roles when responding to sexual abuse or sexual harassment incidents. The Dewitt County Jail has assigned the Lieutenant as the PREA Coordinator. The PREA Coordinator has the authority and time to ensure the overall agency compliance with Prison Rape Elimination Act standards. The staff and inmate interviews determined that the Dewitt County Jail does an excellent job practicing Zero Tolerance of sexual abuse and harassment.

### **Standard 115.12 Contracting with other entities for the confinement of inmates**

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

**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.**

A review of Client Contract with US Marshal's and all contracts include the entity's obligation to adopt and comply with the PREA standards. Any new contract or contract renewal provides for agency contract monitoring to ensure that the contractor is complying with the PREA standards. The DCJ utilizes a PREA Disclaimer to all visiting personnel and contract holders to include training on evidence preservation. Volunteer and contractor training consist of Sexual Abuse Awareness: End the Silence, Sexual Abuse, Avoiding sexual abuse, how to report sexual abuse and sexual harassment. The Dewitt County Jail has been utilizing this PREA training since July 5, 2013 taking proactive measures in preparation for the compliance of PREA.

### Standard 115.13 Supervision and monitoring

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

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The Dewitt County Jail has a developed and documented, and made its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing and uses video monitoring to protect inmates against sexual abuse. In circumstances where the staffing plan does not comply, DCJ will document and justify all deviations from the plan on a daily shift roster. The staffing plan at the county has not had a need for deviation in the past 12 months. Shift supervisors have the authority to utilize overtime as needed to ensure staffing levels comply with the staffing plan adhering to all PREA standards. The facility conducts an annual review of the staffing plan. Unannounced checks are conducted by mid-level daily on every shift and the supervisor is always present on the production floor with officers for overall monitoring and control including proper documentation of unannounced checks. Senior Management Staff to include Jail Administrator, Lieutenants, and medical also conduct rounds with proper documentation.

### Standard 115.14 Youthful inmates

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

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The Dewitt County Jail has housing units to which youthful inmates are assigned that provide sight and sound separation between youthful and adult offenders in dayrooms, common areas, showers and sleeping quarters. The Dewitt County Jail did not have any youth offenders during the time of the audit.

### Standard 115.15 Limits to cross-gender viewing and searches

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

**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.**

Dewitt County Jail has conducted training on PREA Training objectives, Cross Gender Pat Searches/Transgender training and the use of Gender Announcement Logs. Dewitt County Jail had not conducted any cross gender searches and does not conduct cross-gender strip searches or cross gender visual body cavity searches except in exigent circumstances with prior approval from the Jail Administrator. Dewitt County Jail has implemented policies and procedures that enable inmates 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. Such policies and procedures require staff of the opposite gender to announce their presence when entering a detainee housing area. Male/Female staff to include supervisors was observed making gender announcements prior to entering the housing unit. Staff does not search or physically examine a transgender or intersex detainee for the sole purpose of determining the detainee's genital status. If the detainee's genital status is unknown, it is determined during conversations with the detainee, 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 Dewitt County Jail does not permit cross gender strip searches and only same sex strip searches are permitted. The facility did not have PREA privacy curtains in the shower area however provided laundry sheets utilized as shower curtains. A recommendation was made for PREA privacy shower curtains to be placed in all showers for both male/female inmates with safety hooks to hold the curtains in place. The Jail Administrator immediately ordered the privacy shower curtains (non-see through) and completed within two weeks of the request requiring no further action.

### **Standard 115.16 Inmates with disabilities and inmates who are limited English proficient**

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

**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.**

Dewitt County Jail has a policy and procedure to provide appropriate steps to ensure detainees with disabilities (including, for example, detainees who are deaf or hard of hearing, those who are blind or have low vision, or those have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects and efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Dewitt County has bilingual staff and PREA forms in both English and Spanish. Interviews with staff and offenders determined that the overall population is versed in PREA and safety at the Dewitt County Jail. Spanish speaking detainees were interviewed and were knowledgeable of the PREA reporting process and literature was received upon intake. Dewitt County Jail prohibits detainee interpreters.

