

2020 Annual PREA Report

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The North Dakota Department of Corrections and Rehabilitation (DOCR) is committed to maintaining the requirements of the Prison Rape Elimination Act of 2003 and enhancing the safety and security for DOCR residents.

The third audit cycle began in August 2019. All facilities within the department are working to schedule and complete their PREA audits for the new three-year cycle. NDSP and MRCC's onsite portions of the audit were completed during March 2020 and are currently in corrective action. Corrective action has been extended beyond the typical 180-day period due to COVID. NDYCC finalized their audit in October 2020. JRCC's onsite portion of the audit is scheduled for April 2021. JRCC should have a final report prior to the end of 2021.

Purpose:

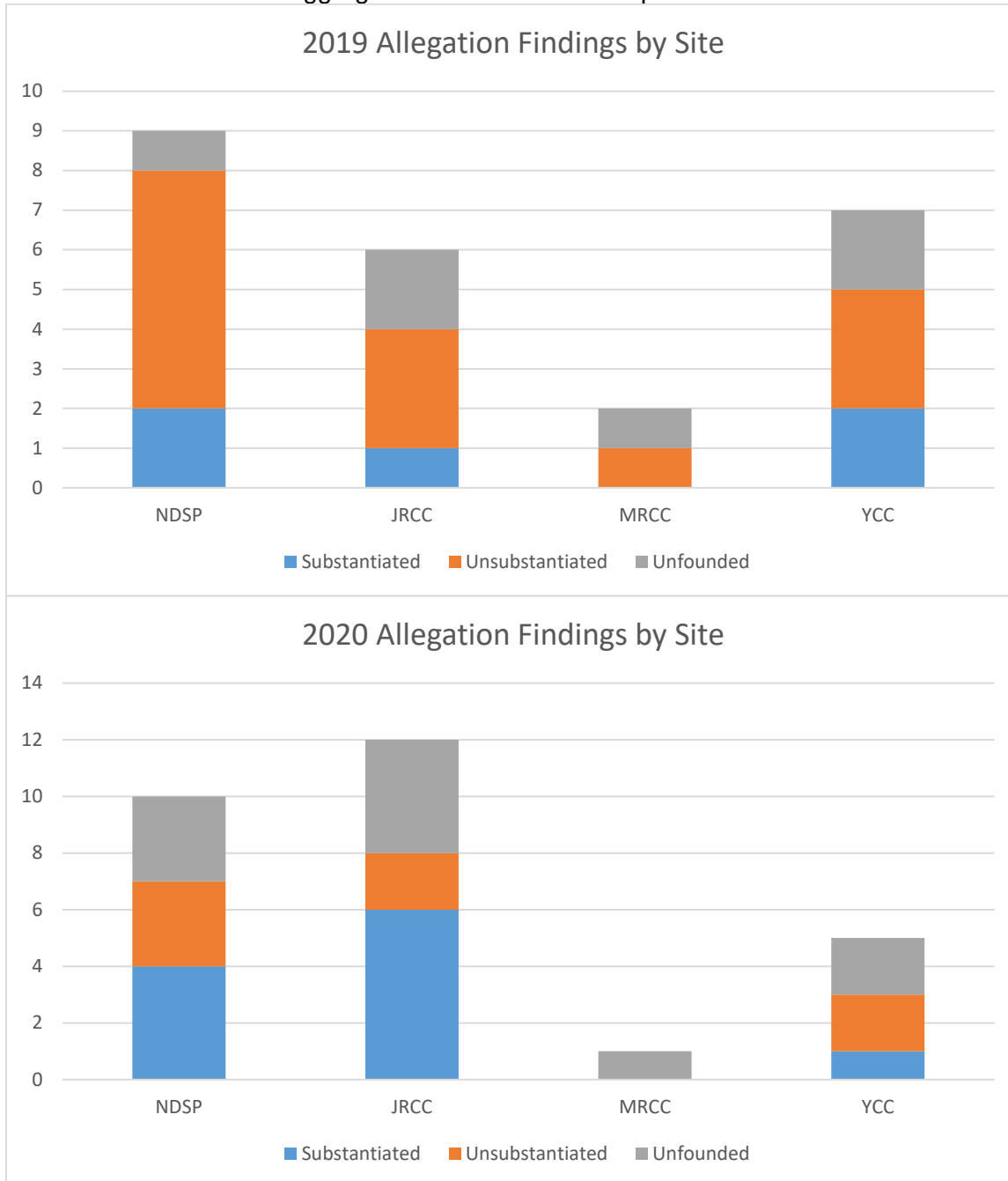
This document serves as an annual review to assess and improve the effectiveness of sexual abuse prevention, detection, response policies, practices, and training in the DOCR pursuant to §115.88 and §115.89 of the national PREA standards. Therein, the DOCR is required to:

1. Review and aggregate incident-based sexual abuse data annually in order to improve the effectiveness of sexual abuse prevention, detection, and response policies, practices, and training to include:
 - a. Identifying problem areas;
 - b. Taking corrective action on an on-going basis;
 - c. Preparing an annual report of its findings.
2. Compare the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse.
3. Publish an annual report on the DOCR website of its findings and corrective actions for each facility as well as for the agency as a whole.



