

# **PRISON RAPE ELIMINATION ACT**

## **2023 ANNUAL REPORT**

San Juan County Adult Detention Center

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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.

## PREA 2023 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 (SJCADC) pursuant to Standards 115.88 and 115.89 of the national PREA standards.

The SJCADC 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 2023***

In 2023, the San Juan County Adult Detention Center's PREA Coordinator attended several PREA trainings, both online and in person, in an effort to improve the facility's deterrence and response to sexual abuse and harassment. The SJCADC also updated its Memorandum of Understanding (MOU) with the Sexual Assault Services of New Mexico in the fourth quarter of 2023

To remain compliant with all PREA Standards, SJCADC will continue to:

- **Conduct classroom PREA training for all new SJCADC staff, to include contractors and volunteers.**
- **Conduct refresher PREA training every two (2) years after initial training.**
- **Conduct PREA audits every three (3) years 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 2020 through 2023:

PREA INCIDENTS	2020	2021	2022	2023
Sexual Abuse	5	6	11	17
Sexual Harassment	16	13	9	5
Total PREA Incidents	21	19	20	22
Percent (%) change from previous year	-19.23	-9.52	+5.26	+10
Referral of Incidents	18	17	22	24
Administrative Investigations	0	0	0	26
Police Reports	17	17	16	22
Incident Review Meetings	17	14	13	4
Disciplinary Action (Zero Tolerance Rule)	2	2	0	4
Substantiated	0	2	0	1
Unfounded	13	11	15	18
Unsubstantiated	8	4	4	3
Total Pending (Referred to Detective)	0	0	5	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

## 2022

PREA Incidents: 20	Unfounded	Unsubstantiated	Substantiated
Inmate-Inmate Sexual Harassment	4	2	0
Staff-Inmate Sexual Harassment	2	1	0
Inmate-Inmate Sexual Abuse	7	1	0
Staff-Inmate Sexual Abuse	3	0	0

## 2023

PREA Incidents:	Unfounded	Unsubstantiated	Substantiated
Inmate-Inmate Sexual Harassment	1	1	1
Staff-Inmate Sexual Harassment	2	0	0
Inmate-Inmate Sexual Abuse	7	2	0
Staff-Inmate Sexual Abuse	8	0	0

### *Problem Area(s)*

There was one (1) substantiated PREA incident that occurred in 2023 which was a case of inmate on inmate sexual harassment and this incident occurred in Medical. In total, there were seven (7) PREA incidents that occurred in Medical; One (1) Substantiated, three (3) Unsubstantiated and three (3) Unfounded. There were a total of three (3) incidents that occurred in Holding that were all determined to be Unfounded. There were two (2) incidents that occurred in B4 and two (2) incidents that occurred in B7; all four (4) of these incidents were determined to be Unfounded.

### ***Corrective Action***

In the past year, SJCADC completed its upgrade and installation of new high-definition cameras throughout the facility and the exterior of the facility. These cameras have been installed and positioned to allow maximum camera angle coverage and to minimize blind spots throughout the facility. SJCADC has ensured that mandatory PREA training is provided to all staff, contractors, and volunteers by the training department. All staff receive training upon hire and refresher training annually. Supervisors conduct and document unannounced rounds at least once a week to ensure compliance and deterrence of 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 (SJCADC) is committed to maintaining compliance with the requirements set forth in the PREA standards. The 2023 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 early 2023, the SJCADC completed its upgrade of existing cameras and installation of several high-definition cameras that are located both inside and outside of the facility. These cameras have been placed in strategic locations to minimize blind spots and to replace existing cameras that did not have high-definition capabilities. Also, new fisheye cameras have been installed in housing areas that are equipped with audio coverage in addition to high-definition video. In 2023, the SJCADC also received two tablets from Viapath that are designated for detainees who are hearing disabled. These tablets are equipped with software from the company Purple, and are available to detainees with hearing disabilities at no additional cost.

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

2-14-24  
Date