
In accordance to PREA Standard (§115.87), Southwest Multi-County Correction Center/Dickinson Adult Detention Center has compiled the following comparative data regarding PREA reports, and subsequent PREA investigation results for the year of 2016.

Dickinson Adult Detention Center (Jail): 2016

There were (5) PREA Investigations in 2016.

Sexual Assault Investigations: (0)
Sexual Abuse Investigations: (1) unfounded
Voyeurism Investigations: (1) unfounded
Sexual Harassment Investigations (2) unsubstantiated
(1) unfounded

Pursuant to PREA standards for data review (§115.88), the following will serve as an annual review for 2016 in order to assess and improve the effectiveness of SWMCCC/DADC’s sexual abuse and sexual harassment prevention, detection, response policies and training.

Prevention Planning: In addition to maintaining compliance of institutionalized practice of Prevention Planning Standards 115.11-115.18, which is supported by SWMCCC/DADC PREA policy, and the November, 2015 PREA Audit, SWMCCC/DADC has undergone successful audits with the Federal Bureau of Prisons, and ND Department of Corrections and Rehabilitation in 2016.

The SWMCCC/DADC Staffing Plan has been reviewed by the Operations Administrator, Chief of Security, and PREA Coordinator at least annually in accordance with 115.13 (c).

SWMCCC/DADC reviewed and updated the PREA policy in totality in 2016; however, 115.15, Limits to cross-gender viewing and searches policy and internal practice were reviewed extensively. As a demonstration of compliance with 115.15 (d), the Chief of Security ensures the privacy of residents by actively monitoring the placement of digital masks that are on cameras in inmate cell areas. In demonstrating compliance with 115.15 (f), during the initial assessment with a transgender or intersex inmate, staff will ask the inmate if they prefer to be searched by a male or female officer, have a male or female officer conduct urinalyses, and their preferred pronouns which will be documented on the “Statement of Search, Urinalysis and Pronoun Form”. Pending the inmate’s preference does not disrupt the safety and security of the institution, the Captain or designee, will assign the gender of staff the inmate is most comfortable with to perform unclothed and pat down searches, and conduct urinalyses for the transgender or intersex inmate. This information will be recorded in the PREA Coordinator, and PREA Alert Notes documentation in Premiere One.

PREA posters were updated to include a bold, and colorful statement designed to alert residents opposite gender staff are on duty 24/7. These posters supplement the internalized practice of staff of the opposite gender announcing their presence when entering an inmate housing unit.

SWMCCC/DADC has been in the process of updating the facility's electronic surveillance system to include extensive audio recording capabilities.

Responsive Planning: Compliance regarding institutionalized practice of Responsive Planning Standards 115.21-115.22, was maintained and supported by SWMCCC/DADC PREA policy, and the November, 2015 PREA Audit.

Training and Education: (2) mandatory PREA trainings were offered for all staff, regardless of position and length of employment, in efforts to comply with standard 115.31 Employee training.

On February 20, 2016, (19) AA and Spiritual Volunteers completed basic PREA training, and (20) AA, Spiritual Volunteers, and professional providers completed basic PREA training on October 4, 2016 in accordance with standard 115.32.

Inmate education policies and institutional procedures remained in compliance in accordance with 115.33. Changes to our procedure to report PREA incidents to an outside agency who will report back to SWMCCC/DADC administration required updates to the Inmate Education curriculum. An emphasis was also made to educate inmates about behaviors which may result in an alleged incident of sexual harassment, e.g. inappropriate humor, and horse play.

(2) Captains completed Specialized training: Investigations according to standard 115.34.

Screening for Risk of Sexual Victimization and Abusiveness: In addition to maintaining compliance of institutionalized practice of Screening for Risk of Sexual Victimization and Abusiveness Standards 115.41-115.43, which is supported by SWMCCC/DADC PREA policy, and the November, 2015 PREA Audit, the reassessment tool has been updated at least twice.

In April, 2016, the SWMCCC/DADC PREA policy, and institutionalized standards addressing Standard 115.42 was critically scrutinized. The National PREA Resource Center had issued the following information regarding PREA Standard 115.42 in an effort to clarify the standard. The FAQ clarifies that "Any written policy or actual practice that assigns transgender or intersex inmates to gender specific facilities, housing units, or programs based solely on their external genital anatomy violates the standard." (Emphasis added). Policies and practices must require an individualized assessment, and must give "serious consideration" to the transgender or intersex inmate's own views with respect to safety in order to be PREA compliant. As the FAQ states, "The assessment, therefore, must consider the transgender or intersex inmate's gender identity- that is, if the inmate self-identifies as either male or female." The extensive review resulted in affirming SWMCCC/DADC as being compliant as a facility. In June, 2016, after reaching out to ND Department of Corrections, SWMCCC/DADC received information from the ND Department of Corrections that statutory changes were being considered regarding the ND Jail Rules at the State level.

