

PREA Facility Audit Report: Final

Name of Facility: Hidalgo County Substance Abuse Treatment Facility

Facility Type: Community Confinement

Date Interim Report Submitted: NA

Date Final Report Submitted: 05/25/2022

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: Karen d. Murray	Date of Signature: 05/25/2022

AUDITOR INFORMATION	
Auditor name:	Murray, Karen
Email:	kdmconsults1@gmail.com
Start Date of On-Site Audit:	04/18/2022
End Date of On-Site Audit:	04/18/2022

FACILITY INFORMATION	
Facility name:	Hidalgo County Substance Abuse Treatment Facility
Facility physical address:	1000 North M Road, Edinburgh, Texas - 78542
Facility mailing address:	PO BOX 1190, Edinburg, Texas - 78542

Primary Contact	
Name:	Hector D. Olivares
Email Address:	hector.olivares@hidalgocountycscd.org
Telephone Number:	9563182920

Facility Director	
Name:	Hector D. Olivares
Email Address:	hector.olivares@hidalgocountycscd.org
Telephone Number:	9562897410

Facility PREA Compliance Manager	
Name:	Hector Olivares
Email Address:	hector.olivares@hidalgocountycscd.org
Telephone Number:	
Name:	Aissa Cantu
Email Address:	aissa.cantu@hildagocountycscd.org
Telephone Number:	

Facility Health Service Administrator On-Site	
Name:	Triana Barrios
Email Address:	triana.barrios@hidalgocountycscd.org
Telephone Number:	9562897410

Facility Characteristics	
Designed facility capacity:	96
Current population of facility:	53
Average daily population for the past 12 months:	65
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Both females and males
Age range of population:	18-65
Facility security levels/resident custody levels:	minimum
Number of staff currently employed at the facility who may have contact with residents:	37
Number of individual contractors who have contact with residents, currently authorized to enter the facility:	0
Number of volunteers who have contact with residents, currently authorized to enter the facility:	0

AGENCY INFORMATION	
Name of agency:	Hidalgo County Commission
Governing authority or parent agency (if applicable):	
Physical Address:	2818 S Business Hwy 281, Edinburgh, Texas - 78539
Mailing Address:	
Telephone number:	

Agency Chief Executive Officer Information:

Name:	
Email Address:	
Telephone Number:	

Agency-Wide PREA Coordinator Information

Name:	Juan Vasquez	Email Address:	juan.vasquez@hildagocountycscd.org
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SUMMARY OF AUDIT FINDINGS

The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.

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

Number of standards exceeded:

0	
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Number of standards met:

41	
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Number of standards not met:

0	
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POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2022-04-18
2. End date of the onsite portion of the audit:	2022-04-18

Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	<p>On 3.15.2022, at 8:32 am the Auditor phoned Women Together/Mujeres Unidas at 800.580.4879.</p> <p>After proper introductions and the reason for the call the operator stated she did not work for the agency and took the Auditor's contact information stating she would have someone from the agency return the call. During the onsite review, the Program Director dialed the advocate number from his office. After proper introductions, the Auditor was able to speak with the operator who stated she was aware of the memorandum of understating with the facility, would take resident phone calls, ensure they were okay and not in any danger, take their information and provide them with services applicable to their individual needs. The Operator went on to state advocates would meet with residents at the hospital and provide ongoing therapy, free of service.</p>

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	96
15. Average daily population for the past 12 months:	65
16. Number of inmate/resident/detainee housing units:	3
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

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

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

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	52
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38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	0
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	0
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0
41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	0
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	4
43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	4
44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:	0
45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:	0
46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:	1
47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:	0
48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):	No text provided.
Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit	
49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:	37
50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	0
51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	0

52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:	No text provided.
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INTERVIEWS

Inmate/Resident/Detainee Interviews

Random Inmate/Resident/Detainee Interviews

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	8
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54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	<input type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input checked="" type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None
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55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	<p>Upon arrival the facility provided the auditor a list of residents, organized by Name, gender, date admitted, Phase, housing unit, and status. (Status indicate 'target' for each resident.)</p> <p>Due to the facility having three Phases, two male and one female, random residents were chosen from each Phase. Five residents were chosen from the male Phase programs and three random residents were chosen from the female Phase program.</p>
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56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
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Targeted Inmate/Resident/Detainee Interviews

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

<p>60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>3</p>
<p>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>
<p>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility provided a listing of residents with a status column. (Status indicates target in the same definition as the PREA Auditor Handbook.) This category of residents was not indicated on the resident roster. In addition, the Auditor was able to have interactions with the entire population and this category was not obvious during the tour, informal interviews, formal interviews with residents or staff.</p>
<p>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>

<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility provided a listing of residents with a status column. (Status indicates target in the same definition as the PREA Auditor Handbook.) This category of residents was not indicated on the resident roster. In addition, the Auditor was able to have interactions with the entire population and this category was not obvious during the tour, informal interviews, formal interviews with residents or staff.</p>
<p>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>3</p>
<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>4</p>
<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility provided a listing of residents with a status column. (Status indicates target in the same definition as the PREA Auditor Handbook.) This category of residents was not indicated on the resident roster. In addition, the Auditor was able to have interactions with the entire population and this category was not obvious during the tour, informal interviews, formal interviews with residents or staff.</p>
<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility has not experienced a sexual abuse allegation.</p>

68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:	2
69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:	<input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).	This facility does not utilize segregated housing.
70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	No text provided.
Staff, Volunteer, and Contractor Interviews	
Random Staff Interviews	
71. Enter the total number of RANDOM STAFF who were interviewed:	10
72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	<input type="checkbox"/> Length of tenure in the facility <input checked="" type="checkbox"/> Shift assignment <input checked="" type="checkbox"/> Work assignment <input checked="" type="checkbox"/> Rank (or equivalent) <input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<input type="radio"/> Yes <input checked="" type="radio"/> No

<p>a. Select the reason(s) why you were unable to conduct the minimum number of RANDOM STAFF interviews: (select all that apply)</p>	<p><input type="checkbox"/> Too many staff declined to participate in interviews.</p> <p><input checked="" type="checkbox"/> Not enough staff employed by the facility to meet the minimum number of random staff interviews (Note: select this option if there were not enough staff employed by the facility or not enough staff employed by the facility to interview for both random and specialized staff roles).</p> <p><input type="checkbox"/> Not enough staff available in the facility during the onsite portion of the audit to meet the minimum number of random staff interviews.</p> <p><input type="checkbox"/> Other</p>
<p>74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>The facility provided a staff roster during the in brief. The Auditor chose and interviewed every security staff on the roster, for both shifts.</p>
<p>Specialized Staff, Volunteers, and Contractor Interviews</p>	
<p>Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.</p>	
<p>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</p>	<p>9</p>
<p>76. Were you able to interview the Agency Head?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>78. Were you able to interview the PREA Coordinator?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>79. Were you able to interview the PREA Compliance Manager?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)</p>

<p>80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)</p>	<p><input type="checkbox"/> Agency contract administrator</p> <p><input checked="" type="checkbox"/> Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment</p> <p><input checked="" type="checkbox"/> Line staff who supervise youthful inmates (if applicable)</p> <p><input type="checkbox"/> Education and program staff who work with youthful inmates (if applicable)</p> <p><input checked="" type="checkbox"/> Medical staff</p> <p><input type="checkbox"/> Mental health staff</p> <p><input type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches</p> <p><input checked="" type="checkbox"/> Administrative (human resources) staff</p> <p><input type="checkbox"/> Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff</p> <p><input checked="" type="checkbox"/> Investigative staff responsible for conducting administrative investigations</p> <p><input type="checkbox"/> Investigative staff responsible for conducting criminal investigations</p> <p><input checked="" type="checkbox"/> Staff who perform screening for risk of victimization and abusiveness</p> <p><input type="checkbox"/> Staff who supervise inmates in segregated housing/residents in isolation</p> <p><input checked="" type="checkbox"/> Staff on the sexual abuse incident review team</p> <p><input checked="" type="checkbox"/> Designated staff member charged with monitoring retaliation</p> <p><input type="checkbox"/> First responders, both security and non-security staff</p> <p><input checked="" type="checkbox"/> Intake staff</p> <p><input type="checkbox"/> Other</p>
<p>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p>83. Provide any additional comments regarding selecting or interviewing specialized staff.</p>	<p>No text provided.</p>

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

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

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

Yes

No

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

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

Yes

No

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

Yes

No

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

Yes

No

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

Yes

No

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

No text provided.

Documentation Sampling

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

90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?

Yes

No

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

No text provided.

SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

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

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

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

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

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

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

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

Sexual Harassment Investigation Outcomes

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

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

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

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

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

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/sampled:	0
a. Explain why you were unable to review any sexual abuse investigation files:	The facility has not had a sexual abuse allegation within the past 36 months.
99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)

Inmate-on-inmate sexual abuse investigation files

100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	0
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<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>Staff-on-inmate sexual abuse investigation files</p>	
<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>0</p>
<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>Sexual Harassment Investigation Files Selected for Review</p>	
<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
<p>a. Explain why you were unable to review any sexual harassment investigation files:</p>	<p>The facility has not had a sexual harassment allegation in the past 36 months.</p>
<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
<p>Inmate-on-inmate sexual harassment investigation files</p>	
<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>

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

<p>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
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<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	<p> <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files) </p>
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<p>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p> <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files) </p>
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<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>The facility has not had a sexual harassment allegation in the past 36 months.</p>
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SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

<p>115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>
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Non-certified Support Staff

<p>116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>
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AUDITING ARRANGEMENTS AND COMPENSATION

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

Standards

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

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

115.211	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. Hidalgo County Substance Abuse Treatment Facility PAQ
2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022
3. Organizational Chart Residential Director, not dated

Interviews:

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

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

Site Review Observation:

During the tour of the facility, the Auditor witnessed PREA Zero Tolerance No Means No postings, Audit Notices printed on bright colored paper, Third Party reporting information posted, ample camera placement in the interior and exterior of the buildings, mirror placement, females placed in the front of the classrooms and males in the rear, clean buildings with staff supervising residents throughout each area.

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

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 2, section A-C, states,

- A. "The Hidalgo County Substance Abuse Treatment Facility is committed providing a safe and healthy environment for residents, staff, visitors, contractors and volunteers. The Hidalgo County SATF is committed to protecting residents from sexual abuse and sexual harassment. Sexual abuse and sexual harassment compromise the safety of everyone in our facility and will not be tolerated. The Facilities policy will serve as a mechanism for complying with the Prison Rape Elimination Act (PREA) and the PREA National Standards.
- B. The facility has mandated a zero-tolerance policy relating to any sexual misconduct and sexual harassment between staff, volunteers, contractors, and residents or their family members. All allegations, regardless of the source, of coercive, or consensual sexual misconduct/harassment occurring among residents will be fully investigated, sanctioned (if authority to do so exists), and referred for prosecution if the prohibited conduct violates state criminal laws.
- C. The Prison Rape Elimination Act (PREA) covers incidents involving staff, residents, volunteers, and collateral contacts.
1. Prohibited behaviors include, but are not limited to the following: touching, hugging, kissing, sexual assault, penetration, fondling, inappropriate viewing, sexual conduct, sexual harassment, sexual abuse, sexual gratification, romantic relationships, relationships between staff/residents, volunteers/residents or outside the agency involvement between staff and resident.
 2. Resident on resident sexual abuse: Sexual contact between residents without the resident's consent, or in which the resident is unable to consent or refuse.
 3. Staff sexual abuse and sexual harassment: Any behavior or act of a sexual nature whether it be consensual or non-consensual directed toward a resident by an employee, volunteer, contractor, visitor or other agency representative. Termination from employment shall be the presumptive disciplinary sanction for staff who engage in sexual abuse and sexual harassment."

(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the PREA Coordinator has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its community confinement facilities. The position of the PREA Coordinator in the agency's organizational structure.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 23, section PREA Coordinator, states, "The Facility has designated the PREA Coordinator with sufficient time and authority to develop, implement and oversee agency efforts to comply with PREA requirements. The staff responsible for the coordination and compliance monitoring of PREA is Juan G. Vasquez."

The facility provided an Organizational Chart Residential Director. The organizational chart demonstrates the facility Residential Coordinator also functions as the PREA Coordinator who reports to the facility Residential Director.

Through such reviews, the facility meets the standard requirements.

115.212	Contracting with other entities for the confinement of residents
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> Hidalgo County Substance Abuse Treatment Facility PAQ <p>Interviews:</p> <ol style="list-style-type: none"> PREA Coordinator <p>During the pre-audit phase, the PREA Coordinator conveyed the agency did not have privatized contracts.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states agency does not contract with private agencies for confinement services of their residents.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

Document Review:

1. Hidalgo County Substance Abuse Treatment Facility PAQ
2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022
3. Hidalgo County C.S.C.D. SATF Staffing Plan, dated 3.8.2022
4. Hidalgo County C.S.C.D. SATF Staffing Plan Review, dated 3.8.2021
5. Hidalgo County C.S.C.D. SATF Staffing Plan Review, dated 3.8.2020
6. Hidalgo County C.S.C.D. SATF Staffing Plan Review, dated 3.8.2019
7. Post Audit – Photo of lock installed on kitchen restroom door, with signage

Interviews:

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

Staff and residents interviewed could attest to Residential Monitors conducting multiple rounds per day, cross gender announcements through staff knocking first, asking if anyone is dressing or in the restroom, then entering upon being told no one is in a state of undress, and again stating 'Female or Male, coming in.'

On site Observation:

During the tour, zero tolerance, advocate brochures and audit notices were witnessed throughout the entire facility. Bays had up to 14 bunks each, placed up against the perimeter of the room. Restrooms had full doors on toileting areas and showers were of multi-showering use, with curtains placed in the front of the showering area to provide for privacy when drying off and dressing.

Through the tour of the kitchen, a restroom is in the back, out of line of site to staff, providing a blind spot. The door did not have a lock and was generally available for entry. The facility was asked to lock the door when not in use. During the onsite review, the facility placed a lock on the door, placed a sign on the door, stating, "Restroom door must remain locked at all times."

(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the facility requires the facility to develop, document and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect residents against abuse. Since August 20, 2012, or last PREA audit, whichever is later, the average daily number of residents is 68. Since August 20, 2012, or last PREA audit, whichever is later, the average daily number of residents on which the staffing plan was predicated is 96.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 9, section A-B, state,

- A. "The facility has developed a staffing plan that provides for expected levels of program supervision and monitoring to ensure the facility is safe and secure.
- B. The location of video monitoring systems will be considered when determining adequate levels of staffing. In calculating staffing levels and determining the need for video monitoring, the following factors shall be taken into consideration:
1. The physical layout of each building;
 2. The composition of the resident population;
 3. the prevalence of substantiated and unsubstantiated incident of sexual abuse; and any other relevant factors."

The 2022 Staffing Plan is comprised of the following:

1. Positions and each of the major functions of each.
2. Staff-to-Resident Ratio
3. Staff Supervision of Residents
4. Supervisory Personnel
5. Video Monitoring Systems
6. Facility Specific Factors Related to Sexual Safety
 - a. Availability of education and programming opportunities
 - b. Access to medical and mental health care
 - c. Physical building considerations that can impact line of sight and visibility
 - d. Privacy considerations and limits to cross-gender viewing
7. Prevalence of Incidents of Sexual Abuse

8. Applicable Laws, Regulations, and Findings
9. Staffing Plan Development and Review
10. Documenting Deviations to The Staffing Plan

The 2022 Staffing Plan is signed on 3.8.2022 by the Hidalgo County C.S.C.D. Director, Residential Director and Facility Director PREA Coordinator.

(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the facility documents each time the staffing plan is not complied with, the facility documents and justifies deviations. The facility had zero deviations from the required ratios of their staffing plan.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 9, section PREA Coordinator, states, "The PREA Coordinator is responsible for reviewing the staffing plan in conjunction with the daily Residential Monitor Schedule. If a staffing pattern falls below the staffing plan due to absence, the Shift Supervisor shall notify the PREA Coordinator of the deviation. The PREA Coordinator shall:

1. Document and describe the deviation along with a thorough justification for the deviation; and
2. Include a description of any corrective actions that were taken to resolve the deviation."