### **Standard 115.17 Hiring and promotion decisions**

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

**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.**

The Dewitt County Jail prohibits hiring, promoting, or enlisting the services of anyone who may have contact with inmates that have engaged in sexual abuse in a confinement setting which have been engaging or attempting to engage in forced sexual activity in the community; or been civilly or administratively adjudicated to have engaged in activities as described. The Dewitt County Jail has a policy which reviews sexual harassment incidents upon hiring, promoting and enlisting the services of all employees, contractors, and volunteers. Pre-employment background investigations are conducted through an extensive background check by the Dewitt County Jail prior to employment.

#### **Standard 115.18 Upgrades to facilities and technologies**

- 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 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.**

Dewitt County Jail policy and procedures were reviewed to include the facility diagram, purchase order for upgrades and Jail Administrator Interview. When installing or updating a video surveillance system or other monitoring technology the jail considers how much technology may enhance the jail's ability to protect detainees from sexual abuse. The Dewitt County Jail currently has a total of 96 video cameras monitoring the overall jail environment. The cameras feed into a central matrix which output analog video to a digital video recorder Bosch DVR system. The central control has multiple monitors with the ability to view as many cameras as needed with the ability to access any of the 96 cameras throughout the entire facility. Argyle security installed all cameras at the Dewitt County jail to include 16 new fixed mini dome cameras in the work areas and is vandal resistant 960. Each NVR comes with 12TB of storage. Access to the DVR system is controlled by user credentials, maintenance and replaced by Argyle security and only authorized staff has access to the DVR system for live feed or playback viewing/recording for investigations. The facility has gone above and beyond with video surveillance cameras in the reduction of sexual abuse for a capacity of 160 inmates.

#### **Standard 115.21 Evidence protocol and forensic medical examinations**

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

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Dewitt County Jail has a policy responsible for conducting administrative or criminal sexual abuse investigation (including inmate on inmate sexual abuse or staff sexual misconduct). Dewitt County Sheriff's office has partnered with Midcoast Family Services to provide survivors of sexual abuse with emotional support services. To access these services, call toll free number or send a letter to: Mid-Coast Family Services 120 S. Main Ste. 310 Victoria, TX 77901. The forensic medical exam are offered without financial cost to the victim provided 24/7 at the DeTar Hospital in Victoria, Texas.

### Standard 115.22 Policies to ensure referrals of allegations for investigations

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

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Dewitt County Correctional Center ensures that administrative and criminal investigations are completed for all allegations of sexual abuse or sexual harassment. The facility has a policy that allegations of sexual abuse or sexual harassment are referred for investigation to the Dewitt County Jail which has the legal authority to conduct criminal investigations. The agency documents all referrals of allegations of sexual abuse or sexual harassment for criminal investigations.

### Standard 115.31 Employee training

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

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The Dewitt County Jail trained all employees who may have contact with inmates on the following matters including the

1. The agency's zero tolerance policy for sexual abuse and sexual harassment;
  2. The prevention, detection, reporting and response policies and procedures;
  3. The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
  4. The dynamics of sexual abuse and sexual harassment in confinement;
  5. The common reactions of sexual abuse and sexual harassment in confinement;
  6. How to detect and respond to signs of threatened and actual sexual abuse;
  7. How to avoid inappropriate relationships with inmate;
  8. How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender non-conforming inmates, and
  9. Complying with relevant laws related to mandatory reporting of sexual abuse to outside authorities.
- The Dewitt County training is tailored to address both male/female gender of inmates at the facility. A review of the training documents and signed rosters to include staff interviews determined the training was conducted and understood.

### Standard 115.32 Volunteer and contractor training

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

- Does Not Meet Standard (requires corrective action)

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The Dewitt County Jail ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the PREA sexual abuse and sexual harassment prevention detection and response policies and procedures.

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 inmates, but all volunteers and contractors who have contact with inmates are notified of the Zero-Tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

### **Standard 115.33 Inmate education**

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

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A review of the Dewitt County Jail policy to include the Zero Tolerance posters, inmate handbook, video orientation and prea receipts and staff and inmate interviews confirms the overall process. A review the intake process validates that inmates receive information explaining zero tolerance policy regarding sexual abuse and sexual harassment. The Dewitt County jail Intake staff provide a comprehensive education to inmates in both English and Spanish as needed through verbally explaining PREA to them and handouts regarding their rights to be free from sexual abuse and sexual harassment; free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. This information is provided to the inmate the first day upon arrival in the intake department. This information is accessible to inmates who are deaf, visually impaired, or otherwise disabled, to include detainees who have low reading skills. Interviews with random male and female detainees determined their understanding of PREA in both English and Spanish.

