



Memorandum

To: Mr. Joseph Newman, CEO
From: Michael Breedlove, Facility Director/PREA Coordinator
Date: 12/21/2022
Re: 2021 PREA in Review

Mr. Newman,

The content of this memorandum is a review of the sexual abuse and sexual harassment allegations made in 2021 and a plan of action.

The program had two reports of sexual victimization allegations for 2021. This represents a decrease in sexual victimization allegations when compared to the six sexual victimization allegations reported in 2020.

These numbers were reported for 2021 to the Bureau of Justice Statistics (BJS) in accordance with PREA definitions and categories as follows:

- There were 0 Youth-on-Youth Non-Consensual Sexual Act allegations reported.
- There were 0 Youth-on-Youth Abusive Sexual Contact allegations reported.
- There were 0 Youth-on-Youth Sexual Harassment reported.
- There were 1 Staff Sexual Misconduct allegations reported, with the following depositions: 1 Substantiated, 0 Unsubstantiated, 0 Unfounded and 0 Ongoing Investigation

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- There were 1 Staff Sexual Harassment allegations reported, with the following depositions: 0 Substantiated, 0 Unsubstantiated, 1 Unfounded and 0 Ongoing Investigations

Cornerstone Programs and Garza County Regional Juvenile Center will continue to remain proactive in taking progressive and preventative steps in their efforts towards eliminating sexual abuse and sexual harassment victimizations in our facility. The continued proactive steps to be taken are:

- Monitor and review for areas in the facility where “blind spots” may be identified and install additional cameras, as needed. In 2021, no additional cameras were installed.

In review of the PREA sexual misconduct allegations and subsequent confirmation, the Facility Review Team determined that the 89 cameras in use at the program were sufficient to ensure a sexually safe culture. In the case of the substantiated finding of sexual misconduct, a camera was appropriately placed and utilized to establish the staff’s misconduct.

- Youth are assigned to housing using a Sexual Victimization Screening Tool that is utilized to allow staff to monitor and assign youth to housing, taking into account, a youth’s propensity to be victimized or act in a predatory manner. This Screening takes into account a youth’s age, stature, criminal history and/or LGBT status to ensure appropriate facility housing.
- During shower times, all youth are secured in their rooms, with the exception of the youth who are showering.
- Conduct Unannounced rounds/visits of the facility by shift supervisors, unit managers and facility administrators on all shifts monthly.
- Ensure that “Zero Tolerance” and “Break the Silence” posters are conspicuously displayed throughout the facility.
- Ensure that any the use of Safe Housing is only as a last resort and only after less restrictive measures are inadequate to keep a youth or other youth safe and only until an alternative means of keeping all youth safe can be arranged. No youth were assigned in safe housing in 2021.

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- Ensure that any youth in Safe Housing receive a daily visit from mental health and medical staff, as well as have access to large muscle exercises, education services/special education services. To the extent possible, while preserving safety and security, access to other programming or work details will be offered.
- Every 30 days, any youth in Safe Housing will be reviewed to ascertain if a need still exists to warrant the youth remaining in isolation.
- Monitor facility surveillance footage (live and recorded) weekly to ensure that youth are free from sexually abusive behaviors, as well as free from sexually harassing behaviors.
- Ensure that a 1 to 8 staff to youth ratio is always maintained during program hours.
- Ensure that all youth are accounted for by way of informal counts conducted randomly throughout the shift, as well as during formal counts.
- Ensure that staff always maintain direct line of sight observation of youth.
- Ensure that facility staff are trained in PREA during their orientation and then annually thereafter.
- Ensure that when a staff member of the opposite gender enter an area where youth may be showering or changing clothing, announce themselves by stating, "Female on the Floor" or "Male on the Floor".
- Ensure that all youth are oriented on PREA and informed on how to report any sexual misconduct allegation via the hotline, to staff, volunteers, through a formal grievance, advising a parent or a third party.
- Continue to conduct Criminal Records Check and Child Abuse Registry check on new employees, volunteers, and contractors annually.
- If necessary, place vulnerable and or predatory youth on safety plans and monitor behaviors.
- Any youth who allege any sexual misconduct will be monitored for at least 90 days to ensure that retaliation does not occur.
- All victims of sexual abuse will receive trauma counseling services by a victim advocate at the University Medical Center Rape Crisis Center.