(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states at least once every year the facility, reviews the staffing plan to see whether adjustments are needed in (1) the staffing plan, (2) prevailing staffing patterns, (3) the deployment of video monitoring systems and other monitoring technologies, or (4) the allocation of facility/agency resources to commit to the staffing plan to ensure compliance with the staffing plan

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 9, C-G, state,

C. Whenever necessary, but no less frequently than once each year, the staffing plan assessment will be completed.

D. The Coordinator and Director will complete an Annual Staffing Plan Assessment to assess, determine, and document whether adjustments are needed to the prevailing staffing patterns.

E. The facility shall make its best effort to comply on a regular basis with the staffing plan and shall document and justify all deviations. Deviations shall be documented and notification made to the Facility Director.

F. Upgrades to facilities and technologies

1. When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect residents from sexual abuse.
2. When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect residents from sexual abuse.

The facility provided Hidalgo County C.S.C.D. SATF Staffing Plan reviews for 2019 through 2022. Staffing Plan Reviews include the following components:

1. Generally accepted secure residential practices are met
2. Findings of inadequacy are addressed
3. Adequate number of supervisory personnel
4. Prevalence of sexual abuse reporting
5. Program occurring in a particular shift
6. The composition of the resident populations
7. Applicable state and federal laws and regulations
8. Prevailing staffing patterns
9. Resources the facility has available to commit to ensure adequate staffing levels

Through such reviews, the facility meets the standard requirements.

115.215	Limits to cross-gender viewing and searches
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 3. Guidance in Cross-Gender and Transgender Pat Searches - NICIC Website https://vimeo.com/183649668 4. Cross Gender Search Log, not dated <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random residents 2. Targeted residents 3. Residential Monitors 4. Intake staff 5. PREA Coordinator <p>Residents interviewed stated they had never been searched by an opposite gender staff and searches were done respectfully.</p> <p>Interviews with staff demonstrated cross-gender searches had been trained; however, staff interviewed stated cross-gender searches were not completed as the facility always has both gender staff on duty at all times.</p> <p>Site Review Observation:</p> <p>During the tour of the facility the Auditor observed the Intake area which consisted of an area in the Alpha Living Quarters. Walking into the area is a large open room with staff desk at the rear middle of the room. A three-bed quarantine room and restroom is to the left of the entry. Intakes are pat-searched in the open area and allowed to change clothing behind the door of the restroom.</p> <p>(a) Hidalgo County Substance Abuse Treatment Facility PAQ states the facility does not conduct cross-gender strip or cross-gender visual body cavity searches of their Residents. In the past 12 months the facility has conducted zero cross-gender strip or cross-gender visual body cavity searches of residents. In the past 12 months, the number of cross-gender strip or cross-gender visual body cavity searches of residents was zero. In the past 12 months, the number of cross-gender strip or cross-gender visual body cavity searches of residents that did not involve exigent circumstances or were performed by non-medical staff was zero.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 10, section A. states, "The facility shall not conduct cross-gender strip searches except in exigent circumstances or when performed by medical practitioners."</p> <p>(b) Hidalgo County Substance Abuse Treatment Facility PAQ states the facility does not permit cross-gender pat-down searches of female residents, absent exigent circumstances. The facility does not restrict female residents' access to regularly available programming or other outside opportunities in order to comply with this provision. The number of pat-down searches of female residents that were conducted by male staff was zero. The number of pat-down searches of female residents conducted by male staff that did not involve exigent circumstance(s) was zero.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 11, section C-D. states,</p> <p>C. "Pat and strip searches of transgender/Intersex residents will be completed by a staff member of the same sex for which the resident has been classified by referring agency.</p> <p>D. Making accommodations, if necessary, to search individuals according to gender identity would not violate the prohibitions on cross-gender searches. Searches of breasts will be completed using the back and or side of the hand. "</p> <p>(c) Hidalgo County Substance Abuse Treatment Facility PAQ states the facility policy does require that all cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat-down searches be documented and justified as cross-gender strip searches and body cavity searches are not allowed.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 10, section A. 1., states, "In the event of an exigent circumstance, the search of any resident shall be approved by Facility Director and documented."</p> <p>The facility provided a Cross Gender Pat Down Search Log. The Log has a column for the following:</p> <ul style="list-style-type: none"> • Resident Name • Reason for Pat Search • Staff Performing Search • Location • Date/Time

• Approved By

(d) Hidalgo County Substance Abuse Treatment Facility PAQ states the facility has implemented policies and procedures that enable residents to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks (this includes viewing via video camera). Policies and procedures require staff of the opposite gender to announce their presence when entering an area where residents are likely to be showering, performing bodily functions, or changing clothing.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 11, section E., states, "Residents may 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 living quarter checks."

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 11, section F., "Employees of the opposite gender must announce their presence when entering an area where residents are likely to be showering, performing bodily functions, or changing clothes."

(e) The Hidalgo County Substance Abuse Treatment Facility PAQ states the facility has a policy prohibiting staff from searching or physically examining a transgender or intersex resident for the sole purpose of determining the resident's genital status. Such searches (described in 115.215(e)-1) occurred in the past 12 months was zero.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 11, section B., "Searches or physical examination of a transgender or intersex resident for the sole purpose of determining the resident's genital status is prohibited. If the resident's genital status is unknown, it may be determined during conversations with the resident, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner."

(f) The Hidalgo County Substance Abuse Treatment Facility PAQ states 80 of all security staff who received training on conducting cross-gender pat-down searches and searches of transgender and intersex residents in a professional and respectful manner, consistent with security needs.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 6, section . 1-2., "Security staff shall receive additional training on the following:

1. how to conduct cross-gender pat-down searches and searches of transgender and intersex residents, in a manner that is professional, respectful and the least intrusive possible while being consistent with security needs;
2. how to utilize the Guidance in Cross-Gender and Transgender Pat Searches training curriculum from the PREA Resource Center to educate and train security staff. "

The facility provided the following video link from the NICIC Website demonstrating that staff are trained on searches through Title: Guidance in Cross-Gender and Transgender Pat Searches - NICIC Website <https://vimeo.com/183649668>. The Auditor verified this link by clicking on the link and viewing a portion of the video.

Through such reviews, the facility meets the standard requirements.

115.216	Residents with disabilities and residents who are limited English proficient
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 3. Interpreter Request Log, dated 1.2021 – 12.2021 4. Acknowledgment Starter, not dated 5. Purchase Order - City of Hidalgo – Interpreting Services, dated 9.102021 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Targeted residents 2. Residential Monitors 3. PREA Coordinator <p>During interviews with staff, each stated residents were not used for translation services. Barriers were not apparent during interviews and or on the facility tour. Of the residents interviewed, three residents were interviewed with an interpreter. Each resident was aware of PREA, reporting protocols and stated staff do a good job checking in on them and making sure they are okay.</p> <p>Interviews with staff demonstrated the facility has large percentage of bilingual staff. The Resident Monitor 11 served as the translator during interviews.</p> <p>Site Observation:</p> <p>Zero Tolerance No Means No posters and advocate flyers were posted in both English and Spanish, throughout the facility.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has established procedures to provide disabled residents equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 8, section C-E, state,</p> <p>C. "In the event a resident has difficulty understanding provided information or procedures outlined in this policy, employees must ensure that such information is effectively communicated to such residents on an individual basis.</p> <p>D. Clinical Supervisor will assign individuals to Counselors based on the needs of the resident including those with limited English skills, reading or writing abilities. Documents available in Spanish and large font.</p> <p>E. Auxiliary aids that are reasonable, effective, and appropriate to the needs of the resident shall be provided when simple written or oral communication is not effective.</p> <p>F. Residents will not be relied upon to provide interpretation services, act as readers, or provide other types of communication assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-responder duties, or the investigation of the resident's allegations."</p> <p>The facility provided an Acknowledgment Starter. This acknowledgement states the following, "The facility has a zero tolerance policy towards sexual assault, sexual misconduct, staff sexual misconduct and sexual harassment. This includes any sexual act, touching, comments or gestures. If you become aware of sexual assault, sexual misconduct, sexual harassment or staff sexual misconduct, you can report it in one of the following ways:</p> <ul style="list-style-type: none"> • Notify a Staff member immediately • Tell a Probation Officer or Residential Counselor • Contact the Director, Hector D. Olivares, (956) 289.7410 • Contact other members of Management, Aissa Cantu, (956) 587.6000 • If you, or someone you know is in need of confidential counseling you may contact Aissa Cantu, (956) 587.6000 <p>I have been provided with an orientation and written information regarding policies and procedures for reporting sexual assault and sexual harassment and how to access crisis counseling. Your signature below indicates that you understand the training that was presented."</p> <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has established procedures to provide residents with limited English proficiency equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 8, section D., state, "Clinical Supervisor will assign individuals to Counselors based on the needs of the resident including those with limited English skills, reading or writing abilities. Documents available in Spanish and large font."</p>

The facility provided a Purchase Order - City of Hidalgo – Interpreting Services. Interpreting services are provided by a local interpreting service, the services provides sign language and certified interpreting services for the facility.

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

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 8, section F., states, "Residents will not be relied upon to provide interpretation services, act as readers, or provide other types of communication assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-responder duties, or the investigation of the resident's allegations."

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 9, section G., states, "The facility shall maintain documentation of resident participation in educational sessions pertaining to sexual abuse and sexual harassment."

Through such reviews, the facility meets the standard requirements.

115.217	Hiring and promotion decisions
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 435 300">Document Review:</p> <ol data-bbox="240 304 1070 465" style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 3. Employee Application Supplement, not dated 4. Post Audit – Hidalgo County Community Supervision & Corrections Department, Department Memorandum, from Facility Director, Subject: Hiring and Promotion for SATF Personnel, effective immediately <p data-bbox="240 501 352 528">Interviews:</p> <ol data-bbox="240 533 692 591" style="list-style-type: none"> 1. Human Resource Administrative Assistant 2. Program Director <p data-bbox="240 595 1490 792">Interviews with the Program Director demonstrated background criminal history checks are completed on every applicant being considered for employment. Administrative adjudication questions are completed during the interview process. Ongoing criminal history checks are completed through the NCIC/TCIC database through the Flash Notice process. Contractors do not enter the facility, nor do they have contact with residents. The Human Resource Administrative Assistant did state institutional reference checks is not a current practice. The Program Director stated Administrative Adjudication questions are not completed for promoted employees.</p> <p data-bbox="240 819 499 846">Site Review Observation:</p> <p data-bbox="240 851 1485 949">During review of the 13 staff personnel files reviewed, demonstrated initial administrative adjudication questions and criminal background checks are conducted upon hire the facility utilizes a Flash Notices from Live Scan as ongoing criminal history check process.</p> <p data-bbox="240 976 1485 1075">File review demonstrated the facility does not have a current practice of completing institutional reference checks and asking administrative adjudication questions upon promotion. The facility provided the following action plan to ensure compliance, moving forward.</p> <p data-bbox="240 1102 1422 1200">Post Audit: The facility provided a Hidalgo County Community Supervision & Corrections Department, Department Memorandum, from the Facility Director, addressed to the Human Resources, Subject: Hiring and Promotion for SATF Personnel, effective immediately, stating:</p> <ul data-bbox="240 1205 1485 1366" style="list-style-type: none"> • “When hiring new staff for the Hidalgo County SATF best efforts will be made to contact any prior institutional employers for information on sustained allegations for sexual abuse or sexual harassment, as well as any resignations during a pending investigation of such incidents. • When an employee is being considered for a promotion at the Hidalgo County SATF, the PREA administrative adjudication questions shall be completed, regardless of prior completion.” <p data-bbox="240 1393 1490 1626">(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states agency policy prohibits hiring or promoting anyone who may have contact with residents and prohibits enlisting the services of any contractor who may have contact with residents who: (1) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997); (2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or (3) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.</p> <p data-bbox="240 1653 1458 1751">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 5, section A. 1-3, state, “To the extent permitted by law, this facility shall not hire or promote and may terminate employment based on material omission regarding such misconduct of anyone and may not enlist the services of any contractor/volunteer who may have:</p> <ol data-bbox="240 1756 1490 1917" style="list-style-type: none"> 1. contact with residents who have engaged in sexual abuse in a prison, jail, lock up, community confinement facility, juvenile facility, or another jurisdiction; 2. been convicted of engaging or attempting to engage in any type of sexual misconduct in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; and/or 3. been civilly or administratively adjudicated to have engaged in any type of sexual misconduct.” <p data-bbox="240 1944 1477 2042">(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states agency policy requires the consideration of any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents.</p> <p data-bbox="240 2069 1437 2168">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 5, section B., states, “Any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents.”</p>

The facility provided an Employee Application Supplement. Page 1 of the supplement, questions 9.b., 9.c. and 9.d., state:

9.b. "Have you engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution?"

9.c. Have you been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?"

9.d. Have you been civilly or administratively adjudicated to have engaged in sexual abuse or sexual harassment in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?"

(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency policy requires that before it hires any new employees who may have contact with residents, it (a) conducts criminal background record checks, and (b) consistent with federal, state, and local law, makes its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse. In the past 12 months, the number of persons hired who may have contact with residents who have had criminal background record checks is 10.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 5, section C. 1-5, states, "Before hiring new employees or enlisting the service of any contractor/volunteer that may have contact with residents, the agency shall:

1. perform a criminal background records check;
2. contact any former institutional employers for any information regarding sexual misconduct or alleged sexual misconduct;
3. ask all applicants and employees about previous sexual misconduct;
4. best efforts are made to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse in consistent with federal, state, and local laws; and
5. the information shall be documented on a form completed during the initial interview and kept in the personnel file."

(d) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency policy requires that a criminal background record check be completed before enlisting the services of any contractor who may have contact with residents. In the past 12 months, the number of contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with residents is zero. Policy compliance can be found in provision (c) of this standard.

(e) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency policy requires that either criminal background record checks be conducted at least every five years for current employees and contractors who may have contact with residents or that a system is in place for otherwise capturing such information for current employees.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 6, section H., states, "The Facility shall preform a criminal background check on each employee who has contact with the residents annually, using the date of employment."

(f) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 5, section D., states, "All employees who may have direct contact with residents shall be asked about previous misconduct either in the written or in interviews for promotions and in any written self-evaluations conducted as part of reviews of current employees.

1. The Employment Application Supplement form will be completed upon application for employment and as part of the promotional interview process.
2. The Conditions of Employment document shall also serve as verification of an employee's fulfillment of his / her continuing affirmative duty to disclose any sexual misconduct as described in this policy."

(g) The Hidalgo County Substance Abuse Treatment Facility PAQ states Agency policy states that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 5, section E., states, "Material omissions or the provision of materially false information regarding sexual misconduct shall be grounds for termination."

(h) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 6, section F., states, "Unless prohibited by law the agency shall provide information on substantiated allegations of sexual misconduct involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work."

Through such reviews, the facility meets the standard requirements.

