



TCSO 2021 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.

Compliance

TCSO's two correctional facilities have maintained PREA compliance through two audit cycles (2016, 2020). 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. The PREA team provides input in many areas of agency work, including housing determinations, video monitoring system deployment, and hiring and promotion standards.

2020 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 its sexual abuse prevention, detection, and 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 and 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](#)).

Unsubstantiated	1
Unfounded	1
<u>Pending Criminal Investigation</u>	<u>1</u>
Total	3

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

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	4
<u>Unsubstantiated</u>	<u>11</u>
Total	15

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

<u>Unfounded</u>	<u>3</u>
Total	3

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

Total	0
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2021 in Review

Cases have again significantly decreased from prior years. In 2020 we received a total of 59 allegations of abuse and harassment, with 13 substantiated cases (22%), which was a decrease in total cases from the year prior. Our facilities received a total of 23 allegations in 2021, with five substantiated cases (22%). This significant drop in overall allegations 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
Average Daily Population	2378	2,170	1,893	1,629
Total Intakes	41,326	37,730	23,742	23,145
PREA reports	73	71	59	23
Substantiated Sexual Abuse (penetration and abusive contact) cases	5	8	6	1

To examine this data, we first note that inmates, staff, and the public can report allegations in numerous ways, and means of access did not change in 2021. Our hotline calls and reports remained comparative to years prior (roughly 200 individual calls to our internal PREA hotline), meaning we received more calls relative to the decreased population. We continued to receive forwarded reports from our community partner SAFE Alliance (via the SAFE Line), and a large number of our cases continue to be reported directly to staff. PREA staff carefully review information regarding how allegations are identified to note trends and detect any potential issues or barriers to reporting.

As with 2020's examination, this decrease could be explained by pandemic response. The jail population and bookings into our downtown facility decreased significantly in 2020. Operationally, jail staff reduced proximity and contact with inmates wherever possible to ensure we took maximum precaution against viral transmission. More communication was conducted with barrier separation, for example. Often, claims of inappropriate touching arise from ordinary contact in the course of supervision, treatment, or other routine business. 2020's numbers were a drop from the year prior, and we note that COVID protection protocols really increased over the summer of 2020. Last year was a full calendar year with this lower population and protection measures, which could explain the even lower number of cases.

We continued regular staff training and held a hybrid online/in person investigation refresher course for corrections supervisors. These trainings cover the particulars of PREA definitions and case examples of allegations that should (and should not) be investigated and labeled under the PREA framework. Our investigatory and first responding staff are highly trained in recognizing abuse and harassment, and we are confident that we are correctly classifying reports. We continue to monitor reporting and ensure that we investigate every allegation of sexual abuse or harassment.


We continued our cooperative work both within the agency and with our community partners the SAFE Alliance and BRAVE Alliance. PREA staff and supervisory staff work closely with sex crimes detectives in the Law Enforcement Division as we pursue criminal investigation on every abuse allegation that could be criminal in nature. We also work closely with our agency's victims' services staff, who respond to allegations in our facility and provide support and

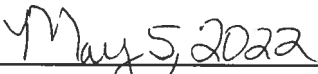
information to inmate victims. Our staff in medical and behavioral health services are invaluable partners in both detecting and responding to sexual victimization.

2021 also brought several exciting opportunities to learn and improve our program. One of the PREA Compliance officers was selected to take part in the PREA Resource Center's inaugural PREA 101 class, an intensive 15-week online program that increased our internal expertise and connected us with representatives from other agencies nationwide. We were also honored to begin work with the VERA Institute of Justice's Center on Victimization and Safety on an advanced Technical Assistance project designed to improve the accessibility of PREA-related educational materials and services for incarcerated people with disabilities and those who are Deaf, in accordance with the requirements under PREA Standard §115.16. This project has also led to improvements to our staff training on ensuring our PREA-related activities are accessible to all.

Conclusion:

In another year with unprecedented stressors on the community and our correctional facilities, we have continued to ensure we follow best practices and take every available action to prevent the sexual victimization of our incarcerated population. We continue to learn from national PREA leaders, improve our processes, and constantly work towards the elimination of custodial sexual abuse in our facilities.


Sally Hernandez, Travis County Sheriff


Date