

Nexus Treatment Program Annual Comparative Reports (§115.287 and §115.288) for the year 2016.

The Nexus Treatment Program posts an annual report of PREA investigations and outcomes.

Nexus staff conducts yearly training on PREA and our training curriculum includes Transgender and Crossgender pat searches, PREA power points and reading and understanding of the PREA policy. Nexus staff that are in specialized fields have received specialized PREA training. Nexus has revised the PREA policies that are compliant with the PREA Standards and Interpretations.

Nexus staff trains all contractors, volunteers and visitors PREA as stated per PREA policy.

The following are standardized definitions offered by the Prison Rape Elimination Act. This ensures everyone is using the same language, and has the same understandings of key terms.

Sexual abuse includes:

- (1) Sexual abuse of an inmate, detainee, or Family Member by another inmate, detainee, or resident; and
- (2) Sexual abuse of an inmate, detainee, or Family Member by a staff member, contractor, or volunteer.

Sexual abuse of an inmate, detainee, or Family Member by another inmate, detainee, or Family Member includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- (4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual abuse of an inmate, detainee, or Family Member by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described above.

- (7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
(8) Voyeurism by a staff member, contractor, or volunteer.

Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or Family Member by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

Sexual harassment includes—

- (1) Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or Family Member directed toward another; and
(2) Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or Family Member by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Substantiated allegation means an allegation that was investigated and determined to have occurred.

Unfounded allegation means an allegation that was investigated and determined not to have occurred.

Unsubstantiated allegation means an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

The Nexus Treatment Program has compiled the following data regarding PREA reports, and subsequent PREA investigation results for the year of 2016.

Family Member Allegations Made Towards Staff in 2016:

Sexual Abuse: (0) Unsubstantiated (0) Substantiated (0) Unfounded

Sexual Harassment: (0) Unsubstantiated (0) Substantiated (0) Unfounded

Voyeurism: (0) Unsubstantiated (0) Substantiated (0) Unfounded

Family Member Allegations Made Towards Family Members in 2016:

Sexual Abuse: (0) Unsubstantiated (0) Substantiated (0) Unfounded

Sexual Harassment: (0) Unsubstantiated (0) Substantiated (1) Unfounded

DATA Comparison

While looking at data from the previous three years, it is evident staff along with the Family members are more educated about PREA so we have an increase in reporting than the previous years. It is apparent reporting mechanisms are visible to both staff and Family members and it is Nexus Treatment Program has taken a proactive role in attempting to reduce prison rape. The code of silence still exists for Family members and staff alike however when comparing results to previous years its shows both are reporting. Retaliation is monitored and no reports of retaliation have been reported.

Nexus Treatment Program has made some changes in practice for instance; Thirty-two (32) cameras have been installed to assure the safety of both staff and Family members.

Pursuant to PREA standards for data review (§115.288), the following will serve as an annual review for 2016 in order to assess and improve the effectiveness of Nexus Treatment Program's sexual abuse and sexual harassment prevention, detection, response policies and training.

Nexus Treatment Program completed its first audit regarding the level of compliance with implementation of 39 PREA Standards, which includes compliance of many subsets of each standard on July 29-July 31, 2016. Loree Ivanets, DOJ Certified PREA Auditor of Dickenson North Dakota for the completion of the audit.

The interim report was provided August 19, 2016, to the Nexus Treatment Program reporting 03 exceeded standards; 34 met standards; 0 not met standards; and 02 not applicable. On September 13, 2016, all corrective action had been completed. The summary of the **final audit findings** for Nexus Treatment Program is listed below.

Number of standards exceeded: 03

Number of standards met: 34

Number of standards not met: 0

Number of standards not applicable: 02

The following (3) PREA Standards were found to have exceeded standard compliance:

115.241 Screening for Risk of Victimization and Abusiveness

Family Members are screened by Security Techs through the use of the NEXUS screening tool, within 24 hours of arrival at the facility, for potential vulnerabilities or tendencies of being sexually abused by other family members or sexually abusive toward other family members. Security staff meets with the Family Member within twenty-four (24) hours and completes the medical and mental health –screening instrument. Medical staff will screen the Family Member within seven (7) days. Housing and programming assignments are made accordingly on a case-by-case basis by the Admission and Intake Supervisor, Security Coordinator and Case Manager are able to provide victims an advocate when Safe Space is unavailable. The ability to have such a qualified individual goes above and beyond the standard.

115.282 Medical and Mental Health

Family Member victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, to the level determined necessary by medical and mental health professionals. If mental health professionals are not on duty when alleged abuse is reported, staff will remain with the victim to protect and comfort him; and immediately contact the Program Administrator

115.283 Medical and Mental Health

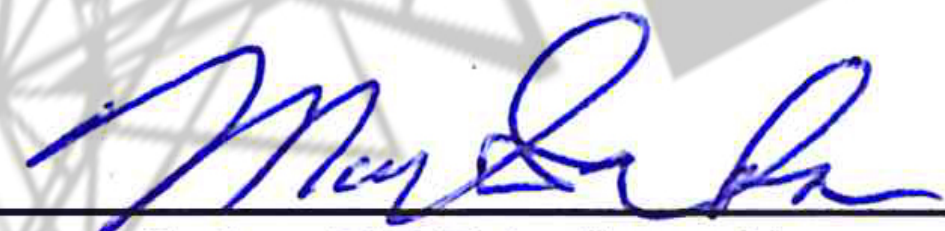
NEXUS offers medical and mental health evaluations and, as appropriate, treatment to all family members who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.



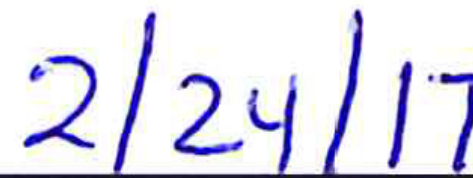
Mike Thatcher, CEO of CCCS Inc.



Date



Marwan Saba, PREA Coordinator



Date

Rick Barman, Administrator

2/24/17

Rick Barman, Program Administrator

Date

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