115.218	Upgrades to facilities and technology
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review: 1. Hidalgo County Substance Abuse Treatment Facility PAQ</p> <p>Interviews: 1. Facility Director The Facility Director attested to the facility not going under modifications during the last audit cycle. However, the facility was excited to report they are currently being renovated to include more office space and prepare for a new women's facility. The Facility Director was aware the Staffing Plan would be updated to include security modifications, once renovations were complete.</p> <p>Site Review Observation: Cameras were found to be throughout the interior and exterior of all buildings. Cameras were reviewed in total in the Facility Director's office, the only location in the facility with such access. All cameras were in working order.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has not acquired a new facility or made substantial expansions or modifications to existing facilities since the last PREA audit.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.221	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 3. Memorandum of Understanding Edinburg Police Department, dated 1.1.2019 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Residents 2. Residential Monitors 3. Specialized staff 4. PREA Coordinator 5. Facility Investigator <p>Interviews with residents interviewed demonstrated all were clearly aware of reporting protocols for sexual harassment and or sexual abuse. Of residents interviewed, each were comfortable reporting internally by telling a staff, writing a Request Form to speak with a specific staff as residents stated staff make if comfortable to speak with them, completing a grievance, and understood the processes for reporting externally.</p> <p>Every staff interviewed clearly articulated first responder duties to include protecting, preserving and reporting. When each were asked where this information was located, responses included postings on the bulletin boards in the day rooms and available on the resident kiosks. The investigator clearly articulated protocols for investigation processes and each demonstrated immediate action for sexual harassment and sexual abuse allegations.</p> <p>Site Review Observation:</p> <p>The facility has not experienced an investigation of sexual harassment or sexual abuse in the last 36 months.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency/facility is responsible for conducting administrative sexual abuse investigations (including resident-on-resident sexual abuse or staff sexual misconduct). The agency/facility is not responsible for conducting criminal sexual abuse investigations (including resident-on-resident sexual abuse or staff sexual misconduct). The Edinburg Police Department is responsible for conducting all facility investigations.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 13-14, section A., states, "The PREA Coordinator shall ensure following coordinated response process is completed upon receipt of a reported sexual abuse incident:</p> <p>A. immediately report all allegations of rape, sexual assault, or employee on resident sexual misconduct to state or local law enforcement agencies for criminal investigation if the allegation (if proven true) would be considered a criminal act under federal, state, or local law. The reporting party should request guidance from the law enforcement agency(s) in preserving the crime scene and coordinating an investigation."</p> <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the protocol being developmentally appropriate is not applicable as the facility does not house youthful offenders. The protocol was adapted from or otherwise based on the most recent edition of the DOJ's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011.</p> <p>(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states the facility offers all residents who experience sexual abuse access to forensic medical examinations. Forensic medical examinations are offered without financial cost to the victim. Where possible, examinations are conducted by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs). When SANEs or SAFEs are not available, a qualified medical practitioner performs forensic medical examinations. The facility documents efforts to provide SANEs or SAFEs. The number of forensic medical exams conducted during the past 12 months is zero. The number of SANEs/SAFEs during the past 12 months was zero. The number of exams performed by a qualified medical practitioner during the past 12 months was zero. Policy compliance can be found in provision (b) of this standard.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 15-16, section K., states, "The investigating entity shall offer all victims of sexual abuse access to forensic medical examinations, whether onsite or at an outside facility, without financial cost, where evidentiary or medically appropriate. Such examinations shall be performed by a SAFE or SANE where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The investigating entity shall document its efforts to provide SAFEs or SANEs."</p> <p>(d) The Hidalgo County Substance Abuse Treatment Facility PAQ states the facility attempts to make available to the victim a victim advocate from a rape crisis center, either in person or by other means. The efforts are documented. If and when a</p>

rape crisis center is not available to provide victim advocate services, the facility provides a qualified staff member from a community-based organization or a qualified agency staff member.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 16, section L-M, state,

L. "The investigating entity shall attempt to make available to the victim a victim advocate from a rape crisis center. The investigating entity may utilize a rape crisis center that is part of a government unit as long as the center is not part of the criminal justice system (such a law enforcement agency) and offers a comparable level of confidentiality as a non-governmental entity that provides similar victim services.

M. If a rape crisis center is not available to provide victim advocate services, the investigating entity shall make available a qualified investigating entity staff member, to provide these services.

N. The investigating entity shall document efforts to secure services from rape crisis centers."

(e) The Hidalgo County Substance Abuse Treatment Facility PAQ states a qualified staff or community member accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information and referrals.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 16, section O, states, "As requested by the victim, either the victim advocate, a qualified investigating entity staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information and referrals."

(f) The facility provided a Memorandum of Understanding (MOU) with the Edinburg Police Department. On page 1, second paragraph, states, "The purpose of this agreement is to establish that the Edinburg Police Department will assist as needed as the investigation authority with jurisdiction regarding the report and investigation of PREA (Prison Rape Elimination Act), incidents which shall be investigated as potentially criminal acts of sexual assault and or abuse committed in the SATF, facility located at 1000 N. "M" Rd. in Edinburg, Texas, unless the allegation does not involve potentially criminal behavior." The MOU is signed by the Chief of Police, Edinburg Police Department and the Hidalgo County SATF Representative.

Through such reviews, the facility meets the standard requirements.

115.222	Policies to ensure referrals of allegations for investigations
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> Hidalgo County Substance Abuse Treatment Facility PAQ Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p>Interviews:</p> <ol style="list-style-type: none"> Residential Monitors Facility Investigator <p>Residential Monitors reported they would take limited information from victims and reporting that information to their supervisors or to the PREA Team. The agency Investigator interviewed described investigation protocols and addressing investigations as soon as possible, if not immediately.</p> <p>Site Review Observation:</p> <p>The facility has not experienced an investigation of sexual harassment or sexual abuse in the last 36 months.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency ensures that an administrative or criminal investigations are completed for all allegations of sexual abuse and sexual harassment. In the past 12 months the facility has had zero allegations of sexual abuse and sexual harassment that were received.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 15, section A., states, "The Facility Director shall ensure that an administrative investigation and a referral for a criminal investigation, where appropriate, are completed for all allegations of sexual abuse and sexual harassment."</p> <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has a policy that requires that allegations of sexual abuse or sexual harassment be referred for investigation to an agency with the legal authority to conduct criminal investigations, including the agency if it conducts its own investigations, unless the allegation does not involve potentially criminal behavior.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 15, section C., states, "Whenever feasible, the facility shall enter into a written Memorandum of Understanding (MOU) with the outside agency (Edinburg Police Department) investigating agency or entity outlining the roles and responsibilities of both the facility and the investigating entity in performing sexual abuse investigations."</p> <p>The facility PREA policy to include the investigation process is posted on the agency website at Hidalgo County Substance Abuse Treatment Facility Hidalgo County, TX - Official Website</p> <p>(c) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 15, section D-F., state,</p> <p>D. "When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation. (115.271 (I))</p> <p>E. The facility investigator, as delegated by the Facility Director, shall establish a relationship with local law enforcement agencies and prosecutors to develop a clear understanding of the investigative guidelines and procedures used during a criminal investigation of an alleged sexual abuse incident.</p> <p>F. Discussions with state or local law enforcement should define the roles of the facility investigator and the law enforcement investigator."</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.231	Employee training
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 3. Certificate of Completion, PREA for Community Confinement Facilities, dated 10.19.2021 4. Hidalgo County SATF Prison Rape Elimination Act Acknowledgment of Understanding, dated 3.25.2022 5. PREA Training Roster, dated 3.25.2022 and 3.30.2022 6. Post Audit – Hidalgo County Community Supervision & Corrections Department, Department Memorandum, from Facility Director to Training Coordinator, Subject: Employee Training, effective immediately <p>Interviews:</p> <ol style="list-style-type: none"> 1. Residential Monitors 2. Specialized staff 3. Human Resource Administrative Assistant 4. PREA Coordinator <p>Interviews with Residential Monitors demonstrated each were aware of and received initial and annual PREA training. Interviews with specialized staff demonstrated each had received training mandated for all employees.</p> <p>Site Observation:</p> <p>Review of the 13 personnel files demonstrated each have signed acknowledgments attesting to initial and ongoing understanding and continued PREA training and are receiving annual PREA training every two years. File review demonstrated annual refresher training is not a current practice. File review demonstrated specialized training is completed for investigators and medical and mental health personnel.</p> <p>Post Audit the facility provided a Hidalgo County Community Supervision & Corrections Department, Department Memorandum, from Facility Director, to Training Coordinator, Subject: Employee Training, effective immediately, states, “All Hidalgo County SATF employees must be trained on PREA standards upon hire. PREA refresher training will be offered every two years after that. In years in which an employee does not receive annual refresher training, they will be given training material (PREA PowerPoint Presentation) to watch on their own, and any sexual abuse and sexual harassment policy updates.”</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency trains all employees who may have contact with residents on the agency's zero-tolerance policy for sexual abuse and sexual harassment.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 6, section A. 1-13, states, Zero Tolerance training shall be tailored to the gender of the residents at the facility. All staff members will be trained on the following:</p> <ol style="list-style-type: none"> 1. the zero-tolerance policy on sexual misconduct and sexual harassment; 2. how to fulfill their responsibilities of prevention, detection, reporting, and response to sexual misconduct; 3. resident rights to be free from sexual misconduct; 4. the right of residents and employees to be free from retaliation for reporting sexual misconduct; 5. the dynamics of sexual misconduct in confinement; 6. the common reactions of sexual misconduct victims; 7. how to detect and respond to signs of threatened and actual sexual misconduct; 8. how to avoid inappropriate relationships with residents; 9. how to communicate effectively and professionally with residents, including LGBTI and gender non-conforming residents; 10. how to comply with relative laws related to mandatory reporting of sexual misconduct; 11. state and local laws imposing criminal liability for the sexual abuse of a person held in custody; 12. location, situations and circumstances in which sexual abuse may occur; and 13. how to comply with laws relevant to mandatory reporting of sexual abuse to outside authorities.” <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states training is tailored to the gender of the residents at the facility. Employees who are reassigned from facilities housing the opposite gender are given additional training. Training compliance can be found in provision (a) of this standard.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 7 section H., states, “Employees transferring to a facility that houses a population whose gender is different from their previously assigned facility shall receive additional training specific to the population of the newly assigned facility.”</p> <p>(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states between trainings the agency provides employees</p>

who may have contact with residents with refresher information about current policies regarding sexual abuse and harassment. The frequency with which employees who may have contact with residents receive refresher training on PREA requirements annually.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 6 section B., states, "Current staff members will receive and acknowledge PREA training within one year of hire, refresher training will be provided every two years to ensure all employees understand the agency's current sexual misconduct policies and procedures."

(d) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency documents that employees who may have contact with residents understand the training they have received through employee signature or electronic verification.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 7 section I., "Employees shall be required to confirm, by either electronic or manual signature, their understanding of the received training. Signed documentation will be maintained in the employee's training file."

The facility provided a Certificate of Completion, PREA for Community Confinement Facilities.

The facility provided a Hidalgo County SATF Prison Rape Elimination Act Acknowledgment of Understanding, sample, completed by staff on 3.25.2022. This acknowledgment includes affirmation employees understand the facility zero tolerance policy, reporting procedures, witness statements and investigation processes.

The facility provided training roster demonstrates an employee has completed three hours of training. 35 staff have signed and acknowledged receipt on 3.25.2022 and 3.30.2022.

Through such reviews, the facility meets the standard requirements.

115.232	Volunteer and contractor training
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> Hidalgo County Substance Abuse Treatment Facility PAQ Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 Hidalgo County SATF PREA Policy Prison Rape Elimination Act, Acknowledgment of Understanding, not dated <p>Interviews:</p> <ol style="list-style-type: none"> Facility Director <p>Interview with the Facility Director demonstrated the facility does not utilize contractors or volunteers.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states all volunteers and contractors who have contact with residents have been trained on their responsibilities under the agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response. The number of volunteers and contractors, who may have contact with residents, who have been trained in agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response is zero.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 7, section J., states, "Volunteers and contractors will be trained and acknowledge by electronic or manual signature, their understanding of the received training. Training shall include their responsibilities under the agency's zero-tolerance policy of sexual misconduct/harassment prevention, detection, reporting and responding."</p> <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with residents. All volunteers and contractors who have contact with residents have been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents. Policy compliance can be found in provision (a) of this standard.</p> <p>(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency maintains documentation confirming that volunteers and contractors who have contact with residents understand the training they have received.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 7, section K., states, "Signed documentation will be maintained in the volunteer or contractor's file."</p> <p>The facility provided a Hidalgo County SATF PREA Policy Prison Rape Elimination Act, Acknowledgment of Understanding. The acknowledgment requires Volunteers, Contractor and Interns acknowledge the following: "I understand the following:</p> <ol style="list-style-type: none"> This facility does not allow any form of consensual sexual activities between clients and staff, contractors, volunteers, and interns. This includes client on client sexual abuse or sexual harassment. Sexual activity between clients is strictly prohibited. Within the facility there is no consensual sex – no person regardless of age can "agree" to have sex or sexual contact with staff/contractor/volunteer or another client. The Hidalgo County Substance Abuse Treatment Facility has a zero tolerance policy regarding sexual abuse and sexual harassment. I understand if a report is made to me or if I am a witness to sexual abuse or sexual harassment, or I have knowledge of an incident of sexual abuse or sexual harassment, I must report these incidents to the supervisor. I understand that I will inform the PREA Coordination and facility Director immediately. A report made in "Good Faith" based on a reasonable belief that the alleged conduct occurred will not constitute false reporting or lying. All reports of sexual abuse will be investigated by any of the following: Hidalgo County Sheriff's Office personnel, Edinburg Police Department and the facility." <p>Through such reviews, the facility meets the standard requirements.</p>

115.233	Resident education
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 3. Resident Acknowledgment Starter, not dated <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random Residents 2. Targeted Residents 3. Residential Monitors 4. Intake staff <p>Interviews with the eight random and 10 targeted residents, each reported their knowledge on PREA, reporting options to staff, their knowledge of third-party reporting and or phone numbers posted on Zero-Tolerance posters throughout the facility.</p> <p>The Intake staff interviewed stated the PREA Coordinator explains to all residents the facility zero tolerance policy regarding sexual abuse and sexual harassment; how to safely report incidents, threats, or suspicions of any sexual misconduct/harassment; their right as residents to be free from sexual misconduct and retaliation of reporting such incidents; agency policies and procedures for responding to such incidents; and consequences for any false allegations. Every resident has been educated and each know that they are free to report anything as long as the incident did in fact occur.</p> <p>During the post audit phase, the Facility Director stated per the facilities operating procedures, the facility does not admit residents who are who are deaf, visually impaired, otherwise disabled.</p> <p>Site Observation:</p> <p>Of the 18 resident files reviewed, each demonstrated evidence of PREA education within 72 hours of intake.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states residents receive information at time of intake about the zero-tolerance policy, how to report incidents or suspicions of sexual abuse or harassment, their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. The number of residents admitted during past 12 months who were given this information at intake was 136.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 8, section A., states, "During the intake/orientation process, all residents shall receive information regarding sexual abuse prevention and reporting in a manner that is understandable regardless of individual limitations explaining: All Residents, even those who have transferred from another Facility, shall receive comprehensive educational information about the following:</p> <ol style="list-style-type: none"> 1. the agency's zero-tolerance policy regarding sexual abuse and sexual harassment; 2. how to safely report incidents, threats or suspicions of sexual misconduct/harassment; 3. their rights to be free from sexual misconduct and retaliation for reporting such incident (115.233(a)); 4. agency policies and procedures for responding to such incidents; and 5. consequences of false allegations." <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the facility provides residents who are transferred from a different community confinement facility with refresher information referenced in 115.233(a)-1. The number of residents transferred from a different community confinement facility during the past 12 months was zero. The number of residents transferred from a different community confinement facility, during the past 12 months, who received refresher information was zero. The agency states residents who are transferred from a different community confinement facility will receive the above described training. Policy compliance can be found in provision (a) of this standard.</p> <p>(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states Resident PREA education is available in formats accessible to all residents, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled and those who have limited reading skills.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 8, section D-E., states</p> <ol style="list-style-type: none"> D. "Clinical Supervisor will assign individuals to Counselors based on the needs of the resident including those with limited English skills, reading or writing abilities. Documents available in Spanish and large font. E. Auxiliary aids that are reasonable, effective, and appropriate to the needs of the resident shall be provided when simple written or oral communication is not effective."

(d) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency maintains documentation of resident participation in PREA education sessions. Documentation compliance can be found in provision (a) of this standard.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 8, section B., states, "Staff will document verification of resident orientation and education on PREA by completing the Resident PREA Acknowledgement Form. Staff will maintain the original signed acknowledgement form in the resident's probation file, maintained by the Residential Community Supervision Officer."

(e) The Hidalgo County Substance Abuse Treatment Facility PAQ states The agency ensures that key information about the agency's PREA policies is continuously and readily available or visible through posters, resident handbooks, or other written formats.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 9, section H., states, "In addition to providing such education, the facility shall ensure that key information is continuously and readily available or visible to residents through posters, resident handbooks, or other written formats."