### **Standard 115.34 Specialized training: Investigations**

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

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The Dewitt County Jail has a policy that ensures investigators are trained in conducting sexual abuse investigations in confinement settings. The facility maintains documentation showing that investigators have completed the required training. The policy ensures the training

includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in a confinement setting, and the criteria and required to substantiate a case or administrative action or prosecution referral. Dewitt County Sheriff's office is in the same building therefore all criminal investigations are walked over to the Sheriff's office in the event it is needed. All investigators have been trained in administrative and criminal investigating procedures.

### **Standard 115.35 Specialized training: Medical and mental health care**

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

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The Dewitt County Jail has policy ensuring all investigators that investigate allegations of sexual abuse are trained in conducting sexual abuse investigations in confinement settings. The medical and mental health care staff who work regularly at this facility have received the training required by agency policy. Agency medical staff at this facility do not conduct forensic medical exams. Medical staff also receive the training mandated for employees, contractors, and volunteers.

### **Standard 115.41 Screening for risk of victimization and abusiveness**

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

**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.**

The Dewitt County Jail assesses all inmates during the intake screening for risk of being sexually abused by other inmates or sexually abusive towards other inmates. Intake screening assessments take place the same day of arrival to the Dewitt County Jail utilizing the PREA Intake Admission Screening instrument. The intake screening considers, at a minimum, the following criteria to assess inmates for risk of sexual victimization:

- 1) Whether the inmate has a mental, physical, or development disability;
- 2) The age of the inmate
- 3) The physical build of the inmate
- 4) Whether the inmate has previously been incarcerated
- 5) Whether the inmate's criminal history is exclusively nonviolent
- 6) Whether the inmate has prior convictions for sex offenses against an adult or child
- 7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming
- 8) The detainee's own perception of vulnerability and
- 9) Whether the inmate is detained solely for civil immigration purposes.

The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse in assessing inmate for risk of being sexually abusive. Within 30 days from inmate's arrival at DCJ a reassessment will be conducted. Inmate's risk level is reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional

information that bears on the inmate's risk of sexual victimization or abusiveness. Inmates are not disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked. Dewitt County Jail implements appropriate controls on the dissemination within the responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates. Only limited staff has access to the risk screening forms: Jail Administrator and PREA Manager. All risk assessments are maintained in the inmate file and kept secured.

#### **Standard 115.42 Use of screening information**

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

**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.**

The Dewitt County Jail uses information from the risk screening to decide housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. The facility makes individualized determinations about how to ensure the safety of each inmate. Decisions whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, considerations are on a case-to-case basis whether a placement would ensure the detainee's health and safety, and whether the placement would present management or security problems. Placement and programming assignments for each transgender or intersex inmate is reassessed at least twice each year to review any threats to safety experienced by the inmate. The Dewitt County Jail has not had any transgender or intersex inmates housed at the facility in the past twelve months. The policy ensures that transgender and intersex inmates will be given the opportunity to shower separately from other inmates. Dewitt County does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgement for the purpose of protecting such inmates.

#### **Standard 115.43 Protective custody**

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

**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.**

No inmates have been placed in involuntary segregation housing at the Dewitt County Jail. Inmates at high risk for sexual victimization are not placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. Inmates placed in segregated housing for this purpose have access to programs, privileges, education, and work opportunities to the extent possible. If Dewitt County Jail restricts access to programs, privileges, education, or work opportunities, the facility documents the opportunities that have been limited, the duration of the limitation; and the reasons for such limitations. Dewitt County Jail has not placed any inmates in involuntary segregation for high risk of sexual victimization within the past twelve months. Dewitt County policy ensures the assignment of such inmates to involuntary segregation

housing is only until an alternative means of separation from likely abusers can be arranged, and such an assignment does not exceed a period of 30 days. If involuntary segregation housing assignment is made the facility clearly documents the basis for the inmate's safety; and the reason why no alternative means of separation can be arranged. Thirty day reviews will be performed as needed to determine whether there is a continuing need for separation from the general population.

