

**PREA AUDIT REPORT    INTERIM    FINAL**  
**JUVENILE FACILITIES**

**Date of report:** December 4<sup>th</sup>, 2015

<b>Auditor Information</b>			
<b>Auditor name:</b> Jerome K. Williams			
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<b>Telephone number:</b> 512-490-7671			
<b>Date of facility visit:</b> August 3 <sup>rd</sup> to August 6 <sup>th</sup> , 2015			
<b>Facility Information</b>			
<b>Facility name:</b> Denton County Juvenile Detention Center and Post Adjudication Juvenile Correctional Facility			
<b>Facility physical address:</b> 210 S. Woodrow Ln, Denton, Texas 78205			
<b>Facility mailing address:</b> <i>(if different from above)</i> <a href="#">Click here to enter text.</a>			
<b>Facility telephone number:</b> 940-349-2439			
<b>The facility is:</b>	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input checked="" type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
<b>Facility type:</b>	<input type="checkbox"/> Correctional	<input checked="" type="checkbox"/> Detention	<input type="checkbox"/> Other
<b>Name of facility's Chief Executive Officer:</b> Tracy Oliphant, Deputy Director			
<b>Number of staff assigned to the facility in the last 12 months:</b> 96			
<b>Designed facility capacity:</b> 128			
<b>Current population of facility:</b> 54			
<b>Facility security levels/inmate custody levels:</b> Secure, court ordered placement and detainment			
<b>Age range of the population:</b> 10-18 years of age			
<b>Name of PREA Compliance Manager:</b> Mindi Malcom		<b>Title:</b> Therapeutic Program Coordinator	
<b>Email address:</b> mindi.malcom@dentoncounty.com		<b>Telephone number:</b> 940-349-2481	
<b>Agency Information</b>			
<b>Name of agency:</b> Denton County Juvenile Probation Department			
<b>Governing authority or parent agency:</b> <i>(if applicable)</i> Texas Juvenile Justice Department			
<b>Physical address:</b> 11209 Metric Blvd Building H, Suite A Austin, Texas 78758			
<b>Mailing address:</b> <i>(if different from above)</i> <a href="#">Click here to enter text.</a>			
<b>Telephone number:</b> 512-490-7130			
<b>Agency Chief Executive Officer</b>			
<b>Name:</b> Ken Metcalf		<b>Title:</b> Director	
<b>Email address:</b> ken.metcalf@dentoncounty.com		<b>Telephone number:</b> 940-349-2439	
<b>Agency-Wide PREA Coordinator</b>			
<b>Name:</b> David Lennington		<b>Title:</b> Standards Compliance Officer	
<b>Email address:</b> david.lennington@dentoncounty.com		<b>Telephone number:</b> 940-349-2437	

## AUDIT FINDINGS

### NARRATIVE

The PREA Audit was conducted on August 3rd to the 6th, 2015 at the Denton County Juvenile Detention and Post Adjudication Correctional Facility in Denton, Texas, a county-run facility. The audit was conducted by the certified PREA Auditor for Juvenile & Adult Facilities, Jerome K. Williams.

Following the entrance meeting a thorough tour of the facility was provided by the PREA Coordinator, the Facility Director and the Therapeutic Program Coordinator. Continuing on this first day of the audit a comprehensive listing of the youth and staff was requested and provided for the interviews with the necessary adjustments being made to compensate for schedule changes, etc. During the tour random interviews were conducted of youth and staff to ascertain their knowledge of the PREA Standards, reporting procedures, services available and their reporting responsibilities. A total of 10 youths were interviewed during this on site visit and they all acknowledged receiving PREA training, written information (i.e. handbook, Hotline numbers, observing Break the Silence posters, etc.) and were informed of related policies that outlines the facility's zero tolerance towards sexual abuse, sexual harassment and their right to be free from retaliation for reporting sexual abuse and sexual harassment allegations.

A total of 11 specialized staff members were interviewed comprising of the agency Head, the Facility Director, the PREA Coordinator, first responder, medical and mental health staff, Intake staff, a volunteer, Contract Administrator, a member of the Sexual Abuse Incident Review Team were interviewed. A total of 10 random staff members were interviewed also. The staff interviewed were knowledgeable of their responsibilities in reporting sexual abuse and sexual harassment allegations, staff negligence and the steps required in monitoring for staff and or youth for retaliation. When questioned about evidence preservation, all the staff responses reflected their knowledge of the agency's policy and their first responder duties. There were no SAFE and or SANE personnel at this facility but they were available at the Denton County Regional Medical Center. The personnel indicated that they are aware of the SANE protocol if the facility were bring a youth there for a SANE examination.

The auditor reviewed blind spots, staff placement, supervisory presence, toured the facility and reviewed documentation to assist in determining PREA standard compliance. Upon completion of the audit an exit meeting was held with the agency head, the Facility Director, the PREA Coordinator and other members of their administrative team. The facility was provided with a general overview of the audit process, audit highlights which included a synopsis of the files, documentation review, staff and youth interviews and of the facility tour. During the debriefing the auditor informed them that in the event there were standards that were not met that he would work closely with the agency's PREA Coordinator to accomplish PREA compliance within the 180 day corrective action period, if applicable. Once compliance is achieved then the agency will be required to post the final report, once issued, on the agency's website.

This report is considered to be the Final PREA Audit Report.

## DESCRIPTION OF FACILITY CHARACTERISTICS

The Denton County Juvenile Detention facility is a short term, secure facility, pre and post detention center with a design of 128 beds, pre and post adjudication coed long-term secure facility located in Denton, Texas with the mission to protect the community, hold juveniles accountable, and help them achieve goals for good citizenship while providing detention and secure custody services for all youth committed to their care. Through the probation department their supervision takes into consideration the uniqueness of each child, their family and the developmental needs of children in general. Adherence to Texas law, the order of the court, and consideration given to the least restrictive avenues of intervention, as they guide, supervise and educate those youth whom they interact with. The facility is located in Denton, Texas and services youths from Denton County and some surrounding counties.

The Denton County Juvenile Detention facility is a secure detention holding for male and female youth from ages 10 through 18. The Pre-Detention services include assuring a safe return to court for youth who have a likelihood of flight issue or are a danger to the community. The Post-Adjudication Correctional Center is a secure custody portion of the facility that houses long term male and female youth sentenced to the facility. Those youths also are between the ages of 10 through 18. The facility has a design capacity for 96 males and female youths in detention and 32 male and female youth in the post adjudication correctional facility. Both facilities operate on one campus connecting building whereas staff from either detention and or post adjudication can be assigned to work when needed.

On the day of the audit there were 54 youths assigned to the facilities in totality. The facility provides professional custodial care, crisis intervention, counseling, education, and other services through counselors, clinical staff, and a licensed psychologist that provide a wide variety of treatment services grounded in evidence-based principles and cognitive behavioral interventions including relationship-based and strength based services. They also provide individual, family and group counseling, substance abuse treatment, psychological evaluations, aggressive management, case management, individualized education, community service, life skills, drug education, anti-victimization, and social skills for daily living. The facility also provides services for youth committed on a sexual offense.