The facility provided a Resident Acknowledgment Starter. This acknowledgement states the following, "The facility has a zero tolerance policy towards sexual assault, sexual misconduct, staff sexual misconduct and sexual harassment. This includes any sexual act, touching, comments or gestures. If you become aware of sexual assault, sexual misconduct, sexual harassment or staff sexual misconduct, you can report it in one of the following ways:

- Notify a Staff member immediately
- Tell a Probation Officer or Residential Counselor
- Contact the Director, Hector D. Olivares, (956) 289.7410
- Contact other members of Management, Aissa Cantu, (956) 587.6000
- If you, or someone you know is in need of confidential counseling you may contact Aissa Cantu, (956) 587.6000

I have been provided with an orientation and written information regarding policies and procedures for reporting sexual assault and sexual harassment and how to access crisis counseling. Your signature below indicates that you understand the training that was presented."

Through such reviews, the facility meets the standard requirements.

115.234	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 3. NIC Certificate of Completion, PREA: Investigating Sexual Abuse in a Confinement Setting <p>Interviews:</p> <ol style="list-style-type: none"> 1. Training and PREA Coordinator 2. Facility Investigator 3. Facility Director <p>Interviews with administrative staff demonstrated facility investigators have completed specialized investigator training course. Certificates were uploaded during the pre-audit phase.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states agency policy requires that investigators are trained in conducting sexual abuse investigations in confinement settings.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 6, section D., states, "The PREA Coordinator shall ensure that more than one (1) person at the facility receives training as a sexual abuse investigator. This will ensure that a trained investigator is available as a back-up during employee absences (e.g., leave, paid time off, sickness, offsite training, etc.) from work. Investigators shall receive training in conducting sexual abuse investigations in confinement settings OR The PREA Coordinator shall ensure all staff are trained to call the law enforcement to investigate the allegations."</p> <p>(b) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 6, section E., states, "Specialized training shall include techniques for interviewing sexual abuse victim, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral."</p> <p>(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency maintain documentation showing that investigators have completed the required training. The number of investigators currently employed who have completed the required training is three.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 7, section F., "Documentation confirming that investigators have completed the required specialized training in conducting sexual abuse investigations shall be maintained in accordance with facility record retention policies."</p> <p>The facility provided a Certificates of Completion, PREA Investigating Sexual Abuse in a Confinement Setting. Training certificates are presented from the National Institute of Corrections. Certificates dated 3.17.2022.</p> <p>Through such reviews the facility meets the standard requirements.</p>

115.235	<p>Specialized training: Medical and mental health care</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> Hidalgo County Substance Abuse Treatment Facility PAQ Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 NIC Certificate of Completion, PREA 201 for Medical and Mental Health Practitioners, dated 3.8.2019 <p>Interviews:</p> <ol style="list-style-type: none"> Nurse Training and PREA Coordinator <p>Interviews with the Nurse and Training Coordinator demonstrated she has completed the PREA 201 for Medical and Mental Health Practitioners training.</p> <p>Site Observation:</p> <p>File review demonstrated the training certificate for the Nurse and training mandated by standard 115.331 has been completed.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has a policy related to the training of medical and mental health practitioners who work regularly in its facilities. The number of all medical and mental health care practitioners who work regularly at this facility and have received the training required by agency policy is 12. The percent of all medical and mental health care practitioners who work regularly at this facility and have received the training required by agency policy is 100%.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 1, section G. 1-4, states, "All full and part-time Qualified Mental Health Professionals, who work regularly in the facility, shall receive specialized medical training as outlined below:</p> <ol style="list-style-type: none"> how to detect and assess signs of sexual abuse and sexual harassment; how to preserve physical evidence of sexual abuse; how to respond effectively and professionally to victims of sexual abuse and sexual harassment; and how and to whom to report allegations of sexual abuse and sexual harassment." <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency medical staff at this facility do not conduct forensic medical exams.</p> <p>(c) The agency maintains documentation showing that medical and mental health practitioners have completed the required training.</p> <p>The facility provided a NIC Certificate of Completion, PREA 201 for Medical and Mental Health Practitioners to demonstrate specialized training has been completed.</p> <p>Through such reviews the facility meets the standard requirements.</p>
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115.241	Screening for risk of victimization and abusiveness
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> Hidalgo County Substance Abuse Treatment Facility PAQ Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 Hidalgo County Substance Abuse Treatment Facility, Sexual Victimization and Abusiveness Risk Screening Form, not dated Hidalgo County Substance Abuse Treatment Facility, 30 Day Reassessment Form, Sexual Victimization and Abusiveness Risk Screening Form, not dated Post Audit – Hidalgo County Community Supervision & Corrections Department, Department Memorandum, from Facility Director to SATF Counselor, Subject: Screenings for Risk of Victimization and Abusiveness, effective immediately Post Audit – Seven 30-day Assessment, dated throughout April-May 2022 <p>Interviews:</p> <ol style="list-style-type: none"> Random residents Targeted residents Residential Monitor 1 <p>Interviews with residents demonstrated each were asked risk assessment questions at intake and most remembered being asked similar questions after some time following their admission. Random and targeted residents spoke kindly of their counselors, stating they checked in with them often and asking them how they were doing, if they felt comfortable and to be sure and come to them, should they not feel safe.</p> <p>Interviews with the Residential Monitor 1 demonstrated that risk assessments are on the first day and or within 72 hours of arrival. 30-day assessments have been completed close to 30 days of arrival; however, the facility was under the impression the 30-day assessment was to be completed exactly on the 30th day; therefore, assessments were two to three days late as the 30th day of arrival could fall on a day the Residential Monitor was not working.</p> <p>Site Observation:</p> <p>During review of 18 resident files, this Auditor noted each resident had received information on PREA at intake, screening within 72 hours of admission, primarily on the day of admission. Of the 18 files reviewed, 12 residents were reassessed within 30 days of admission. The eight residents who were not reassessed within 30 days were due to the misunderstanding that the date of reassessment was to take place on the 30th day after admission.</p> <p>Post Audit – the facility provided a Hidalgo County Community Supervision & Corrections Department, Department Memorandum, from Facility Director to SATF Counselor, Subject: Screenings for Risk of Victimization and Abusiveness, effective immediately, stating, “All Hidalgo County SATF Counselors will complete the Re-Assessment Risk of Victimization or Abusiveness screening within 30 days of the resident’s arrival at the facility. Re-assessments can be completed after the 21st day of the resident’s arrival but no later than the 30th day. Counselors should consider the residents’ comfort level and adjustment to the facility’s rules to determine when the Re-assessment will be considered.”</p> <p>Post Audit: The Auditor requested the facility provide assessments completed within 30 days of intake. The facility provided seven assessments, each demonstrating assessments were completed within the required 30 days of intake.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has a policy that requires screening (upon admission to a facility or transfer to another facility) for risk of sexual abuse victimization or sexual abusiveness toward other residents.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 7, section A., states, “Upon admission or no later than 24 hours to the facility, and upon transfer to another facility, residents shall be screened by staff assigned to perform the initial intake screening process in order to obtain information relevant to:</p> <ol style="list-style-type: none"> housing, counseling and groups with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive; and identify past victims and/or predators and assess vulnerability to sexual abuse victimization.” <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency policy requires that residents be screened for risk of sexual victimization or risk of sexually abusing other residents within 72 hours of their intake. The number of residents entering the facility (either through intake or transfer) within the past 12 months (whose length of stay in the facility was for 72 hours or more) who were screened for risk of sexual victimization or risk of sexually abusing other residents within 72 hours of their entry into the facility was 136. Policy compliance can be found in provision (a) of this standard.</p>

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 7, section B., states, "Screenings shall include interview questions and a review of the resident's computerized record which must be completed within seventy-two (72) hours of admission to the facility. Prior criminal history will be considered."

(c-e) The Hidalgo County Substance Abuse Treatment Facility PAQ states the risk assessment is conducted using an objective screening instrument.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 7, section C., states, "Screenings will be completed and documented using the Abusiveness Risk Screening Form, which will be shared with resident's Counselor for proper treatment planning and monitoring."

The facility provided a Hidalgo County Substance Abuse Treatment Facility, Sexual Victimization and Abusiveness Risk Screening Form. This form documents the following:

- Resident Name
 - Date of Admission
 - Today's Date
 - Date of Birth
 - Resident Build (small, medium, large)
1. Does the resident have a mental, physical, or developmental disability?
 2. Has the resident been previously incarcerated?
 - a. If yes, was the offense of a sexual nature?
 - b. While incarcerated any violence reprimands?
 - c. If so, VICTIM - AGGRESSOR
 3. Is the resident criminal history exclusively non-violent?
 4. Is the resident, or is the resident perceived to be, lesbian, gay, bisexual, trans gender, intersex, (LGBTI), or gender non-conforming?
 5. Has the resident previously experienced sexual victimization?
 - a. If yes, did this occur in an institutional setting?
 6. Does the resident perceive himself/herself as being vulnerable for sexual victimization?

The Facility has a zero tolerance policy towards sexual assault, sexual misconduct, staff sexual misconduct and sexual harassment. This includes any sexual act, touching, comments or gestures.

If you become aware of a sexual assault, sexual misconduct, sexual harassment or staff sexual misconduct, you can report it in one of the following ways:

- Notify a Staff member immediately.
- Tell a Probation Officer or Residential Counselor.
- Contact the Director, Hector D. Olivares, (956) 289-7410
- Contact other members of Management, AC, (956) 587-6000
- If you, or someone you know is in need of confidential counseling you may contact AC Cantu, (956) 587-6000

I have been provided with an orientation and written information regarding policies and procedures for reporting sexual assault and sexual harassment and how to access crisis counseling. Your signature below indicates that you understand the training that was presented."

(f) The Hidalgo County Substance Abuse Treatment Facility PAQ states the number of residents entering the facility (either through intake or transfer) within the past 12 months whose length of stay in the facility was for 30 days or more who were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received since intake was 123.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 8, section G. 1., states, "Reassessment of the resident's risk level of victimization or abusiveness will be conducted by the appropriate staff member designated by the Director. The reassessment shall occur:

1. Within thirty (30) days of the resident's arrival at the facility. The reassessment will include any additional relevant information received by the facility since the initial intake screening."

The facility provided a 30-day reassessment form. The reassessment repeats the questions asked in the initial risk screening risk assessment.

(g) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 8, section G. 2., states, "When warranted, due to a referral, request, incident of sexual abuse, or receipt of additional information that may impact the resident's risk of victimization or abusiveness."

(h) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 8, section H., states, "Residents may not be disciplined for refusing to answer, or for not disclosing complete information, in response to questions asked pursuant to the

following:

1. Whether the resident has a mental, physical, or developmental disability;
2. Whether the resident is, or is perceived to be, LGBTI or Gender Non-Conforming;
3. Whether the resident has previously experienced sexual victimization; or
4. The resident's own perception of vulnerability."

(i) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 8, section I., states, "Appropriate controls shall be implemented within the facility regarding the dissemination of responses to questions asked in order to ensure that sensitive information is not exploited by employees or other residents to the resident's detriment."

Through such reviews, the facility meets the standard requirements.

115.242	Use of screening information
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Targeted residents 2. Random residents 3. Resident Monitors 4. Residential Monitor 11 5. Facility Director <p>Interviews with the Resident Monitor and Facility Director demonstrated once resident risks are completed the reason for resident risk is shared with appropriate departments via the Hidalgo County Resident Risk Roster. The Resident Monitors stated staff who manage each room are all very cautious of PREA status and what risk levels are placed in each Bay. Residents interviewed reporting feeling safe and believing they were not housed based on identification.</p> <p>During the post audit phase, the Facility Director stated, "We have a Bay in the facility assigned for residents that report or might be at risk of victimization. The PREA sexual victimization form is used to determine where residents are placed."</p> <p>Site Observation:</p> <p>The Auditor was provided a Hidalgo County Resident Risk Roster during the pre-audit phase. This roster is comprised of the Resident by Phase, (four phases in this program, the higher the phase the additional benefits offered to residents and closer to exiting the program), Gender, Admitted date, Counselor, Bay, Phase, Release date and Status. Status designates the one of the following:</p> <ol style="list-style-type: none"> 1. Cognitive Disability, LEP 2. Gay, Lesbian, or Bisexual 3. Transgender, Gender non-conforming, Intersex 4. Residents who reported SA during screening 5. Residents who reports SA <p>This roster was used to choose resident interviews.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency/facility uses information from the risk screening required by §115.241 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 7, section A-D., states,</p> <p>A. "Upon admission or no later than 24 hours to the facility, and upon transfer to another facility, residents shall be screened by staff assigned to perform the initial intake screening process in order to obtain information relevant to:</p> <ol style="list-style-type: none"> 1. housing, counseling and groups with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive; and 2. identify past victims and/or predators and assess vulnerability to sexual abuse victimization. <p>B. Screenings shall include interview questions and a review of the resident's computerized record which must be completed within seventy-two (72) hours of admission to the facility. Prior criminal history will be considered.</p> <p>C. Screenings will be completed and documented using the Abusiveness Risk Screening Form, which will be shared with resident's Counselor for proper treatment planning and monitoring. (115.241 (c))</p> <p>D. Should any risk factors be identified at this time, Clinical Supervisor will consult with Facility Director to determine a housing assignment that ensures the safety of all Residents."</p> <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency/facility makes individualized determinations about how to ensure the safety of each resident.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 10, section B. 1-6., states, "The PREA Coordinator will:</p> <ol style="list-style-type: none"> 1. develop, implement, audit and oversee the Facility is following PREA standards; 2. maintain related statistics of incidents of sexually abusive behavior; 3. track and report PREA statistical data to the Facility Director. 4. use the information from the Risk Screening Form for housing assignments (115.241); 5. monitor the programs to reduce and prevent PREA violations; 6. coordinate training activities."

(c-d) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency/facility makes housing and program assignments for transgender or intersex residents in the facility on a case-by-case basis.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 10, section C., states, "In deciding whether to house a transgender or intersex resident in a male housing unit or a female housing unit, or when making other housing and programming assignments for such residents, the facility shall consider the transgender or intersex resident's own views with respect to his/her own safety and shall consider on a case-by-case basis whether such a placement would ensure the Resident's health and safety. Consideration should also be given as to whether the placement would present management or security problems."

(e) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 11, section P., states, "Transgender and intersex residents shall be given the opportunity to shower separately from other residents."

(f) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 10, section D., states, "The establishment of a unit solely dedicated to the housing of LGBTI and/or Gender Non-Conforming residents is strictly prohibited unless required by consent decree, legal settlement, or legal judgment for the purpose of protecting that resident."

Through such reviews, the facility meets the standard requirements.