### **Standard 115.51 Inmate reporting**

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

**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.**

Dewitt County Jail has a policy that allows for private internal reporting of sexual abuse and sexual harassment to agency officials. DCJ provides multiple ways for inmates to privately report sexual abuse and harassment, retaliation by other inmates or staff for reporting sexual abuse and harassment, staff neglect or violation of responsibilities that may have contributed to such incidents. The PREA National Sexual Assault Hotline is (800) 275-0368. The DCJ provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of Dewitt County Jail, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmates to remain anonymous upon request. Inmates can contact the Midcoast Family Services including the phone number and address on the Zero Tolerance posters and inmate handbook. Upper level and lower level staff confirmed through interviews that they accept reports made verbally, in writing, anonymously, and from third parties and promptly document any verbal reports. Staff may report sexual abuse and harassment of inmates by reporting to the Dewitt County Sheriff's department.

### **Standard 115.52 Exhaustion of administrative remedies**

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

**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.**

Dewitt County Jail has not received any PREA related grievances in the past twelve months. The facility does not impose a time limit on when a detainee may submit a grievance regarding an allegation of sexual abuse. The facility does not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. Dewitt county ensures that an inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of complaint, and such grievances is not referred to a staff member who is the subject of complaint. All PREA protocols are followed when finalizing agency decisions. Third parties, including fellow inmates, staff membes, family members, attorneys, and outside advocates, are permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and are also permitted to file such requests on behalf of inmates. The County has established procedures for filing of an emergency grievance when the detainee is subject to a substantial risk of imminent sexual abuse. Emergency grievances for a substantial risk of imminent sexual abuse, Dewitt county will immediately forward the grievance to a level of review at which immediate corrective action is taken, and provides an initial response within 48 hours, and issues a final agency decision within five calender days. The initial response and final agency decision documents Dewitt County Jail's determination whether the detainee is in substantial risk of imminent sexual abuse and the action taken in response to the emergency

grievance. Dewitt County may discipline an inmate for filing a grievance related to alleged sexual abuse only where the facility demonstrates that the inmate filed the grievance in bad faith.

### **Standard 115.53 Inmate access to outside confidential support services**

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

**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.**

Dewitt County Jail provides inmates with access to outside victim advocates from the Midcoast Family Services for emotional support services related to sexual abuse by giving detainees mailing addresses and telephone numbers, including toll-free (800) 870-0368 where available, of local, State, or national victim advocacy or rape crises organizations, and, for persons detained solely for civil immigration purposes, immigrant services agencies. Dewitt County enables reasonable communication between inmates and these organization and agencies, in as confidential a manner as possible. The county informs inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. Dewitt County Jail has partnered with Midcoast Family Services to provide these services as needed.

### **Standard 115.54 Third-party reporting**

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

**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.**

Dewitt County Jail provides a method to receive third party reports of inmate sexual abuse or sexual harassment. The facility publicly distributes information on how to report inmate sexual abuse or sexual harassment on behalf of inmates to the National Sexual Assault Hotline and toll free number. Dewitt County Jail reports all allegations of sexual abuse and sexual harassment, including third party and anonymous reports to Dewitt County Sheriff’s Office.

### **Standard 115.61 Staff and agency reporting duties**

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

**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.**

Dewitt County Jail 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. Staff is required to report immediately and according to agency policy any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. 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 sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions. Dewitt County Jail reports all allegations of sexual abuse and sexual harassment, including third party and anonymous reports to Dewitt County Sheriff’s Office.

### **Standard 115.62 Agency protection duties**

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

**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.**

Based on interviews with random staff and the Jail Administrator confirmed the process is followed. When Dewitt County Jail learns that an inmate is subject to substantial risk of imminent sexual abuse it takes immediate action to protect the inmate. Dewitt County has not had any inmates subject to substantial risk of imminent sexual abuse in the past twelve months.

### **Standard 115.63 Reporting to other confinement facilities**

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

**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.**

Dewitt County Jail has not had any cases where reporting to other confinement facilities was required for the past twelve months. Dewitt County jail policy determines that upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of DCJ which receives the allegation notifies the DCJ where the alleged abuse occurred. Such notification is provided as soon as possible, but no later than 72 hours after receiving the allegation, and all actions are thoroughly documented.