The facility has 2 gymnasium, 2 kitchen area, 2 dining area, 10 classrooms, 11 dormitories (sections), with two sections specifically to house female youth, 3 administrative area, 2 medical clinic, a large outside court for recreation, numerous offices, 2 intake areas (pre and post) and two control communication centers. The Post Adjudication Unit (section) houses two 12 bed sections and one 8 beds section with one section being designated for female youths. The Detention Unit houses eight 12 bed sections with one section being designated for female youths. The showers were located in the corner of the ground and second tier of each section where the cameras cannot view inside and a cover is placed over the window for privacy. Shower routines are conducted by male staff only for the male youth in each section and conducted by female staff only for the female youth in each section of this facility. Staff of the opposite gender do announce their presence when entering a male or female section housing unit of the opposite gender. The facility was operating safely and observably clean throughout during the days of this on site audit visit.

## SUMMARY OF AUDIT FINDINGS

The Denton County Juvenile Detention and Post Adjudication Correctional Center has administrative areas, housing areas (sections), a recreation area, kitchen and dining areas, educational classrooms for both detention and post adjudication services which were clean, well maintained, staff accordingly and operating orderly during the days of this visit. The PREA posters with the hot line number were displayed in each section, appropriate staff to youth ratios were observed and shift supervisors were visible in the sections area and throughout the facility. There are 116 cameras installed throughout this facility that were being monitored by the main control center. The cameras were placed in areas where a youth might frequent and where a staff's supervision and monitoring of the youths could be augmented. The cameras on the sections do not view into the shower or in the toilet areas, which are in the youth's room. It was recommended that additional cameras, if funding is available, be placed in other areas to cover blind spots on the detention side of the facility and to further augment staff supervision and monitoring. The 10 residents interviewed appeared to be well informed of their rights to be free from sexual abuse and sexual harassment, how to report such incidents and their rights to be free from retaliation if they report a sexual abuse and sexual harassment allegation. They were knowledgeable of the outside advocate agency that would provide emotional support and crisis counseling services related to sexual abuse if needed. It was noted that the youth's knowledge of PREA was limited upon Intake since the focus was more on the youth being informed about how to report abuse. It was recommended that the Intake staff provide more information on PREA during Intake and to give the youth a hard copy of PREA-related information during this time. The 11 specialized staff members and the 10 random staff members interviewed were knowledgeable regarding the facility's reporting procedures, the facility's PREA policy, were able to articulate the facility's protocol for collecting evidence, their first responder's duties and the procedures to be followed in a situation when they become knowledgeable of, suspect or are notified of a sexual abuse allegation. A review of the files containing the required documentation as well as being introduced to their client management database, Juvenile Case Management System (JCMS) provided more insight as to their preparation for this audit and their continued practice of preventing, detecting and responding to sexual abuse, sexual harassment and staff neglect policy violation. During the past 12 months the facility reported that there were 2 administrative investigative cases alleging sexual harassment, zero for sexual abuse and zero criminal investigative cases alleging sexual abuse and sexual harassment. Of the two cases alleging sexual harassment one was completed and found Unfounded and the other, which was originally submitted as a grievance remained as such and was resolved within the appropriate timeframe according to their policy. In both cases proper notifications had been made.

Number of standards exceeded: 1

Number of standards met: 40

Number of standards not met: 0

Number of standards not applicable: 0

### Standard 115.311 Zero tolerance of sexual abuse and sexual harassment; PREA Coordinator

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04.01 I Policy, V, A-C, 1-3 and Texas Administrative Code 343.208, Organizational Chart and Agency website.

Findings: The Denton County Juvenile Detention and Post Adjudication Correctional Center has a written Zero Tolerance policy towards preventing, detecting and responding to all forms of sexual abuse and sexual harassment. The policy includes a description of how the agency responds to allegations of sexual abuse and sexual harassment as well as how they will go about reducing and preventing these incidents. This policy also has definitions that pertained to PREA as well as sanctions for youth, staff, volunteers and contractors who participate in the listed prohibited behaviors of sexual abuse, sexual harassment and policy violation. The facility's Zero Tolerance policy is posted on the agency's website for review and there is a link explaining what PREA and Zero Tolerance is similar to what they have explaining Abuse, Neglect and Exploitation. The facility has one dedicated PREA Coordinator who reports to the Facility Director as reflected on the organizational chart provided. The PREA Coordinator indicated that he has sufficient time to fulfill his PREA responsibilities during his interview, thus demonstrating compliance with this standard.

Corrective Action Findings: None.

### Standard 115.312 Contracting with other entities for the confinement of residents

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

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Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04 V, A-E, 1-3 and Texas Administrative Code 343.208, Sample Residential and Service Contracts.

The Denton County Juvenile Detention and Post Adjudication Correctional Center does include in all of their residential contracts with contracting facilities the PREA compliance language requirement which indicates that they will adopt and comply with the PREA standards. The facility's Contract Administrator indicated during her interview that this language is included and is reviewed with each contractor prior to their annual contract renewal period. Five contracts of residential providers were reviewed during the audit process for verification. Monitoring for PREA compliance is conducted quarterly by that office and it was stated that each contracting agency program is working independently towards their PREA certification to be achieved by August 2016. A listing of residential providers was also given for the auditors review, thus demonstrating compliance with this standard.

Corrective Action Finding: None

### Standard 115.313 Supervision and monitoring

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04.06 Unannounced Rounds VI, A-H, Contingency Staffing Plan for Facility, 6.01 Staffing Plan for Detention 20.0.01, Supervision 20.4, Off Premise Supervision 20.05 and Staffing Plan for Post Adjudication 28.01.01, Staffing Plan, Budget and Schedules, Memorandum, Meeting minutes, Unannounced Rounds log/documentation, Staffing and Youth Roster, Video Monitoring documentation, Facility Administrator, PREA Coordinator and Intermediate and Higher Staff Interviews.

Findings: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy requires the supervision and monitoring of the youth in the facility. The facility did provide documentation during the audit that demonstrated compliance with this standard and at no time has the facility deviated from their staff-to-youth ratio of 1:12 during waking hours and 1:24 sleeping hours, which is inclusive of their staffing plan. The facility did not provide written evidence indicating that the PREA Coordinator, the Facility Administrator and the agency head reviews the staffing plan annually. For fiscal year 2015-16 this plan did not include the hiring of any full time equivalents (FTEs) in an effort to bring their staff -to-youth ratio to 1:8 during waking hours and 1:16 during sleeping hours by October of 2017. A budgeted spreadsheet for the FTEs for staffing this facility on each shift was not provided as a sample. The daily average number of youth in this facility in the last 12 months is 31 in detention and 30 in post but the staffing plan is predicated on the average daily population total of 128 youths. The facility did provide written evidence and photo still shots of higher level supervisors conducting unannounced rounds on all shifts reflecting such practices. The facility's policy indicates that disciplinary action will occur if staff alert other staff of these unannounced rounds and during the random interviews of staff, especially those working the control center, reflected their awareness of this policy. During the visits to the sections I observed the opposite gender staff utilized the knock and announce method to announce their presence before entering that section and both staff and youth during the interviews confirmed that this practice is occurring.

Corrective Action Findings: The facility did provide written evidence of their Staffing Plan and that this plan is reviewed annually with the Facility Administrator, PREA Coordinator and Agency Head, thus demonstrating compliance with this standard.

### Standard 115.315 Limits to cross-gender viewing and searches

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Security and Control, Authorized Searches 6.08 and Texas Administrative Code 343.260, Search Logs, Training Curriculum, Staff and Youth Interviews.