115.251	Resident reporting
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 3. Zero Tolerance Posting, not dated <p>Interviews:</p> <ol style="list-style-type: none"> 1. Random residents 2. Targeted residents 3. Residential Monitors 4. Program Director <p>Staff and residents were comfortable reporting verbally to any staff. Each resident interviewed stated he or she would report to staff verbally, by requesting a Request Form to speak a specific staff, by calling the numbers by the telephones or through a third party. Resident reported if they wanted to make a confidential phone call, they would speak with a counselor who would dial the number and provide a private setting for that call.</p> <p>Site Observations:</p> <p>During the tour a multitude of PREA Zero Tolerance No Means No posters with agency reporting and advocacy contact information were witnessed. Residents do not have access to phones other than through the facility staff at this facility.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has established procedures allowing for multiple internal ways for residents to report privately to agency officials about: (a) sexual abuse or sexual harassment; (b) retaliation by other residents or staff for reporting sexual abuse and sexual harassment; and (c) staff neglect or violation of responsibilities that may have contributed to such incidents.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 11, section A., states, "Residents who are victims of or have knowledge of sexual misconduct shall be encouraged to immediately report the incident. They shall also be encouraged to immediately report any pressure, threats or possible retaliation by other residents or employees for reporting sexual abuse/harassment and staff neglect or violation of responsibilities that may have contributed to such incidents."</p> <p>The facility provided a Zero Tolerance Poster. The poster includes the following information on 'How to Report'</p> <p>"Hidalgo County S.A.T.F. offers multiple ways to report sexual abuse and sexual harassment. Reports can be made anonymously.</p> <ul style="list-style-type: none"> • Call our Director, Hector D. Olivares, at (956) 289-7410. • Report to any staff, volunteer, contractor, or medical or mental health staff. • Submit a grievance or an ill-memo slip. • Report to the PREA coordinator, Juan G. Vasquez or PREA Investigator Ismenia Robledo. • Tell a family member, friend, legal counsel, or anyone else outside the facility. They can report on your behalf by calling (956) 318-2920. • You also can submit a report on someone's behalf, or someone at the facility can report for you using the ways listed here." <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency provides at least one way for residents to report abuse or harassment to a public or private entity or office that is not part of the agency.</p> <p>The facility provided a Zero Tolerance Poster. The poster includes the following information on Victim Support Services:</p> <p>"Hidalgo County S.A.T.F. has collaborated with Mujeres Unidas to provide survivors of sexual abuse with emotional support services. To access these services, contact (800) 580-4879,</p> <p>(956) 630-4878 or Website http://mujeresunidas.org OR PREA Ombudsman Office P.O. Box 99, Huntsville, TX 77342-0099"</p> <p>(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has a policy mandating that staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 11, section A. 3., states, "Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports."</p> <p>(d) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has established procedures for staff to privately report sexual abuse and sexual harassment of residents. Employees are made aware of the following through the facility PREA policy training received at orientation and annually thereafter.</p>

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 12, section F., states, "Employees may privately report sexual abuse and sexual harassment of residents by forwarding a letter, sealed and marked "confidential", to the facility Director. Employees can also make an anonymous report to." (name and number removed from this report by this writer or confidentiality purposes.)

Through such reviews, the facility meets the standard requirements.

115.252	Exhaustion of administrative remedies
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 435 300">Document Review:</p> <ol data-bbox="240 304 1070 367" style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p data-bbox="240 398 352 425">Interviews:</p> <ol data-bbox="240 430 467 524" style="list-style-type: none"> 1. Random Residents 2. Targeted Residents 3. PREA Coordinator <p data-bbox="240 528 1481 622">Residents interviewed were aware of the grievance procedures and understood they could complete a grievance. Residents stated they could place a Request Form to speak to a specific staff or complete a grievance and staff speak with them the next day.</p> <p data-bbox="240 654 419 680">Site Observation:</p> <p data-bbox="240 685 1453 748">Grievance boxes are located in the administrative building hallway, outside of the resident classrooms and in the resident Bays.</p> <p data-bbox="240 779 1445 842">(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has an administrative procedure for dealing with resident grievances regarding sexual abuse.</p> <p data-bbox="240 869 995 896">The facility policy components are demonstrated in the following provisions.</p> <p data-bbox="240 927 1481 1021">(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency policy or procedure allows a resident to submit a grievance regarding an allegation of sexual abuse at any time, regardless of when the incident is alleged to have occurred.</p> <p data-bbox="240 1052 1481 1115">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 18, section A., states, "There is no time limit on when a resident may submit a grievance regarding an allegation of sexual misconduct or risk of imminent sexual misconduct."</p> <p data-bbox="240 1146 1490 1240">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 18, section B., states, "No formal grievance process is required nor is the resident required to attempt to resolve the incident with staff regarding an allegation of sexual misconduct."</p> <p data-bbox="240 1272 1490 1397">(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency's policy and procedure allows a resident to submit a grievance alleging sexual abuse without submitting it to the staff member who is the subject of the complaint. The agency's policy and procedure require that a resident grievance alleging sexual abuse not be referred to the staff member who is the subject of the complaint.</p> <p data-bbox="240 1429 1481 1456">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 18, section D. 1-2., states, "The agency shall ensure:</p> <ol data-bbox="240 1460 1425 1554" style="list-style-type: none"> 1. a resident who alleges sexual misconduct may submit a grievance without submitting it to a staff member who is the subject of the complaint. 2. such grievance is not referred to a staff member who is the subject of the complaint" <p data-bbox="240 1585 1490 1747">(d) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency policy and procedure requires that a decision on the merits of any grievance or portion of a grievance alleging sexual abuse be made within 90 days of the filing of the grievance. In the past 12 months, the number of grievances filed that alleged sexual abuse was zero. In the past 12 months, the number of grievances alleging sexual abuse that reached final decision within 90 days after being filed was zero.</p> <p data-bbox="240 1778 1214 1841">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 18, section D. 3-5., states, "The agency shall ensure:</p> <ol data-bbox="240 1872 1490 2065" style="list-style-type: none"> 3. the facility shall issue a final decision on the merits of any portion of a grievance alleging sexual misconduct within 90 days of the initial filing of the grievance. 4. computation of the 90-day time period shall not include time consumed by the residents in preparing any appeal; 5. the agency may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The facility shall notify the resident in writing of any such extension and provide a date by which a decision will be made." <p data-bbox="240 2096 1481 2159">(e) The Hidalgo County Substance Abuse Treatment Facility PAQ states agency policy and procedure permits third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, to assist residents in filing</p>

requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of residents. Agency policy and procedure requires that if a resident decline to have third-party assistance in filing a grievance alleging sexual abuse, the agency documents the resident's decision to decline. The number of grievances alleging sexual abuse filed by residents in the past 12 months in which the resident declined third-party assistance, containing documentation of the resident's decision to decline was zero.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 18, section D. 7-9., states,

7. "third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, shall be permitted to assist residents in filing requests for a grievance relating to allegations of sexual misconduct, and shall also be permitted to file such requests on behalf of residents.
8. if a third-party file such a request on behalf of a resident, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the grievance process; and
9. if the resident declines to have the request processed on his or her behalf, the agency shall document the resident's decision."

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

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 18, section D. 10. A., states, "The agency has a policy and established procedures for filing an emergency grievance that a resident is subject to a substantial risk of imminent sexual abuse.

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

(g) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has a written policy that limits its ability to discipline a resident for filing a grievance alleging sexual abuse to occasions where the agency demonstrates that the resident filed the grievance in bad faith. In the past 12 months, the number of resident grievances alleging sexual abuse that resulted in disciplinary action by the agency against the resident for having filed the grievance in bad faith was zero.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 18, section D. 10. B., states, "The agency may discipline a resident for filing a grievance related to alleged sexual abuse only where the agency demonstrates that the resident filed the grievance in bad faith."

Through such reviews, the facility meets the standard requirements.

115.253	Resident access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. Hidalgo County Substance Abuse Treatment Facility PAQ
2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022
3. Memorandum of Understanding, Women Together/Mujeres Unidas, dated 3.14.2019

Interviews:

1. Random residents
2. Targeted residents
3. Residential Monitors
4. Victim Witness Specialist

Staff and residents interviewed informally and formally were aware of Women Together. Residents stated they were told about the advocate agency during their PREA training, in their PREA handouts and through the postings throughout the facility. Resident PREA handbooks were shown to the Auditor during interviews with residents as they brought their binders into the interview room.

Site Observation:

During the tour Advocate brochures and contact information was witnessed on posted No Means No Zero Tolerance posters. During an informal interview a resident was proud to demonstrate to the Auditor he had his PREA handbook in his binder and easily located advocate information.

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

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section A., "The facility provides residents with access to outside victim advocates for emotional support services related to sexual abuse by: Mujeres Unidas."

(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the facility informs residents, prior to giving them access to outside support services, of the extent to which such communications will be monitored.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section B., "The facility informs residents, prior to giving them access to outside support services, of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply to disclosures of sexual abuse made to outside victim advocates, including any limits to confidentiality under relevant federal, state, or local law."

(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency or facility maintains memorandum of understanding (MOUs) or other agreements with community service providers that are able to provide residents with emotional support services related to sexual abuse.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section C., "The agency or facility maintains memoranda of understanding (MOUs) or other agreements with community service providers that are able to provide residents with emotional support services related to sexual abuse."

The facility provided a Memorandum of Understanding, Women Together/Mujeres Unidas. Page 1, first paragraph, states, "This Memorandum of Understanding (MOU) is entered into between Hidalgo County Substance Abuse Treatment Facility (SATF), and Women Together/Mujeres Unidas, an is written to facilitate and agreement between the parties for services related to goals and implementation of federal Prison Rape Elimination Act (PREA) mandates."

Page 2, section II. Term of MOU, states, "This MOU shall begin January 1, 2019 and continue until it is terminated by either party."

On 3.15.2022, at 8:32 am the Auditor phoned Women Together/Mujeres Unidas at 800.580.4879.

After proper introductions and the reason for the call the operator stated she did not work for the agency and took the Auditor's contact information stating she would have someone from the agency return the call. During the onsite review, the Program Director dialed the advocate number from his office. After proper introductions, the Auditor was able to speak with the operator who stated she was aware of the memorandum of understating with the facility, would take resident phone calls, ensure they were okay and not in any danger, take their information and provide them with services applicable to their individual needs. The Operator went on to state advocates would meet with residents at the hospital and provide ongoing therapy, free of service.

Through such reviews, the facility meets the standard requirements.

115.254	Third party reporting
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 435 300">Document Review:</p> <ol data-bbox="242 304 1070 398" style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 3. Zero Tolerance Poster, not dated <p data-bbox="242 430 352 459">Interviews:</p> <ol data-bbox="242 463 475 591" style="list-style-type: none"> 1. Random residents 2. Targeted residents 3. Residential Monitors 4. Supervisory staff <p data-bbox="242 595 1458 656">Residents and staff interviewed demonstrated their reporting knowledge of third-party reporting stating that resident family members, friends and or probation officer could report sexual harassment or sexual abuse allegations for them.</p> <p data-bbox="242 687 419 716">Site Observation:</p> <p data-bbox="242 721 1481 781">During tours of visitation areas PREA Zero-tolerance flyers were present. Flyers included contact information and instruction for third party reporting.</p> <p data-bbox="242 813 1474 907">(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency or facility provides a method to receive third-party reports of resident sexual abuse or sexual harassment. The agency or facility publicly distributes information on how to report resident sexual abuse or sexual harassment on behalf of residents.</p> <p data-bbox="242 938 1469 999">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 12, section L., states, "The facility has established a method to receive third-party reports of sexual misconduct and shall post this information on the facility website."</p> <p data-bbox="242 1028 1345 1057">The facility provided a Zero Tolerance Poster. The poster includes the following information on 'How to Report'</p> <p data-bbox="242 1086 1394 1146">"Hidalgo County S.A.T.F. offers multiple ways to report sexual abuse and sexual harassment. Reports can be made anonymously.</p> <ul data-bbox="242 1151 1485 1382" style="list-style-type: none"> • Call our Director, Hector D. Olivares, at (956) 289-7410. • Report to any staff, volunteer, contractor, or medical or mental health staff. • Submit a grievance or an ill-memo slip. • Report to the PREA coordinator, Juan G. Vasquez or PREA Investigator Ismenia Robledo. • Tell a family member, friend, legal counsel, or anyone else outside the facility. They can report on your behalf by calling (956) 318-2920. • You also can submit a report on someone's behalf, or someone at the facility can report for you using the ways listed here." <p data-bbox="242 1411 919 1440">Through such reviews, the facility meets the standard requirements.</p>

115.261	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> Hidalgo County Substance Abuse Treatment Facility PAQ Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p>Interviews:</p> <ol style="list-style-type: none"> Random residents Targeted residents Residential Monitors Specialized staff Facility Investigator PREA Coordinator <p>Interviews with each staff and residents interviewed demonstrated each actively practices and understood the importance of immediately reporting all allegations of sexual abuse and sexual harassment. Staff stated they would take reports from rumors, suspicions, hearsay, grievances, written notes; all reports were taken seriously.</p> <p>Site Observations:</p> <p>The facility has not experienced a sexual harassment or sexual abuse report in the past 36 months.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency. The agency requires all staff to report immediately and according to agency policy retaliation against residents or staff who reported such an incident. The agency requires all staff to report immediately and according to agency policy any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 11, section B., 1-7, states, "Staff shall report in the following:</p> <ol style="list-style-type: none"> Staff members who receive verbal reports from residents are required to immediately file written incident reports, notify their supervisor, and the PREA Coordinator. Staff shall accept all allegation seriously including verbal, written, anonymously, and from third parties and shall document any verbal reports. Staff shall report incidents regardless of its source, staff members who receive information concerning resident on resident sexual misconduct, or who observe an incident of resident on resident sexual contact or have a reasonable cause to suspect sexual misconduct must immediately report the incident to their supervisor, the facility investigator and the Director or designee. Employee having contact with alleged victim should behave in a manner that is sensitive, supportive and non-judgmental. Regardless of its source, staff who receive information concerning staff on resident sexual misconduct, observe staff on resident sexual misconduct, or have reasonable cause to suspect a resident is the victim of sexual misconduct, must immediately report the incident to their immediate supervisor and the Director or designee. Any employee's neglect or violation of responsibilities that may have contributed to an incident or retaliation. Any employee who fails to report an allegation, coerces or threatens another person to submit inaccurate, incomplete or untruthful information with the intent to alter a report may face disciplinary action up to and including dismissal even on the first offense. Unsubstantiated, deliberately malicious or false reports by residents or other parties will result in disciplinary action up to and including unsuccessful discharge and/or dismissal for employees." <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states, apart from reporting to designated supervisors or officials and designated state or local services agencies, agency policy prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 11, section C., states, "Apart from reporting to designated PREA-trained team members, employees shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, and as specified in this policy, to make treatment, investigation, and other security and management decisions."</p> <p>(c) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 11, section H., states, "At the initiation of providing medical care, both medical and mental health professionals will inform residents of their professional duty to report and the</p>

limitations of confidentiality.”

(d) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 11, section I., states, “Medical and mental health practitioners shall obtain informed consent from residents before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the resident is under the age of 18.”

(e) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 11, section B 3., states, “Staff shall report incidents regardless of its source, staff members who receive information concerning resident on resident sexual misconduct, or who observe an incident of resident on resident sexual contact, or have a reasonable cause to suspect sexual misconduct must immediately report the incident to their supervisor, the facility investigator and the Director or designee. Employee having contact with alleged victim should behave in a manner that is sensitive, supportive and non-judgmental.”

Through such reviews, the facility meets the standard requirements.

