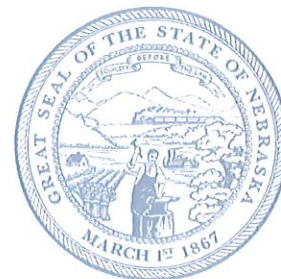


**NEBRASKA**

Good Life. Great Mission.

DEPT OF CORRECTIONAL SERVICES



Pete Ricketts, Governor

# Nebraska Department of Correctional Services

## Annual PREA Assessment

### 2018

Scott R. Frakes, Director

**Dept of Correctional Services**

P.O. Box 94661 Lincoln, NE 68509-4661  
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## Introduction of PREA

The Prison Rape Elimination Act was signed into law in 2003. PREA was the first law of its kind addressing prison sexual abuse. The final standards were signed in May 2012 and became effective in August 2012. There are 44 standards for adult prison/jails and 40 standards for the community confinement facilities. Every three years all facilities are required to be audited. The standards address such issues as prevention, detection and response.

NDCS has a zero tolerance policy regarding sexual assault, sexual abuse and sexual harassment of inmates and staff within our 10 facilities. Inmates and staff are educated on the reporting, detecting and preventing of sexual assault and sexual abuse and have an obligation to report all incidents.

Inmates are offered several ways in which to report the allegations of sexual assault, sexual abuse or sexual harassment. They are able to report directly to any staff member, make a call to the PREA hotline, write a letter, submit an Inmate Interview Request form, call the ombudsman's office, file a grievance, tell a trusted third party such as a family member or friend. Inmates are also able to have family members or friends report incidents on the NDCS website.

Nebraska Department of Correctional Services requires that all inmates who enter the system go through an orientation with in their initial 30 days of arrival. Staff members, volunteers and contractors receive information and training on the departments zero tolerance policy and how to prevent, detect and respond to allegations of sexual assault, sexual abuse, sexual harassment or retaliation for reporting incidents during Pre-service training.

Each year all staff members are required to attend in-service training in which they receive refresher training and updates relative to PREA.

## Assessment of NDCS's Progress

NDCS will continue to work towards remaining PREA compliant. The PREA coordinator continues to meet quarterly with the 10 facility compliance managers. Information regarding PREA has been made available on the NDCS website.

NDCS continues to actively participate in the audit process. NDCS is currently in contract with Truecore Behavioral Solutions from Florida. All 10 facilities are scheduled for audits throughout the 3 year cycle 2017-2019.

NDCS continues to maintain a zero tolerance standard for all forms of sexual assault, sexual abuse, sexual harassment and retaliation for reporting such incidents. The department continues to provide training and information to staff and inmates in an attempt to prevent, detect and respond to all allegations of sexual assault, sexual abuse, sexual harassment and retaliation.

Nebraska Department of Correctional Services and Nebraska Coalition to End Sexual and Domestic Violence continues to work together to provide inmates with support after a Sexual Assault, Sexual Abuse and Sexual Harassment.

## Goals for 2019

- Continue to work with Truecore Behavioral Solutions with the audit process. All facilities are scheduled for external audit for the 3 year cycle August 2017- August, 2019. CCC-L and CCC-O are the last audits to be conducted for 2019.
- Review and bid for contract of PREA auditor for the next 3 year cycle. August 2019- August, 2022.
- Review and update inmate educational material.
- Review and update staff education material.
- Review and update Administrative regulations
  - Sexual assault and abuse AR 203.11
  - Identification of Potential Aggressors and victims AR 201.13
- Omaha Correctional Center had the PREA Resource center conducting a Field Training audit February 24th-March 1st. The PREA Coordinator and PREA Compliance Manager of OCC will continue to work with the PRC for technical assistance with recommendations for the gap analysis the PRC will provide.
- Conduct at least 2 PREA investigator courses for 2019.
- Continue to work with the Nebraska Coalition to End Sexual and Domestic violence.
- PREA guides are in the process of being printed and released to supervisory staff in all 10 facilities.
- Continue to work with the Nebraska Statewide Coordinated Response Team.
- Restructure the PREA audits to gain compliance for the 3<sup>rd</sup> audit cycle.



