

# **Annual Report**

**Fiscal Year 2018**



**Third Judicial District  
Department of Correctional Services**

**Submitted by:  
Steven L. Scholl, District Director**

## A MESSAGE FROM THE DIRECTOR

On behalf of the staff of the Third Judicial District Department of Correctional Services, I am pleased to present the Department's 2017-2018 Annual Report.

The fiscal year brought about several of retirements of senior staff. Many of those staff had 30 years or more of experience. They will be missed. They were replaced by current staff members through promotions which led to new hires at other levels in our organization. The skills and enthusiasm of those promoted and the new hires is exciting to see as they either continue their careers in new positions or begin their career with the Department. I am confident they will continue the good work begun by their predecessors.

Fiscally, the Department weathered the budget cut placed on us in January 2018. We were in a position to deal with the budget cut with little impact on staff. The Department's budget going in to Fiscal Year 2019 is in good shape.

I want to thank the Department staff for the excellent work they do each day. As we move forward, the training you have received in Evidenced Based Programming will be continued and enhanced. I am certain you will learn and apply the training in your work with the clients that we serve.

The Annual Report is prepared in accordance with Section 905.4 of the current Code of Iowa. This report is filed with the Board of Supervisors of each county within the Third Judicial District, with the Iowa Department of Corrections, with the State of Iowa Library, and with any other agency requesting a copy. It provides information about activities in the Third Judicial District Department of Correctional Services from July 1, 2017 through June 30, 2018.

I want to take this opportunity to thank the District Board of Directors for the support it has shown myself and the entire staff.

Respectfully submitted,

Steven L. Scholl  
Third Judicial District  
Department of Correctional Services

Additional information about the Third Judicial District Department of Correctional Services may be obtained by contacting:

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Department of Correctional Services  
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515 Water Street  
Sioux City, Iowa 51103  
(712) 252-0590, Ext. 6836**

**Tim Schumacher, Chairperson  
Board of Directors**

**Steven L. Scholl, District Director**

*The data contained in this Annual Report was compiled using the ICON offender database and the Criminal Justice Data Warehouse.*

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# MISSION, VALUES & BELIEFS

## MISSION STATEMENT

**Utilizing Evidence Based Practices and accountability to improve client outcomes and create opportunities for safer communities.**

## VALUES and BELIEFS

- To advocate for the health, safety, dignity, and rights of clients, by holding them accountable while assisting them to achieve a pro-social lifestyle.
- Supporting our diverse and innovative staff to uphold team work and staff safety while encouraging individual growth and achievement.
- To promote public safety by managing resources in the most efficient, effective and practicable manner.
- Collaborating and building partnerships with other community agencies to enhance offender success.
- To monitor and evaluate programs for general effectiveness and achievement of Department goals.

## DEPARTMENT OVERVIEW/HISTORY

Community based corrections emerged in Des Moines in the 1960's with a pre-trial release project. In the early 1970's, this was expanded to include presentence investigations, probation and pre-institutionalized residential services. Simultaneously, programs began to develop across Iowa in urban centers.

In 1974, enabling legislation was passed establishing community corrections statewide as locally administered programs funded through and monitored by the Department of Corrections.

The Department of Correctional Services within the Third Judicial District is one of eight judicial district correctional programs currently existing within the State of Iowa. These are the end result of statewide development of correctional programs with the objectives of providing total services at the community-based level to correctional clients, the court system, and ultimately, the public.

The Department of Correctional Services, as it exists in this judicial district, was formed in 1976 and 1977. The District provides the usual historic services and, in addition, some innovative and functional services.

## GENERAL DESCRIPTION

The Department of Correctional Services, within the Third Judicial District, is one of the eight judicial district correctional programs currently existing within the State of Iowa. The Third Judicial District operates its programs as mandated by Chapter 905 of the Code of Iowa. Additionally, a Board of Directors with established By-Laws governs the Third Judicial District. The Board of Directors is comprised of a county supervisor from each county in the district, a judicial appointee, and one citizen advisory representative.

The Third Judicial District is composed of sixteen counties in northwestern Iowa and encompasses the second largest area in the state, covering 9,932 square miles. The Third District, with an aggregate population of 327,663, represents approximately eleven percent (11%) of the total state population.

The Third Judicial District operates programs consisting of pretrial services, presentence investigations, probation and parole services, Intensive Supervision Program, Iowa Domestic Abuse Program, Sex Offender Treatment Program, Informal Probation Program, Drug Court, and, two Residential Treatment Facilities. The two facilities are located in Sioux City. One, a 57 bed facility primarily designated for State Work Release and sex offender clients, and a second 42 bed facility which serves OWI, probationers, and any female offender sentenced to the RTF for the entire District.

The total dollars available for disbursement to the district during FY18 was \$8,115,108. Further financial data can be found in the Financial Section at the end of this Report.

It is the Department's continuing goal to improve the quality of the service provided and to become aware of and address those problems that might diminish the quality of service being provided for the public and the individual.

## Strategic Plan

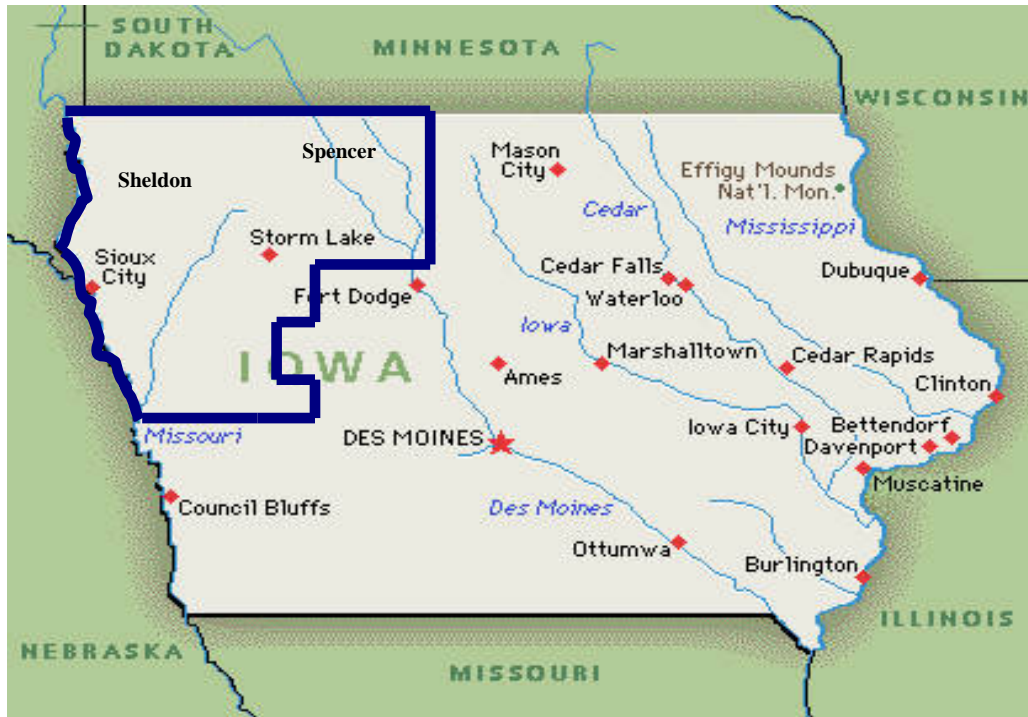
In conjunction with the Department of Corrections, the District will use Evidence Based Programs (EBP) to aid in offender Re-Entry. Current EBP programming available within the District is: ACTV, Iowa Risk Revised, DRAOR, ACT Intentional Living and SOTIPS.



