

# 2022 Annual PREA Report

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

The third audit cycle ended in August 2022. The North Dakota Youth Correctional Center (NDYCC) completed their audit in 2020, James River Correctional Center (JRCC) and Missouri River Correctional Center (MRCC) completed their audits in 2021, the North Dakota State Penitentiary (NDSP) completed their audit in 2022 and the Heart River Correctional Center (HRCC) completed their audit in 2022; the state of North Dakota finished the third audit cycle in full compliance.

## **Purpose:**

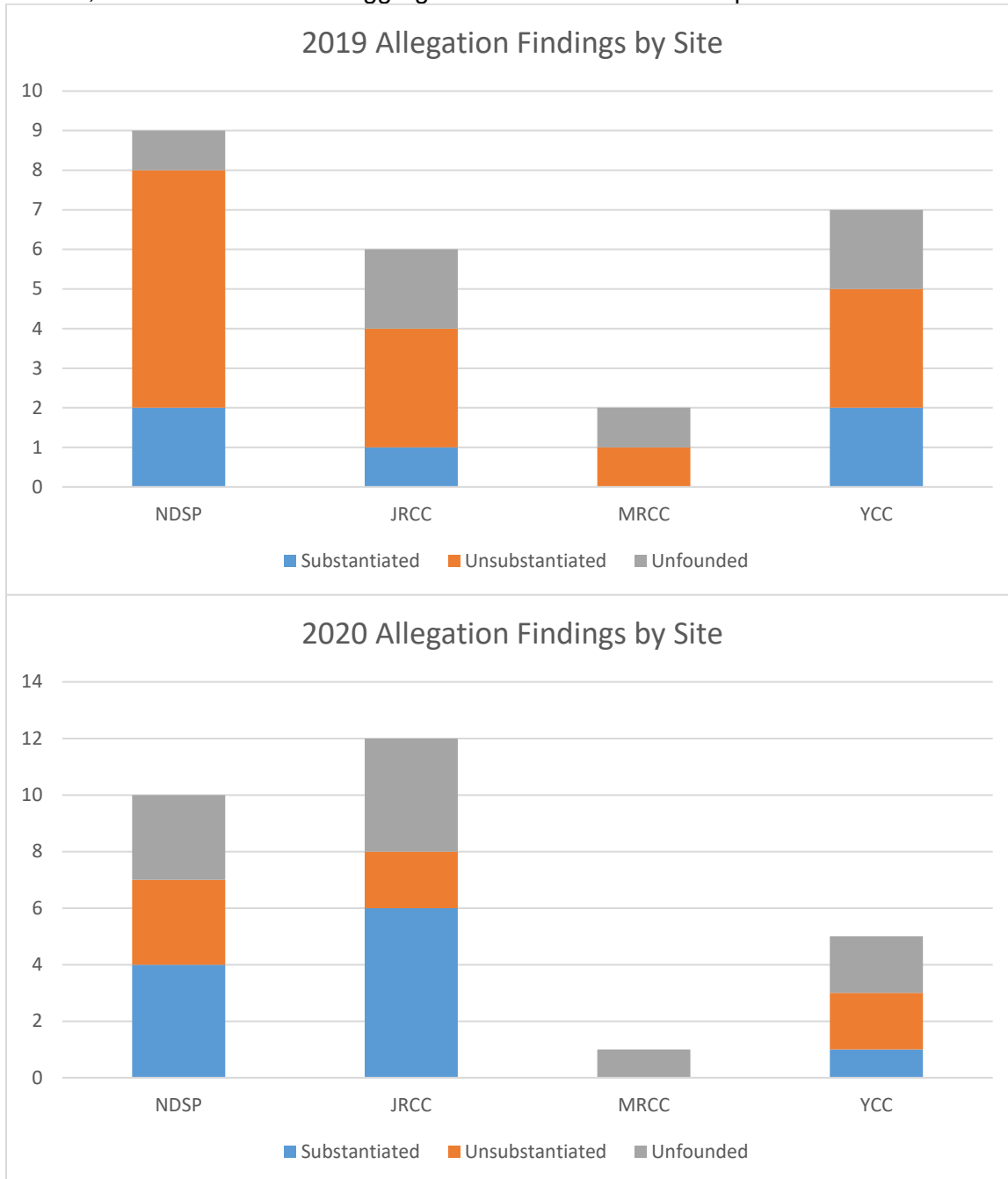
This document serves as an annual review to assess and improve the effectiveness of sexual abuse prevention, detection, response policies, practices and training in the ND DOCR pursuant to §115.88 and §115.89 of the national PREA standards. Therein, the ND DOCR is required to:

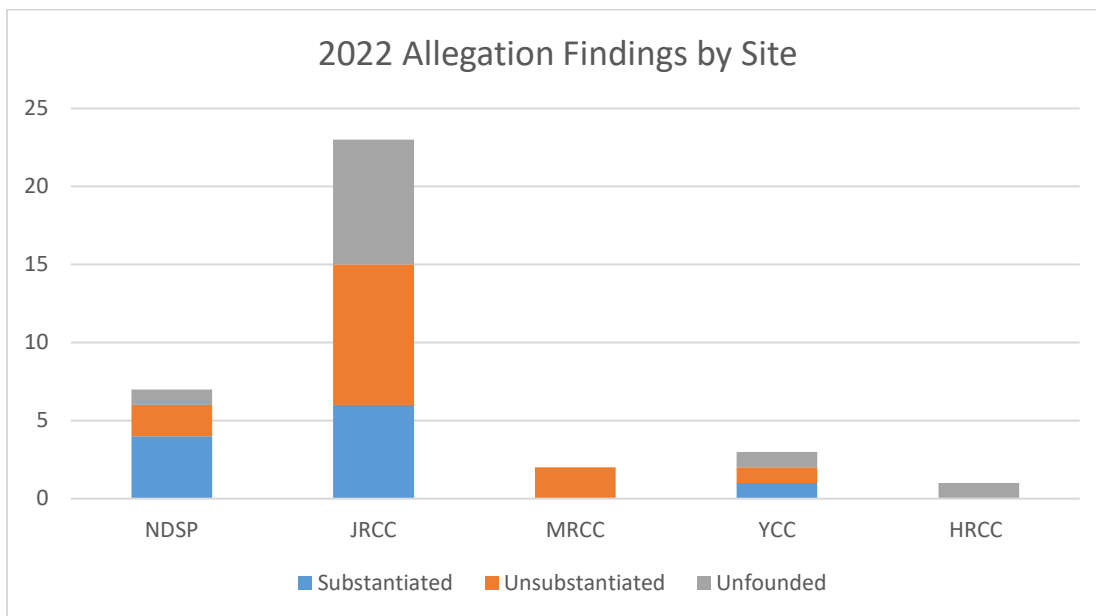
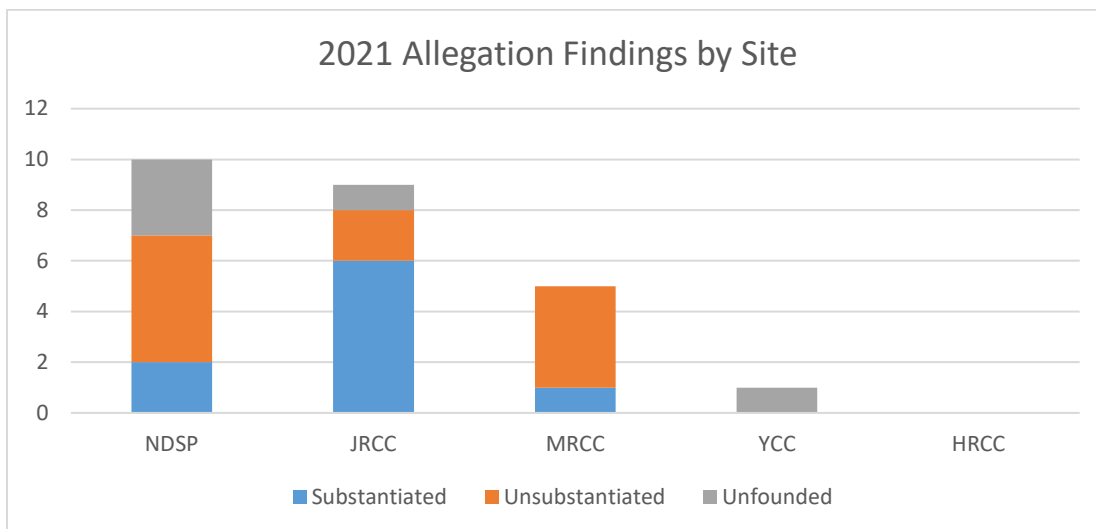
1. Review and aggregate incident-based sexual abuse data annually to improve the effectiveness of sexual abuse prevention, detection, and response policies, practices and training to include:
  - a. Identifying problem areas;
  - b. Taking corrective action on an ongoing basis;
  - c. Preparing an annual 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 ND DOCR website of its findings and corrective actions for each facility as well as for the entire agency.



**Aggregated Data:**

The ND DOCR collects data from the referrals of investigation of sexual abuse and sexual harassment; both resident-on-resident and staff/contractor/volunteer-on-resident. In this section, the data contains the aggregated data as well as a comparison.

