



## Southwest Multi-County Correction Center

66 Museum Drive

Dickinson, ND 58601

Telephone: 701-456-7790 Fax: 701-456-7687

□ Dickinson Adult Detention Center

□ Dakota Women's Correctional Rehab Center

**Doris Songer, Operations Administrator**

**Adam Jangula, Deputy Operations Administrator**

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### Memorandum of Understanding

This **Memorandum of Understanding** is made by, and between Southwest Multi-County Correction Center ("SWMCCC"), a legal physical custodian of state, federal, city, and county inmates, and the Domestic Violence and Rape Crisis Center ("DVRCC"), a nonprofit entity.

This **Memorandum of Understanding** is a compilation of discussions and decisions which occurred on 01/15/13, 08/28/13, 09/26/13, 08/20/14, and 03/18/15 between SWMCCC and DVRCC, which are addressed in detail further in this document. The following is written to facilitate an agreement between the parties for services related to goals, and implementation of federal Prison Rape Elimination Act (PREA) mandates.

This **Memorandum of Understanding** will be revisited quarterly to make any changes or adjustments as needed. This **MOU** has been revisited on 08/20/15.

**Whereas**, the United States Department of Justice has promulgated national standards for the implementation and enforcement of the Prison Rape Elimination Act of 2003, Public Law 108-79, 117 Stat. 973, *et seq.*, 45 U.S.C. 15601, *et seq.* (PREA); and DVRCC was supportive of SWMCCC's efforts to become compliant with PREA standards by providing a letter of commitment for SWMCCC's "Establishing a Zero Tolerance Culture for Sexual Abuse in Local Adult & Juvenile Detention Facilities" grant application effort on, or about 01/15/13.

**Whereas**, Subsection (d) of Section 115.21 and Subsection (e) requires SWMCCC to make available to a sexual abuse victim a victim advocate from a rape crisis center upon victim request. Further, again at the request of the victim, SWMCCC must provide a victim advocate, qualified agency staff member, or qualified community-based organizations staff member to accompany and support the victim through the forensic medical examination process, investigatory interviews, and ongoing provision of emotional support, crisis intervention, information, and referrals. SWMCCC agreed to provide Qualified Agency Staff Members (as defined by the PREA standards) to a victim in the event DVRCC could not ethically provide services to a victim, as discussed in a 09/26/13 meeting.

**Whereas**, Subsection (a) of Section 115.32 requires SWMCCC to ensure all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. Current DVRCC victim advocates completed initial PREA training on **08/20/15**, and in the past DVRCC victim advocates completed PREA training on **08/28/13**.

**Whereas**, Subsection (a) of Section 115.53 requires SWMCCC to provide a means for inmates with access to outside victim advocates for emotional support services related to sexual abuse and sexual harassment by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations. The facility shall enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. Subsection (c) requires SWMCCC to enter into memoranda of understanding, or other agreements with community services providers that are able to provide inmates with confidential emotional support services related to sexual abuse. SWMCCC must maintain copies of agreements, or documentation showing attempts to enter into such agreements. Negotiations, clarifications of expectations and roles occurred on **01/15/13, 09/26/13, 08/20/14, and 03/18/15** between DVRCC and SWMCCC.

**Whereas**, the DVRCC, as of discussions which occurred on or about **01/15/13, 09/26/13, and 08/20/14** have agreed to receive phone calls from SWMCCC inmates via an internal confidential toll-free crisis hotline number; (888)-225-4506, which is strictly for the purpose of SWMCCC inmate reporting of allegations of sexual abuse and sexual harassment, or seeking support for past victimization issues.

**Whereas**, the DVRCC has agreed to receive written reports of sexual abuse and sexual harassment from SWMCCC inmates, at the following address:

Domestic Violence and Rape Crisis Center  
P.O. Box 1081  
Dickinson, ND 58602

**Southwest Multi-County Correction Center agrees to:**

1. Make involvement of certified rape crisis advocates from DVRCC a component of the standard response to a report of sexual abuse and/or a request for help from a victim of sexual abuse, or other violence.
2. When SWMCCC receives a report of sexual abuse, or discovers a sexual abuse incident within 120 hours of the incident, SWMCCC will transport the victim of sexual abuse to CHI St. Joseph's Health for a forensic medical exam, at no cost to the victim, and to meet with a rape crisis advocate from DVRCC, if requested by the victim. Prior to transport, the victim will be offered the presence of a DVRCC victim advocate on-site at

SWMCCC, if the situation allows for time of the victim advocate to arrive at the facility prior to transport. If DVRCC is not able to ethically provide services to the victim, a SWMCCC/DADC Qualified Agency Staff Member will provide victim advocacy support to the victim, at the request of the victim.