# LOCATIONS/CONTACTS

Administration	Field Services	Residential Services
<p>515 Water Street Sioux City, IA 51103 (712) 252-0590 <b>Steve Scholl,</b> <b>Director</b></p>	<p>515 Water Street Sioux City, IA 51103 (712) 252-0590 <b>Supervisors: Karen Borg,</b> <b>Mark Covey, Steve</b> <b>Middleton</b></p> <p>720 Western Ave. Sheldon, IA 51201 (712) 324-5384 <b>Kim Waagmeester,</b> <b>Supervisor</b></p>	<p>515 Water Street Sioux City, IA 51103 (712) 252-4226 <b>Maureen Hansen, Residential</b> <b>Manager</b></p> <p>515 Water Street Sioux City, IA 51103 (712) 224-5515 <b>Kelsey Callens, Residential</b> <b>Manager</b></p>

# MAP OF THE DISTRICT

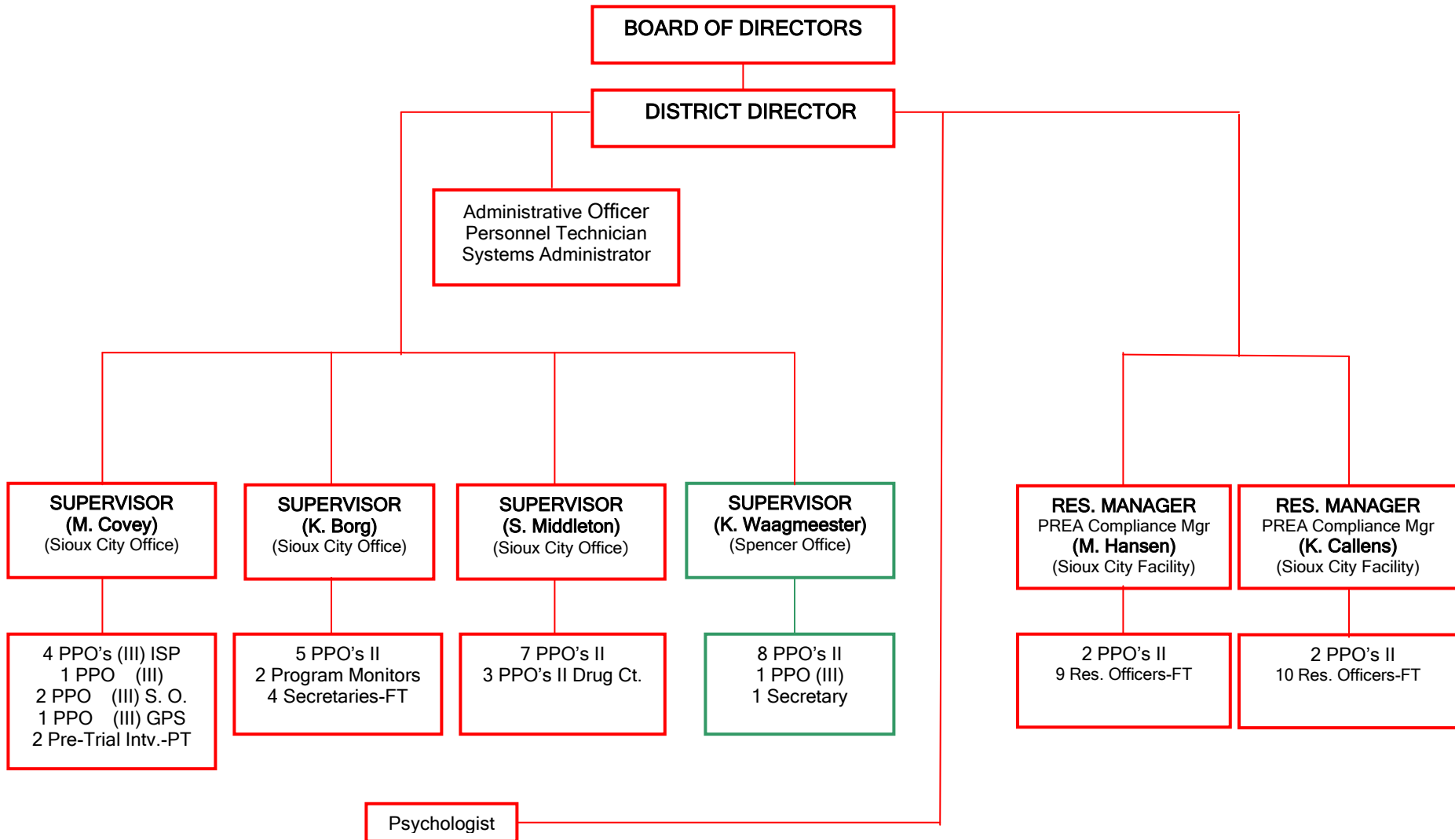


The 3<sup>rd</sup> Judicial District covers 16 counties in the northwest part of the state.

## Area Offices:

- Sheldon Field Services  
720 Western Avenue  
Sheldon, IA 51201

**TABLE OF ORGANIZATION**  
**Third Judicial District**  
**Department of Correctional Services**



# BOARD OF DIRECTORS

**Board Chairperson: Mr. Tim Schumacher**

**Buena Vista County**

Tom Huseman  
213 Cyclone Drive  
Alta, IA 51002

**Crawford County**

Eric Skoog  
814 N. 24th St.  
Denison, IA 51442

**Ida County**

Creston Schubert  
406 Crawford St.  
Galva, IA 51020

**Monona County**

Mike Collison  
612 10th Street  
Onawa, IA 51040

**Palo Alto County**

Craig Merrill  
105 N Superior St.  
Emmetsburg, IA 50536

**Woodbury County**

Martin Pottebaum  
620 Douglas St., Rm104  
Sioux City, IA 51104

**Cherokee County**

Jeff Simonsen  
6061 K Avenue  
Quimby, IA 51049

**Dickinson County**

Mardi Allen  
24576 182<sup>nd</sup> Street  
Spirit Lake, IA 51360

**Kossuth County**

Don Besch  
1407 220<sup>th</sup> Avenue  
Corwith, IA 50430

**O'Brien County**

Nancy McDowell  
1016 6<sup>th</sup> Ave.  
Sheldon, IA 51201

**Plymouth County**

Don Kass  
48138 190th St.  
Remsen, IA 51201

**Judicial Representative**

Treylla Lee  
4351 Lincoln Way; Apt. A  
Sioux City, IA 51106

**Clay County**

Joe Skow  
1609 W 15th Street  
Spencer, IA 51301

**Emmet County**

Tim Schumacher  
813 Central Avenue  
Estherville, IA 51334

**Lyon County**

Steve Michael  
831 Church Hill Drive  
Larchwood, IA 51241

**Osceola County**

Michael Schulte  
1010 4<sup>th</sup> Street NE  
Sibley, IA 51249

**Sioux County**

Mark Sybesma  
2980 350<sup>th</sup> Street  
Hull, IA 51239

**Advisory Committee Rep**

James Jensen  
1608 Cameo Street  
Onawa, IA 51040

# BOARD OF DIRECTORS COMMITTEES

## EXECUTIVE COMMITTEE

Tim Schumacher, Chairperson - Emmet County

Nancy McDowell, Vice Chairperson - Ida County

Martin Pottebaum, Board Representative - Woodbury County

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## FY18 Board of Directors Meetings

- *September 1, 2017 in Sioux City, Iowa*
- *December 1, 2017 in Sioux City, Iowa*
- *March 2, 2018 in Sioux City, Iowa*
- *June 8, 2018 in Sheldon, Iowa*

# PROGRAM/TREATMENT SERVICES OVERVIEW

## DEFINITIONS

The majority of statistical information was compiled from data entered into the Iowa Correctional Offender Network database (ICON).

It should be noted that the ICON system occasionally undergoes modifications which could possibly contribute to discrepancies. Other locally generated records were used for subcategory information not accounted for in ICON. Information provided in this report is summary in nature. Extensive detailed statistical information is available from the Department upon request.

### **Supervision Status Closure Type Definitions for Residential and Field:**

<b>Successful:</b>	Discharged, Paroled with Immediate Discharge, Parole Granted, Work Release Granted, Returned to Sending Jurisdiction, Released on Recognizance, Conviction Overturned, Unsupervised Probation Granted, Acquitted/Dismissed, Adjudicated.
<b>Unsuccessful:</b>	Revoked, Sent Back to Jail, Discharged-Absconded/ Escaped.
<b>Administrative:</b>	Terminated by Court, Charge Amended, Death.
<b>Intermediate Sanction:</b>	Revoked From Parole - Work Release Granted.

## RESIDENTIAL SERVICES

Two district residential facilities are available to provide structured alternatives for those offenders who are in need of more intensive, supportive service, or more supervision that can be provided on traditional probation or parole. Residential facilities provide a step between unstructured supervision in the community and incarceration. Facility clientele are a combination of probation, state work release, parole, and OWI offenders. A period of supervision usually follows a successful completion of the facility program.

In FY 2018, 140 offenders were placed in residential as a condition of probation; 161 as a condition of work release; and 22 as habitual drunken drivers (Table 1). The cumulative successful closure rate of all residential cases was 69% (Table 2 on the following page). Tables 3A and 3B indicate that those offenders average length of stay was 3.3 months in Sheldon and 4.8 months in Sioux City.