## Facility Audit Cycle 2017-2019

Facility	Last completed Audit	Next Scheduled Audit
<b>Work Ethic Camp</b>	April 25-26 2017 In compliance	upon contract renewal
<b>Nebraska Correctional Center for Women</b>	December 18-20 2018 In compliance	upon contract renewal
<b>Diagnostic and Evaluation Center</b>	July 12-13 2017 In compliance	upon contract renewal
<b>Lincoln Correctional Center</b>	July 10-11 2017 In compliance	upon contract renewal
<b>Community Correctional Center – Lincoln</b>	June 14 2016	July 17-19 2019
<b>Nebraska State Penitentiary</b>	November 26-30 2018 In compliance	upon contract renewal
<b>Omaha Correctional Center</b>	October 16-18 2017 In compliance	upon contract renewal
<b>Nebraska Correctional Youth Facility</b>	October 18- 19 2017 In compliance	upon contract renewal
<b>Community Correctional Center – Omaha</b>	June 13-2016	July 15-16 2019
<b>Tecumseh State Correctional Institution</b>	October 23-26 2018 in compliance	upon contract renewal

**TrueCore Behavioral Solutions**  
PO Box 4068 Deerfield Beach Florida 33442

Point of Contact: Bobbi Pohlman  
Auditor: Dorothy Xanos

# PREA INVESTIGATIONS

Total Investigations	Number
Substantiated	5
Unsubstantiated	35
Unfounded	33
Open/Active	1
Total number of investigations	<b>74</b>
Staff Perpetrated Sexual Assault	Number
Substantiated	1*
Unsubstantiated	1
Unfounded	2
Open/Active	1
Total	<b>5</b>
Staff Perpetrated Sexual Abuse	Number
Substantiated	2*
Unsubstantiated	5
Unfounded	8
Open/Active	0
Total	<b>15</b>
Comments: *Substantiated case 201814NSP4638: The staff member resigned during the investigation. Despite the Substantiated finding it was determined that due to the nature of the case it was not referred for prosecution. *Substantiated case 201814LCC4668: The volunteer was suspended as a result of the allegations. Due to the Volunteer status of the individual and the nature of the case it was not referred for prosecution.	
Staff Perpetrated Exhibitionism	Number
Substantiated	0
Unsubstantiated	0
Unfounded	0
Open/Active	0
Total	<b>0</b>
Staff Perpetrated Voyeurism	Number
Substantiated	0
Unsubstantiated	0
Unfounded	0
Open/Active	0
Total	<b>0</b>
Staff Perpetrated Sexual Harassment	Number
Substantiated	0
Unsubstantiated	2
Unfounded	5
Open/Active	0
Total	<b>7</b>
Inmate Perpetrated Sexual Assault	Number
Substantiated	0
Unsubstantiated	6
Unfounded	9

Open/Active	0
Total	15
<b>Inmate Perpetrated Sexual Abuse</b>	
Substantiated	0
Unsubstantiated	11
Unfounded	8
Open/Active	0
Total	19
<b>Inmate Perpetrated Sexual Harassment</b>	
Substantiated	2
Unsubstantiated	10
Unfounded	1
Open/Active	0
Total	13
<b>County Attorney Referrals</b>	
Referred to County Attorney for prosecution	1*
Staff perpetrated sexual assault	1
Inmate perpetrated sexual assault	0
Comment: *Substantiated Staff on Inmate Sexual Assault case 201814NSP4643: Referred to the county attorney for prosecution; however The county attorney determined there was not enough evidence for prosecution.	

In the institutional year reports on page 5 under Disciplinary Misconduct reports it lists sexual assault charges filed and guilty sexual assault charges. These misconduct reports are for inmate perpetrated sexual assault of a staff member.

The following institutions had Misconduct reports for inmate perpetrated sexual assault of a staff member.

