I'll try my best not to be redundant on what -- some of what Mr. Quarterman has already mentioned, but I would like to read this as an overview here.

The enactment of the Prison Rape Elimination Act of 2003 has caused correctional institutions to pay closer attention to the violent behavior behind their walls; to develop creative strategies to detect and prevent the incidence of sexual assault of the offender population entrusted in their care; to maintain more accurate accounting of incidents of sexual assault and action taken; and to attend to the specific needs of prison sexual assault victims.

Texas Department of Criminal Justice, TDCJ, is striving for elimination of offender-on-offender and staff-on-offender sexual assaults and reinforces this philosophy through the adoption of a zero tolerance against sexual assaults.

Through the support of the legislative leadership and the Texas Board of Criminal Justice, the TDCJ has made and continues to make great strides towards prevention, detection, prosecution, and reduction of prison sexual assaults.
In order to better understand the problem of prison sexual assault in Texas and the initiatives taken to address the problem, one must first understand the dynamics in which is involved in this effort.

The TDCJ was formed in 1990 through a consolidated of three independently operated criminal justice systems, or agencies: The probation, the parole, and the prisons. Since this creation, the agency has experienced a steady growth in the number of individuals under its supervision. This steady growth is particularly true in the prison system. During the early 1990s, prison officials watched one of the most explosive growths, with the general population as well as an expansion of institutional sanctions operated by the state and the private vendors. The population growth leveled in the mid '90s, only to rebound again in the past six years. And as of December 2006, there was approximately 153,000 offenders housed in 106 secure facilities.

Over the years, the TDCJ has evolved into a massive business network comprised of complex programs, business and finance operations, professional standards and community partnerships. Through its periods of transformation, some staff have
adopted and accepted the cultural changes faster than
others. Agency officials recognized the need to
impact the cultural environment to ensure that staff
are not insensitive to the plight offenders who allege
to have been sexually assaulted. Historically, the
culture regarding prison sexual assault has often been
one of acceptance.

The Supreme Court, in Farmer versus
Brennan, addressed the idea that an offender should
not come to prison with the expectation of being
sexually abused. The Supreme Court determined the
incarceration offenders should not, as a condition of
confinement, be subjected to sexual assault. And
during the past two years, TDCJ has implemented
changes to staff training and development to educate
correctional staff and supervisors of the agency's
missions of zero tolerance of sexual assaults, in
order to positively impact these cultural issues.

Effective 2001, the Texas State
legislation mandated the TDCJ to use appropriate funds
to establish a Safe Prisons Program. In response,
TDCJ implemented and maintains a Safe Prisons Program,
which documents the guidelines for investigating
requests from offenders alleging increased risk of
harm, such as sexual assault, extortion, and physical
assault from other offenders and establishes specific policies and procedures designed to prevent and to limit the number of offender-on-offender sexual assaults.

Initially, the program utilized resources from existing administrative directives, the TDCJ classification plan, the Office of Inspector General investigative procedures, and medical policies. Organizationally, the director of the correctional institution division, the CID, serves as the program's coordinator.

In October of 2003, the Safe Prisons Program Management Office was created. This office conducts statistical analysis of alleged sexual assaults, monitors each alleged incident to ensure agency compliance with current policies, identifies issues for further policy development, as well as facilitates training and awareness programs for staff and offenders.

Initially, staff was the Safe Prisons Program manager and an administrative assistant. The Safe Prisons Program Management currently employs now a Safe Prisons Program Manager and two Safe Prisons Program Specialists and two administrative assistants. In addition to the Safe Prisons Program Management
Office, the CID director formed the State Prisons Program Council. This body was created to provide guidance to the Safe Prisons Program Management Office and executive administrative staff on the issue of prison sexual assault.

Individuals serving on the Council for Criminal Justice Professionals possess a wide array of educational and professional background and experience. In November of 2003, the Council has adopted as their mission to establish and implement a zero tolerance standard on sexual assaults from predatory behavior by collecting, analyzing, disseminating information for evidence-based decisions, and by promoting and delivering training and education that contributes to the positive change in institutional culture and safer prisons.

One of the initial tasks of the Safe Prisons Program Management Office and the Safe Prisons Council was to establish and implement the Safe Prisons Plan. Utilizing existing resources, coordinating with agency departments, and networking with outside governmental agencies and advocacy groups resulted in a comprehensive plan of action designed to address concerns of alleged sexual assaults in Texas prisons. The Safe Prisons Plan was approved by
administrative -- excuse me. Agency administrators and became effective January of 2005.

The passage of the Prison Rape Elimination Act and resources made available as a result of the Act had a profound impact on TDCJ and its ability to implement initiatives toward the reduction of sex assaults in Texas prisons. Effective October 1st of 2004, as Mr. Quartermann alluded to, was awarded a one million dollar federal grant on protecting inmates and safeguarding communities through the Office of Justice programs. As part of the Federal grant, TDC met the dollar amount award with a matching in-kind amount. These in-kind dollars were directed toward facility-based operations of the Safe Prisons Program, by establishing a dedicated unit-based employee for responsible for oversight of the program.

23 of the largest facilities, intake facilities and facilities housing more aggressive and vulnerable offenders were identified. The Unit Safe Prisons Program coordinator is a multi-tasked position, tasked with performing facility-based initiatives identified through the Safe Prisons Program Management Office and the Safe Prisons Program Council. The Unit Safe Prisons Program Council is
responsible for the overall monitoring of the Safe Prisons Program at the facility and works directly for the facility administrator responsible for the safety and security of the facility.

Specific initiatives were identified and implemented that impact the issue of prison rape through the efforts of the Safe Prisons Program Management Office and the Safe Prisons Council. The initiative centered on education, training, prevention, reporting, investigation, prosecution, and data analysis.

Effective June 1, 2006, TDC was awarded a subsequent one million dollar Federal grant on protecting inmates and safeguarding communities through the Office of Justice Programs, to enhance the existing initiatives and initiate a comprehensive intake orientation process.

While this opening statement is meant to be a brief overview, I would like to re-emphasize that TDC's mission has been and will continue to be one of zero tolerance of sexual assaults. Thank you.

CHAIRMAN WALTON: Thank you.

Mr. Bales.

MR. RALPH BALES: Thank you.

What I would like to do is begin with