Reporting: Institutionalized practice, and SWMCCC/DADC policy supports compliance as outlined in PREA Standards 115.51-115.54. Goldenrod PREA brochures, all PREA posters, the Inmate Handbooks (which include a bolded version for inmates who have vision issues, and a Spanish version), and the Inmate Education Curricula was updated to include a change of address for written correspondence to the Dickinson Police Department. The Dickinson Police Department is a public entity which is not part of our agency that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. The procedure to make these PREA reports via inmate telephone to the Dickinson Police Department had also changed, so all aforementioned resources were updated to support inmate reporting.

Official Response Following an Inmate Report: Compliance regarding institutionalized practice of Official Response Following an Inmate Report Standards 115.61-115.68, was maintained and supported by SWMCCC/DADC PREA policy, and the November, 2015 PREA Audit.

Investigations: There were (5) PREA Investigations in 2016 which were conducted in accordance with PREA Standards 115.71-115.73.

Sexual Assault Investigations:	(0)
Sexual Abuse Investigations:	(1) unfounded
Voyeurism Investigations:	(1) unfounded
Sexual Harassment Investigations	(2) unsubstantiated (1) unfounded

Discipline: In regards to Discipline Standards, 115.76-115.78, there was no need to discipline staff, contractors, volunteers, or inmates in 2016.

Medical and Mental Care: In supporting compliance with PREA Standards, 115.81 (a-c), reassessments of inmates who have experienced prior sexual victimization, whether it occurred in an institutional setting, or in the community, as well as an inmate who has previously perpetrated sexual abuse, in an institution or community typically are completed within 14 days of the intake screening by a mental health practitioner. Inmates who appear to be suffering from Serious Mental Illness, will typically be met with by a mental health practitioner and reassessed within 14 days of the intake screening.

Compliance with PREA Standard 115.83 has been demonstrated by providing mental health services for victims of institutional sexual abuse, and sexual harassment.

Data Collection and Review: In accordance with 115.86, Sexual abuse incident reviews were conducted on all (5) PREA Investigations, regardless of the outcome of the PREA Investigation. Compliance of PREA Standards 115.87 and 115.88 is demonstrated by the creation of this document.

Audits: SWMCCC/DADC had its first PREA Audit in September, 2015, earning a Final Report of Complete Compliance in November, 2015.

Auditing and Correction Action:

SWMCCC/DADC is in the process of tentatively scheduling our next PREA Audit in Spring, 2018, as our sister agency; Dakota Women's Correction and Rehabilitation Center completed their audit in November, 2016, fulfilling the agency's (Southwest Multi-County Correction Center) obligation to audit 1/3 of all facilities every year in the (3) year audit cycle.

The following annual reports offer a yearly comparison of the number of PREA Investigations completed based upon receipt of reports/complaints of sexual abuse or sexual harassment. All reports are investigated.

2013: (3) PREA Investigations:

1. Sexual harassment PREA Investigation resulted in substantiated sexual harassment allegations regarding two male inmates.
2. Sexual harassment and voyeurism PREA Investigation resulted in unfounded sexual harassment, and unfounded voyeurism allegations made by a female inmate, directed to unidentified male staff.
3. Sexual harassment and sexual abuse resulted in an allegation of substantiated sexual harassment, and unsubstantiated allegations of sexual harassment and sexual abuse, involving two male inmates.

2014: (5) PREA Investigations:

1. Sexual harassment PREA Investigation resulted in substantiated sexual harassment allegations regarding two male inmates.
2. Sexual harassment PREA Investigation resulted in unsubstantiated sexual harassment allegations directed to a female staff from a male inmate.
3. Sexual harassment PREA Investigation resulted in substantiated verbal sexual harassment regarding two male inmates.
4. Sexual abuse PREA Investigation resulted in unfounded sexual abuse allegations made by a female inmate directed toward unidentified staff.
5. Sexual abuse and sexual harassment PREA Investigation resulted in substantiated sexual abuse and sexual harassment allegations between two male inmates.

2015: (7) PREA Investigations:

1. Sexual harassment PREA Investigation resulted in unsubstantiated sexual harassment allegations regarding two male inmates.

2. Sexual abuse PREA Investigation resulted in unfounded sexual abuse allegations regarding two male inmates.
3. Sexual harassment PREA Investigation resulted in unfounded sexual harassment allegations made by a male inmate directed to a female staff member.
4. Sexual harassment PREA Investigation resulted in unfounded sexual harassment allegations involving two male inmates.
5. Sexual abuse and voyeurism PREA Investigation resulted in unfounded sexual abuse and voyeurism allegations made by a male staff directed to a male staff member.
6. Sexual harassment PREA Investigation resulted in unfounded sexual harassment allegations made by a male inmate directed to a male staff member.
7. Sexual harassment PREA Investigation resulted in unfounded sexual harassment allegations made by a male inmate directed to a male staff member.