**Lincoln Correctional Center**

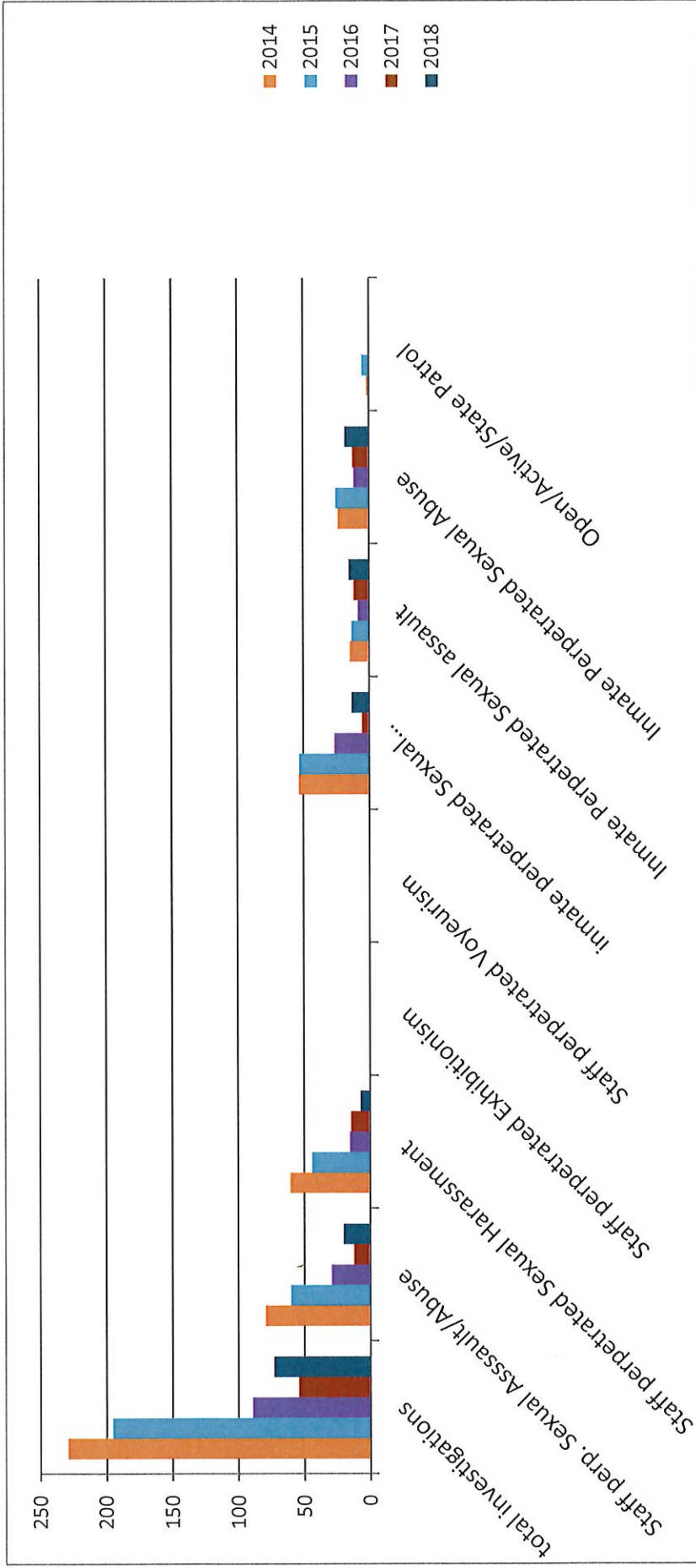
- Sexual assault charges filed- 5
- Guilty Sexual Assault charges- 3

**Nebraska State Penitentiary**

- Sexual assault charges filed- 12
- Guilty Sexual Assault charges- 5



All numbers are submitted to the U.S. Department of Justice in the Survey for Sexual Victimization



## Nebraska Coalition to End Sexual and Domestic Violence

NDCS has partnered with Nebraska Coalition to End Sexual and Domestic Violence (Coalition) to provide our inmates a resource that will allow them to discuss any victimization they may have encountered. On April 11, 2016, a toll-free telephone line was launched providing NDCS inmate's access to a victim advocate. Calls are confidential and provide the inmate with options available after an assault. The advocate is available to provide safety planning, talk about feelings and discuss different ways to cope.

The Coalition has also been providing support to those that have been sent out to hospitals for medical exams. Prior to the inmate being transported the advocate is contacted and arrangements are made to meet the inmate at the hospital. The advocate will then remain with the inmate during the process and will continue to follow up as long as the inmate accepts.

Quarter	Victims Served	Crisis line Calls	Contacts Made
Jan-March 2018	18	10	18
April-June 2018	14	14	14
July-Sept 2018	4	4	12
Oct-Dec 2018	17	2	43
<b>Total</b>	<b>53</b>	<b>30</b>	<b>87</b>

Some victims request services every month. The Numbers in the victim served column may be duplicate victims.

The Memorandum of Understanding was reviewed and in affect till June 30<sup>th</sup> 2019.



## **Nebraska Statewide Coordinated Response Team (CRT)**

The Nebraska CRT is a group of professionals representing both state agency and provider organizations committed to achieving the group's vision and mission.

### **Vision**

"We envision coordinated and collaborative responses to domestic and sexual violence throughout the state, focused on victim safety and offender accountability"

### **Mission**

"The mission of the Nebraska State CRT is to foster the development and sustainability of effective local and statewide responses to domestic and sexual violence. This will be accomplished by offering guidance and resources based on model standards and practices, while recognizing each community's accomplishments, expertise, and needs."

### **CRT members will consist of:**

- State agencies.
- Statewide organizations that work with the local level groups
- A quorum will be represented by a simple majority.

The Nebraska Department of Correctional Services PREA Coordinator represents the department with the Nebraska CRT. Meetings are held in odd months throughout the year.

The Memorandum of understanding was reviewed and signed on November 30, 2017

This document was prepared and submitted by:

  
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Mark Rumery, Agency Security Administrator

  
Robert Madsen, Deputy Director of Prisons

  
Dawn-Renee Smith Deputy Director of Programs

  
Diane Sabatka-Rine, Chief of Operations

  
Scott Frakes, Director

Additional information is located in the institutional specific 2018 PREA Assessment.