115.262	Agency protection duties
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Court Residential Treatment Center PREA Policy, dated 1.1.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Facility Investigator 2. PREA Coordinator <p>Interviews with the PREA Coordinator and facility investigators demonstrated the facility staff would act promptly and responds properly at the discovery of an incident.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states when the agency or facility learns that a resident is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the resident. In the past 12 months, the number of times the agency or facility determined that a resident was subject to a substantial risk of imminent sexual abuse was zero.</p> <p>Court Residential Treatment Center PREA Policy, page 55, section A-C., states,</p> <p>A. "Staff members who receive an initial report of sexual abuse and sexual harassment will ensure that the victim is safe and kept separate from the alleged aggressor.</p> <p>B. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence from both the alleged victim and the alleged abuser. In the allegation of assault that involves penetration and/or exchange of bodily fluids, the resident shall be seen by a medical health care practitioner within 2 hours of the report.</p> <p>C. If the abuse occurred within 120 hours that still allows for the collection of physical evidence, request that the alleged victim and alleged abuser not take any actions that could destroy physical evidence, including, as appropriate: washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating to ensure the preservation of the evidence."</p> <p>Through such reviews the facility meets the standard requirements.</p>

115.263	Reporting to other confinement facilities
	<p data-bbox="242 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 273 435 300">Document Review:</p> <ol data-bbox="242 304 1070 365" style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p data-bbox="242 400 352 427">Interviews:</p> <ol data-bbox="242 432 469 459" style="list-style-type: none"> 1. Head of the Agency <p data-bbox="242 463 1453 555">The interview with the Program Director demonstrated that he was aware that upon receiving an allegation that a resident was sexually abused while confined at another facility, he had the responsibility to notify the head of the facility where the allegation occurred.</p> <p data-bbox="242 591 1453 748">(a-c) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has a policy requiring that, upon receiving an allegation that a resident was sexually abused while confined at another facility, the head of the facility must notify the head of the facility or appropriate office of the agency or facility where sexual abuse is alleged to have occurred. During the past 12 months, the number of allegations the facility received that a resident was abused while confined at another facility was zero.</p> <p data-bbox="242 784 1485 904">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section D, states, "Upon receiving an allegation that a resident was sexually abused while confined at another facility, the head of the facility that received the allegation shall document and notify the head of the facility or appropriate office of the agency within seventy-two hours where the alleged abuse occurred."</p> <p data-bbox="242 940 1485 1032">(d) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency or facility policy requires that allegations received from other facilities and agencies are investigated in accordance with the PREA standards. In the past 12 months, the number of allegations of sexual abuse the facility received from other facilities was zero.</p> <p data-bbox="242 1068 1485 1122">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 13, section H. 1-5, states, "If the allegations of sexual misconduct took place while the alleged victim was housed at another facility, the PREA coordinator shall:</p> <ol data-bbox="242 1126 1477 1424" style="list-style-type: none"> 1. contact the outside entity where the alleged abuse took place within seventy-two hours after receiving the allegations; 2. If the allegation was reported and investigated by the appropriate officials, the facility shall document the allegation, name and title of the person contacted, and that the allegation has already been addressed. Under this circumstance, further investigation and notification need not occur. 3. If the allegation was not reported or not investigated, a copy of the statement of the resident shall be forwarded to the appropriate official at the location where the incident was reported to have occurred. 4. All such contacts and notifications shall be documented including the allegation, any details learned from contact with the site where the alleged abuse took place, and the facility's response to the allegation. 5. If an allegation is received from another facility, the Facility Director will ensure that allegation is investigated." <p data-bbox="242 1460 914 1487">Through such reviews the facility meets the standard requirements.</p>

115.264	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> Hidalgo County Substance Abuse Treatment Facility PAQ Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p>Interviews:</p> <ol style="list-style-type: none"> Residential Monitors Specialized staff Facility Investigator <p>Interviews with each staff interviewed demonstrated they were aware of their first responder responsibilities. Staff stated reporting information is posted in Bays. Staff interviewed stated they would separate the victim and the abuser, ensure neither ate, drank or urinated; would seal off the scene where incident occurred until law enforcement arrived, and they would document the incident through an email to the PREA team and keep the details confidential. The Facility Investigator concurred staff and residents alike report allegations of abuse and each would respond as is designed through facility protocol.</p> <p>Site Observation:</p> <p>The facility has not experienced an allegation of sexual abuse in the past 36 months.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has a first responder policy for allegations of sexual abuse. The policy requires that, upon learning of an allegation that a resident was sexually abused, the first security staff member to respond to the report shall be required to separate the alleged victim and abuser. The policy requires that, upon learning of an allegation that a resident was sexually abused, the first security staff member to respond to the report shall be required to preserve and protect any crime scene until appropriate steps can be taken to collect any evidence. The policy requires that, upon learning of an allegation that a resident was sexually abused and the abuse occurred within a time period that still allows for the collection of physical evidence, the first security staff member to respond to the report shall be required to request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. The policy requires that, upon learning of an allegation that a resident was sexually abused and the abuse occurred within a time period that still allows for the collection of physical evidence, the first security staff member to respond to the report shall be required to ensure that the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.</p> <p>In the past 12 months, zero allegations occurred where a resident was sexually abused. Of these allegations, the number of time the first security staff member to respond to the report separated the alleged victim and abuser was zero. In the past 12 months, there were zero allegations where staff were notified within a time period that still allowed or the collection of evidence. Of these allegation the number of time the first security staff member to respond to the report was zero.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 12, section A. 1-8, states, "Any employee who discovers/learns of any sexual misconduct/abuse/harassment or allegation of sexual abuse shall ensure the following actions are accomplished:</p> <ol style="list-style-type: none"> ensure that the victim is safe and kept separate (with no contact) from the alleged aggressor; (115.264(a)(1)) notifies the Director and/or one of the members of the PREA team and the Director or designee shall notify the investigating agency if appropriate; take steps to preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; (115.264(a)(2)) if the abuse occurred in a time frame 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; (115.264 (a)(3) if the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged abuser not take any actions that could destroy physical evidence including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking drinking, or eating; (115.264 (a)(4) call for an ambulance to transport the victim to the nearest hospital; photograph the scene and any visible evidence and seal access to the immediate area of the scene if possible; and all required information concerning the allegation is kept confidential by discussing the information with only those employees who have a direct need to know." <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the facility's' policy requires that if the first staff responder is not a security staff member, that responder shall be required to request that the alleged victim not take any</p>

actions that could destroy physical evidence and notify security staff. Of the allegations that a resident was sexually abused made in the past 12 months, the number of times a non-security staff member was the first responder was zero.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 12, section B., states, "if the first responder is not a staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence and then notify the appropriate facility staff."

Through such reviews, the facility meets the standard requirements.

115.265	Coordinated response
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 3. Hidalgo County SATF PREA Coordinated Response Plan <p>Interviews:</p> <ol style="list-style-type: none"> 1. Residential Monitors 2. Investigative staff 3. PREA Coordinator <p>Interviews with the random and specialized staff demonstrated the response to allegations of sexual assault is written to coordinate actions taken in response to sexual abuse and sexual harassment incidents.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the facility has developed a written institutional plan to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership.</p> <p>The facility provided a Hidalgo County SATF PREA Coordinated Response Plan. The plan provides instruction for the following positions:</p> <p>Staff First Responder:</p> <ul style="list-style-type: none"> • Contact Administration / Supervisor • Gather basic information about the risk of imminent sexual abuse. • Separate/protect victim and alleged perpetrator • Protect incident scene if identified • Request that the victim does not wash, change clothes etc. (pending forensic exam) • Do not touch anything in the scene. Do not move or touch evidence. • Document all information and activities in an incident report • Cooperate with investigators, prosecutors, facility Administration <p>Security Staff First Responder:</p> <ul style="list-style-type: none"> • Notify a PREA Coordinator • Separate the victim and alleged perpetrator(s). • Secure the scene, preserve evidence, including on the victims' and alleged perpetrator's clothes, and maintain custody of evidence until released to law enforcement officials. • Escort the alleged client perpetrator(s) to an isolated area, preferably in a secure area with restricted access to a toilet or water, until the arrival of law enforcement. • Request that the victim - and ensure that the alleged perpetrator - refrain from actions that could destroy evidence, such as bathing, brushing teeth, changing their clothes, urinating, defecating, smoking, drinking, or eating until they have been examined by qualified medical personnel. • Complete an incident report form. • Share information related to the incident with only those people who need to know in order to ensure the survivor's safety, conduct the investigation, or provide treatment to the victim or alleged perpetrator. <p>PREA Investigator/PREA Coordinator</p> <ul style="list-style-type: none"> • Respond to assist direct care staff • If the risk imminent sexual abuse is credible, determine what actions should be taken to protect the inmate from harm • Contact facility Director • Facilitate transportation of victim for forensic examination (if applicable) • Ensure protection of evidence (including victim and scene) pending evidence collection by police • Document all activities and information in an incident report • Conduct all investigation as necessary. • Review information related to potential risk of imminent abuse to the inmate. • Ensure that Edinburg Police are notified so that they can conduct a criminal investigation if necessary. <p>Facility Director</p> <ul style="list-style-type: none"> • Ensure direct care staff and Supervisor activities occurred • Ensure that victim receives follow up medical examination (regardless of when incident occurred or if forensic examination occurred) and that victim receives psychological and counseling services

- Ensure that investigation is completed and that findings are reported to all pertinent parties, including the victim
- Ensure that victim and any supporting witnesses (including staff) are monitored for protection against retaliation for at least 90 days
- Ensure that post-incident review is conducted and documented
- Notify the investigating law enforcement agency.
- In cases where the need for a medical forensic exam is not immediately apparent, confer with the Sexual Assault Nurse Examiner, law enforcement investigator, or jail medical staff, when available, to determine if the medical forensic exam is necessary.

Medical and Mental Health Providers

- Provide services as required (including forensic examination, post-incident medical exams, and counseling) under the oversight of the facility Director
- If the victim will be immediately transported for a medical forensic exam, conduct a follow-up with the victim within 24 hours of the allegation.
- Refer the alleged survivor for mental health follow-up within 48 hours.
- Share information related to the incident as permitted by law and with only those people who need to know in order to ensure the survivor's safety, conduct the investigation, or provide treatment to the survivor or alleged perpetrator
- This portion will be conducted by Doctors Hospital
- In the event that a resident return to the facility after an incident, make appropriate medical and mental health referrals for follow up services

Rape Crisis Advocate:

- Provide advocacy, support, and crisis intervention to the survivor, if contacted.
- Respond in person to the jail, when possible, to provide services to the survivor.
- Maintain confidentiality at all times, except as permitted by law.

Investigators

- Conduct and complete administrative investigation
- Report findings to facility director.

Through such reviews, the facility meets the standard requirements.

115.266	Preservation of ability to protect residents from contact with abusers
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <p>1. Hidalgo County Substance Abuse Treatment Facility PAQ</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency, facility, or any other governmental entity is not responsible for collective bargaining on the agency's behalf has not entered into or renewed any collective bargaining agreement or other agreement since August 20, 2012, or since the last PREA audit, whichever is later.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.267	Agency protection against retaliation
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> Hidalgo County Substance Abuse Treatment Facility PAQ Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p>Interviews:</p> <ol style="list-style-type: none"> Victim Witness Specialist <p>The interview with the Victim Witness Specialist demonstrated she would complete retaliation monitoring for the agency. The Victim Witness Specialist stated she would check in once a month for at least 90 days and or as long as was necessary and document those notes in the LOIS agency database.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff. The agency designates staff member(s) or charges department(s) with monitoring for possible retaliation. Monitoring is completed by the PREA Coordinator.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 18, section A., states, "Retaliation against residents, employees, or other parties for reporting sexual misconduct will not be tolerated. Those who retaliate may face disciplinary action up to and including unsuccessful discharge for residents and dismissal for employees. "</p> <p>(b) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 18, section A.1-3, states, "Protection measures by the FACILITY include but are not limited to the following:</p> <ol style="list-style-type: none"> housing changes or transfer for resident victims or abuser; removal of alleged staff or resident abusers from contact with victims; emotional support services will be provided for residents or staff who fear retaliation for reporting sexual misconduct or for cooperating with investigations." <p>(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states the facility monitors the conduct or treatment of Residents or staff who reported sexual abuse and of residents who were reported to have suffered sexual abuse to ascertain if there are any changes that may suggest possible retaliation by Residents or staff. The facility will monitor conduct or treatment until the Resident is discharged. The facility acts promptly to remedy any such retaliation. In the past 12 months, the facility has had zero incidents of retaliation.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 18, section A.4-6., state,</p> <ol style="list-style-type: none"> "Monitor the conduct and treatment of residents or staff who reported the sexual misconduct, any individual expressing a fear of retaliation, and of residents who were reported to have suffered sexual misconduct to see if there are changes that may suggest possible retaliation for at least 90 days. promptly act to remedy any such retaliation, included but not limited to: <ol style="list-style-type: none"> resident disciplinary reports; housing changes; program changes; negative performance reviews of staff; and/or reassignment of staff. continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need." <p>(d) The facility provided a PREA Retaliation Monitoring Form. The first paragraph of the form states, "Following a report of sexual abuse, the Facility Director or designee shall monitor the conduct and treatment of the resident or staff who reported the sexual abuse/harassment for 30, 60 and 90 days. If warranted the monitoring may surpass the 90 days." The form prompts the user to input periodic checks within 30, 60, and 90 days as well as provides areas for additional days of retaliation monitoring checks.</p> <p>(e) Policy compliance can be found in provision (b) of this standard.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.271	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> Hidalgo County Substance Abuse Treatment Facility PAQ Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p>Interviews:</p> <ol style="list-style-type: none"> Targeted residents Facility Investigator PREA Coordinator <p>The investigator clearly articulated processes required during an investigation, to include a thorough review and in-depth documentation process.</p> <p>Site Observation:</p> <p>The facility has not had a sexual harassment or sexual abuse in the past 36 months.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency/facility has a policy related to criminal and administrative agency investigations.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 15, section A., states, "The Facility Director shall ensure that an administrative investigation and a referral for a criminal investigation, where appropriate, are completed for all allegations of sexual abuse and sexual harassment."</p> <p>(b) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 6, section D., states, "The PREA Coordinator shall ensure that more than one (1) person at the facility receives training as a sexual abuse investigator. This will ensure that a trained investigator is available as a back-up during employee absences (e.g., leave, paid time off, sickness, offsite training, etc.) from work. Investigators shall receive training in conducting sexual abuse investigations in confinement settings OR The PREA Coordinator shall ensure all staff are trained to call the law enforcement to investigate the allegations."</p> <p>(c) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 15, section H., states, "Responsibilities of the Investigating Entity Investigations conducted by a facility employee for allegations of sexual abuse will be handled in accordance with the Code of Federal Regulations, Title 28, Part 1151.221, Evidence Protocol and Forensic Medical Examinations, as outlined below. If the facility is not responsible for investigating such allegations, the facility shall request that the responsible outside agency or entity (i.e., state or local law enforcement, contracting agency, etc.) comply with these requirements."</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 16, section O., states, "As requested by the victim, either the victim advocate, a qualified investigating entity staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information and referrals."</p> <p>(d) This provision is not applicable as the facility does not complete sexual abuse investigations, therefore they do not conduct compelled interviews.</p> <p>(e) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 15, section B. 2., states, "Such investigations shall be in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.:</p> <p>(f) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 15, section B. 1., states, "The administrative investigation shall include an effort to determine whether staff actions or failures to act contributed to the abuse."</p> <p>(g) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 15, section C., states, "Whenever feasible, the facility shall enter into a written Memorandum of Understanding (MOU) with the outside agency (Edinburg Police Department) investigating agency or entity outlining the roles and responsibilities of both the facility and the investigating entity in performing sexual abuse investigations."</p> <p>(h) The Hidalgo County Substance Abuse Treatment Facility PAQ states substantiated allegations of conduct that appear to be criminal are referred for prosecution. The number of substantiated allegations of conduct that appear to be criminal that were referred for prosecution since the last PREA audit, was zero.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 2, section B., states, "The facility has mandated a zero-tolerance policy relating to any sexual misconduct and sexual harassment between staff, volunteers, contractors, and</p>

residents or their family members. All allegations, regardless of the source, of coercive, or consensual sexual misconduct/harassment occurring among residents will be fully investigated, sanctioned (if authority to do so exists), and referred for prosecution if the prohibited conduct violates state criminal laws.”

(i) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 16, section Q., states, “All written reports pertaining to an administrative or criminal investigation of alleged sexual abuse or sexual harassment shall be retained for as long as the alleged abused is incarcerated or employed by the agency, plus five years.”

(j) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 17, section K., states, “All terminations for violations of the facility sexual abuse or sexual harassment policies, or resignations by employees who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.”

(l) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 15, section D., states, “When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.”

Through such reviews, the facility meets the standard requirements.