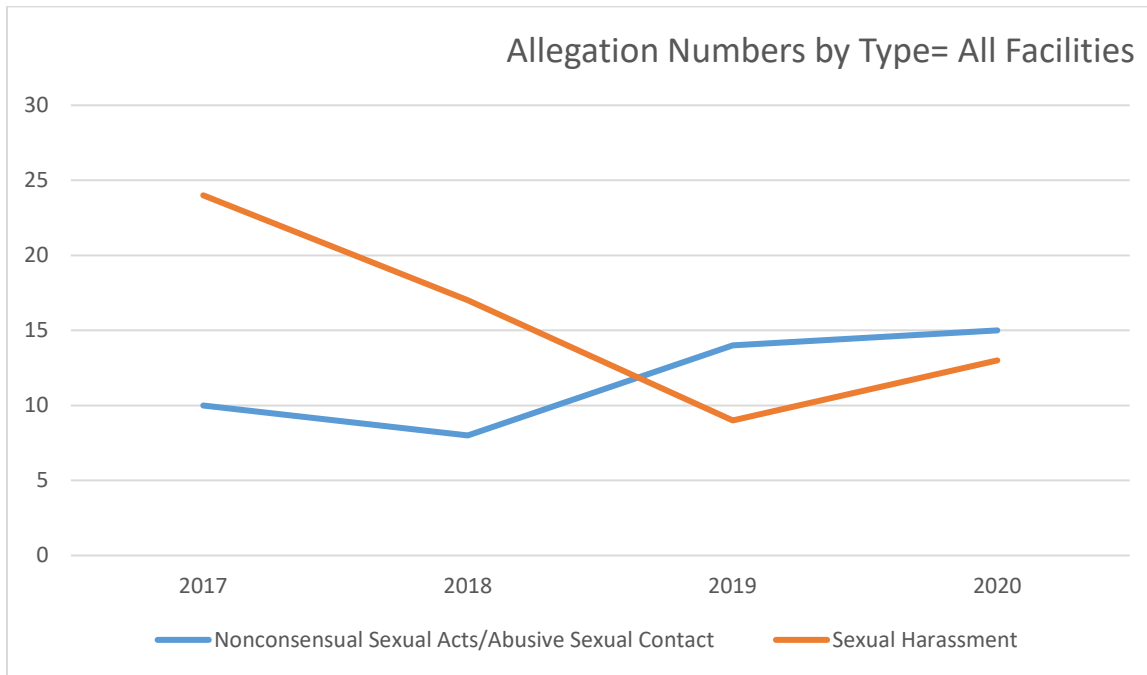
Aggregated Data:

The DOCR collects data from the referrals of investigation of sexual abuse and sexual harassment; both resident on resident and staff/contractor/volunteer on resident. The data in this section contains the aggregated data as well a comparison between CY 2020 and CY 2021.



Comparative Data Analysis:

The following graph represents a comparison between reports of sexual abuse and sexual harassment. These totals are all reports received, regardless of their dispositions. We had an upward trend in sexual harassment and sexual harassment allegations. In looking at the specific facility information for the 15 sexual abuse allegations, five allegations were substantiated, four allegations were unsubstantiated, and five allegations were unfounded.



Problem Areas/Corrective Action:

The DOCR continues to implement best practices and the requirements of the PREA standards in order to address allegations of sexual abuse and sexual harassment of residents. The leadership of the DOCR is dedicated to on-going monitoring and corrective action in order to maintain full PREA compliance and, most importantly, to maximize the sexual safety of the residents in North Dakota correctional facilities.

The DOCR has implemented systemic change to include integrating the PREA standards into all policies and procedures. The DOCR continues to strive for the highest level of sexual safety for the residents in our care.

The following are corrective actions, new processes, and updates completed at the agency level:

1. Continue to enhance training for staff, residents, contractors, and volunteers to ensure the information being relayed is clear and up to date with the new guidance from the PREA Resource Center.
2. Continue to train additional PREA Investigators utilizing the training provided by The Moss Group.

New Processes/Updates:

- 1) Updated the volunteer/contractor application form to include the following questions:
 - a. Have your actions while on the job ever caused your employer to take disciplinary action or have you ever resigned from a position while under investigation for sexual harassment?
 - b. Have you engaged in sexual abuse in a prison, jail, community confinement facility, juvenile facility, or other institution?
 - c. Have you been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?
 - d. Have you been civilly or administratively adjudicated to have engaged in the activity as described below? (Engaging or attempting to engage in sexual activity in the community by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse.)
- 2) Reviewed all current active contractors and volunteers and deactivated those who no longer need access to the facilities.
- 3) NDSP West Unit Shower will be undergoing remodeling during 2021 to ensure the residents are not able to be viewed from the lobby area of the West Unit.

Conclusion:

It is the goal of the DOCR to provide the highest possible level of safety to those in our care in all ways. We remain committed to the continuous demonstration of full compliance with all requirements of the PREA standards. In doing so, we feel we will provide our residents a safe, secure environment where they can work towards rehabilitative change and successful transition into the community.