Findings: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy prohibits cross gender viewing during rest room, changing clothes and shower routine and prohibits cross gender pat, visual body and strip searches absence exigent circumstances. There were no cross gender pat, visual or strip searches conducted by medical personnel or for an exigent circumstance during the last 12 months. A review of the search logs as well as the staff and youth interviews verified that this prohibited practice do not exist including searching or physically examining a transgender or intersex youth to determine their genitalia. The facility provided written evidence in addition that further prohibits this practice. The youth were able to definitively articulated that either the female and or male staff do knock and announce their presence when entering the opposite gender section (housing unit), that they are able to shower, dress and change clothing without being observed by the opposite gender and at no time had a staff of the opposite gender pat searched their person. A copy of the training curriculum on searches was provided and reviewed which also emphasized that all searches would be conducted professionally and in a respectful manner consistent with the security needs of the facility. The staff definitively articulated this practice during the interviews and it was observed during the facility tour. There was no written evidence provided showing that the staff were trained in cross gender pat searches.

Corrective Action Findings: The facility did provide written evidence in the form of a memorandum, training curriculum and signed training rosters that all staff have been trained in cross gender pat searches and for searches of Transgender and Intersex youth in the event an exigent circumstance arises requiring such, which was obtained from the PRC website, thus demonstrating compliance with this standard.

### **Standard 115.316 Residents with disabilities and residents who are limited English proficient**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Translation, Interpretation and Assistive Services 11.04, Intake, Admission and Release, Orientation 18.09, and Texas Administrative Code 343.412, Intake and Orientation Documentation, Youth Handbook, Posters, Interpreting Contract, ISD Agreements, Random Staff and Youth Interviews.

Findings: The Denton County Juvenile Detention and Post Adjudication Correctional Center provided to the auditor the Zero Tolerance policy as well as written PREA material in English i.e. handbook, brochures, etc. which the Intake staff provides to the youth during intake and orientation. Utilizing youth interpreters, youth assistants or youth readers is prohibited in this facility by practice and policy. The facility, Helping Hands Professional Interpreting and Translation Services and Denton Independent School District provides interpreting services for youth who may be deaf, speech impaired, limited in English proficiency, blind and or low vision, or who are psychiatric or intellectually disabled. The facility provided the auditor with a copy of the contract from Helping Hands for interpreting services for my review and also provided a listing of the staff utilized as interpreters for Spanish speaking youth, as applicable. The facility did not identified any youth in their care and custody, during this audit, to be interviewed as being Limited in English Proficiency or needing other interpreting services in the last 12 months. The facility's Intake area did not have written PREA-related information to provide the youth during Intake in Spanish during the on site visit.

Corrective Action Findings: The facility did provide written evidence that the Courage to Change (CDC) and the Detention Orientation Handbook has been translated into Spanish so that any Spanish speaking youth would receive this information during Intake. They have provided pictures demonstrating that this information is also posted in each section similar to the Abuse, Neglect and Exploitation information that is posted in the sections, thus demonstrating compliance with this standard.

### **Standard 115.317 Hiring and promotion decisions**

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

relevant review period)

- Does Not Meet Standard (requires corrective action)

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04.02, Ongoing Affirmative Duty to Disclose Misconduct 6.02.01, Volunteers and Interns 13.01 and Texas Administrative Code 343.286, Criminal Records and Child Abuse Registry Check Documentation, and Training Records.

Findings: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy considers any incident of sexual abuse and sexual harassment in determining whether to hire, promote or enlist the services of contractors who have contact with the youth. The policy states that providing false information will be grounds for termination for omitting information of misconduct. It also provides that a former employee's misconduct will be provided to another agency for substantiated findings of sexual abuse and sexual harassment. For volunteers, their services will be terminated and for contractors, the finding will be reported to their licensing authority. An interview with the human resource staff member revealed that the agency conducts criminal background checks and child abuse registry checks prior to hiring and promotions. The facility did not provide written evidence showing that they did conduct background checks and child abuse registry checks on all current employees, which is also performed every five years. The facility did not provide written evidence on self reporting requirements of their employees but did provide a sample reference check form that staff, volunteers and contractors complete for the background checks. The facility did not provide documentation supporting that 100% of their staff, volunteers and contractors had background and child abuse registry checks performed during the last 12 months. There were 12 new hires during this reporting period and 5 service contractors meeting this standard whereas background and child abuse registry checks were conducted.

Corrective Action Findings: The facility did provide written evidence in the form of a memorandum and training rosters that 100% of their staff, volunteers and contractors have had criminal background and child abuse registry checks in the last 12 month and their policy does state that an employee must self report misconduct, thus demonstrating compliance with this standard.

### **Standard 115.318 Upgrades to facilities and technologies**

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

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

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04 and the Facility Schematics reflecting the camera locations.

Findings: The Denton County Juvenile Detention and Post Adjudication Correctional Center has not made any modifications to or any renovations in this facility as of August 20, of 2012 and they currently have 116 cameras throughout both facilities to augment the staff's supervision and monitoring of the youth. It was recommended by the auditor if funding becomes available that some additional cameras be purchased for placement in other identified blind spot areas throughout the facility, primarily on the detention side of the facility, to augment staff supervision, monitoring in the prevention, detection and response to sexual abuse and sexual harassment allegations. The facility has demonstrated compliance with this standard.

Corrective Action Findings: None

### Standard 115.321 Evidence protocol and forensic medical examinations

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

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Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment, Detection of and Response 2.04.03, Medical Treatment for Victims of Sexual Abuse that Occurs in the Facility 10.06 and Texas Administrative Code 343.208, Memorandum from County Sheriff Department, Denton Regional Hospital, and the Child Advocacy Center.

Findings: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines the protocol for conducting investigations of sexual abuse and sexual harassment as well as requesting information from the respective investigative entities on the progress of each investigation. The Denton County Juvenile Detention and Post Adjudication Correctional Center is responsible for conducting administrative investigations for the agency and the Denton County Sheriff is responsible for conducting criminal investigations of sexual abuse. The Denton Regional Medical Center is the hospital where a youth receives emergency medical care including where they would be taken by local law enforcement in the event a forensic examination (SANE) for sexual abuse incident is required. The facility indicated that they do have a qualified staff member to serve as an advocate if needed, for a victim of sexual abuse. The facility did provide written evidence verifying that they have obtained emotional support and crisis counseling services from the Child Advocacy Center, if and when needed. In the last 12 months the facility indicated that there have been no SANE examinations required which was also confirmed by the medical personnel during a file review and during the interview, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### Standard 115.322 Policies to ensure referrals of allegations for investigations

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Administration 6.04, Detention/Adjudication 3.04, Conducting Investigations and Reassignment 3.05, Corrective Measures following Internal Investigations 3.06, Field Probation Services 4.04, JJAEP 12.04 and Texas Administrative Code 343.720, 343.740, 343.780, 343.800, 343.820 and 343.840, Incident Reports, Copies of Investigative Cases, Agency Website and interview with the Internal Investigator.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policies requires that all allegations of sexual abuse and sexual harassment are to be reported to the Facility Administrator. It further describes that the Internal Investigators are charged with conducting the administrative investigations along with the Texas Juvenile Justice Department (TJJD) and that the Denton County Sheriff will conduct all criminal investigations. The facility provided the auditor with a copy of their Incident Report that is shared with Texas Juvenile Justice Department and the Denton County Sheriff in the event of an administrative and or criminal investigation as

applicable. The Denton County Juvenile Detention and Post Adjudication Correctional Center reported 2 allegations for sexual harassment and zero allegations of sexual abuse during the last 12 months with zero allegation for sexual abuse and sexual harassment resulting in a criminal investigation. From the two sexual harassment allegations made one was referred for an administrative investigation and the other allegation that had been originally submitted as a grievance did not meet the criteria for an investigation, so it was resolved as a grievance. The administrative investigation for sexual harassment that was opened had been completed and closed as Unfounded. The facility does not have their internal administrative investigation policy on their website for review as required by this standard.