115.272	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p>Interviews:</p> <ol style="list-style-type: none"> 1. Facility Investigator <p>The interview with a facility investigator demonstrated the facility shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ Bureau states the agency imposes a standard of a preponderance of the evidence or a lower standard of proof for determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 16, section P., states, "In any sexual abuse or sexual harassment investigation in which the facility is the primary investigating entity, the facility shall utilize a preponderance of the evidence standard for determining whether sexual abuse or sexual harassment has taken place."</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.273	Reporting to residents
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> Hidalgo County Substance Abuse Treatment Facility PAQ Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p>Interviews:</p> <ol style="list-style-type: none"> Agency Investigator PREA Coordinator <p>Interviews with a facility investigator and the PREA Coordinator demonstrated notification requirements to victims would be provided in writing with documentation of each notification. Written notifications are provided to residents by investigation staff.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has a policy requiring that any resident who makes an allegation that he or she suffered sexual abuse in an agency facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the agency. The number of criminal and/or administrative investigations of alleged resident sexual abuse that were completed by the agency/facility in the past 12 months was zero.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 16, section A., states, "Following an investigation into a resident's allegation of sexual misconduct suffered in a facility, the facility shall be informing the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded."</p> <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states an outside entity conducts such investigations, the agency requests the relevant information from the investigative entity in order to inform the resident of the outcome of the investigation. The number of investigations of alleged resident sexual abuse in the facility that were completed by an outside agency in the past 12 months was zero.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 16, section B., states, "If the facility did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the resident."</p> <p>(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states following a resident's allegation that a staff member has committed sexual abuse against the resident, the agency/facility subsequently informs the resident (unless the agency has determined that the allegation is unfounded) whenever: (a) the staff member is no longer posted within the resident's unit; (b) the staff member is no longer employed at the facility; (c) the agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or (d) the agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 16, section C. 1-3, states, "Following a resident's allegation that a staff member has committed sexual misconduct against the resident, the facility shall subsequently inform the resident (unless the agency has determined that the allegation is unfounded) whenever:</p> <ol style="list-style-type: none"> the staff member is no longer posted within the resident's area; the staff member is no longer employed at the facility; and/or the facility learns that the staff member has been indicted or convicted of a charge related to sexual misconduct within the facility." <p>(d) The Hidalgo County Substance Abuse Treatment Facility PAQ states following a resident's allegation that he or she has been sexually abused by another resident in an agency facility, the agency subsequently informs the alleged victim whenever: (a) the agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or (b) the agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 17, section D. 1-2., states, "Following a resident's allegation that he or she has been involved in an incident of sexual misconduct by another resident, the facility shall subsequently inform the alleged victim whenever:</p> <ol style="list-style-type: none"> The facility learns that the alleged abuser has been indicted or convicted on a charge related to sexual misconduct within the facility; or The facility learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility." <p>(e) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency has a policy that all notifications to residents described under this standard are documented. In the past 12 months, there has been zero notifications to a</p>

resident, pursuant to this standard.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 17, section E., states, "All such notifications or attempted notifications shall be documented. The resident shall sign the forms, verifying that such notification has been received. The signed forms shall be kept in the Resident's file."

Through such reviews, the facility meets the standard requirements.

115.276	Disciplinary sanctions for staff
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 435 300">Document Review:</p> <ol data-bbox="242 304 1070 365" style="list-style-type: none"> <li data-bbox="242 304 847 333">1. Hidalgo County Substance Abuse Treatment Facility PAQ <li data-bbox="242 336 1070 365">2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p data-bbox="242 396 352 425">Interviews:</p> <ol data-bbox="242 430 456 459" style="list-style-type: none"> <li data-bbox="242 430 456 459">1. PREA Coordinator <p data-bbox="242 463 1445 524">Through review of investigations with the PREA Coordinator demonstrated there were zero staff who were disciplined for violation of an agency sexual abuse or sexual harassment policy.</p> <p data-bbox="242 555 1460 616">(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.</p> <p data-bbox="242 647 1469 707">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 17, section I., states, "Employees shall be subject to disciplinary sanctions up to and including termination for violating facility sexual abuse or sexual harassment policies. Termination shall be the presumptive disciplinary sanction for employees who have engaged in sexual abuse."</p> <p data-bbox="242 770 1493 862">(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states in the last 12 months, there has been zero staff from the facility that had violated agency sexual abuse or sexual harassment policies. Policy compliance can be found in provision (a) of this standard.</p> <p data-bbox="242 896 1493 1055">(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. In the past 12 months there have zero staff requiring discipline for sexual abuse or sexual harassment.</p> <p data-bbox="242 1086 1426 1211">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 17, section J., states, "Disciplinary sanctions for violations of facility sexual abuse or sexual harassment policies (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the employee's disciplinary history, and the sanctions imposed for comparable offenses by other employees with similar histories."</p> <p data-bbox="242 1243 1493 1368">(d) The Hidalgo County Substance Abuse Treatment Facility PAQ states all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies. In the past 12 months, zero staff have been terminated for sexual abuse or harassment.</p> <p data-bbox="242 1400 1493 1525">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 17, section K., states, "All terminations for violations of the facility sexual abuse or sexual harassment policies, or resignations by employees who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies."</p> <p data-bbox="242 1556 919 1585">Through such reviews, the facility meets the standard requirements.</p>

115.277	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> Hidalgo County Substance Abuse Treatment Facility PAQ Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p>Interviews:</p> <ol style="list-style-type: none"> Facility Director <p>The interview with the Facility Director demonstrated the facility does not utilize contractors or volunteers.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states agency policy requires that any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies (unless the activity was clearly not criminal) and to relevant licensing bodies. Agency policy requires that any contractor or volunteer who engages in sexual abuse be prohibited from contact with residents. In the past 12 months, contractors or volunteers have not been reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of residents. In the past 12 months, the number of contractors or volunteers reported to law enforcement for engaging in sexual abuse of residents was zero.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 17, section L., "Any civilian or contractor who engages in sexual abuse shall be prohibited from contact with residents and shall be reported to law enforcement agencies and to any relevant licensing body. Any other violation of the facility sexual abuse or sexual harassment policies by a civilian or contractor will result in further prohibitions."</p> <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ the facility takes appropriate remedial measures and considers whether to prohibit further contact with Residents in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. Policy compliance can be found in provision (a) of this standard.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.278	Disciplinary sanctions for residents
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> Hidalgo County Substance Abuse Treatment Facility PAQ Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p>Interviews:</p> <ol style="list-style-type: none"> PREA Coordinator <p>An interview with the PREA Coordinator demonstrated residents who falsely reported PREA allegations would typically be moved to another dorm or transferred to another facility.</p> <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states residents are subject to disciplinary sanctions only pursuant to a formal disciplinary process following an administrative finding that a resident engaged in resident-on-resident sexual abuse. Residents are subject to disciplinary sanctions only pursuant to a formal disciplinary process following a criminal finding of guilt for resident-on-resident sexual abuse. In the past 12 months, the number of administrative findings of resident-on-resident sexual abuse that have occurred at the facility was zero. In the past 12 months, the number of criminal findings of guilt for resident-on-resident sexual abuse that have occurred at the facility was zero.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 17, section A., states, "All residents found guilty of sexual abuse shall be institutionally disciplined in accordance with the facility disciplinary procedures."</p> <p>(b) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 17, section C., states, "Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories."</p> <p>(c) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 17, section D., states, "The disciplinary process shall consider whether a resident's mental disabilities or mental illness contributed to his/her behavior when determining what type of sanction, if any, should be imposed."</p> <p>(d) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 17, section H., states, "If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the alleged perpetrator to participate in such interventions as a condition of access to programming or other benefits."</p> <p>(e) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency disciplines residents for sexual conduct with staff only upon finding that the staff member did not consent to such contact.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 17, section E., states, "A resident may be disciplined for sexual conduct with an employee only upon finding that the employee did not consent to such contact."</p> <p>(f) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 18, section N., states, "The agency prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation."</p> <p>(f) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation.</p> <p>(g) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 18, section O-P., states,</p> <p>O. "The agency prohibits all sexual activity between residents.</p> <p>P. The agency prohibits all sexual activity between residents and disciplines residents for such activity. The agency deems sexual activity to constitute sexual abuse regardless if it determines that the activity is coerced or not."</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.282	Access to emergency medical and mental health services
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 435 300">Document Review:</p> <ol data-bbox="242 304 1070 365" style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p data-bbox="242 396 352 425">Interviews:</p> <ol data-bbox="242 430 592 459" style="list-style-type: none"> 1. Medical and Mental Health Staff <p data-bbox="242 463 1485 591">Interviews with Medical and Mental Health staff demonstrated at the initiation of services to a resident, each discloses and explains the limitations of confidentiality and their professional duty to report by reviewing an Informed Consent form with the resident. After explanation residents are allowed to ask any questions for clarification and after each acknowledges understanding, the disclosure is jointly signed and is placed in the resident file as well as uploaded digitally.</p> <p data-bbox="242 622 1474 714">(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states resident victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The nature and scope of such services are determined by medical and mental health practitioners according to their professional judgment.</p> <p data-bbox="242 745 1187 775">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section A-B., states,</p> <ol data-bbox="242 779 1425 907" style="list-style-type: none"> A. "Resident victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services." B. The nature and scope of such services are determined by medical and mental health practitioners according to their professional judgment. (115.282 (a)-2 <p data-bbox="242 938 1474 1066">(b) Court Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 16, section O., states, "As requested by the victim, either the victim advocate, a qualified investigating entity staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information and referrals."</p> <p data-bbox="242 1097 1485 1189">(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states, resident victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.</p> <p data-bbox="242 1220 1493 1379">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section C., states, "Medical and mental health staff will maintain secondary materials documenting the timeliness of emergency medical treatment and crisis intervention services that were provided; The appropriate response by non-health staff in the event health staff are not present at the time the incident is reported; and the provision of appropriate and timely information and services concerning contraception and sexually transmitted infection prophylaxis."</p> <p data-bbox="242 1411 1485 1503">(d) The Hidalgo County Substance Abuse Treatment Facility PAQ states, treatment services are provided to every victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.</p> <p data-bbox="242 1534 1425 1639">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 21, section E., states, "Treatment services are provided to every victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident."</p> <p data-bbox="242 1671 919 1700">Through such reviews, the facility meets the standard requirements.</p>

115.283	Ongoing medical and mental health care for sexual abuse victims and abusers
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 435 300">Document Review:</p> <ol data-bbox="242 304 1070 365" style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p data-bbox="242 396 352 425">Interviews:</p> <ol data-bbox="242 430 592 459" style="list-style-type: none"> 1. Medical and Mental Health Staff <p data-bbox="242 463 1477 589">Interviews with Medical and Mental Health staff each demonstrated when a resident becomes a victim of sexual abuse, they will be immediately referred and transported to the local emergency room to receive medical treatment, the local police department will be notified and the resident will be referred to Mujeres Unidas to receive crisis intervention services, related to sexual assault.</p> <p data-bbox="242 620 1422 714">(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the facility offers medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.</p> <p data-bbox="242 745 1477 840">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 21, section F., states, "The facility does offer medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility."</p> <p data-bbox="242 871 1453 965">(b) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 21, section H., states, "The evaluation and treatment of such victims includes, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody."</p> <p data-bbox="242 996 1461 1057">(c) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 21, section I., states, "The facility provides such victims with medical and mental health services consistent with the community level of care."</p> <p data-bbox="242 1088 1485 1149">(d) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 21, section J., states, "Resident victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests."</p> <p data-bbox="242 1180 1461 1274">(e) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 21, section K., states, "If pregnancy results from conduct specified in paragraph (D) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services."</p> <p data-bbox="242 1305 1469 1364">(f) The Hidalgo County Substance Abuse Treatment Facility PAQ states resident victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.</p> <p data-bbox="242 1395 1453 1489">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 21, section L., states, "Resident victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate."</p> <p data-bbox="242 1520 1493 1615">(g) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 21, section M., states, "Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident."</p> <p data-bbox="242 1646 1445 1740">(h) The Hidalgo County Substance Abuse Treatment Facility PAQ states the facility does not attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offers treatment when deemed appropriate by mental health practitioners.</p> <p data-bbox="242 1771 1445 1865">Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 21, section N., states, "The facility shall attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners."</p> <p data-bbox="242 1897 919 1926">Through such reviews, the facility meets the standard requirements.</p>

115.286	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. Hidalgo County Substance Abuse Treatment Facility PAQ
2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022

Interviews:

1. PREA Coordinator
2. Facility Director

The team on-site clearly articulated their review of all incidents reported and investigations of sexual harassment and sexual abuse.

(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the facility conducts a sexual abuse incident review at the conclusion of every criminal or administrative sexual abuse investigation, unless the allegation has been determined to be unfounded. In the past 12 months there has been zero criminal and or administrative investigations of alleged sexual abuse completed at the facility,

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 14, section A., states, "The Facility Director will ensure that a post investigation review of a sexual abuse incident is conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded."

(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states sexual abuse incident reviews are ordinarily conducted within 30 days of concluding the criminal or administrative investigation. In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility that were followed by a sexual abuse incident review within 30 days, excluding only "unfounded" incidents were zero.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 14, section B., states, "Such review shall ordinarily occur within thirty (30) days of the conclusion of the investigation."

(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states the sexual abuse incident review team includes upper-level management officials and allows for input from line supervisors, investigators, and medical or mental health practitioners.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 14, section B., states, "In addition to the Facility Director, the incident review team shall include input from all parties involved including any referral sources for medical and/or mental health practitioners."

(d) The Hidalgo County Substance Abuse Treatment Facility PAQ states the facility prepares a report of its findings from sexual abuse incident reviews, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1) - (d)(5) of this section, and any recommendations for improvement and submits such report to the facility head and PREA Coordinator. Policy compliance can be found in provision (a) of this standard.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 14, section C., states, "All findings and recommendations for improvement will be documented on the Sexual Abuse Incident Review Report. Completed Incident reports will be forwarded to the Facility Director."

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 14, section B 1-5., states, "The review team shall:

1. consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse;
2. consider whether the incident or allegation was motivated by race; ethnicity; gender identity; LGBTI and/or Gender Non-Conforming identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;
3. examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
4. assess the adequacy of staffing levels in that area during different shifts; and
5. assess whether monitoring technology should be deployed or augmented to supplement supervision by staff."

(e) The Hidalgo County Substance Abuse Treatment Facility PAQ states, the facility implements the recommendations for improvement or documents its reasons for not doing so.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 14, section D., states, "The facility shall implement the recommendations for improvement or shall document reasons for not doing so."

Through such reviews, the facility meets the standard requirements.

115.287	Data collection
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section C., states, "The agency shall collect, maintain, and review accurate uniformed data for every allegation of sexual misconduct using the Survey of Sexual Violence by the Department of Justice. This data should be compiled annually and maintained for a minimum of ten years from the date after its initial collection."</p> <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency aggregates the incident-based sexual abuse at least annually.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section F., states, "The Facility Director shall make all aggregated sexual abuse data readily available to the public at least annually through its website and all data shall not have any personal identifiers."</p> <p>(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states the standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice. Policy compliance can be found in provision (a) of this standard.</p> <p>(d) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section I., states, "The agency reviews data collected and aggregated pursuant to §115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training, including: Identifying problem areas; Taking corrective action on an ongoing basis; and Preparing an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency as a whole."</p> <p>(e) This provision is not applicable as Hidalgo County Substance Abuse Treatment Facility does not have private facilities.</p> <p>(f) This provision is not applicable as Hidalgo County Substance Abuse Treatment Facility as DOJ has not requested agency data.</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.288	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Document Review:

1. Hidalgo County Substance Abuse Treatment Facility PAQ
2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022
3. Annual PREA Review for Corrective Action pursuant to PREA Standard 115.288, dated 12.31.2021
4. Annual PREA Review for Corrective Action pursuant to PREA Standard 115.288, dated 12.31.2020
5. Annual PREA Review for Corrective Action pursuant to PREA Standard 115.288, dated 12.31.2019

(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency reviews data collected and aggregated pursuant to §115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training, including: (a) identifying problem areas; (b) taking corrective action on an ongoing basis; and (c) preparing an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency as a whole.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section I., states, "The agency reviews data collected and aggregated pursuant to §115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training, including: Identifying problem areas; Taking corrective action on an ongoing basis; and Preparing an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency as a whole."

(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the annual report includes a comparison of the current year's data and corrective actions to those from prior years. The annual report provides an assessment of the agency's progress in addressing sexual abuse.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section J., states, "The annual report shall include a comparison between the current data and data from prior years. It will also include and assessment of the agency progress in addressing sexual abuse."

The facility provided an Annual PREA Review for Corrective Action pursuant to PREA Standard 115.288 for years 2019-2021. The Annual Plan from 2021, page 1, first paragraph, states, "The Hidalgo County SATF, pursuant to The Prison Rape Elimination Act (PREA) standards § 115.287, § 115.288, and § 115.289, provides a copy of their annual review of all related PREA investigations inclusive of any potential problem areas and any and all corrective actions taken by the facility. The annual review considers the investigative reports, review team assessments and any other related information."

The annual plan demonstrates the facility has not had any investigations of sexual harassment or sexual abuse in the past 36 months.