TABLE 1  
Residential Supervision Status

Supervision Status	Active at Start	New Admits	Closures	Active at End	Offenders Served
Interstate Compact Parole	1		1		1
OWI Continuum	7	15	19	6	22
Parole	1	2	2	1	3
Probation	26	114	100	31	140
Special Sentence	11	28	24	14	39
Work Release	44	117	82	46	161
<b>Totals</b>	<b>90</b>	<b>276</b>	<b>228</b>	<b>98</b>	<b>366</b>

**TABLE 2**  
**Residential Closures**

<b>Supervision Status/Closure Category</b>	<b>Admin</b>	<b>%</b>	<b>Successful</b>	<b>%</b>	<b>Un successful</b>	<b>%</b>	<b>Totals</b>	<b>%</b>
Interstate Compact Parole			1	100.0			1	0.4
OWI Continuum			17	89.5	2	10.5	19	8.3
Parole	1	50.0			1	50.0	2	0.9
Probation			53	53.0	47	47.0	100	43.9
Special Sentence	2	8.3	15	62.5	7	29.2	24	10.5
Work Release	1	1.2	71	86.6	10	12.2	82	36.0
<b>Closure Category Totals/Percents</b>	<b>4</b>	<b>1.7</b>	<b>157</b>	<b>68.9</b>	<b>67</b>	<b>29.4</b>	<b>228</b>	<b>100.0</b>

*Admin = An Administrative Closure*

**TABLE 3A**  
**Sioux City South Residential Length of Stay Successful**

<b>Supervision Status</b>	<b>Work Unit Reason for Change</b>	<b>LOS Days</b>	<b>Court Closures Work Unit Residential</b>	<b>LOS Months</b>
Work Release	Successful	2,252	18	4.1
OWI Continuum	Successful	1,978	19	3.4
Probation	Successful	5,299	58	3.0
<b>Region Average Length of Stay-Months</b>				<b>3.3</b>

*LOS = Length of Stay*

**TABLE 3B**  
**Sioux City North Residential Length of Stay Successful**

<b>Supervision Status</b>	<b>Work Unit Reason for Change</b>	<b>LOS Days</b>	<b>Court Closures Work Unit Residential</b>	<b>LOS Months</b>
Work Release	Successful	9,193	72	4.2
Interstate Compact Parole	Successful	113	1	3.7
Probation	Successful	1,100	5	7.2
Special Sentence	Successful	4,238	22	6.3
<b>Region Average Length of Stay-Months</b>				<b>4.8</b>

*LOS = Length of Stay*



## **FIELD SERVICES**

### **Pretrial Interviews**

Pretrial interviews determine, by objective criterion, those individuals who are most likely to appear for court action after they have been arrested. Department staff makes recommendations to the court on which arrests appear to be a good risk for release on their own recognizance without a cash bond versus posting bond. Two hundred forty-eight (248) pretrial interviews were conducted in FY 2018.

TABLE 4  
Pretrial Interviews  
**Removed**

### **Pretrial Release with Supervision**

The court may place individuals on supervision to the Department as a condition of their release from pretrial detention. These Release with Services (RWS) programs are designed to assist offenders in obtaining community service such as employment, educational or family counseling in addition to insuring their appearance in court. Table 5 indicates that 240 offenders received this service in FY 2018. Table 6 on the following page shows that of the 156 closures during FY 2018, over 94% were successfully closed.

TABLE 5  
Supervision Status

<b>Supervision Status</b>	<b>Active at Start</b>	<b>New Admits</b>	<b>Closures</b>	<b>Active at End</b>	<b>Offenders Served</b>
Interstate Compact Parole	53	29	38	43	82
Interstate Compact Probation	178	113	144	146	291
No Correctional Supervision Status		1	1	1	1
Parole	261	188	250	249	449
Pretrial Release With Supervision	52	188	156	79	240
Probation	1,948	1,616	1,520	1,994	3,564
Special Sentence	103	24	31	113	127
<b>Totals</b>	<b>2,595</b>	<b>2,159</b>	<b>2,140</b>	<b>2,625</b>	<b>4,754</b>

TABLE 6  
Closed Supervision Status

Supervision Status\ Reason For Change	Admin	Intermediate Sanction	Successful	Unsuccessful	Totals
Interstate Compact Parole	14		24		38
Interstate Compact Probation	63		81		144
No Correctional Supervision Status			1		1
Parole	1	33	121	95	250
Pretrial Release With Supervision	4		144	8	156
Probation	288		910	322	1,520
Special Sentence		2	15	14	31
<b>Totals</b>	<b>370</b>	<b>35</b>	<b>1,296</b>	<b>439</b>	<b>2,140</b>

*Admin = An Administrative Closure*

### Presentence Investigations

The Department provides, at the request of the court, presentence investigations on those individuals who have entered a plea of guilty of an aggravated misdemeanor or felony. Investigations also may be ordered as part of a pre-plea agreement. The presentence investigation includes background information with regard to the defendant's family, financial circumstances, social and employment history, and criminal record. If necessary, victims are contacted and the amount of restitution to be paid is reported to the court along with the prospect of community service work.

For those clients unable to sufficiently communicate, whether hampered because of a language barrier or incapacitated in another manner such as a hearing disability, the Department has established a network of interpreters to assist clients during the presentence investigation interview. In FY 2018, a total of 852 presentence reports were completed according to Table 7.

TABLE 7  
Presentence Investigation (PSI)

Form Type	Total	Percentage
Long	754	88.5
Informal	98	11.5
<b>Total/Percent</b>	<b>852</b>	<b>100</b>

## **Probation**

In compliance with the Code of Iowa, the Department provides probation supervision services for clients whose sentences are either suspended or deferred and ordered to be placed on probation. Department probation officers monitor the court-ordered conditions of probation by insuring that the client seeks employment, educational assistance, substance abuse or other specialized treatment services, pays court costs and/or victim restitution, maintains contact with the Department on a regular basis, and any other conditions of probation imposed by the court.

Additionally, the Department uses several risk management practices to assess client behaviors. These assessments provide direction to the most appropriate supervision services.

Probationers continue to make up the majority of the offender population, with 3,564 offenders served during this fiscal year (Table 5 on page 16). Sixty percent (60%) of the 1,520 cases closed during Fiscal Year 2018 were successful per Table 6 on page 17.

## **Parole**

The Third Judicial District provides supervision for those individuals who have been confined in state penal institutions and, at the decision of the Board of Parole, are released prior to the expiration of their original sentence. Written conditions of parole, similar to probation, are monitored by Probation/Parole Officers with violations being reported to the Board of Parole for further action and/or consideration. Typically, parole caseloads are high maintenance, therefore, usually smaller in numbers than traditional probation caseloads. Table 5 indicated that of 449 offenders who received this supervision in FY 2018, 188 were new admissions. Table 6 on the previous page reflects 144 offenders (48%) successfully completed supervision.

## **Interstate Compact**

The interstate compact is an agreement entered into by two or more states to provide supervision to offenders who cross state lines to reside and work. States that enter into an interstate compact become part of the Interstate Commission for Adult Offender Supervision (national compact). The primary purpose of the compact is to enhance public safety and to provide a mechanism that allows a continuum of supervision of offenders who cross state boundaries. Each state operates its own Interstate Compact Unit. In FY18, the District received 142 new cases and served a total of 373 offenders with this service (Table 5 on page 16).

## SPECIAL SERVICES

### **Specialized Supervision Program (Specialty) Closure Type DEFINITIONS:**

<b>Successful:</b>	Completed Requirements, Discharged-Early, Discharge Expiration, Released to Custody of US Probation Office, Terminated by Court.
<b>Unsuccessful:</b>	Revoked, Terminated-Voluntary Return to Jail/Prison, Jail Placement, Absconded/Escaped.
<b>Administrative:</b>	Transferred to Different Location, Referred to Alternative Intervention, Supervision Status Change, Death.
<b>Intermediate Sanction:</b>	Noncompliant/Behavioral Issues, Violator Program Placement, Residential Placement.