Corrective Action Findings: The facility did post their Internal Investigation policy on their website as reviewed by this auditor thus demonstrating compliance with this standard.

### Standard 115.331 Employee training

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

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Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Juvenile Supervision Officers 20.01, 28.01 and Texas Administrative Code 343.428, Training Curriculum, Staff Training Rosters, Schedule and Certificates, Random Staff Interviews and Pat Down Search Logs.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy requires that the facility provide PREA related training to all its employees who may have contact with youth. The agency provided written evidence of the various PREA training curriculums i.e. LGBTI, communication boundaries, wherein staff are trained along with the trainee sign in sheets with the course title and descriptions for each training class, for the auditor's review. The facility have not provided cross gender pat down search training to all of their security staff. The number of facility staff trained during the last 12 months were 96 with 100% of them being trained. The PREA Coordinator indicated that their PREA Refresher training occurs annually and certification training, which includes PREA, occurs every two years. The staff interviewed articulated that the required elements of 115.331a (1-11), (b) were being met through the new hire orientation/training and through on-the-job training sessions (refresher). The staff seemed well versed and trained in the areas of PREA, their reporting duties, were knowledgeable of their first responder responsibilities and what individuals and or entities conducts the administrative and criminal investigations based on the interviews. The facility's Therapeutic Coordinator indicated during her interview that they provide Gender Responsiveness training to the staff as applicable since this is a coed facility.

Corrective Action Findings: The facility provided written evidence in the form of a memorandum, curriculum and training rosters reflecting that cross gender pat search training has been provided to all staff during this corrective action period thus demonstrating compliance with this standard.

### Standard 115.332 Volunteer and contractor training

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

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**recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04 and Texas Administrative Code 343.208, Volunteer and Contractor's Training Curriculum, Training Roster, Volunteer and Contractor Interviews.

The Denton County Juvenile Detention and Post Adjudication Correctional Center policy requires that all volunteers and contractors who have direct access to youth are notified and trained on understanding their reporting responsibilities regarding PREA. The facility provided written evidence of the PREA curriculum for volunteers and contractors and but did not provide training records to demonstrate their compliance with this standard. The number of volunteers and contractors trained in PREA during the last 12 months was 30 and 100% of them were trained. An interview with both the contractor and volunteer verified that they had received this training.

Corrective Action Findings: The facility did provide written evidence in the form of signed training records of their volunteers and contractors acknowledging receipt of this training in the last 12 months thus demonstrating compliance with this standard.

### **Standard 115.333 Resident education**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04.07 PREA Education for Residents, Translation, Interpretation and Assistive Services 11.04, Intake, Admission and Release 18.09, 26.05 and Texas Administrative Code 343.412 and 343.606, Youth Intake and Orientation Manual, PREA Video, Brochures, etc. , JCMS Database, Admitted and Educated Youth Documentation, Helping Hand Provider, Denton Independent School District Agreement, Retaliation Log, Random Staff and Youth Interviews.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center provides the youths with an orientation packet of information in English but not in Spanish upon Intake, that they watch the Safeguarding Your Sexual Safety PREA video during orientation and are given additional PREA brochures and other information i.e. hotline number, phone location, etc. during this time. The policy indicates that this information be provided to the youth in an age appropriate manner as demonstrated in the Youth Orientation Manual. A review of this material verified that this standard is being met. The date and time of the resident's intake, orientation and when this information is provided is documented in the youth's file in JCMS, which is their client management database, as reviewed by the auditor. The facility admitted and educated 424 youth from the 798 youth who came into Intake during the last 12 months. This comprehensive education occurred within 10 days of Intake. The facility provided written evidence demonstrating that Helping Hands agency will provide services to those youth who are hearing, vision impaired, psychiatric and disabled; that the Denton Independent School District will provide assistance for those youth who are intellectually, psychiatric disabled and limited in English proficiency. During the facility tour and interviews of the youths they acknowledged receiving the PREA information during the Intake and Orientation process, acknowledged that they watched the Safeguarding Your Sexual Safety PREA video, which the facility shows every youth during the Orientation process and were able to articulate their knowledge regarding PREA, reporting and freedom from retaliation. The random youth interviewed stated that they have PREA groups where they discuss what Zero Tolerance means, how to report an allegation, etc. The Break the Silence and other PREA related posters, brochures with the hot line numbers for reporting incidents of sexual abuse and sexual harassment were prominently displayed throughout the facility and on the pods.

Corrective Action Findings: The facility did provide written evidence of the PREA related information provided to the youth during Orientation that has been translated into Spanish including the Youth Orientation Manual for distribution during Intake. The facility did state that this information would be reviewed thoroughly with any Spanish speaking and or Limited in English proficiency youths during Orientation, thus demonstrating compliance with this standard.

### Standard 115.334 Specialized training: Investigations

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04.04 Investigation of Sexual Abuse and Sexual Harassment, Conducting Internal Investigations 3.05 and Texas Administrative Code 343.208, Internal Investigator's Specialized Training Certificates and the Investigator's Interview.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy states that they and the Texas Juvenile Justice Department (TJJD) are the entities that will conduct their administrative investigations and that the Denton County Sheriff Department is the outside law enforcement entity that will conduct the criminal investigations for sexual abuse and sexual harassment allegations. The Denton County Juvenile Detention and Post Adjudication Correctional Center internal investigator indicated during his interview that he has received specialized interview training to assist him in conducting sexual abuse and sexual harassment investigations, including Miranda and Garrity warning, evidence collection, etc. to assist him in conducting sexual abuse and sexual harassment investigations even though criminal investigations will be referred to outside law enforcement. The PREA Coordinator did provide copies of their investigator's training records that reflected receipt of their specialized interviewing training when conducting sexual abuse investigations, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### Standard 115.335 Specialized training: Medical and mental health care

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04 and Texas Administrative Code 343.208, Denton County Hospital Memorandum, PREA Training Rosters, Specialized Training Certificates for Medical and Mental Practitioners, and interviews with the Medical and Mental Health Staff.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center does not conduct forensic medical exams on a youth for sexual abuse but if applicable, they refer the alleged victim to the Denton Regional Medical Center where the examination would occur free of charge. All of the medical and contracting mental health personnel at the facility indicated that they have received training in PREA and provided certificates of the specialized training received. There were no SANE examination conducted in and or for this facility in the last 12 months. The interviews conducted with the mental health and medical staff verified this training thus demonstrating compliance with this standard.

Corrective Action Findings: None

### Standard 115.341 Screening for risk of victimization and abusiveness

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Behavioral Screening and Resident Classification Plan 18.10, 26.06.01 and Texas Administrative Code 343.414 and 343.416, JCMS Database, Electronic and Hard Copy of the Screening Instrument, Intake Staff, Youth and PREA Coordinator Interviews.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines that the screening of youth during intake must occur within 72 hours. The screening instrument, which is in their client management database called Juvenile Case Management System (JCMS) that is automated, it contains all of the screening elements (1-11) required of this standard and contains questions which covers the youth own perception of vulnerability as well as any observations of the intake staff regarding a youth's gender non-conforming or perceived vulnerable appearance. Information obtained by the Intake Officer during the initial screening i.e. sensitive information has limited dissemination to prevent exploitation to the detriment to the youth and appropriate controls are in place and is password protected. They also have a process, according to policy, for the re-assessment of a youth and a hard copy of this form was provided for the auditor's review. Through the Intake staff and youth interviews coupled with a review of the documentation provided during the pre-audit and on site documentation review process verified that the facility has demonstrated compliance with this standard.