(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency makes its annual report readily available to the public, at least annually, through its website. Annual reports are approved by the agency head.

Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section F., states, "The Facility Director shall make all aggregated sexual abuse data readily available to the public at least annually through its website and all data shall not have any personal identifiers."

The facility's annual plan is posted on their website at Hidalgo County Substance Abuse Treatment Facility | Hidalgo County, TX - Official Website

(d) The Hidalgo County Substance Abuse Treatment Facility PAQ states when the agency redacts material from an annual report for publication, the redactions are limited to specific materials where publication would present a clear and specific threat to the safety and security of the facility. Policy compliance can be found in provision (a) of this standard.

Each annual report includes the following language:

"In 2019 there were a total of zero allegation of resident on resident, resident on staff, or staff on resident for sexual abuse or sexual harassment. This was also the case in 2018."

"In 2020 there were a total of zero allegations of resident on resident, resident on staff, or staff on resident for sexual abuse or sexual harassment. This was also the case in 2019 and 2018."

"In 2021 there were a total of zero allegations of resident on resident, resident on staff, or staff on resident for sexual abuse or sexual harassment. This was also the case in 2020, 2019 and 2018."

Through such reviews, the facility meets the standard requirements.

115.289	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>Document Review:</p> <ol style="list-style-type: none"> 1. Hidalgo County Substance Abuse Treatment Facility PAQ 2. Hidalgo County SATF PREA Policy Prison Rape Elimination Act, dated 3.4.2022 <p>(a) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency ensures that incident-based and aggregate data are securely retained.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section E., states, “The facility shall ensure that data collected pursuant to 115.287 are securely retained.”</p> <p>(b) The Hidalgo County Substance Abuse Treatment Facility PAQ states the agency policy requires that aggregated sexual abuse data from facilities under its direct control and private facilities with which it contracts be made readily available to the public at least annually through its website.</p> <p>Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section F., states, “The Facility Director shall make all aggregated sexual abuse data readily available to the public at least annually through its website and all data shall not have any personal identifiers.”</p> <p>(c) The Hidalgo County Substance Abuse Treatment Facility PAQ states before making aggregated sexual abuse data publicly available, the agency removes all personal identifiers. Policy compliance can be found in provision (b) of this standard.</p> <p>(d) Hidalgo County SATF PREA Policy Prison Rape Elimination Act, page 20, section G., states, “The facility PREA Coordinator shall maintain sexual abuse data collected for at least 10 years after the date of the initial collection.”</p> <p>Through such reviews, the facility meets the standard requirements.</p>

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 318">(a) During the prior three-year audit period, the agency ensured that each facility operated was audited, once.</p> <p data-bbox="229 318 1509 380">(b) This is the third audit cycle for Hidalgo County SATF and the third year of the third audit cycle.</p> <p data-bbox="229 380 1509 443">(h) The Auditor was granted complete access to, and the ability to observe, all areas of the facility.</p> <p data-bbox="229 443 1509 546">(i) The Auditor was permitted to request and receive copies of any relevant documents (including electronically stored information).</p> <p data-bbox="229 546 1509 609">(m) The Auditor was permitted to conduct private interviews with residents.</p> <p data-bbox="229 609 1509 672">(n) Residents permitted to send confidential information or correspondence to the Auditor in the same manner as if they were communicating with legal counsel.</p> <p data-bbox="229 672 1509 723">Through such reviews, the facility meets standard requirements.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>(b) The agency has posted the current 2019 PREA audit report, on their website.</p> <p>Through such reviews, the facility meets standard requirements.</p>

Appendix: Provision Findings		
115.211 (a)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes
115.211 (b)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its community confinement facilities?	yes
115.212 (a)	Contracting with other entities for the confinement of residents	
	If this agency is public and it contracts for the confinement of its residents with private agencies or other entities, including other government agencies, has the agency included the entity's obligation to adopt and comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of residents.)	na
115.212 (b)	Contracting with other entities for the confinement of residents	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of residents.)	na
115.212 (c)	Contracting with other entities for the confinement of residents	
	If the agency has entered into a contract with an entity that fails to comply with the PREA standards, did the agency do so only in emergency circumstances after making all reasonable attempts to find a PREA compliant private agency or other entity to confine residents? (N/A if the agency has not entered into a contract with an entity that fails to comply with the PREA standards.)	na
	In such a case, does the agency document its unsuccessful attempts to find an entity in compliance with the standards? (N/A if the agency has not entered into a contract with an entity that fails to comply with the PREA standards.)	na
115.213 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring to protect residents against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The physical layout of each facility?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the resident population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes

115.213 (b)	Supervision and monitoring	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (NA if no deviations from staffing plan.)	yes
115.213 (c)	Supervision and monitoring	
	In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to prevailing staffing patterns?	yes
	In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the resources the facility has available to commit to ensure adequate staffing levels?	yes
115.215 (a)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting any cross-gender strip searches or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
115.215 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female residents, except in exigent circumstances? (N/A if the facility does not have female inmates.)	yes
	Does the facility always refrain from restricting female residents' access to regularly available programming or other outside opportunities in order to comply with this provision? (N/A if the facility does not have female inmates.)	yes
115.215 (c)	Limits to cross-gender viewing and searches	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female residents?	yes
115.215 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies that enable residents to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enable residents to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an area where residents are likely to be showering, performing bodily functions, or changing clothing?	yes

115.215 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex residents for the sole purpose of determining the resident's genital status?	yes
	If the resident's genital status is unknown, does the facility determine genital status during conversations with the resident, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
115.215 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex residents in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

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

115.216 (c)	Residents with disabilities and residents who are limited English proficient	
	Does the agency always refrain from relying on resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-response duties under §115.264, or the investigation of the resident's allegations?	yes
115.217 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the two questions immediately above ?	yes
	Does the agency prohibit the enlistment of the services of any contractor who may have contact with residents who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of the services of any contractor who may have contact with residents who: Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of the services of any contractor who may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the two questions immediately above ?	yes
115.217 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with residents?	yes
	Does the agency consider any incidents of sexual harassment in determining to enlist the services of any contractor who may have contact with residents?	yes
115.217 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with residents, does the agency: Perform a criminal background records check?	yes
	Before hiring new employees who may have contact with residents, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.217 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with residents?	yes
115.217 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with residents or have in place a system for otherwise capturing such information for current employees?	yes

115.217 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with residents directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with residents directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.217 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
115.217 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
115.218 (a)	Upgrades to facilities and technology	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect residents from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012 or since the last PREA audit, whichever is later.)	na
115.218 (b)	Upgrades to facilities and technology	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect residents from sexual abuse? (N/A if agency/facility has not installed or updated any video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012 or since the last PREA audit, whichever is later.)	na
115.221 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal or administrative sexual abuse investigations.)	yes
115.221 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (NA if the agency/facility is not responsible for conducting any form of criminal or administrative sexual abuse investigations.)	na
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (NA if the agency/facility is not responsible for conducting any form of criminal or administrative sexual abuse investigations.)	yes

115.221 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.221 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member?	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
115.221 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
115.221 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	yes
115.221 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency attempts to make a victim advocate from a rape crisis center available to victims per 115.221(d) above).	yes
115.222 (a)	Policies to ensure referrals of allegations for investigations	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes

115.222 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
115.222 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for conducting criminal investigations. See 115.221(a).)	yes
115.231 (a)	Employee training	
	Does the agency train all employees who may have contact with residents on: Its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with residents on: How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with residents on: Residents' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with residents on: The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with residents on: The dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with residents on: The common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with residents on: How to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with residents on: How to avoid inappropriate relationships with residents?	yes
	Does the agency train all employees who may have contact with residents on: How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents?	yes
	Does the agency train all employees who may have contact with residents on: How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
115.231 (b)	Employee training	
	Is such training tailored to the gender of the residents at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male residents to a facility that houses only female residents, or vice versa?	yes

115.231 (c)	Employee training	
	Have all current employees who may have contact with residents received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
115.231 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	no
115.232 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with residents have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.232 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with residents been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with residents)?	yes
115.232 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
115.233 (a)	Resident education	
	During intake, do residents receive information explaining: The agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do residents receive information explaining: How to report incidents or suspicions of sexual abuse or sexual harassment?	yes
	During intake, do residents receive information explaining: Their rights to be free from sexual abuse and sexual harassment?	yes
	During intake, do residents receive information explaining: Their rights to be free from retaliation for reporting such incidents?	yes
	During intake, do residents receive information regarding agency policies and procedures for responding to such incidents?	yes
115.233 (b)	Resident education	
	Does the agency provide refresher information whenever a resident is transferred to a different facility?	yes

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

115.235 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.235 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency does not employ medical staff or the medical staff employed by the agency do not conduct forensic exams.)	no
115.235 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.235 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.231? (N/A for circumstances in which a particular status (employee or contractor/volunteer) does not apply.)	yes
	Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.232? (N/A for circumstances in which a particular status (employee or contractor/volunteer) does not apply.)	yes
115.241 (a)	Screening for risk of victimization and abusiveness	
	Are all residents assessed during an intake screening for their risk of being sexually abused by other residents or sexually abusive toward other residents?	yes
	Are all residents assessed upon transfer to another facility for their risk of being sexually abused by other residents or sexually abusive toward other residents?	yes
115.241 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
115.241 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

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

115.241 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that residents are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
115.241 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the resident's detriment by staff or other residents?	yes
115.242 (a)	Use of screening information	
	Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
115.242 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each resident?	yes
115.242 (c)	Use of screening information	
	When deciding whether to assign a transgender or intersex resident to a facility for male or female residents, does the agency consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns residents to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex residents, does the agency consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether a placement would present management or security problems?	yes
115.242 (d)	Use of screening information	
	Are each transgender or intersex resident's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
115.242 (e)	Use of screening information	
	Are transgender and intersex residents given the opportunity to shower separately from other residents?	yes

115.242 (f)	Use of screening information	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex residents, does the agency always refrain from placing: lesbian, gay, and bisexual residents in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I residents pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex residents, does the agency always refrain from placing: transgender residents in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I residents pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex residents, does the agency always refrain from placing: intersex residents in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I residents pursuant to a consent decree, legal settlement, or legal judgement.)	yes
115.251 (a)	Resident reporting	
	Does the agency provide multiple internal ways for residents to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for residents to privately report: Retaliation by other residents or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for residents to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
115.251 (b)	Resident reporting	
	Does the agency also provide at least one way for residents to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward resident reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the resident to remain anonymous upon request?	yes
115.251 (c)	Resident reporting	
	Do staff members accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Do staff members promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.251 (d)	Resident reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of residents?	yes

115.252 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address resident grievances regarding sexual abuse. This does not mean the agency is exempt simply because a resident does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes
115.252 (b)	Exhaustion of administrative remedies	
	Does the agency permit residents to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring a resident to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
115.252 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: a resident who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
115.252 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by residents in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency determines that the 90-day timeframe is insufficient to make an appropriate decision and claims an extension of time (the maximum allowable extension is 70 days per 115.252(d)(3)), does the agency notify the resident in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the resident does not receive a response within the time allotted for reply, including any properly noticed extension, may a resident consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
115.252 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, permitted to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of residents? (If a third party files such a request on behalf of a resident, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the resident declines to have the request processed on his or her behalf, does the agency document the resident's decision? (N/A if agency is exempt from this standard.)	yes

115.252 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging a resident is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the resident is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
115.252 (g)	Exhaustion of administrative remedies	
	If the agency disciplines a resident for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the resident filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes
115.253 (a)	Resident access to outside confidential support services	
	Does the facility provide residents with access to outside victim advocates for emotional support services related to sexual abuse by giving residents mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility enable reasonable communication between residents and these organizations, in as confidential a manner as possible?	yes
115.253 (b)	Resident access to outside confidential support services	
	Does the facility inform residents, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
115.253 (c)	Resident access to outside confidential support services	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide residents with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
115.254 (a)	Third party reporting	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of a resident?	yes

115.261 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against residents or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
115.261 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, do staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes
115.261 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform residents of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
115.261 (d)	Staff and agency reporting duties	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
115.261 (e)	Staff and agency reporting duties	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes
115.262 (a)	Agency protection duties	
	When the agency learns that a resident is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the resident?	yes
115.263 (a)	Reporting to other confinement facilities	
	Upon receiving an allegation that a resident was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
115.263 (b)	Reporting to other confinement facilities	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
115.263 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes
115.263 (d)	Reporting to other confinement facilities	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes

115.264 (a)	Staff first responder duties	
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
115.264 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.265 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
115.266 (a)	Preservation of ability to protect residents from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any residents pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	no
115.267 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.267 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services for residents or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

115.267 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of residents or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of residents who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any resident disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency:4. Monitor resident housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor resident program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignment of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
115.267 (d)	Agency protection against retaliation	
	In the case of residents, does such monitoring also include periodic status checks?	yes
115.267 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
115.271 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.221(a).)	na
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.221(a).)	na
115.271 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.234?	yes

115.271 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
115.271 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	no
115.271 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as resident or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring a resident who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	no
115.271 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.271 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
115.271 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.271 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.271(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
115.271 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the facility or agency does not provide a basis for terminating an investigation?	yes
115.271 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.221(a).)	yes
115.272 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes

115.273 (a)	Reporting to residents	
	Following an investigation into a resident's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
115.273 (b)	Reporting to residents	
	If the agency did not conduct the investigation into a resident's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the resident? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
115.273 (c)	Reporting to residents	
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the resident's unit?	yes
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
115.273 (d)	Reporting to residents	
	Following a resident's allegation that he or she has been sexually abused by another resident, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following a resident's allegation that he or she has been sexually abused by another resident, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes
115.273 (e)	Reporting to residents	
	Does the agency document all such notifications or attempted notifications?	yes
115.276 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
115.276 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes

115.276 (c)	Disciplinary sanctions for staff	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
115.276 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies, unless the activity was clearly not criminal?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
115.277 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with residents?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.277 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with residents?	yes
115.278 (a)	Disciplinary sanctions for residents	
	Following an administrative finding that a resident engaged in resident-on-resident sexual abuse, or following a criminal finding of guilt for resident-on-resident sexual abuse, are residents subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
115.278 (b)	Disciplinary sanctions for residents	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories?	yes
115.278 (c)	Disciplinary sanctions for residents	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether a resident's mental disabilities or mental illness contributed to his or her behavior?	yes
115.278 (d)	Disciplinary sanctions for residents	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending resident to participate in such interventions as a condition of access to programming and other benefits?	yes
115.278 (e)	Disciplinary sanctions for residents	
	Does the agency discipline a resident for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes

115.278 (f)	Disciplinary sanctions for residents	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
115.278 (g)	Disciplinary sanctions for residents	
	Does the agency always refrain from considering non-coercive sexual activity between residents to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between residents.)	yes
115.282 (a)	Access to emergency medical and mental health services	
	Do resident victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
115.282 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.262?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
115.282 (c)	Access to emergency medical and mental health services	
	Are resident victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
115.282 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.283 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
115.283 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
115.283 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.283 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are resident victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all-male" facility. Note: in "all-male" facilities, there may be residents who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes

115.283 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.283(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if “all-male” facility. Note: in “all-male” facilities, there may be residents who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.283 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are resident victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.283 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.283 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners?	yes
115.286 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes
115.286 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.286 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
115.286 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.286(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
115.286 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes

115.287 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.287 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.287 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
115.287 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.287 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its residents? (N/A if agency does not contract for the confinement of its residents.)	na
115.287 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	na
115.288 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
115.288 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
115.288 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
115.288 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
115.289 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.287 are securely retained?	yes

115.289 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.289 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.289 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.287 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
115.401 (a)	Frequency and scope of audits	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes
115.401 (b)	Frequency and scope of audits	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	no
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	na
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	yes
115.401 (h)	Frequency and scope of audits	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
115.401 (i)	Frequency and scope of audits	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
115.401 (m)	Frequency and scope of audits	
	Was the auditor permitted to conduct private interviews with residents?	yes
115.401 (n)	Frequency and scope of audits	
	Were inmates, residents, and detainees permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes
115.403 (f)	Audit contents and findings	
	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)	yes