

COMMUNITY, COUNSELING AND CORRECTIONAL SERVICES, INC.

Corporate Office Building
471 East Mercury Street
Butte, Montana 59701
phone: (406) 782-0417 fax: (406) 782-6964
email: corporate@ccscorp.com website: www.ccscorp.com

Board of Directors: Joe Murphy, President • Connie Kenney, Vice-President • Jim Graham, Secretary • Pat Fleming, Treasurer • Don Peoples, Board Member • Fred Stradinger, Board Member • Wayne Harper, Board Member • Kathy Fasso, Board Member • Father Tom Haffey, Board Member • John Kasperick, Board Member

Corporate Staff: Mike Thatcher, CEO • Perry Hawbaker, CFO • Colleen O'Leary, Director Human Resources • Dave Boyd, Director Treatment Programs & Services • Molina Hamblin, Executive Assistant

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made by, and between the **WATCH East Program** which serves as legal and physical custodians of state and county inmates, and the **Glendive Police Department (GPD)**.

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 seg., 45 U.S.C. 15601, et seg. (PREA); and

Whereas, subsection (a) of Section 115.222 and Subsection (b) require that WATCH East ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment, as well as create a policy and procedures which ensure allegations of sexual abuse and sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior.

Whereas, the Glendive Chief of Police, GPD, as the primary law enforcement responder to the WATCH East Program agreed to investigate criminal allegations of sexual abuse and sexual harassment which may occur at the WATCH East Program.

Whereas, Subsection (b) of Section 115.251 requires that the GPD to provide a means for inmates (residents) to report sexual abuse and sexual harassment to another entity which is not part of the WATCH East Program, and is able to receive and immediately forward reports of sexual abuse and sexual harassment to agency officials while bovis amonity to the inmate (resident) if requested by the inmate (resident); and

Whereas, the GPD, has agreed to receive phone calls from inmates (residents) from the WATCH East Program via a toll-free non- emergent phone number via Securus for the purpose of WATCH East inmates (residents) reporting allegations of sexual abuse and sexual harassment to the GPD Operations Commander, or designee, assuring the anonymity of the inmate (resident), if requested by the inmate (resident).

Whereas, the GPD has agreed to receive written reports of sexual abuse and sexual harassment from WATCH East inmates (residents), whether in physical custody or not, and to immediately forward the reports of sexual abuse and sexual harassment to those designated officials of the GPD, assuring the anonymity of the inmate (resident) if requested by the inmate (resident).

It is agreed between the WATCH East Program and the GPD as follows

Bismarck Transition Center
Kevin Arthaud, Adm.
2001 Lee Avenue
Bismarck, ND 58504
701-222-3440 Fax 701-222-3589

Butte Pre-Release Center
Women's Transitional Center
Jay Grant, Adm.
58-68 W. Broadway
Butte, MT 59701
BPRC 406-782-2316
WTC 406-782-6446 Fax 406-723-1170

Connections Corrections Program
Dave Boyd, Adm.
111 W. Broadway
Butte, MT 59701
406-782-6626 Fax 406-782-6876

Discovery House
Carole Kovacich, Adm.
65 Sheep Gulch Road
Anaconda, MT 59711
406-563-3842 Fax 406-563-2451

Gallatin Re-Entry Facility
Melissa Kelly, Adm.
675 S. 16 Street
Bozeman, MT 59715
406-994-0300 Fax 406-994-0306

Martin Hall Juvenile Detention Facility
Robert Palmquist, Adm.
P.O. Box 870
Medical Lake, WA 99022
509-299-7733 Fax 509-299-1447

Nexus Program
Rick Barman, Adm.
P.O. Box 1200
Lewistown, MT 59457
406-535-6660 Fax 406-535-6665

SMART Program
Dave Boyd, Dir.
630 W. Mercury Street
Butte, MT 59701
406-299-3448 Fax 406-299-3450

START Program
Travis Hettick, Adm.
801 MT Hwy 48
Anaconda, MT 59711
406-563-7002 Fax 406-563-5069

WATCH Program
Alex Kovacich, Adm.
Box G
Warm Springs, MT 59756
406-693-2272 Fax 406-693-2276

WATCH East
Michael Nephew, Adm.
700 Little Street
Glendive, MT 59330
406-377-6001 Fax 406-377-6004

1. 28 C.F.R., Section 115.251 requires that the GPD establish the following procedures for inmate (resident) reports of sexual abuse and sexual harassment:
 - A. The WATCh East will provide multiple internal ways for inmates (residents) or facility staff for reporting sexual abuse and sexual harassment, retaliation by other inmates (residents), and staff neglect or violation of responsibilities that may have contributed to such events.
 - B. The WATCh East shall also provide at least one (1) way for inmates (residents) to report sexual abuse or sexual harassment to a public or private entity that is not part of the agencies, and that is able to receive and immediately forward inmate (resident) reports of sexual abuse and sexual harassment to the GPD officials, allowing the inmate (resident) to remain anonymous upon request.
 - C. The WATCh East staff shall accept any and all reports made verbally, in writing and anonymously and from third parties. The WATCh East shall promptly document any verbal reports.
 - D. The WATCh East shall provide methods for staff to privately report sexual abuse and sexual harassment of inmates (residents).
2. The GPD agrees that it will receive inmate (resident) phone calls at (406) 494-1120 and written reports of sexual abuse and sexual harassment at the following address:

Glendive Police Department
440 Colorado Blvd.
Glendive, MT 59330
3. The WATCh East Program shall have the above address and confidential, toll-free, non-emergent phone number available on PREA posters, inmate (resident) PREA brochures, the respective WATCh East inmate (resident) Handbooks and this information shall be presented by the respective facility staff during PREA Inmate (Resident) educational and orientation groups, and on the governing corporate entity - Community, Counseling & Correctional Services, Incorporated (CCCS) website.
4. When the GPD receives a report of sexual abuse or sexual harassment from an inmate (resident) housed within the WATCh East Program, it (the report) shall be immediately forwarded to the GPD Operations Manager, or designee, for an administrative investigation. If the inmate (resident) has requested to remain anonymous, the GPD shall advise the WATCh East Program that the report is an anonymous report.
5. It is the responsibility of the GPD to conduct any necessary or appropriate administrative investigation(s) upon receipt of the report from the WATCh East Program.
6. If, during the course of an administrative investigation, or upon the WATCh East Program's First Response Incident, there is evidence that a crime may have occurred, the GPD shall immediately be contacted to conduct a criminal investigation.

7. The staff of the WATCh East shall follow First Responder Protocols in terms of evidence and securing the crime scene, until the GPD investigating personnel are relieved by a designated lead investigator. GPD investigators shall utilize protocols adapted from, or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women Publication, "A National Protocol for Sexual Assault Medical Forensic Examination, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011 when investigating sexual abuse and sexual harassment involving inmates (residents) from the WATCh East Program.
8. In the event of a criminal investigation, the Operations Administrators from the WATCh East Program, or their designees will commit to full cooperation with an investigation, act as a liaison with the GPD to stay informed of the process of the investigation for the purpose of victim support and notification, and overall facility safety.

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



Mike Nephew

WATCh East Program Administrator



John Hickman

Chief of Police-Glendive Police Department

3.23.20

Date

3.23.20

Date