Corrective Action Findings: None

### Standard 115.342 Use of screening information

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Behavioral Screening and Resident Classification Plan 18.10, 26.06.01, Security and Control, Protective Isolation 6.04, and Texas Administrative Code 343.290, Isolation/Segregation Policies, Intake Officer Interview, Behavioral Screening Instrument, Isolation/Segregation Logs, Classification and Housing Assignment Log.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center Zero Tolerance and Protective Isolation policy was provided to the auditor that demonstrated compliance with this standard. The facility's Intake staff was able to demonstrate how the screening instrument is used to make informed housing assignments which is discussed weekly during their multidisciplinary meetings. A

copy of the Behavior Screening and Classification form was provided to the auditor for review and he was informed by the Therapeutic Program Coordinator that housing assignments are not based on LGBTGNC status, perceived status or identification status as an indicator of likelihood of being sexually abusive. The facility policy does not prohibits the placement of youth in isolation due to risk of sexual victimization and they did not provide written evidence indicating that seclusion (isolation) is not used for sexual abuse and sexual harassment victims and or perpetrators, though through the interview with the Therapeutic Coordinator that this does not occur. During the last 12 months the facility reported that there were zero youth placed in isolation, zero youth denied daily access to services and zero youth averaging any time in isolation. The facility policy also allows for an Intersex and Transgender youth to shower separately and to be reassessed twice a year to review any threats to safety experienced by the youth as confirmed through the interview with the youth and staff. This facility did not have Transgender and Intersex youth in their population during this on site audit.

Corrective Action Findings: The facility did insert into their Protective Isolation policy, upon review, that isolation will not be used due to a youth's risk of sexual victimization and they did provide written evidence in the form of a memorandum stating that isolation was not used in the last 12 months for sexual abuse and sexual harassment victims and perpetrators, thus demonstrating compliance with this standard.

### Standard 115.351 Resident reporting

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Abuse and Neglect Reporting 3.02, Intake, Admission and Release, Non-Offender 18.13.01 and Texas Administrative Code 343.208, Grievance Policy, PREA Posters, Hotline Numbers, Staff and Youth Interviews, and Third Party Reporting Policy

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center provides multiple internal ways (i.e. sick call, grievance, trusting adult) and several external numbers for a youth to privately report allegations of sexual abuse and sexual harassment. One such number for reporting an allegation is to the 1-877-STOP-ANE which is a toll free number posted by the phone on each section (housing unit) as observed. Interviews conducted with the facility's staff and youth demonstrated their knowledge, access and compliance with this standard including that staff do accept, document and immediately report verbal reports of sexual abuse and sexual harassment from a youth to the appropriate upper level supervisory and or administrative staff. The staff and youth also did inform the auditor, during their interviews, that they can report sexual abuse and sexual harassment allegations privately, confidentially, anonymously and or through a 3rd party. The staff can use the same 1-877-STOP-ANE number for making such reports. The facility provided a memorandum along with their Non- Offender policy stating that they do not detain youth for civil immigration purposes, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### Standard 115.352 Exhaustion of administrative remedies

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Resident Grievance Process 12.05,12.06 and Texas Administrative Code 343.376, 343.380 and 343.382, Grievance Policy, Retaliation Monitoring Form, Grievance Logs, Investigation Case Logs that exceeded 90 days or Required an Extension of 70 days, Disciplinary Action taken for Bad Faith filings, Investigator, Staff and Youth Interviews.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center Grievance policy states that a youth cannot resolve a sexual abuse grievance with the alleged staff person informally, that a 3rd party can file a grievance on behalf of a youth. The facility's policy does not state that disciplinary action can be taken against a youth if a grievance is filed in bad faith. The facility's policy does not state that a youth will be monitored for retaliation up to 90 days or until the investigation is closed or is unfounded. The PREA Coordinator showed the auditor the grievance lock boxes where a youth could file their grievance and provided him with a copy of the Youth Handbook that describes the youth the grievance procedure. The Denton County Juvenile Detention and Post Adjudication Correctional Center did not provide written evidence but did indicate that they received three (3) grievances in the last 12 months were filed for sexual harassment which were referred for administrative investigation, zero emergency grievances filed, and that there were zero sexual abuse and sexual harassment grievances and or administrative/criminal investigations that were not completed within 90 days or that required extensions up to 70 days.

Corrective Action Findings: The facility did insert into their Grievance policy, upon review, that disciplinary action can be taken if a youth files a grievance in bad faith and the policy now states that a youth will be monitored for retaliation up to 90 days or until the investigation is closed as Unfounded. The facility did provide written evidence in the form of a memorandum verifying that three (3) grievances were reported for sexual harassment, two (2) were the same allegation and one was assigned for administrative investigation, that the grievance was resolved within 30 days and the administrative investigation was completed timely and found Unfounded. The facility provided a memorandum stating that the grievances as well as the administrative investigation were completed within 90 days and there were no extension needed for 70 days, thus demonstrating compliance with this standard.

**Standard 115.353 Resident access to outside confidential support services**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Abuse, Neglect, Exploitation, Death and Serious Incident 3.05, Medical Treatment for Victims of Sexual Abuse 10.06, Behavioral Health Care for Victim of Sexual Abuse 10.07, Visitation 11.01, Visitation and Communication 11.02, Mail 11.03 and Texas Administrative Code 343.208, 352, 354, 356 , 360-364, Visitation Policies, Child Advocacy Center Memorandum, Youth Handbook, PREA Posters and other Documentation, Facility's Schematics of Visitation Area/Space, Random Staff, Youth and PREA Coordinator interviews.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines how a youth would have access to outside confidential support services. The facility provides the youth with information regarding their access to outside and other services i.e. 1-877-STOP ANE hotline during Intake and orientation via the Youth Handbook which contains toll free and or local phone numbers. The youth interviewed could recall being given this information on outside support services during the Orientation process, knew that they can communicate with outside service providers privately, that this conversation is confidential, and the youth indicated also that this was discussed during the comprehensive PREA groups that are being held in their sections every Saturday and Sunday. The facility provided written evidence on the established Memorandum of Understanding with the Child Advocacy Center for the provision of emotional support and crisis counseling services as needed for victims of sexual abuse. The facility does provide the youths with reasonable and confidential access to their parents, legal guardians and lawyers for visitation as indicated during the staff and youth interviews also as reviewed on the facility schematics for designated visitation space, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### Standard 115.354 Third-party reporting

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Grievance and Third Party Reporting Policy, Agency Website, Staff and Youth Interviews, Copy of Youth Grievance Form, and PREA Coordinator Interview.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy establishes the method outlined to receive a 3rd party reports of sexual abuse and sexual harassment on behalf of a youth and that this information is also available on the Denton County Juvenile Probation's website. The facility provided written evidence for the link to this website which was visited by the auditor for review. The Denton County Juvenile Detention and Post Adjudication Correctional Center provided written evidence outlining how they receive the 3rd party report for sexual abuse and sexual harassment, provided the auditor with a copy of the Parent brochure on PREA, which is mailed to them and a sample copy of the 3rd party Parent and Community Grievance Report form used by a 3rd party for reporting abuse, neglect, exploitation, sexual abuse and sexual harassment was provided and is on the agency's website. The PREA Coordinator verified this process when interviewed, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### Standard 115.361 Staff and agency reporting duties

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Abuse Neglect and Exploitation Reporting 3.02 and Texas Administrative Code 343.400, 420,460 and 500, Child Advocacy Center Memorandum, Intake Officer, Medical and Mental Health Practitioners, Facility Administrator, Agency Head, PREA Coordinator, PREA Compliance Manager and Random Staff Interviews, Referral Form to Outside Law Enforcement or Investigative Entity, and First Responder Interview.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy requires that all staff to immediately report to the Facility Director any suspicion, knowledge, or information of a allegation of sexual abuse, sexual harassment, retaliation and staff policy violation for neglect of their responsibilities that may have contributed to the incident or retaliation, including 3rd party reports. The agency's policy directs the facility staff including medical and mental health personnel as mandatory reporters of child abuse, to immediately report the information, complete a serious incident report and forward it to the Facility Director. The Facility Director or designee will then report the allegation to the Texas Juvenile Justice Department and to the local law enforcement agency as appropriate.

