



Doug Burgum, Governor
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2017 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 DOCR began our second set of PREA audits September 2016. By February 20, 2017, the North Dakota Youth Correctional Center (YCC), the Missouri River Correctional Center (MRCC), the North Dakota State Penitentiary (NDSP), and the James River Correctional Center (JRCC) all achieved full compliance with the PREA standards.

This report is a summary of the agency's efforts in PREA compliance from 2017. The DOCR examines all collected agency data in an effort to continually improve the effectiveness of sexual abuse detection, prevention, and response.

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 2016 and CY 2017.

Figure 1.1

2016

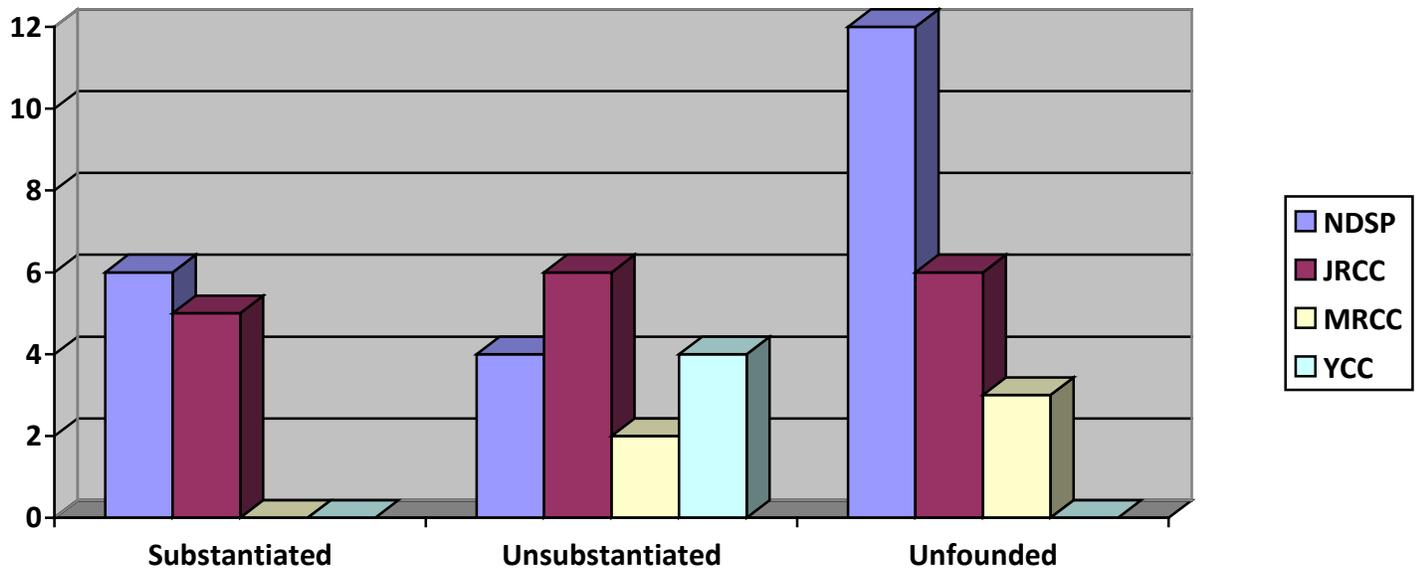
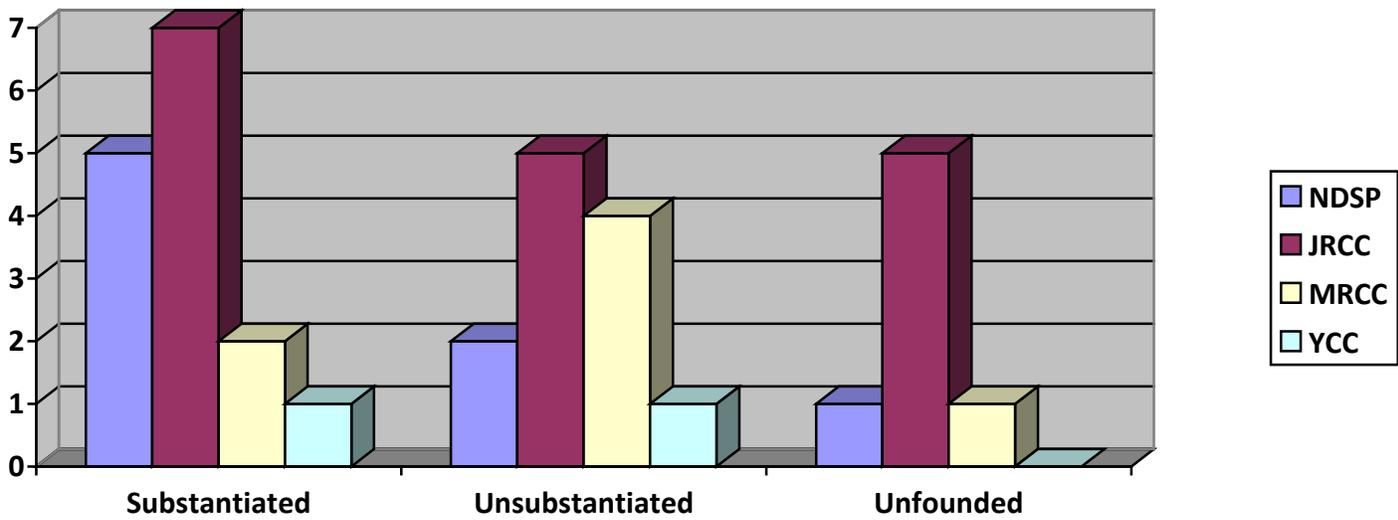