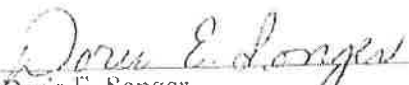
3. Facilitate and support follow-up, whenever possible, between the victim and a DVRCC advocate by mail or telephone while the victim is detained at SWMCCC.
4. a.) Provide inmates with confidential, toll-free access to the DVRCC crisis hotline through the SWMCCC inmate telephone system. b.) Provide inmates access to the Badlands Human Services Center emergency number, 290-5719, after hours or on holidays and weekends in the event crisis line workers are unable to offer services to a SWMCCC/DADC inmate who calls seeking support regarding past abuse issues.
5. Respect the confidential nature of communication between DVRCC advocates and inmates detained at SWMCCC.
6. Ensure that DVRCC victim advocates have processed security requirements, and are cleared to enter SWMCCC's secure area for private sessions with inmates.
7. Provide a private, safe, area conducive to confidential sessions with inmates in SWMCCC's secure area.
8. Inform inmates in the bi-monthly PREA orientation sessions of DVRCC's role in PREA prevention, and intervention; including knowledge of the confidential nature of communication with DVRCC, the intended use of the DVRCC hotline, and the possibility of ethical issues preventing DVRCC's services to some inmates.
9. Prominently display DVRCC's toll-free, crisis hotline number, and mailing address on PREA posters which are posted by the phones in inmate housing areas, and throughout the facility. This information will be available on inmate PREA brochures, in the Inmate Handbook, and presented in SWMCCC's PREA bimonthly inmate education groups. Further, this information will be posted on the SWMCCC web-site to promote third-party reporting.
10. SWMCCC will train staff members according to PREA standards, to act as a Qualified Agency Staff Members to provide victim advocacy support to a victim, and to ensure provision of seamless services to a victim in the event DVRCC is unable to service because of an ethical situation. The Qualified Agency Staff Member/PREA Coordinator will consult regularly with DVRCC, and seek specialized training resources recommended by DVRCC.
11. SWMCCC will communicate any questions or concerns to the Director of DVRCC.

**Domestic Violence and Rape Crisis Center agrees to:**


1. Respond to requests from SWMCCC via victim request to provide advocacy when inmates are brought to CHI St. Joseph's Health, and/or at DVRCC discretion, possibly meet with the victim at SWMCCC prior to transport at the request of the victim.

2. Respond to calls from SWMCCC inmates received on the DVRCC toll-free crisis hotline, and to written correspondence.
3. Refer SWMCCC/DADC inmates to the Badlands Human Services Center emergency number, 290-5719, after hours or on holidays and weekends in the event crisis line workers are unable to offer services to a SWMCCC/DADC inmate who calls seeking support regarding past abuse issues.
4. Maintain confidentiality of communication with inmates detained at SWMCCC.
5. Provide follow-up services and crisis intervention contacts to victims of sexual assault, and other violent acts, as DVRCC resources allow.
6. Work closely with the SWMCCC Qualified Agency Staff Member/PREA Coordinator to provide a bridge of inmate support, consultation, resources, and training.
7. All DVRCC victim advocates who will serve SWMCCC inmates must participate in PREA refresher training, every two years.
8. Work with designated SWMCCC officials to obtain security clearance as needed for new advocates, and follow all facility guidelines for safety and security, as necessary.
9. Communicate any questions or concerns to the SWMCCC Operations Administrator, or designee.

We, the below listed administrators, agree to the terms and conditions of this Memorandum of Understanding (MOU). Any modification to this Memorandum of Understanding (MOU) must be in writing and signed by the below listed administrators, or designees. This MOU may be terminated by mutual consent of both parties, or by either party upon written notice.


  
 Doris E. Songer  
 Operations Administrator SWMCCC

8/20/15  
 Date

  
 Darianne Johnson  
 Director, Domestic Violence and Rape Crisis Center

8-20-15  
 Date

This MOU was reviewed with no changes by SWMCCC/DADC Operations Administrator Songer, and DVRCC Director Darianne Johnson as of August 22, 2017 during PREA 101 Training on that date.

  
 Loree Ivanets  
 SWMCCC/DADC PREA Coordinator  
 August 30, 2017

8/30/17