### Standard 115.64 Staff first responder duties

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

**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.**

Dewitt County Jail has a policy for first responder duties for allegations of sexual abuse. Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond separates the alleged victim and abuser; preserves and protects any crime scene until appropriate steps can be taken to collect any evidence; and if the abuse occurred within a time period that still allows for the collection of physical evidence, 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; and if the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, as appropriate, washing brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. If the first staff responder is not a security member, the responder request that the alleged victim not take any actions that could destroy physical evidence, and the notify security staff.

### Standard 115.65 Coordinated response

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

**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.**

The Dewitt County Jail has 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.

### Standard 115.66 Preservation of ability to protect inmates from contact with abusers

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

**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.**

Not Applicable: The Dewitt County Jail does not participate in collective bargaining activities.

#### **Standard 115.67 Agency protection against retaliation**

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

**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.**

The Dewitt County Jail has a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other detainees or staff, and are designate which staff members or departments are charged with monitoring retaliation. For at least 90 days following a report of sexual abuse, DCJ monitors the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and act promptly to remedy any such retaliation. There is periodic status checks performed and monitoring of inmates includes disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. DCJ will monitor beyond 90 days if necessary. There have been no cases where a 90 day follow up has been required.

#### **Standard 115.68 Post-allegation protective custody**

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

**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.**

No detainees has been placed in involuntary segregation. Any use of segregated housing to protect the inmate who is alleged to have suffered sexual abuse receives all the same rights and privileges as general population inmates.

#### **Standard 115.71 Criminal and administrative agency investigations**

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

**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.**

The Dewitt County Jail has a policy related to criminal and administrative agency investigations. When Dewitt County conducts its own investigations into allegations of sexual abuse and sexual harassment, it does so promptly, thoroughly, and objectively for all allegations, including third party and anonymous reports. In the event sexual abuse is alleged, investigators who have received special training in sexual abuse investigations will be utilized. Investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; interview alleged victims, suspected perpetrators, and witnesses; and review prior complaints and reports of sexual abuse involving the suspected perpetrator. When the quality of evidence appears to support criminal prosecution, DCJ refers the case to the Dewitt County Sheriff’s Office. The credibility of the alleged victim, suspect, or witness is assessed on an individual basis and is not determined by the person’s status as inmate or staff. No agency requires the inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. Administrative investigations include efforts to determine whether staff actions or failures to act contributed to the abuse; and are documented in written reports that contain a thorough description of physical, testimonial, and documentary evidence where feasible. Substantiated allegations of conduct that appear to be criminal are referred to Dewitt County Sheriff’s office for prosecution. Dewitt County retains all written reports for as long as the alleged abuser is incarcerated or employed by DCJ plus five years. The departure of the alleged abuser or victim from the employment or control of DCJ or agency does not provide a basis for terminating an investigation.

#### **Standard 115.72 Evidentiary standard for administrative investigations**

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

**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.**

The Dewitt County Jail ensure by policy that the evidentiary standards for administrative investigations of sexual abuse or sexual harassment do not exceed the level of preponderance of evidence.

#### **Standard 115.73 Reporting to inmates**

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

**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.**

The Dewitt County Jail has a policy that fully complies with the standard. The DCJ has not had any sexual abuse or sexual harassment incidents in the past twelve months requiring inmate reporting. Dewitt County Jail will follow an investigation into an inmates allegation that they suffered sexual abuse in an agency, DCJ will inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. Following an inmates allegation that a staff member has committed sexual abuse against the inmate, DCJ subsequently informs the inmate whenever the staff member is no longer posted within the detainee's unit; the staff member is no longer employed at DCJ; learns that the staff member has been indicted on a charge related to sexual abuse within DCJ; and learns that the staff member has been convicted on a charge related to sexual abuse within DCJ. All notification or attempted notifications are documented. Dewitt County Jail is obligated to report under this standard is terminated if the inmate is released from DCJ custody.

#### **Standard 115.76 Disciplinary sanctions for staff**

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

**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.**

Dewitt County Jail staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who has engaged in sexual abuse. There have been no substantiated instances of facility staff involved in sexual abuse. Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment 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. All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have 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.