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- The Facility Review Team will conduct Sexual Abuse Reviews for all unsubstantiated and substantiated incidents of sexual abuse or sexual harassment within 30 days of their disposition. If applicable, any recommendation made by the review team about staffing, additional surveillance equipment or physical plant modifications will be forwarded to Cornerstone Programs Corporate leadership for review and if appropriate, implementation. All recommendations made during a Sexual Abuse Review should be taken into consideration to prevent sexual abuse and sexual harassment incidents from occurring.

A comparison was made between the 2020 and 2021 statistics in each reporting categories to ascertain progression or regression in the respective categories. As a result, it should be noted that there were no reports of any sexually inappropriate behaviors in any Youth-on-Youth categories. In comparison, there was a decrease in staff sexual victimization allegations from six in 2020 to two in 2021.

The two staff sexual victimization allegations consisted of one staff sexual misconduct allegation and one staff-on-youth sexual harassment allegation.

Although the one staff sexual harassment allegation made by youth in 2021 resulted in an unfounded finding, a sexual abuse review was conducted to determine if any corrective actions were needed. The facility review team recommended no changes to the physical plant, policy, or augmentation of the facility surveillance system.

One staff sexual misconduct allegation was reported during 2021, which resulted in a substantiated finding. The allegation consisted of the following, with the disposition of the allegation noted:

- Case #1: An allegation was made involving a female staff member displaying sexual content to youth via her smartwatch, while assigned to the dorm. In accordance with PREA requirements, Texas Administrative Code (TAC) and facility policy, the staff member was immediately reassigned to a post without contact with youth, once the allegation was reported, pending investigation into the matter. In accordance with PREA, TAC and facility policy, referrals were also made to law enforcement and to the Texas Juvenile Justice Department (TJJD) Office of Inspector General (OIG). An OIG investigator conducted a face-to-face interview with the staff member, after which she resigned her position. An investigation conducted by the TJJD OIG resulted in a substantiated disposition of staff sexual misconduct, with the allegation CONFIRMED.

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Through review of the allegations and subsequent confirmed case, no recommendations for additional staff or revisions to the staffing pattern were made. In Case #1, no additional staff or additional cameras would have made an impact.

As noted in the section of this summary report dealing with review of “blind spots” and cameras, the Facility Review Team did not recommend the addition of new cameras or the repositioning of cameras currently in use. No other recommendation for modifications to the physical plant were made by the review team.

In review of the confirmed allegation, the former staff member had been trained in the prohibition of all sexually related behaviors, to include displaying sexually inappropriate materials to youth in the program. The facility continues to focus on development of new managers, supervisors, and direct care regarding PREA requirements, including promoting a Zero Tolerance Policy toward any sexual abuse and sexual harassment and how open communications plays a vital role in ensuring a sexually safe environment and culture. Additionally, reporting requirements are stressed, with emphasis that any allegation or information that involves staff inappropriately interacting with youth currently in the facility or in the community on supervision or under the jurisdiction of an agency, must be reported immediately, as required by PREA standards, TAC, and facility policies.

It is important to note that the staff involved in the allegations received PREA and ANE training from the facility PREA Coordinator during orientation and subsequent In-Service training, as prescribed by PREA, TAC and facility standards. Facility staff and youth will continue to be updated and trained on PREA requirements, as well as methods of reporting. Unannounced PREA checks will continue to monitor staff and youth safety, as well as to ensure that the Zero Tolerance policy is maintained and enforced.

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Respectfully submitted,

Michael Breedlove
GCRJC Facility Director/PREA Coordinator

Approved:

Joseph Newman
President/CEO Cornerstone Programs

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