The facility's policy prohibits the staff from revealing any information related to the sexual abuse and sexual harassment allegation to anyone other than to the extent necessary. During the staff interviews they demonstrated knowledge regarding their reporting responsibilities including notification to their immediate supervisor, the Facility Director, local law enforcement, the internal investigators, the alleged victim's parent, legal guardian, lawyers and to the court of jurisdiction if applicable. The facility also provided other related policies regarding their internal processes, personnel action and the first responders responsibilities and duties of the staff including referrals to be made to the Denton County Friends of the Family for mental health assessment and treatment as necessary, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### Standard 115.362 Agency protection duties

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04.03 Detection of and Response to Sexual Abuse and Sexual Harassment, Reassignment or Administrative Leave during an Internal Investigation 3.04, Protective Isolation 6.04, Resident Grievance Process 12.05 and Texas Administrative Code 343.208, 376, 380 and 382, Isolation Room Log Sheet, Agency Head, Facility Administrator and Random Staff Interviews.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines their internal processes regarding the agency's protection duties. The specialized and random staff interviews verified their knowledge and compliance with this standard. The facility provided written evidence i.e. Initial Room Seclusion Logs and a memorandum which stated that they had zero youth in isolation during the last 12 months who were subject to any type of substantial risk of imminent sexual abuse while in their facility, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### Standard 115.363 Reporting to other confinement facilities

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Abuse Neglect and Exploitation Reporting 3.02 and Texas Administrative Code 343.400, 420, 460 and 500, Allegation Notification to Other Facilities, Facility Administrator, PREA Coordinator, Intake Officer and internal Investigator's Interviews, and the Investigative Administrative case file.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines the staff's requirement of reporting to other confinement facilities within 72 hour of being informed during Intake of an allegation being made by a youth of sexual abuse and sexual harassment and that it will be documented in the youth's electronic file. The interviews conducted with the Intake staff as well as with the administrative/supervisory staff demonstrated their knowledge and understanding of this reporting requirement and policy adherence. The Denton County Juvenile Detention and Post Adjudication Correctional Center provided written evidence in the form of a memorandum stating that were zero cases reporting to another confinement facility an allegation of sexual abuse and sexual harassment that occurred within the past 12 months as verified by the PREA Coordinator and the Facility Director during their interviews. They random staff recited, during their interviews, the notification protocol as well as provided written evidence to demonstrate that the alleged facility of occurrence would be notified well within 72 hours of the sexual abuse and sexual harassment allegation and that the case would be properly investigated and closed by the investigative entities, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### Standard 115.364 Staff first responder duties

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04.3 Detection of and Response to Sexual Abuse and Sexual Harassment and Texas Administrative Code 343.208, Investigative Administrative case, First Responder, Non-Security, Random Staff and PREA Coordinator Interviews.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center has established a policy that outlines the first responder duties for responding to sexual abuse and sexual harassment allegations. The facility reported there were one allegation of sexual harassment, whereas in this instance the collection of evidence, which was not applicable, would have been collected in the appropriate time frame, but none was required. The facility provided written evidence in the form of a memorandum stating there was zero times that the crime scene and or evidence needed to be preserved, zero times was requested of a victim not to take any action, zero times requested of the abuser not to take action, zero times that non-security staff had to respond, and in all times was the security staff notified and responded to the allegation. All of the random staff interviewed were able to articulate their knowledge, understanding, responsibilities and duties as a first responder including informing the victim and the abuser not to destroy evidence by washing, eating, changing clothes, drinking, defecating or brushing teeth. The facility had reported two allegations of sexual harassment during the past 12 months which one was closed as Unfounded, the other sexual harassment allegation that was originally submitted as a grievance was resolved as a grievance; and that in those instances the first responder acted in accordance with the agency's policy and the facility's protocol, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### Standard 115.365 Coordinated response

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Serious Incident Reporting 3.01, Criminal Investigations of Sexual Abuse and Sexual Harassment 3.05.01, Coordinated Response Plan for Acute Allegations of Sexual Abuse 3.02.02, Protection from and Monitoring Retaliation 3.05.02, Corrective Measures following an Internal Investigation 3.06, Medical Treatment for Victims of Sexual Abuse 10.06, Behavioral Health Care for Victims of Sexual Abuse 10.07 and Texas Administrative Code 343.208, 300, 320, 332 and 780, Copy of Facility’s Written Plan for Coordinated Response to Sexual Abuse Allegation, and interview with a Sexual Abuse Review Team Member.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center Coordinated Response Plan for Acute Allegations of Sexual Abuse policy outlines the procedure for specific staff’s response to allegations of sexual abuse and sexual harassment. The Denton County Juvenile Detention and Post Adjudication Correctional Center staff, as verified by the interview with a member of the Sexual Abuse Review Team, that he knew of the process for reporting a sexual abuse and sexual harassment allegations, the responsibilities of the facility administrator, medical and mental health personnel, the investigator and the responsibility of a first responders. The PREA Coordinator did not provide the auditor with a copy their written coordinated response plan to demonstrate compliance with this standard.

Corrective Action Findings: The facility did provide written evidence of their facility’s written coordinated response plan including where this document would be posted for staff’s reference, thus demonstrating compliance with this standard.

#### **Standard 115.366 Preservation of ability to protect residents from contact with abusers**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, and Human Resource Specialist Interview.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center provided written evidence in the form of a memorandum stating that they do not enter into collective bargaining agreements and the facility’s policy allow for an alleged staff abuser to be removed from contact with a youth pending an investigation or of a determination of whether and what extent discipline is warranted, thus demonstrating compliance with this standard.

Corrective Action Findings: None

#### **Standard 115.367 Agency protection against retaliation**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Protection from and Monitoring for Retaliation 3.05, Internal Investigator's Interview, Protective Measure Form, Child Advocacy Center Memorandum.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines their response to retaliation and protection for all youth and staff members who report an allegation of sexual abuse and sexual harassment and or who cooperates with an investigation. The facility has designated one of their Internal Investigators who is responsible for monitoring youth and staff against retaliation for reporting a sexual abuse or sexual harassment allegation. The facility's policy indicate that they employ multiple protective measures to protect a youth from changing housing assignments, removing them from the facility to another, removing the abuser or alleged staff member from contact with the victim, and providing emotional support to the victim. The facility policy states that a youth's conduct would be monitored up to 90 days against retaliation, that they would promptly remedy any such retaliation, will provide treatment services as needed and will protect any other individual who cooperates with an investigation who may express fear of retaliation. The facility provided written evidence in the form of a memorandum stating that there were zero times where protective measures were required to protect staff and or youth against retaliation in the last 12 months, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### **Standard 115.368 Post-allegation protective custody**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Protection from and Monitoring for Retaliation 3.05.02, Protective Isolation 6.04 and Texas Administrative Code 343.290, Random Staff and PREA Coordinator Interviews.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy does not state the prohibition of the use of segregation and or seclusion housing to protect a youth who have alleged sexual abuse and sexual harassment. The facility did not provide written evidence indicating that there were zero youths who were held in isolation who alleged sexual abuse and sexual harassment or who suffered sexual abuse in the last 12 months even though the facility's PREA Coordinator and Therapeutic Coordinator stated during their interviews that they do not use segregation and or seclusion to protect a youth from sexual abuse or sexual harassment.