**TABLE 8**  
**Intervention Program**

<b>Intervention Program</b>	<b>Active at Start</b>	<b>New Admits</b>	<b>Closures</b>	<b>Active at End</b>	<b>Offenders Served</b>
Iowa Domestic Abuse Program	660	260	268	623	920
Drug Court Program	69	40	47	61	109
OWI Program	5	11	12	3	16
Restorative Justice Program	3			2	3
Sex Offender Program	40	32	18	53	72
Sex Offender Registry Modification - Adult Not on Supervision	1	3	3	1	4
<b>Total</b>	<b>778</b>	<b>346</b>	<b>348</b>	<b>743</b>	<b>1,124</b>

**TABLE 9**  
**Intervention Program - Closures**

<b>Intervention Program/Closure Category</b>	<b>Admin</b>	<b>%</b>	<b>Intermd Sanction</b>	<b>%</b>	<b>Successful</b>	<b>%</b>	<b>Un successful</b>	<b>%</b>	<b>Totals</b>	<b>%</b>
Iowa Domestic Abuse Program	41	15.3			225	84.0	2	0.7	<b>268</b>	<b>77.0</b>
Drug Court Program	1	2.1	4	8.5	25	53.2	17	36.2	<b>47</b>	<b>13.5</b>
OWI Program					9	75.0	3	25.0	<b>12</b>	<b>3.4</b>
Sex Offender Program	4	22.2	2	11.1	2	11.1	10	55.6	<b>18</b>	<b>5.2</b>
Sex Offender Registry Modification	1	33.3			2	66.7			<b>3</b>	<b>0.9</b>
<b>Totals by Category/ Percents</b>	<b>47</b>	<b>13.5</b>	<b>6</b>	<b>1.7</b>	<b>263</b>	<b>75.6</b>	<b>32</b>	<b>9.2</b>	<b>348</b>	<b>100.0</b>

*Intermd Sanction = Intermediate Sanctions; Admin = An Administrative Closure*

### **Iowa Domestic Abuse Program (IDAP)**

This program was the result of legislation action which required that a person convicted of, or receiving a deferred judgment for domestic abuse be ordered to participate in a domestic abuse program. The district oversees, in an administrative capacity, the formation and maintenance of Domestic Abuse classes. These programs are self-sustaining with the client paying for the cost of the program participation. Domestic abuse programs exist in Sioux City and, also, Sheldon and Spencer for northern county clients. Eight hundred seventy-three offenders received services in FY 2018 according to Table 8 above. Of the 268 closures, nearly 84% successfully completed the intervention.

## **Drug Court Program**

During the FY 2018, 109 offenders were serviced by this program (Table 8 on the previous page).

### **Woodbury County Drug Court Program**

The district's Drug Court Program is the first multi-jurisdictional drug court in the State of Iowa and also is the first Drug Court in the nation to use community volunteers to serve as its "judges". Panels have held over 11,193 hearings since the drug court's inception. It is designed to provide services to both adults and juveniles after appropriate referrals. All individuals must be actively enrolled in and attending substance abuse treatment. Furthermore, offenders receive intensive supervision from their Drug Court Officer while the Community Courts closely monitor each individual's progress or lack thereof in the program. Panels held 517 hearings during FY18.

### **Plymouth County Drug Court Program**

The Plymouth County Drug Court started in 2007 and is structured very similar to the Woodbury County Drug Court; Panels have held 2,676 sessions since 2007. It is designed to provide services to both adults and juveniles after appropriate referrals. Furthermore, offenders receive intensive supervision from their Drug Court officer, while the Community Courts closely monitor each individual's progress, or lack thereof, in the program. During FY18 panels held 164 hearings.

## **Veterans Treatment Court**

The Veterans Treatment Court began In March 2015. At the end of the Fiscal Year 18, a total of 278 sessions had been held. There were 12 active offenders in supervision and during the FY18 year; the program served 20 offenders.

## **Intensive Supervision**

Two Intensive Parole Supervision Officers are assigned to the supervision of clients primarily in Woodbury County. Their area of supervision is for selective parole cases based on client needs and risk to community with an average caseload being approximately thirty (30) clients per officer. Contact standards are much greater than traditional caseloads providing a more comprehensive form of supervision through increased monitoring, quicker treatment intervention and enforcement of stringent conditions of release to a select group of violent/high risk offenders. Two other Parole Supervision Officers are assigned Sioux, Plymouth, Monona, and Ida Counties for parole supervision with an additional Parole Supervision Officer for Woodbury County. Electronic Monitoring, which is inclusive of Radio Frequency (RF), is used to monitor curfew hours. In FY 2018, 217 offenders were cooperatively supervised (Table 10 on page 25).

### **Electronic Monitoring System**

The Electronic Monitoring System (EMS) for Intensive clients was created to assist with managing and monitoring a specified target client population with a need for curfew enforcement. This system is used to verify the location of certain Intensive clients during specific time periods and further is a tool intended to increase control of client movement and monitor rule violations. In FY 2018, the District used real time Global Positioning (GPS) to monitor 153 sex offenders (Table 10 on page 25).

### **Sex Offender Supervision**

Two Intensive Parole Supervision (ISP) Officer are assigned to the supervision of sex offender special sentence paroles, following either probation or prison discharges. All sex offenders are mandated by Iowa Code 903B (enacted 2005) to be sentenced to special sentence paroles, in addition to the term of supervision for the sex offense, for a term of 10 years or lifetime supervision. Sex offense cases, by their very nature, present a specialized set of restrictions from the Iowa Board of Parole and laws pertaining to the Iowa Sex Offender Registry. Many of the offenders are low-functioning, have mental health diagnoses, or both. Global Positioning System (GPS) and Radio Frequency (RF) are forms of electronic monitoring that are used to verify locations and restrictions of offenders to enhance public safety.

### **Operating While Intoxicated (OWI)**

The District provides programming for habitual drunk driver offenders and contracts with local agencies for treatment. Table 8 reflects that the OWI programs at the residential facilities served a total of 22 offenders during FY 2018.

### **Sex Offender Treatment Program**

This program places offenders under supervision in a community corrections setting; treatment is provided by area agencies who offer complete assessments and comprehensive treatment services in the least costly and disruptive manner by allowing the offender to maintain ties with family and employer as well as being in close proximity with the judicial system. Treatment services are provided for offenders who perpetrate against both child and adult victims. Sometimes included in treatment services are polygraph and specialized sex offender assessment. The SOTP served 72 offenders in FY 2018 (Table 8 on page 20).

## **Informal Probation a/k/a Low Risk Diversion Program**

This program is coordinated by a Community Program Monitor who manages a caseload consisting of all serious misdemeanor cases in the Third District. This program is the result of legislation directing the districts to establish a plan to divert low risk offenders to the least restrictive sanction available. This is a fast-track program designed for minimal office contact and instead managed through the use of a sophisticated database that tracks their progress to ensure court-ordered conditions of probation (i.e., payment of restitution, fines, court costs, completion of schools, etc.) are completed in a timely manner. Per Table 10 on page 25, Low Risk Probation served a total of 1,181 offenders in FY 2018.

## **Evidence Based Practices (“EBP”)**

The principles of EBP are to involve the right offender in the right place at the right time to receive the right intervention in the right way. The Third District has designed programs offered to the offenders who are at risk for re-offending. The programs consist of classes in the areas of Anger Management, Empathy, Job Search, Corrective Thinking, Restorative Justice, 12-Step Education Group, Moving On and Cognitive Transformation. The steady flow of offenders into correctional facilities creates a continuous need to allocate treatment resources efficaciously. A move towards evidence-based practice potentially makes a meaningful difference.

## **Mental Health**

Identifying an offender’s mental health needs is critical to providing the necessary services and enhancing safety in corrections and community settings. Screenings and evaluations are conducted on court ordered offenders in addition to offenders being referred by probation and parole officers. Results of the psychological assessments are shared with treatment providers and mental health agencies.

## **Reentry**

Iowa’s reentry initiative is a cornerstone of the Department of Corrections’ efforts to improve public safety. The initiative protects citizens by providing offenders with programs that reduce the likelihood they will commit new crimes after release from community supervision. Without successful efforts to resolve an offender’s deficits, many will return to lives of crime. The goal of the reentry initiative is to prevent this from happening. Additional community agencies are also involved in the reentry program to help stabilize and maintain a more productive release. Reentry is a system-wide approach designed to plan for a smooth transition as to offenders’ movements within the correctional system.

## **Community Service Sentencing**

This program provides support for court-ordered performance of unpaid community service work hours. In the Sioux City Area, clients are referred to The Center for placement; in Sheldon, client referrals are to the Retired Senior Volunteer Program. In other instances, staff supervise the placement of clients and track the hours performed.



## **Restitution**

Supervision duties of staff include the preparation and provision to the court of a Plan of Restitution. Restitution is payment of pecuniary damages to a victim in an amount and in the manner provided by the offender's plan. Restitution may include fines, penalties, surcharges, payment of crime victim compensation program reimbursements, court-costs, court-appointed attorney's fees, or the expense of a public defender.

Clients often continue to pay on their victim restitution after their period of supervision ends which increases the collection rate percentage.

## **Client Fees**

Legislation passed in 1997 requires the collection of supervision fees for individuals placed under the supervision of the Department. July 1, 2006 the legislature adjusted the fee collection to a flat \$300 across the board. Each district department retains the fees collected for use in administrative and program services.

