

PRISON RAPE ELIMINATION ACT

2021 ANNUAL REPORT

San Juan County Adult Detention Center
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Farmington, NM 87401

Daniel L. Webb, Administrator

San Juan County Adult Detention Center is committed to meeting the requirements for the PREA (Prison Rape Elimination Act of 2003) and enhancing the safety and security of SJCADC offenders as a result thereof. This report provides a summary of the facility's efforts in PREA compliance.

By examining the aggregation of facility data, SJCADC is dedicated to improving the effectiveness of sexual abuse detection, prevention, and responses.


7-27-22

PREA 2021 REPORT

Purpose

This document serves as an annual review to assess and improve the effectiveness of sexual abuse prevention, response policies, practices, and training in the San Juan County Adult Detention Center pursuant to Standards 115.88 and 115.89 of the national PREA standards.

The Facility 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 on-going basis; and
 - c. Preparing an annual report of its findings and corrective action.
2. Compare the current year's data and corrective actions with those from prior years and assess the facility's progress in addressing sexual abuse.
3. Publish the annual report on the SJCADC website.

SJCADC Overview for 2021

The number of PREA related incidents at the San Juan County Adult Detention Center has gradually decreased by 16.23% every year since 2018. Since 2018, the number of PREA related incidents has decreased from 32 to 19 incidents. A total decrease of 40.625% from 2018 to 2021.

To ensure compliance, SJCADC will continue to:

- **Conduct classroom training for all new SJCADC staff, to include contractors and volunteers.**
- **Conduct refresher training every two (2) years after initial training.**
- **Conduct PREA audits every three (3) in accordance with PREA standards.**
- **Ensure the PREA Coordinator, PREA investigators, Medical and Mental Health Staff receive specialized PREA training.**
- **Ensure all PREA allegations/incidents are tracked on a data tracking log.**

Aggregated Data

SJCADC collects data from the referrals for investigations of sexual abuse and sexual harassment (both detainee-on-detainee and staff-on-detainee). This section contains aggregated data as a comparison for 2018 through 2021:



PREA INCIDENTS	2018	2019	2020	2021
Sexual Abuse	14	8	5	6
Sexual Harassment	18	18	16	13
Total PREA Incidents	32	26	21	19
Referral of Incidents	23	25	18	17
Percent (%) change from previous year	N/A	-18.75	-11.2	-18.75
Administrative Investigations	6	0	0	0
Police Reports	21	23	17	17
Both Admin and Police Reports	2	0	0	0
Disciplinary Action (Zero Tolerance Rule)	8	4	2	2
Sexual Harassment Substantiated	0	1	0	0
Substantiated	0	1	0	2
Unfounded	15	13	13	11
Unsubstantiated	16	11	8	4
Total Pending (Referred to Detective)	4	0	0	0
Not In PREA Guidelines	1	0	0	2

2018

PREA Incidents: 32	Unfounded	Unsubstantiated	Substantiated
Inmate-Inmate Sexual Harassment	5	6	0
Staff-Inmate Sexual Harassment	3	4	0
Inmate-Inmate Sexual Abuse	1	6	0
Staff-Inmate Sexual Abuse	3	4	0

2019

PREA Incidents: 26	Unfounded	Unsubstantiated	Substantiated
Inmate-Inmate Sexual Harassment	7	6	1
Staff-Inmate Sexual Harassment	3	1	0
Inmate-Inmate Sexual Abuse	0	3	1
Staff-Inmate Sexual Abuse	2	2	0

2020

PREA Incidents: 21	Unfounded	Unsubstantiated	Substantiated
Inmate-Inmate Sexual Harassment	2	3	0
Staff-Inmate Sexual Harassment	7	4	0
Inmate-Inmate Sexual Abuse	1	1	0
Staff-Inmate Sexual Abuse	3	0	0

2021

PREA Incidents: 19	Unfounded	Unsubstantiated	Substantiated
Inmate-Inmate Sexual Harassment	4	0	0
Staff-Inmate Sexual Harassment	6	3	0
Inmate-Inmate Sexual Abuse	2	1	1
Staff-Inmate Sexual Abuse	0	1	1

Problem Area(s)

There were two substantiated PREA incidents that occurred in 2021. Both incidents occurred in the Medical Housing section.

Corrective Action

In the past year, SJCADC has made improvements to the camera system by beginning to install high-definition cameras and readjusting camera angles to minimize blind spots in Medical



Housing and throughout the facility. SJCADC has updated its sexual abuse policy and procedure and has also updated the mandatory PREA training that is provided to all staff, contractors, and volunteers by the training department. A procedure has been implemented that requires all supervisors to conduct and document unannounced rounds at least once a week to ensure compliance and deterrence to PREA related activities.

Zero Tolerance Policy

The San Juan County Adult Detention Center has a zero tolerance for all forms of sexual misconduct involving detainees. The Adult Detention Center shall provide a safe, humane, and secure environment, free from sexual violence, misconduct, harassment, or retaliation. This will be achieved by establishing definitions of prohibited conduct and maintaining a program of prevention, detection, investigation, response and tracking of all alleged and substantiated sexual misconduct.

Sexual misconduct between staff and detainees, volunteers, or contract personal and detainees, or detainees and detainees, regardless of consensual status, is prohibited and subject to administrative discipline and/or criminal sanctions. Examples of sexual misconduct include, but are not limited to:

- Detainee-on-Detainee Sexual Abuse or Sexual Harassment
- Staff-on-Detainee Sexual Abuse or Sexual Harassment

Sexual Abuse

Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident 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 a detainee, or resident 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 in paragraphs (1)-(5) of this section;
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

Sexual Harassment

Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by an inmate, detainee, or resident directed toward another; and repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident 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.

Voyeurism

When committed by a staff member, contractor or volunteer, means an invasion of privacy of an inmate, detainee, or resident 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.

Substantiated Allegation

An allegation that has been investigated and *determined to have occurred*.

Unfounded Allegation

An allegation that has been investigated and *determined not to have occurred*.

Unsubstantiated Allegation

An allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to if the event occurred.



The San Juan County Adult Detention Center is committed to making progress to implement the requirements of PREA standards. The 2021 annual report includes data and reviews consistent with 115.87 and 115.88 and 115.89 (b) by utilizing a standard instrument and set of definitions set forth by the DOJ (Department of Justice) for the federal survey. In the past year, SJCADC has made improvements to the camera system by beginning to install high-definition cameras and readjusting camera angles to minimize blind spots. SJCADC has updated its sexual abuse policy and procedure and has also updated the mandatory PREA training that is provided to all staff, contractors, and volunteers by the training department.



Daniel L. Webb, Administrator
San Juan County Adult Detention Center



Date