Figure 1.2

2017

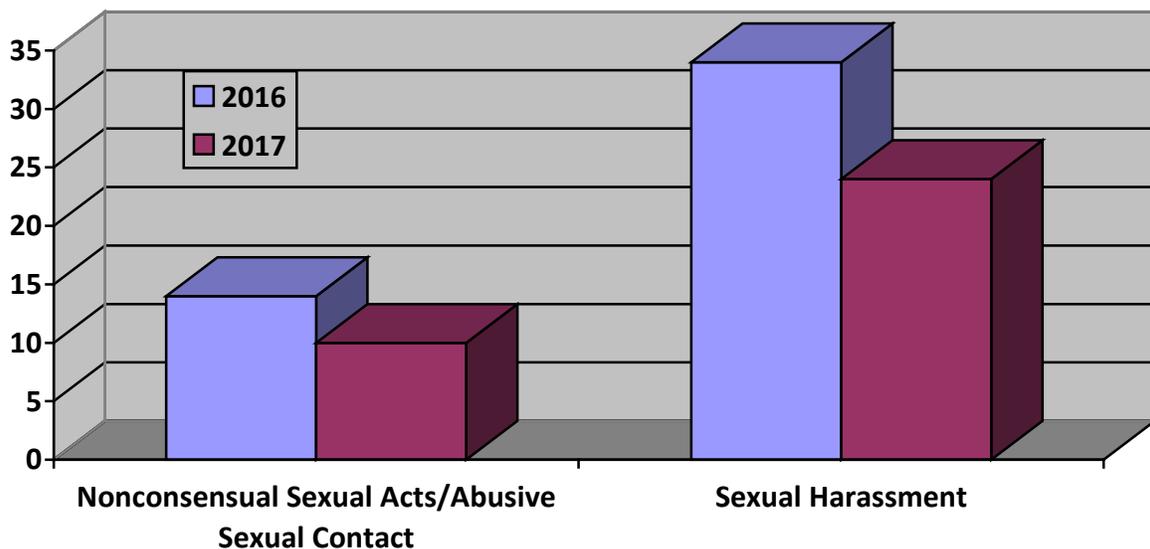


Comparative Data Analysis:

The following graph (Figure 2.1) represents a comparison between CY 2016 and CY 2017 agency reports of sexual abuse and sexual harassment. These totals are all reports received, regardless of their dispositions. In CY 2016, the agency-wide total was forty-eight. The agency-wide total in CY 2017 was thirty-four.

While it is noted most PREA allegations have resulted in a finding of “unfounded”, during the investigative review it appears that some residents may have attempted to manipulate the system by falsely reporting PREA incidents in either retaliation or in an effort to change their housing. During the PREA audits of NDSP, JRCC, MRCC, and YCC in 2016, all auditors noted the residents are very trusting of staff and comfortable with reporting PREA incidents.

Figure 2.1



Problem Areas/Corrective Action:

The DOCR continues to implement best practice 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.

While implementing the culture change was a long and difficult process, 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 completed at the agency level:

1. Revised and updated DOCR PREA policy.
2. Completed PREA audits at all DOCR facilities resulting in full compliance with the standards.
3. 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.
4. Continue to train additional PREA Investigators utilizing the training provided by The Moss Group.
5. Revised the objective screening tool utilized in the facilities based on information received from facility case management, the audit results, and guidance from the PREA Resource Center.

New Processes/Updates:

The North Dakota Youth Correctional Center had until 10/01/2017 to achieve compliance with standard 115.313(11)(c). This standard states:

Each secure juvenile facility shall maintain staff ratios of a minimum of 1:8 during resident waking hours and 1:16 during resident sleeping hours, except during limited and discrete exigent circumstances, which shall be fully documented. Only security staff shall be included in these ratios.

Compliance with this standard required an examination of many of the procedures the department was utilizing. The final plan to allow them compliance with this standard adjusted the schedules of the Juvenile Institutional Resident Specialists and the serving of the breakfast meals within the cottages.

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 change and successful transition into the community.