### **Totals collected during FY18:**

\$411,635.08 - supervision fees;  
\$ 6,620.00 - offset program

**NOTE:** *A full listing of Internal Interventions can be found in Table 12 on page 27.*

## OTHER STATISTICAL INFORMATION

TABLE 10

### Specialty

SP NA Specialty	Active at Start	New Admits	Closures	Active at End	Offenders Served
CCUSO Pre-Trial	0	2	0	2	2
Domestic Abuse Supervision	2	1	1	2	3
Drug Court Supervision	65	52	49	68	117
Global Positioning - Satellite	42	111	106	48	153
Intensive Supervision	98	198	203	93	296
Intensive Supervision - Sex Offenders	131	61	47	146	192
Jail (Designated Site)	0	1	1	0	1
Low Risk Probation	548	633	602	579	1,181
Minimum Risk Program	20	431	114	337	451
OWI Pre-Placement	1	3	4	0	4
PSA-Monetary Bond Release-Max Conditions PM1, PM2, PM3, PM4	0	27	7	20	27
Radio Frequency	44	173	182	37	217
SCRAM Remote Breath	2	60	54	8	62
SCRAM(Secure Const. Remote Alcohol)	4	8	12	0	12
Veterans Court Supervision	12	8	5	15	20
<b>Total Specialties</b>	<b>969</b>	<b>1,769</b>	<b>1,387</b>	<b>1,355</b>	<b>2,738</b>

TABLE 11

### Closed Specialty

Specialty/ Closure Category	Admin	%	Intermed Sanction	%	Successful	%	Un successful	%	Totals	%
Jail (Designated Site)					1	0.1			1	0.1
Domestic Abuse Supervision					1	0.1			1	0.1
Drug Court Supervision	11	10.9	1	1.3	24	2.6	13	4.8	49	3.6
Global Positioning - Satellite	14	13.9	19	24.4	65	7.1	8	3.0	106	7.8
Intensive Supervision	14	13.9	3	3.8	124	13.5	58	21.6	199	14.6
Intensive Supervision - Sex Offenders	9	8.9			22	2.4	16	5.9	47	3.4
Low Risk Probation	34	33.7	1	1.3	419	45.6	148	55.0	602	44.1
Minimal Risk	9	8.9	2	2.6	102	11.1	1	0.4	114	8.3
OWI Pre-Placement					4	0.4			4	0.3
Radio Frequency	5	5.0	38	48.7	114	12.4	21	7.8	178	13.0
SCRAM Remote Breath	3	3.0	14	17.9	28	3.1	3	1.1	48	3.5
SCRAM(Secure Continuous Remote Alcohol Monitor)					11	1.2	1	0.4	12	0.9
Veterans Court Supervision	2	2.0			3	0.3			5	0.4
<b>Specialty Closure Category Totals</b>	<b>101</b>	<b>7.4</b>	<b>78</b>	<b>5.7</b>	<b>918</b>	<b>67.2</b>	<b>269</b>	<b>19.7</b>	<b>1,366</b>	<b>100.0</b>

*Admin = An Administrative Closure; Intermd Sanction = Intermediate Sanctions*

## Internal Intervention Closure DEFINITIONS:

<b>Successful:</b>	Completed Requirements, Sentence Discharged/ Terminated.
<b>Unsuccessful:</b>	Revoked, Noncompliant/Behavioral Issues, Absconded/Escaped, Refused Treatment.
<b>Administrative:</b>	Referred to alternative Interventions, Transferred to Different Location, Ineligible to Attend, Inappropriate Referral, Not Admitted, Court Discretion, Case Manager Discretion, Death.
<b>Intermediate Sanction:</b>	Resident Placement, Jail Placement, Violator Program Placement.

TABLE 12  
Internal Intervention

Internal Intervention	Active at Start	New Admits	Closures	Active at End	Offenders Served
ACT-Intentional Living	6	51	44	13	57
ACT-Intentional Living-Sioux City RTF		34	34		34
Anger Management - Sioux City	4	24	28	1	28
DCS Psychological Evaluation - Mental Health Evaluation - Sioux City	1	7	7	1	8
DCS-Sex Offender Psychological Individual Session-Sioux City		10	1	9	10
Drug Court - Drug Court Accountability Reviews - Sioux City	46	31	33	47	77
Drug Court - Plymouth County Drug Court Accountability Reviews - Le Mars	19	9	13	14	28
Empathy Class - Cognitive - Sioux City	4	76	68	12	80
ICIW-TeleMed Psychiatric Services		9	9		9
Job Seeking/Keeping - Employment Services - Sioux City		3	3		3
RTF - OWI Continuum Program - Sioux City		1		1	1
RTF Programming - Life Skills - Sioux City	37	128	131	35	165
RTF Sex Offender Continuing Care-Sioux City	6	1	3	5	7
RTF Sex Offender Group Treatment-Sioux City	6	17	12	11	23
Sex Offender Continuing Care (non-resident) Sioux City	19	13	9	23	32
Sex Offender - Mental Health Evaluation - Sioux City	1	20	18	3	21
<b>Internal Intervention Totals:</b>	<b>149</b>	<b>434</b>	<b>413</b>	<b>177</b>	<b>583</b>

Table 13  
Security Standards and Activities

Non Toxin Type	Non Toxin Subtype	Total	Sheldon Probation/ Parole	Sioux City Probation/ Parole	Sioux City RTF	Sioux City South RTF
Electronic Device	Cell Phone	2		2		
Eye Count	Eye Count	6			1	5
GPS	Data Check	48		48		
GPS	Offsite	1,469			885	584
Offender Assigned Area	Locker	188			158	30
Offsite	Arrest-New Charge	3		3		
Offsite	Arrest-Violation	9		9		
Offsite	Employment	54		46	2	6
Offsite	Furlough	183		1	125	57
Offsite	Home Placement Investigation	58	3	55		
Offsite	Home Search	17	4	13		
Offsite	Home Visit	786	8	777	1	
Offsite	Home Visit-Attempted	487	7	479	1	
Offsite	Pre-Warrant Check	1		1		
Offsite	Public Location Field Check	25		25		
Offsite	Vehicle	7	1	1	2	3
Offsite	Visual	492			178	314
Offsite	Warrant - Absconder	1		1		
Offsite	Warrant-New Charge	2		2		
Offsite	Warrant - Violation	1		1		
Offsite	Warrant Check Attempted	9		9		
Onsite	Day Reporting	1				1
Onsite	Vehicle	4		4		
Personal Search	Pat	597	1	1	216	379
Personal Search	Strip	287		2	81	204
Room/Cell	K9	1				1
Room/Cell	Officer	391		4	147	240
Telephone	Day Reporting	1			1	
Telephone	Employment	7		3	1	3
Telephone	Furlough	1,035			235	800
Totals		6,172	24	1,487	2,0234	2,627

**Table 14**  
**Urinalysis and Breath Analysis Tests Conducted**

<b>Work Unit</b>	<b>Total</b>	<b>Breath Analysis</b>	<b>Saliva Test</b>	<b>Sweat Patch</b>	<b>Urinalysis</b>
Sheldon Probation/Parole	361	22	1		338
Sioux City Probation/Parole	4,235	702	78	2	3,453
Sioux City Residential Facility	1,173	446		45	682
Sioux City South RTF	1,571	649		18	904
<b>Region Total</b>	<b>7,340</b>	<b>1,819</b>	<b>79</b>	<b>65</b>	<b>5,377</b>

**TABLE 15**  
**Urinalysis Toxin Results**

	<b>N</b>	<b>%</b>	<b>P</b>	<b>%</b>	<b>Toxin Total</b>	<b>Toxin Total %</b>
Alcohol	1,811	89.70	208	10.30	<b>2,019</b>	<b>7.18</b>
Benzodiazepine (including Valium)	4,619	98.74	59	1.26	<b>4,678</b>	<b>16.63</b>
Cocaine	5,142	99.46	28	0.54	<b>5,170</b>	<b>18.38</b>
Methamphetamine	4,598	86.51	717	13.49	<b>5,315</b>	<b>18.90</b>
Opiates including Heroin	149	96.75	5	3.25	<b>154</b>	<b>0.55</b>
Opiate other than Heroin	4,926	99.13	43	0.87	<b>4,969</b>	<b>17.67</b>
Other Amphetamines	378	88.32	50	11.68	<b>428</b>	<b>1.52</b>
Other Stimulant	0	0.00	1	100.00	<b>1</b>	<b>0.00</b>
Oxycodone	46	92.00	4	8.00	<b>50</b>	<b>0.18</b>
PCP/Phencyclidine	79	100.00	0	0.00	<b>79</b>	<b>0.28</b>
Sedative/Hypnotic	0	0.00	2	100.00	<b>2</b>	<b>0.01</b>
Synthetic Drug	0	0.00	1	100.00	<b>1</b>	<b>0.00</b>
THC	4,707	89.47	554	10.53	<b>5,261</b>	<b>18.70</b>
<b>Toxin Substance Total/%</b>	<b>26,455</b>	<b>94.06</b>	<b>1,672</b>	<b>5.94</b>	<b>28,127</b>	<b>100.00</b>

