



## **TCSO 2022 PREA Annual Report**

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### **Background**

The Prison Rape Elimination Act (PREA) was passed by Congress and signed into federal law by President George W. Bush in 2003 to prevent, detect and respond to sexual abuse and sexual harassment occurring in confinement settings.

The Travis County Sheriff's Office (TCSO) has ZERO TOLERANCE for all forms of sexual abuse and sexual harassment within its jail facilities. Procedures are in place to prevent, detect, and respond to sexual misconduct in accordance with federal PREA standards. The Sheriff's Office administratively and/or criminally investigates all alleged incidents of a sexual nature.

### **Continued Compliance**

TCSO's two correctional facilities have maintained PREA compliance through two audit cycles (2016, 2020). In 2022, the PREA team prepared for the next scheduled audit set to occur in April of 2023 (which both facilities did pass). TCSO's PREA program ensures we provide staff training, inmate education, and screening for risk of victimization and/or abusiveness. We conduct thorough investigations of every allegation of sexual misconduct, and we continuously monitor the facilities and population. From our most vulnerable inmates to individuals with the highest potential to become abusers. The PREA team provides input in many areas of agency work, including housing determinations, video monitoring system deployment, hiring, and promotion standards.

### **2022 Survey of Sexual Violence**

Each year, TCSO collects PREA data in accordance with PREA standard 115.87 in order to assess and improve the effectiveness of sexual abuse prevention, detection, response policies, practices and training. We compare this data to data from prior years and take information from the year's cases and events to identify strengths and problem areas. This allows us to make any necessary corrections or adjustments to our practices. This data must also be reported to the U.S. Department of Justice, Bureau of Justice Statistics, when requested.

Definitions for the below:

**Substantiated**— an allegation that was investigated and determined to have occurred.

**Unsubstantiated**—an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

**Unfounded**—an allegation that was investigated and determined not to have occurred.

**Inmate on Inmate Nonconsensual Sexual Acts** – unwanted contact with another inmate including contact between genitals, between mouth and genitals, or penetration (see full definitions [here](#)):

Substantiated	1
Unsubstantiated	2
<u>Unfounded</u>	<u>1</u>
Total	4

**Inmate on Inmate Abusive Sexual Contact** – unwanted contact with another inmate involving touching of the inmate’s buttocks, thighs, breasts, or genitals in a sexual way:

Substantiated	2
Unsubstantiated	13
<u>Unfounded</u>	<u>4</u>
Total	19

**Inmate on Inmate Sexual Harassment** – repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another:

Substantiated	3
Unsubstantiated	7
<u>Unfounded</u>	<u>1</u>
Total	11

**Staff Sexual Misconduct** – sexual contact, voyeurism, exposure, threat of sexual abuse:

Unsubstantiated	1
<u>Unfounded</u>	<u>1</u>
Total	2

**Staff Sexual Harassment** – sexual harassment by a staff member directed at an inmate:

Total	0
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**2022 Reports in Review**

While cases did increase, compared to the population in previous years of similar populations, we are still seeing less incidents overall. PREA documented 36 allegations of abuse and harassment, with 3 substantiated cases of sexual abuse. This was closely examined by PREA and command staff to ensure we continue to provide meaningful reporting mechanisms and that we recognize abuse and harassment outcries correctly under the PREA definitions.

Calendar Year	2018	2019	2020	2021	2022
Average Daily Population	2,376	2,170	1,893	1,629	2,148
Total Intakes	41,791	37,302	23,742	23,145	25,951
PREA reports	73	71	59	23	36
Substantiated Sexual Abuse (penetration and abusive contact) cases	5	8	6	1	3

Reporting methods grew during this time with the introduction of the electronic request form. This method of reporting is available to the inmate population through the tablet system. The inmate population still has access to paper grievances; however, the electronic version allows for additional privacy for the user. Our other reporting methods did not change and remained in full effect. Both SAFE alliance and the PREA Hotline remained available and free for inmates. SAFE alliance continues to forward reported incidents while providing counseling support for inmates who have been the victim of sexual violence. The total number of individual voicemails increased by roughly 45% compared to years prior (roughly 290 individual calls to our internal PREA hotline). Reports are also taken in from inmates directly to staff, through visitation (whether in person or on the website) and by staff themselves who find instances of sexual abuse and/or sexual harassment. This all reinforces a culture of reporting that is crucial for the safety and security of the inmate population.

The incarcerated population increased from an average of 1,735 at the start of the fiscal year (October 2021) to 2,326 by the end of the fiscal year (September 2022). That is over a 34% increase in the population over the span of a year. Changes in some buildings, such as going from direct to indirect, kept things manageable for staff. This increased population had to be managed while the ongoing pandemic, while diminishing in its impact, was still having a noticeable effect on operations at both facilities.

Staff training continued to be a top priority for PREA with the release of the Bi-annual PREA training where all staff completed a PREA education course in order to keep them trained and up to date. This was separate from our C.O.B.R.A. PREA classes, our standalone courses, our supervisor training courses, and our optional online SCOOP series. This is all done to make sure every staff member knows PREA policy and procedures. Ensuring every scenario involving sexual abuse or sexual harassment is handled within policy.

In conclusion, the added population increased the number of reports, but not to previous levels seen in years prior. A clear example is in 2020 when the opposite situation occurred (the population started higher and then decreased over the year), yet 2020 had a higher number of reports even with a smaller inmate population that year. Overall, it's something the PREA team will continue to monitor in 2023.

### **Additional Areas of Focus**

The PREA Team continued to work cooperatively with community partners, including SAFE Alliance and BRAVE Alliance. PREA staff and supervisory staff worked closely with sex crimes detectives in the Law Enforcement Division as we pursued criminal investigations on every abuse allegation. The PREA Team worked with our agency's victims' services staff, who respond to allegations in our facility and provide support and information to inmate victims. Our staff in medical and behavioral health services are invaluable partners in both detecting and responding to sexual victimization.

In 2022, we continued our training efforts from the year before with another PREA Compliance Officer completing the PREA 101 course. This course is a 15-week class that is offered by the PREA Resource Center. It provides a refresher for the students on the standards as well as different perspectives to how these are being implemented at facilities across the country.

A mock audit was conducted in the Fall of 2022 to prepare staff for the upcoming audit in 2023. This found a number of areas that could improve PREA related operations such as the screening process and youthful inmates. The screening process was reworked with PREA conducting screenings with the PREA TCJ Compliance Officer and PREA TCCC Compliance Officer within 72 hours of an inmate being brought into either facility. Youthful inmates were moved to a unit that had additional measures to protect this population from the adult population. PREA SOP was reviewed and updated. Overall, the mock audit was a success in finding weaknesses within our implementation of the PREA standards and strengthening them before our official audit the following year.

### **PREA Personnel Changes**

It should also be noted that a number of PREA staff left TCSO this year including former PREA Coordinator Kristin Winges-Yanez and former PREA Screening Officer Sara Ochoa. Both provided critical support over the years and were instrumental for PREA being as successful as it was. The PREA Coordinator position was in the process of being filled at the end of the year (being filled in 2023), a new PREA Admin Compliance Officer position was created to assist with screenings (being filled in 2023), and the PREA Screening position was filled by the end of 2022.

### **Conclusion**

As another year comes to an end, we continue to ensure that TCSO takes the best course of action for the prevention of sexual victimization and the elimination of sexual abuse for the incarcerated population within our facilities.

Sally I. Hernandez  
Sally I. Hernandez, Sheriff, Travis County

9-27-23  
Date