Corrective Action Findings: The facility did insert in their Protective Isolation policy the prohibition of the use of isolation to protect any youth who have alleged sexual abuse and sexual harassment and did provide written evidence in the form of a memorandum stating that there were zero youths have not been held in isolation (segregation) who have suffered sexual abuse in the last 12 months, thus demonstrating compliance with this standard..

### **Standard 115.371 Criminal and administrative agency investigations**

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

- Does Not Meet Standard (requires corrective action)

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Conducting Criminal Investigations 3.05, Criminal Investigations of Sexual Abuse and Sexual Harassment 3.05.01 and Texas Administrative Code 343.249 (a) (5), 700, 740, 780, 800, 820, and 840, Internal Investigator Interview, Administrative Investigative Cases, PREA Coordinators Interview and a review of the Investigator's Training Records.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines that they conduct all administrative investigations and that the Denton County Sheriff Department will conduct all criminal investigations of sexual abuse and sexual harassment. The Denton County Juvenile Detention and Post Adjudication Correctional Center did provide written evidence of a case where sexual abuse occurred at another facility and a case for sexual harassment that occurred in their facility, which was investigated by the appropriate entities. The Internal Investigator described how they remained in contact with the investigative entities during that time, that the employee's termination or the victim and or perpetrator's being out of the control of the facility that it did not cause the investigation to be terminate and that they were closed in accordance with facility's policy. They also reported that zero substantiated investigative cases had been referred for prosecution and that they would retain these case files as long as the abuser is incarcerated or employed 5 years plus according to their policy and applicable law. The Denton County Juvenile Detention and Post Adjudication Correctional Center did provide written evidence of their investigators training records as verification, thus demonstrating compliance with this standard.

Corrective Action Findings: None

#### **Standard 115.372 Evidentiary standard for administrative investigations**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Conducting Criminal Investigations 3.05 and Texas Administrative Code 343.700, 740, 780, 800, 820, and 840, and the Investigator's Interview.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy does state that the standard used for proof when determining substantiation of an allegation for sexual abuse and sexual harassment in an administrative investigations is the preponderance of evidence, thus demonstrating compliance with this standard.

Corrective Action Findings: None

#### **Standard 115.373 Reporting to residents**

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

- Does Not Meet Standard (requires corrective action)

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Conducting Criminal Investigations 3.05 and Texas Administrative Code 343.700, 740, 780, 800, 820, and 840, Youth Notification Documentation Sample and the Administrative Investigative Cases.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines the facility's responsibility in notifying a youth regarding the initiation and the outcome of an investigation for sexual abuse and sexual harassment. The facility has reported 2 Unfounded sexual abuse and sexual harassment allegations during the past 12 months, that they had informed the youth of the outcomes, and that this investigation was completed by Denton County Internal Investigator. The facility did provide written evidence in the form of a memorandum stating that notification had been given to the youth during the initial of and at the conclusion of an the investigation, whether it is youth on youth or staff on youth and they also provided a sample copy of that notification letter. The facility indicated that there have not been any indictments, no referrals for prosecution or convictions of a abuser for sexual abuse and sexual harassment in the last 12 months, thus demonstrating compliance with this standard.

Corrective Action Findings: None

#### **Standard 115.376 Disciplinary sanctions for staff**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04 and Texas Administrative Code 343.208, Human Resource Policy, Staff Disciplinary Action Letter (if applicable), Referrals to law Enforcement Entity Documentation, and Interview with the Human Resource Specialist.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines the steps to be taken to discipline a staff for sexual abuse and sexual harassment. The Denton County Juvenile Detention and Post Adjudication Correctional Center reported but did not provide written evidence that there have not been any staff disciplinary actions taken during the past 12 months due a to violation of the agency's policy of sexual abuse and sexual harassment as well as there were zero referrals for sexual abuse and sexual harassment allegations to a law enforcement entity.

Corrective Action Finding: The facility did provide written evidence in the form of a memorandum stating that there were no disciplinary actions taken in the last 12 months against staff for violation of the agency's Zero Tolerance policy and that there were no referrals were made to a law enforcement entity in the last 12 months thus demonstrating compliance with this standard.

#### **Standard 115.377 Corrective action for contractors and volunteers**

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

relevant review period)

- Does Not Meet Standard (requires corrective action)

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04 and Texas Administrative Code 343.208, Volunteer and Contractor's Policy, Volunteer and Contractor's Disciplinary Letter (if applicable), Referral to Local Law Enforcement and Licensing Entity (if applicable), and interview with the PREA Coordinator Interview.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines the steps to be taken when disciplining volunteers and contractors for sexual abuse and sexual harassment violations. The facility has reported but did not provide written evidence that there were zero cases where a volunteer and or a contractor received disciplinary action during the past 12 months due to violation of the agency's policy of sexual abuse and sexual harassment. The facility indicated that there were zero reports made to local law enforcement or to a relevant licensing body for a contractor or volunteer engaging in sexual abuse with a youth.

Corrective Action Findings: The facility did provide written evidence in the form of a memorandum stating that no disciplinary action were taken nor was a report made to law enforcement or a relevant licensing body in the last 12 months against a contractor or volunteer for violation of the agency's Zero Tolerance policy, thus demonstrating compliance with this standard.

#### **Standard 115.378 Disciplinary sanctions for residents**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04 and Texas Administrative Code 343.208, Isolation/Segregation Policy, and review of the Administrative Investigative Cases.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines the process for taking disciplinary action against a youth when they participate in sexual misconduct with another youth, staff, volunteer or contractor in the facility including if the youth's mental disabilities and mental illness contributed to the behavior. The facility reported 2 administrative finding of a youth on youth sexual abuse which was Unfounded, zero criminal finding of a youth on youth sexual abuse and zero disciplinary sanctions imposed for a sexual abuse and sexual harassment substantiated allegation. The facility's policy indicates that they do not impose disciplinary sanctions if a youth makes a report of sexual abuse and sexual harassment in good faith. The Denton County Juvenile Detention and Post Adjudication Correctional Center policy prohibits denying a youth large muscle exercise, daily visits, educational programming, and access to other programs as a disciplinary sanction. During this reporting period the facility reported that zero youths were placed in isolation as a disciplinary sanction for a youth on youth sexual abuse and sexual harassment allegation in the past 12 months, thus demonstrating compliance with this standard.