TABLE 16  
Breath Analysis Results

**Alcohol**

<b>Test Results</b>	<b>Total</b>	<b>Percentage</b>
Negative	1,672	<b>91.92%</b>
Positive	147	<b>8.08%</b>
Unknown		
<b>Toxin Total</b>	<b>1,819</b>	<b>100.00 %</b>

TABLE 17  
Statement of Average and Daily Costs  
For the Twelve Months Ending June 30, 2018

<b>Average Costs</b>	
Pretrial Interview	\$64.50
Presentence Investigations	\$330.95

<b>Daily Costs</b>	
Pretrial Release with Supervision	\$3.79
Probation/Parole Supervision	\$4.91
Probation/Parole Intensive Services	\$11.75
Low Risk Probation	\$0.68
Minimun Risk Probation	\$0.18
Intensive Supervision Sex Offenders	\$11.38
Drug Court	\$11.55
IDAP (Batterer's Education Program)	\$0.32
Residential Services	\$76.92

Table 18  
Assessments Submitted in FY 2018

Assessment Tool	Total 3JD
DRAOR CBC	1,860
Iowa Risk Assessment Revised	2,775
ISORO	20
ISORA/STATIC-99-R COMBINED	12
Jesness	15
LSI_R	40
OWI Continuum Worksheet II	98
Public Safety Assessment	193
Sexual Violence Propensity Revised	540
SOTIPS	187
Static-99-R	36
<b>ASSESSMENTS SUBMITTED</b>	<b>5,776</b>

Table 18 identifies the different assessments that were used in FY 2018. Assessments are one of the primary keys to our work in community based corrections. The validated evaluations and assessments we use identify criminogenic needs areas and therefore give us key information to use when formulating case plans that are founded in evidenced based practices. Simply stated, using proper assessment tools is the foundation to changing behavior and therefore reducing recidivism.



# FINANCIAL STATEMENT

## The Third Judicial District Department of Correctional Services FY 2018 Financial Report through Period Ending June 30, 2018

		Original Board Approved Budget	Department Revised Budget	Total Year-to-Date	Percent (Actual of Budget)
	<b>FTE Positions</b>				
	Total Staffing	74.59	74.59	74.59	
	<b>Resources Available</b>				
04B	Balance Brought Forward - Local Funds	399,395	399,395.00	399,395.00	100.00%
04B	Balance Brought Forward - General Fund	-	-	-	---
05A	Appropriation	7,167,957	7,167,957.00	7,167,957.00	100.00%
---	Appropriation Re-Allocation	-	(64,633.00)	(64,633.00)	100.00%
201R	Federal Support	-	-	-	---
202R	Local Governments	-	-	-	---
204R	Intra-State Receipts	-	-	-	---
205R	Grants (includes Federal pass-through)	-	-	-	---
234R	Transfers - Other Agencies	-	-	-	---
301R	Interest	2,000	1,700.00	1,859.00	109.35%
401R	Enrollment / Supervision Fees	381,469	416,569.00	418,278.00	100.41%
401R	Sex Offender Fees	5,000	7,500.00	11,250.00	150.00%
401R	IDAP / BEP Fees	-	-	-	---
401R	Other Client / Group Fees	11,500	20,000.00	30,824.00	154.12%
501R	State Offender Rent	424,391	450,000.00	549,573.00	122.13%
501R	Federal Bed Rent	-	-	-	---
501R	Federal UA Contract Reimbursements	-	-	-	---
704R	Miscellaneous	-	-	-	---
	<b>Total Resources Available</b>	8,391,712	8,398,488.00	8,514,503.00	101.38%
	<b>Funds Expended</b>				
101	Personal Services	7,304,236	7,304,236.00	7,100,714.00	97.21%
202	Personal Travel In-State	52,582	52,582.00	35,709.00	67.91%
203	State Vehicle Operation	16,200	16,200.00	9,474.00	58.48%
205	Personal Travel Out-of-State	-	-	-	---
301	Office Supplies	35,600	35,600.00	33,124.00	93.04%
302	Facility Maintenance Supplies	64,297	34,297.00	2,497.00	7.28%
304	Professional & Scientific Supplies	54,680	54,680.00	30,996.00	56.69%
306	Housing & Subsistence Supplies	19,925	19,925.00	11,936.00	59.90%
308	Other Supplies	28,850	28,850.00	1,283.00	4.45%
311	Food	88,284	88,284.00	86,687.00	98.19%
312	Uniforms & Related Items	-	-	-	---
401	Communications	45,060	45,060.00	39,331.00	87.29%
402	Rentals	50,050	50,050.00	9,661.00	19.30%
403	Utilities	89,250	89,250.00	86,181.00	96.56%
405	Professional & Scientific Services	56,500	56,500.00	22,990.00	40.69%
406	Outside Services	95,450	95,450.00	30,519.00	31.97%
407	Intra-State Transfers	-	-	-	---
408	Advertising & Publicity	-	-	2,125.00	---
409	Outside Repairs/Service	175,185	176,861.00	180,806.00	102.23%
412	Auditor of State Reimbursements	-	-	-	---
414	Reimbursement to Other Agencies	35,425	35,425.00	25,414.00	71.74%
416	ITS Reimbursements	-	-	-	---
501	Equipment	35,088	70,188.00	-	0.00%
502	Office Equipment	-	-	-	---
503	Equipment (Non-Inventory)	46,850	46,850.00	2,738.00	5.84%
510	IT Equipment	57,500	57,500.00	66,700.00	116.00%
601	Claims	-	-	-	---
602	Other Expense & Obligations	40,700	40,700.00	24,486.00	60.16%
901	Capitals	-	-	-	---
91B	Balance Carry Forward - Local Funds	-	-	711,132.00	---
91B	Balance Carry Forward - General Fund	-	-	-	---
93R	Reversion	-	-	-	---
---	Appropriation Re-Allocation	-	-	-	---
---	De-appropriation	-	-	-	---
	<b>Total Expenses</b>	8,391,712	8,398,488.00	8,514,503.00	101.38%
	<b>Ending Balance</b>			-	

# STAFF TRAINING

The Third Judicial District continued its commitment to staff development and training programs. Department staff received a total of **3,244.75 hours** of training during FY 2018. The top ten trainings in the District are listed below.

## TOP TEN TRAINING TOPICS:

1. Core Correctional Practices
2. ACT (Acceptance and Commitment Therapy)
3. DRAOR
4. Iowa Risk Revised (Booster)
5. ICA Conference Workshops
6. NEST/Use of Force Overview
7. Jail Alternative
8. E-Learning
9. Naloxone/Narcon
10. CPR/First Aid/Bloodborne Pathogens/Universal precautions

**Third Judicial District  
Department of Correctional Services**

**Annual PREA Report  
Fiscal Year 2018**

**Submitted by:**

**Maureen Hansen, PREA Coordinator**

**Approved by:**

**Steven L. Scholl, District Director**

# DEPARTMENT OF CORRECTIONAL SERVICES

## THIRD JUDICIAL DISTRICT



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### Prison Rape Elimination Act (PREA) Annual Report

“The Prison Rape Elimination Act (PREA) was passed in 2003 with unanimous support from both parties in Congress. The purpose of the act was to “provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape.” (Prison Rape Elimination Act, 2003).

The Third Judicial District Department of Correctional Services is committed to following policy and practices to prevent, detect, and respond to sexual abuse and/or sexual harassment in our residential facilities, in compliance with the Prison Rape Elimination Act (PREA). The PREA policy and standards apply to all employees, prospective employees, interns, volunteers and contractors of the Third Judicial District Department of Correctional Services. The Third Judicial District mandates a culture of zero tolerance toward all forms of sexual abuse and sexual harassment. The following information is provided in accordance with PREA Standards 115.287, 115.288, and 115.289.

#### CURRENT PRACTICES

- Resident education:
  - All residents are assessed according to victim/aggressor propensity and room assignments are made accordingly (never to house the two in the same room).
  - All residents are educated about PREA – staying safe and reporting methods. Education takes place via video and during the intake process.
  - §115.254 Third-party reporting. The agency shall establish a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of a resident.
  - Reporting methods are in the resident information packet and the family information packet.
  - Reporting methods are posted throughout the facility.
  - Residents have access to make private 800 number calls to make reports.
- Department education:
  - All staff have received training and continuing education in the area of Preventing and Addressing Staff Sexual Misconduct in Correctional Settings.