2016: (5) PREA Investigations:

1. Sexual abuse PREA Investigation resulted in unfounded sexual abuse allegations involving two female inmates.
2. Sexual harassment PREA Investigation resulted in an unsubstantiated sexual harassment allegation, and an unfounded sexual harassment allegation involving three male inmates.
3. Sexual harassment PREA Investigation resulted in an unfounded sexual harassment allegation made by a male inmate directed to a male staff member.
4. Sexual harassment PREA Investigation resulted in unfounded sexual harassment allegations involving two male inmates.
5. Voyeurism PREA Investigation resulted in an unfounded allegation of voyeurism made against a male staff member by a male inmate.

As indicated by the above comparative data, the majority of PREA reports received by SWMCCC/DADC continue to be of Sexual Harassment. We have amplified content of our PREA Inmate Education program to raise the awareness of our inmates regarding what behaviors can constitute “sexual harassment”, such as inappropriate humor and behavior, off-color or locker room type of conversations and interactions, and horseplay in some cases. The street code and jail culture is often at odds with the social behavior expectations of SWMCCC/DADC, and staff continues to role model appropriate behavior, and hold inmates accountable.

With that being said, some of the PREA reports made against staff appear to be staff who may be firmly consistent in their behavior expectations of inmates, and staff who utilize the SWMCCC/DADC discipline system. Further, there appeared to be an element of dislike or friction present between some of the inmates prior to reporting PREA violations. In an effort

to address what may appear to be possible vindictive reporting, inmates are strongly discouraged to make false PREA reports, while we focus on creating and maintaining a culture inside of this confinement facility that supports, and clearly encourages reporting. False reporting is addressed in the PREA Inmate Education program, and at times during the reassessment process, or on an individual basis if need be. The installation of new cameras capable of broader breadth of view, and audio surveillance will serve to expand inmate and staff safety, and also afford our PREA Investigators extremely valuable evidence.

Regardless of the motivation behind the PREA reports, or whom may generate a PREA report, SWMCCC/DADC remains committed to investigating all PREA reports in a concerted effort to support SWMCCC/DADC's Zero Tolerance Stance against sexual assault, sexual abuse, and sexual harassment.

In compliance with 115.87 Data Collection, SWMCCC/DADC collected accurate, uniform data for every allegation of sexual abuse and sexual harassment using the SURVEY OF SEXUAL VICTIMIZATION, 2015, and standardized definitions therein, as the following indicates.

On December 31, 2015, there were 77 males, and 15 females at SWMCCC/DADC. Within 2015, it was reported there were 2811 male, and 508 female persons booked in. Between January 1, 2015, and December 31, 2015, an average daily population of 84 males and 13 females was calculated.

SWMCCC/DADC records all attempted and completed NONCONSENSUAL SEXUAL ACTS. Between January 1, 2015, and December 31, 2015, 1 unfounded allegation of inmate-on-inmate NONCONSENSUAL SEXUAL ACTS was reported.

SWMCCC/DADC records all allegations of inmate-on-inmate ABUSIVE SEXUAL CONTACT. Between January 1, 2015, and December 31, 2015, 0 inmate-on-inmate ABUSIVE SEXUAL CONTACTS were reported.

SWMCCC/DADC records all allegations of inmate-on-inmate of SEXUAL HARASSMENT. Between January 1, 2015, and December 31, 2015, 2 allegations of inmate-on-inmate SEXUAL HARASSMENT; 1 unsubstantiated, and 1 unfounded.

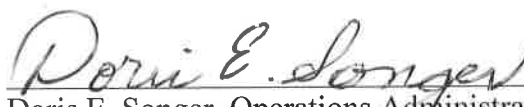
SWMCCC/DADC records all allegations of STAFF SEXUAL MISCONDUCT. Between January 1, 2015, and December 31, 2015, 2 allegations of STAFF SEXUAL MISCONDUCT were reported; 1 unsubstantiated, and 1 unfounded.

SWMCCC/DADC records all allegations of STAFF SEXUAL HARASSMENT. Between January 1, 2015, and December 31, 2015, 2 allegations of STAFF SEXUAL HARASSMENT were reported; 2 being unfounded.



John Plaggemeyer, President SWMCCC Board of Directors

5-14-18
Date



Doris E. Songer, Operations Administrator
Southwest Multi-County Correction Center
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5/14/18
Date

Authored by Loree Ivanets, SWMCCC/DADC PREA Coordinator on May 18, 2017.

Revised by Loree Ivanets, SWMCCC/DADC PREA Coordinator on May 11, 2018.