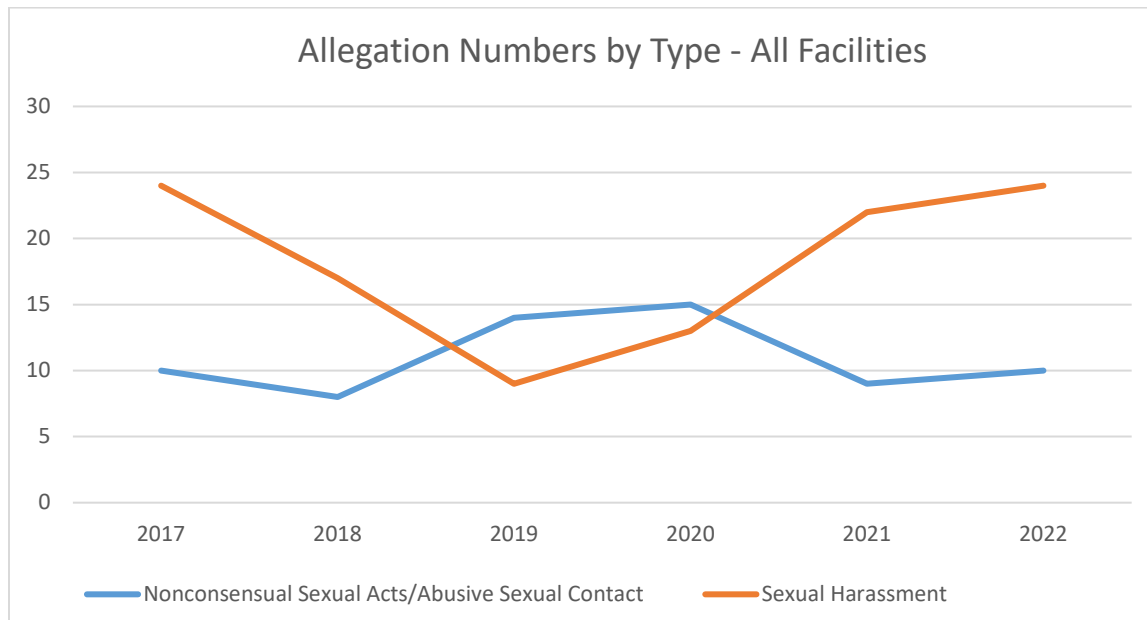




**Comparative Data Analysis:**

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; ten of the incidents were substantiated. In looking at the specific facility information for the ten sexual abuse allegations, one allegation was substantiated, four allegations were unsubstantiated and five allegations were unfounded; this was a decrease from the previous year.





**Problem Areas/Corrective Action:**

The ND DOCR continues to implement best practices and the requirements of the PREA standards to address allegations of sexual abuse and sexual harassment of residents. The leadership of the ND DOCR is dedicated to ongoing 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 ND DOCR has implemented systemic change to include integrating the PREA standards into all policies and procedures; this was completed in the Summer of 2021. The ND 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. In Spring of 2022, the DOCR partnered with several agencies to provide PREA Investigator training to multiple state and local facilities; the new training was recorded with the anticipation to train more investigators on an ongoing basis.
2. All active contractors and volunteers were reviewed and those who no longer need access to the facilities were deactivated.
3. In 2023, the ND DOCR will be working on updating a training to assist with compliance with standard 115.35 Specialized training: Medical and mental health care
  - a. Purpose of the Standard:



- i. To ensure that all full and part-time medical and mental health care practitioners who work regularly in facilities receive specialized training in:
  1. How to detect and assess signs of sexual abuse and sexual harassment;
  2. How to preserve physical evidence of sexual abuse;
  3. How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and,
  4. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.
- ii. This standard recognizes that medical and mental health practitioners are in a unique position through their work to not only recognize the signs of sexual abuse but to also receive reports of sexual abuse; thus, it is essential that they are fully trained in the facility's response protocol.
- iii. The specialized training is in addition to the mandated training for facility employees, contractors or volunteers that all medical and mental health practitioners must also complete depending on the practitioner's status at the agency; the agency must maintain documentation of this training.

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

- 1) MRCC – added cameras to the kitchen, dining room and THU housing unit.
- 2) NDSP - put shower dividers in the West Unit showers as part of the last audit and added one camera to a garage area where residents have access without staff supervision.
- 3) NDYCC - camera in Brown Cottage by the lockers was added within the last year along with some higher quality cameras in the Pine Dayrooms.

A contract was finalized in January and a tentative audit schedule is set for the next two years.

1. North Dakota State Penitentiary (July 24, 25, 26, 2023)
2. Missouri River Correctional Center (July 27, 28, 29, 2023)
3. North Dakota Youth Correctional Center (July 31, Aug 1, 2 2023)
4. Hearth River Correctional Center (July 22, 23, 24, 2024)
5. James River Correctional Center (July 25, 26, 27, 2024)

**Conclusion:**

It is the goal of the ND 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 and secure environment where they can work towards rehabilitative change and successful transition into the community.