- Both District Residential Managers have been trained to conduct PREA investigations and have received PREA Standards training.
- Policies:
  - A PREA policy has been implemented within the Department
  - §115.222 Policies to ensure referrals of allegations for investigations.  
*PREA Policy: 102 Responsive Planning* ensures that allegations of sexual abuse or 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.
  - Residential, Department and Personnel policies have been updated to incorporate PREA standards.
  - Residential handbooks for residents have been updated to incorporate PREA standards
- Procedures and Practices:
  - The interview and hiring process has been modified to meet PREA standards. (this also applies to interns, volunteers and contractors)
  - Vendors entering the residential facilities receive a PREA information pamphlet and sign into the building each time they enter. The level of PREA education is determined by the level of potential contact a person has with RTF residents. Those with more direct contact with residents complete an ELearning and pass a test.
  - The staffing plan for all facilities is reviewed annually.
  - The Safety Committee walks through the facilities annually to assess for safety and “blind spots”.
  - Residential staff trained in completing Sexual Violence Propensity assessments as well as the PREA Compliance Manager attend statewide meetings in Des Moines to remain informed of issues and updates.
  - PREA investigators utilize the statewide PREA reporting database for reporting PREA investigation outcomes.

PREA Standard § **115.288** “Data review for corrective action”.

(a) The agency shall review data collected and aggregated pursuant to § **115.287** in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including:

- (1) Identifying problem areas;
- (2) Taking corrective action on an ongoing basis; and
- (3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.

(b) The agency shall maintain sexual abuse data collected for at least ten years after the date of the initial collection unless Federal, State or local law requires otherwise.

<b>3<sup>rd</sup> District</b>					
<b>August 20, 2016 – August 20, 2017 (PREA Audit year)</b>					
<b>Investigation Type</b>	<b>Substantiated</b>	<b>Unsubstantiated</b>	<b>Unfounded</b>	<b>Other</b>	<b>Total</b>
Offender-on-Offender Abusive Contact	0	0	0	0	0
Offender-on-Offender Non-Consensual Acts	0	0	0	0	0
Offender-on-Offender Precursor Behavior	0	0	0	0	0
Staff Sexual Harassment	0	0	0	0	0
Staff Sexual Misconduct	0	0	0	0	0
<b>TOTAL PREA INVESTIGATIONS</b>	0	0	0	0	0

Every year, one-third of an agencies confinement or community based correctional facilities shall be audited (facilities are audited every third year). Both residential facilities were audited in June of 2018. The PREA Auditor's final report dated July 10, 2018 indicated all PREA standards were met. There were no deficiencies or a corrective action plan as a result of this audit.

Respectfully Submitted:

Approved by:



Maureen Hansen, PREA Coordinator



Steven Scholl, District Director

**3<sup>rd</sup> Judicial District Department of Correctional Services  
PREA Reporting Options**

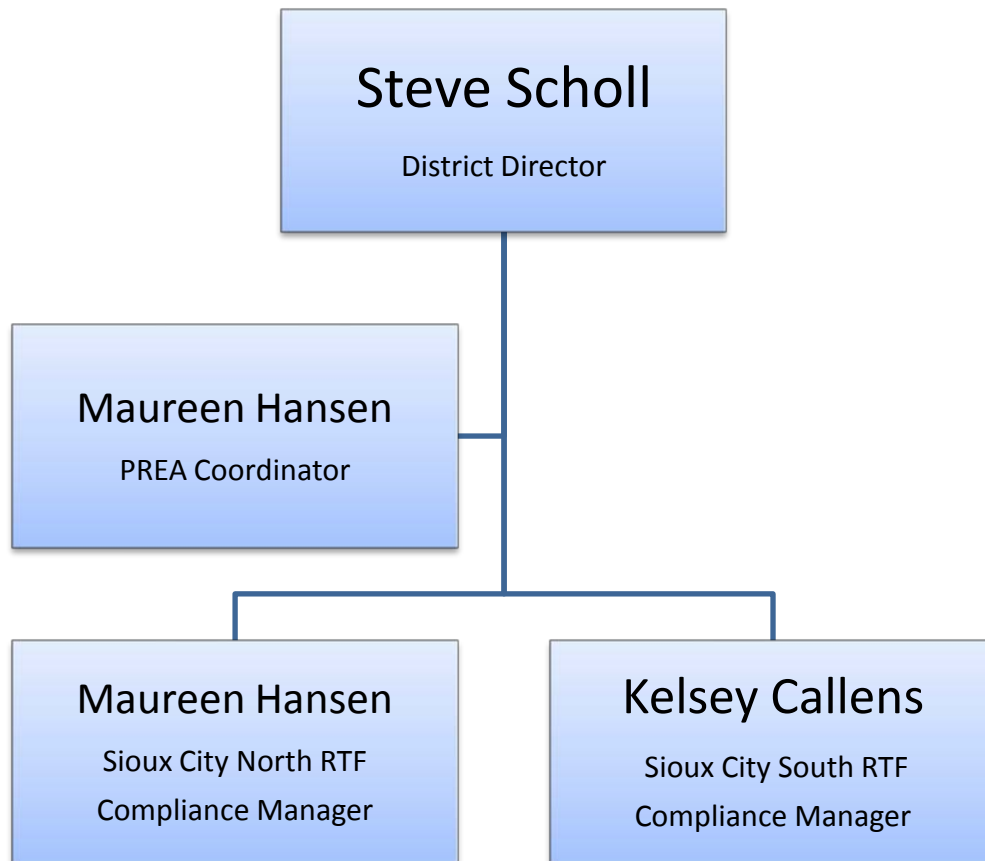
Steve Scholl, District Director 515 Water St. Sioux City, IA 51103 712-224-6844	Maureen Hansen, Sheldon Residential Manager 720 Western Ave Sheldon, IA 51201 712-324-5384 ext 222
Maureen Hansen, Sioux City Residential Manager 515 Water St. (RTF North) Sioux City, IA 51103 712-224-6850	Kelsey Callens, Sioux City Residential Manager 515 Water St. (RTF South) Sioux City, IA 51103 712-224-6814
Steve Middleton 515 Water St. Sioux City, IA 51103 712-224-6832	Karen Borg 515 Water St. Sioux City, IA 51103 712-224-6825
Mark Covey 515 Water St. Sioux City, IA 51103 712-224-6816	Kim Waagmeester 100 West 5 <sup>th</sup> St., Suite 1 Spencer, IA 51301 712-262-5252 ext 114
Write to Mary Roche, Victim and Restorative Justice Director: Iowa Department of Corrections 510 East 12 <sup>th</sup> St. Des Moines, IA 50319	Write to the Ombudsman's Office: Office of Citizens' Aide/Ombudsman Ola Babcock Miller Building 1112 East Grand Des Moines, IA 50319

**CALL**

Iowa Sexual Assault Hotline	800-942-0333
Council on Sexual Assault & Domestic Violence (Sioux City)	800-982-7233
Family Crisis Center (Sioux Center)	800-382-5603
Center Against Abuse & Sexual Assault (Spencer)	877-362-4612
National Sexual Assault Hotline	800-656-4673