Corrective Action Findings: None

#### **Standard 115.381 Medical and mental health screenings; history of sexual abuse**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04 and Texas Administrative Code 343.208, Mental and Medical Screening Instrument Form, JCMS Database Review, Prior Sexual Victimization Referral Forms and or Listing, Youth Medical and Mental Health Files and Follow Up Documentation, Interviews with the Medical, Mental Health Practitioners, PREA Coordinator and Random Staff and a review of the Facility's Schematics for Clinic.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines the procedure to follow for medical and mental health screenings i.e. Maysi, consisting of the youth's history of sexual abuse, if applicable. The medical and mental health staff indicated during their interviews that they maintain secondary information in their treatment files, which are kept in an office under lock and key whereas only they have access to them. The electronic files containing some of this information is not accessible to non-treatment staff. The Denton County Juvenile Detention and Post Adjudication Correctional Center identified 100 youths who had disclosed a prior sexual victimizations in the past 12 months, which occurred either at another confinement facility or in a community setting, and did provide written evidence in the form of a memorandum demonstrating that medical and mental health follow up assessments were offered to eighty eight (88) youths within 14 days of Intake and the remaining twelve (12) youths were released from the facility within the 14 day timeframe. The facility's Zero Tolerance policy states that all staff are considered mandatory reporters of child abuse according to their State law which include medical and mental health practitioners, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### **Standard 115.382 Access to emergency medical and mental health services**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Medical Treatment for Victims of Sexual Abuse 10.06 and Texas Administrative Code 343.208, Medical and Mental Health Practitioners Interviews, and a review of the Youth Medical and Mental Health Files.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center reported that there were zero cases of sexual abuse requiring medical attention at this facility during the past 12 months and the facility's policy outlines how a youth have access to these emergency services. The facility did not provide written evidence indicating that access to emergency medical and mental health services would be provided at the Denton Regional Medical Center. There were zero sexual abuse and sexual harassment cases to review that required a youth emergency access to medical and mental health services in the last 12 months according to the Juvenile Health Specialist during her interview.

Corrective Action Findings: The facility did provide written evidence in the form of a memorandum stating that during the last 12 months

there were zero instances where access to emergency medical and mental health services at Denton Regional Medical Center was required, thus demonstrating compliance with this standard.

### **Standard 115.383 Ongoing medical and mental health care for sexual abuse victims and abusers**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Medical Treatment for Victims of Sexual Abuse 10.06, Behavioral Health Care for Victims of Sexual Abuse 10.07 and Texas Administrative Code 343.208, Medical and Mental Health Treatment Policy, Treatment Services Referral Form, and interviews with the Medical and Mental Health Practitioners.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines the procedure for a sexual abuse victim and or abuser regarding their receiving ongoing medical and mental health care. The facility did not provide written evidence stating that these services will be provided to those youth who have been adjudicated and who are assigned to their pre/post detention facilities, that they are provided free of charge to the youth, that they do attempt to conduct an evaluation on the committed youth abuser within 60 days of learning of the abuse history and that they are offer treatment as deemed appropriate by the mental health practitioner. The Medical and Mental Health staff, during their interviews, indicated that the mental health and medical services are consistent with the community level of care. The Denton County Juvenile Detention and Post Adjudication Correctional Center reported that there were zero youth identified as a sexual abuse victim and or abuser who required ongoing medical and mental health services during the last 12 months.

Corrective Action Findings: The facility did provide written evidence in the form of a memorandum stating that during the last 12 months there were zero youth requiring ongoing medical and mental health care for sexual abuse as a victim and or abuser, thus demonstrating compliance with this standard.

### **Standard 115.386 Sexual abuse incident reviews**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04, Corrective Measures following Internal Investigation 3.06 and Texas Administrative Code 343.780, Sexual Abuse Review Team Initial and Ongoing Meeting Minutes, Monthly Meeting Notification (if applicable), and a review of the Administrative Investigative Cases.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines the process for conducting sexual abuse reviews for substantiated and unsubstantiated cases of sexual abuse and sexual harassment and that a review would not be held for Unfounded cases. The facility has reported zero allegations of sexual harassment during the last 12 months and zero reviews were

conducted since the alleged sexual abuse cases were Unfounded. Their sexual abuse team is represented by the agency head, the Facility Director, the Assistant Facility Director, the PREA Coordinator, an Investigator, and the Medical and or Mental health practitioner, which is convened within 30 days of the conclusion of an administrative and or criminal investigation for sexual abuse and sexual harassment. The meeting is facilitated by the Facility Director and the PREA Coordinator as co-chair, who prepares the minutes and report recommendations for improvement as applicable. The Denton County Juvenile Detention and Post Adjudication Correctional Center provided written evidence indicating that there were zero sexual abuse reviews held in the last 12 months. The facility provided the auditor a copy of the meeting minutes for the months of May, June and July of 2015 to demonstrate that the sexual abuse team was actively meeting monthly. It was recommended to the PREA Coordinator as a best practice by the auditor to provide written evidence in the form of an e-mail that all the Sexual Abuse Review Team members are kept apprised monthly if there are any sexual abuse and sexual harassment allegations. The facility provides memorandums stating that for the months of September, October and November of 2015 that there were no sexual abuse and sexual harassment allegations substantiated or unsubstantiated that required the SART to convene, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### **Standard 115.387 Data collection**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04.05, Data Collection and Review of Sexual Abuse and Sexual Harassment Incidents, the DOJ Survey for Sexual Victimization for 2014, PREA Coordinator Interview, Administrative Investigative Cases, Sexual Abuse and Sexual Harassment Allegations for 2014, reported trends, etc. and implemented recommendations.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines the procedure for collecting uniform data on all allegations of sexual abuse and sexual harassment at all their facilities including private contractors if applicable, using a standardized instrument to demonstrate compliance with this standard. The Denton County Juvenile Detention and Post Adjudication Correctional Center provided written evidence of their annual DOJ Survey of Sexual Victimization, the last one being for 2014, as the standardized instrument for capturing this aggregate data annually, which was confirmed through an interview with the agency's PREA Coordinator and viewed on the agency's website. The facility's PREA Coordinator, during the interview, indicated that he reviews, collects all the data including investigative reports and files, identifies trends, implements recommendations and documents the reason for not doing so locally, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### **Standard 115.388 Data review for corrective action**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04.05, Data Collection and Review of Sexual Abuse and Sexual Harassment Incidents, Facility's Aggregated Sexual Abuse and Sexual Harassment Data, and interview with the PREA Coordinator Interview.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines the review of aggregate sexual abuse and sexual harassment data, including that of their private contractors, to assess and improve the effectiveness of the agency's policies, practices and training. The facility provided written evidence that demonstrated a review of the data collected, identification of trends, problem areas, and subsequent corrective action to be taken in accordance with this standards. The facility's PREA Coordinator indicated during the interview that he prepares a report from these findings, comparing the current year's data with the prior year data, redacting any information that may present a clear and specific threat to the safety and security of the facilities, and provided a copy to the Department of Justice upon their request, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### **Standard 115.389 Data storage, publication, and destruction**

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

**Auditor 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.**

Policy and Evidence Reviewed: Zero Tolerance for Sexual Abuse and Sexual Harassment 2.04.05, Data Collection and Review of Sexual Abuse and Sexual Harassment Incidents, Interview with the PREA Coordinator.

Finding: The Denton County Juvenile Detention and Post Adjudication Correctional Center policy outlines that all sexual abuse data is under their control, that all personal identifiers are redacted and that this information is retained securely. A review of this policy and during the interview with the PREA Coordinator this practice was verified. Furthermore, the Denton County Juvenile Detention and Post Adjudication Correctional Center policy states that all sexual abuse data is retained securely and will be maintained for at least 10 years after the date of the initial collection, thus demonstrating compliance with this standard.

Corrective Action Findings: None

### **AUDITOR CERTIFICATION**

I certify that:

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

Jerome K. Williams

Auditor Signature

December 4<sup>th</sup>, 2015

Date