#### **Standard 115.77 Corrective action for contractors and volunteers**

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

**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.**

There have been no corrective actions involving volunteer/contractors at the Dewitt County Jail based on an interview with the Jail Administrator. Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and is reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. DCJ takes appropriate remedial measures, and considers whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

#### **Standard 115.78 Disciplinary sanctions for inmates**

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

**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.**

Dewitt County Jail has had no substantiated claims of inmate on inmate sexual abuse or sexual harassment. Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate on inmate sexual abuse or following a criminal finding of guilt for inmate on inmate sexual abuse. Sanctions are commensurate with the nature and circumstances of the abuse committed, the inmate’s disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories. DCJ has had no disciplinary sanctions for inmates filing false claims. The disciplinary process considers whether an inmate’s mental disabilities or mental illness contributed to his or her behavior when determine what type of sanction, if any, should be imposed. A report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred does not constitute falsely reporting and incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. Dewitt County Jail prohibits all sexual activity between inmates and may discipline inmates for such activity.

#### **Standard 115.81 Medical and mental health screenings; history of sexual abuse**

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

**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.**

Based on the interview with staff responsible for risk screening and risk screening and medical staff. If the screening indicates that a detainee has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening. Counselors notify medical as soon as they have screened a inmate who was a prior victim of sexual assault and medical will schedule them for an appointment with the psychologist. If the screening indicates that an inmate has previously perpetrated sexual abuse/prior sexual victimization, whether it occurred in an institutional setting or in the community, staff ensure that the inmate is offered a follow up meeting with a mental health practitioner within 14 days of the intake screening. Any information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law. Medical and mental health practitioners obtain informed consent from detainees before reporting information about prior sexual victimization that did not occur in an institutional setting.

#### **Standard 115.82 Access to emergency medical and mental health services**

- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the

relevant review period)

- Does Not Meet Standard (requires corrective action)

**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.**

No inmate at the Dewitt County Jail has required emergency Medical or Mental Health Care. Inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgement. If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders take preliminary steps to protect the victim and immediately notify the appropriate medical and mental health practitioners. There have been no incidents in the past 12 months requiring emergency medical care. Inmate 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. Treatment services are 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.

#### **Standard 115.83 Ongoing medical and mental health care for sexual abuse victims and abusers**

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

**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.**

No inmate at the Dewitt County Jail has been a victim of sexual abuse or sexual harassment. DCJ offers medical and mental health evaluation and, as appropriate, treatment to all detainees who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. 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. DCJ provides such victims with medical and mental health services consistent with the community level of care. Inmate victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate. Treatment services are 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.

#### **Standard 115.86 Sexual abuse incident reviews**

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

**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.**

The Dewitt County Jail has not had any allegations of sexual abuse for the past twelve months. DCJ will conduct a sexual abuse incident review at the conclusion of a sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. This review will occur within 30 days of the conclusion of the investigation. The review team includes upper level management officials, with input from line supervisors, investigators, and medical or mental health practitioners. The review team considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; 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 DCJ 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.

**Standard 115.87 Data collection**

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

**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.**

The Dewitt County Jail has not had any sexual abuse or sexual harassment allegations against staff or inmates for the past five years. Dewitt County Jail has a policy that fully complies with the standard. DCJ collects accurate data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions, and aggregates the incident based sexual abuse data at least annually. The incident based data collected is based on the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

**Standard 115.88 Data review for corrective action**

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

**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.**

The Dewitt County Jail has not had any reports of sexual abuse or sexual harassment in the past five years. DCJ reviews data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions for the facility.

**Standard 115.89 Data storage, publication, and destruction**

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

**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.**

Dewitt County Jail will make all aggregated sexual abuse data from the facility under its direct control and private facility with which it contracts, readily available to the public at least annually through its website. All reports are securely retained and maintained for at least 10 years after the date of the initial collection unless Federal, State, or local law requires.

**AUDITOR CERTIFICATION**

I certify that:

- The contents of this report are accurate to the best of my knowledge.
- No conflict of interest exists with respect to my ability to conduct an audit of the agency under review, and
- I have not included in the final report any personally identifiable information (PII) about any inmate or staff member, except where the names of administrative personnel are specifically requested in the report template.

Noelda Martinez

September 30, 2016

Auditor Signature

Date