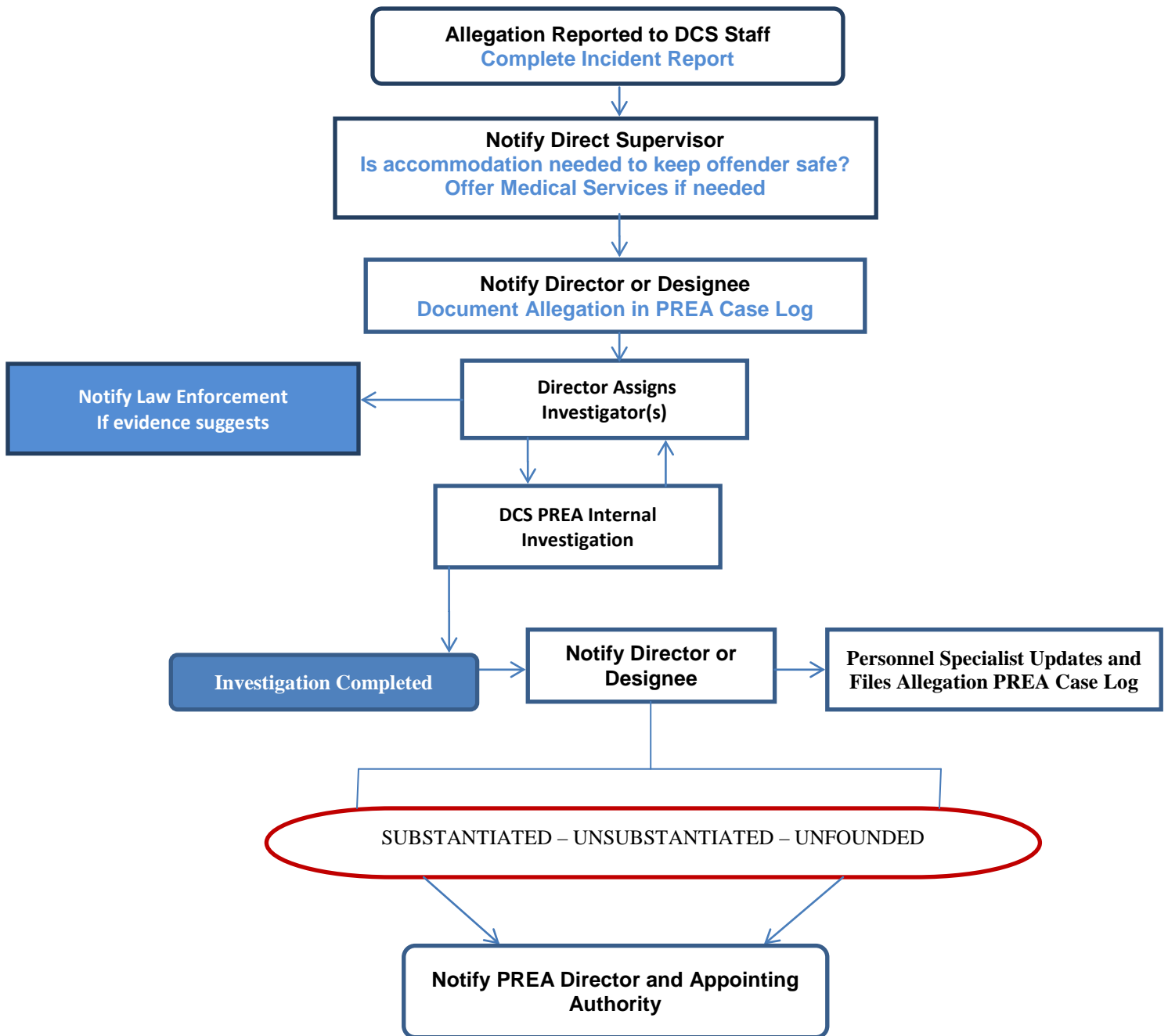
Reporting may be done in person, via phone call, via writing, through a third party or anonymous. All reports of sexual assault/harassment will be taken seriously and investigated in a confidential manner.

# 3<sup>rd</sup> Judicial District PREA Organizational Table

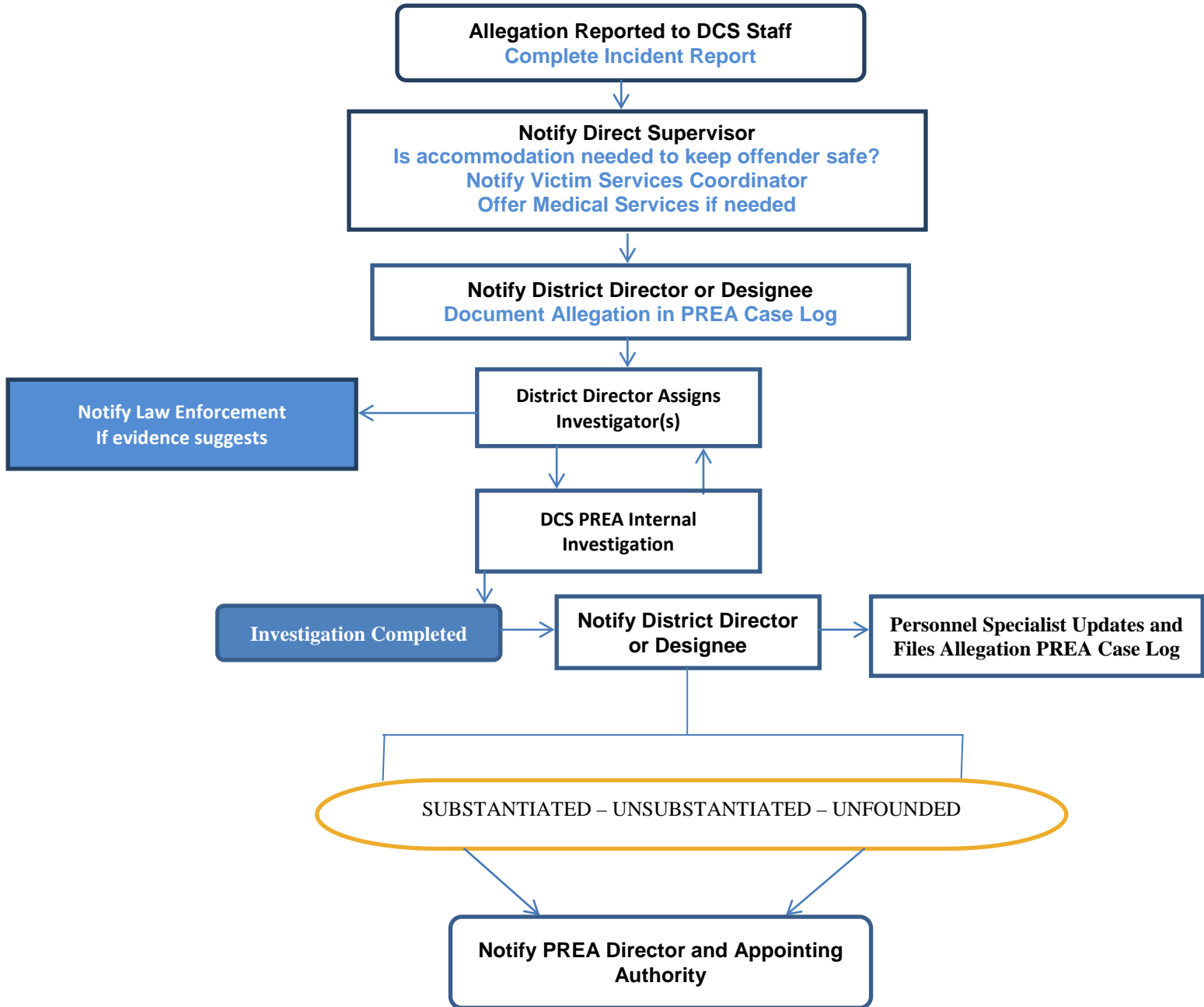




# Third Judicial District Department of Corrections Prison Rape Elimination Act (PREA) Flow Chart Offender on Offender Sexual Assault Allegation



**Third Judicial District Department of Corrections  
Prison Rape Elimination Act (PREA) Flow Chart  
Staff on Offender Sexual Assault Allegation**



THIRD JUDICIAL DISTRICT  
DEPARTMENT OF CORRECTIONAL SERVICES

PREA: Standards 115.221 and 115.222

POLICY: 102 Responsive Planning

**POLICY**

The Third Judicial District Department of Correctional Services is committed to establishing policy in regard to Prison Rape Elimination Act (PREA) responsive planning. This policy applies to all employees, prospective employees, interns, volunteers and contractors of the Third Judicial District Department of Correctional Services and will be maintained current by the District Director or designee.

**PROCEDURES:**

A. Evidence protocol and forensic medical examinations § 115.221

1. To the extent the Department is responsible for investigating allegations of sexual abuse; the agency shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.
2. The protocol shall be adapted from or otherwise based on comprehensive and authoritative protocols developed after 2011.
3. The Department shall offer all victims of sexual abuse access to forensic medical examinations at an outside facility, without financial cost, where evidentiary or medically appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The agency shall document its efforts to provide SAFEs or SANEs.
4. The Department shall attempt to make available to the victim a victim advocate from a rape crisis center. Department shall document efforts to secure services from rape crisis centers.
5. As requested by the victim, the victim advocate, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals.
6. To the extent the Department itself is not responsible for investigating allegations of sexual abuse; the Department shall request that the investigating agency follow the requirements of paragraphs (1) through (5) of this section.
7. The requirements of paragraphs (1) through (6) of this section shall also apply to:
  - a. Any State entity outside of the Department that is responsible for investigating allegations of sexual abuse;  
And
  - b. Any Department of Justice component that is responsible for investigating allegations of sexual abuse.

THIRD JUDICIAL DISTRICT  
DEPARTMENT OF CORRECTIONAL SERVICES

PREA: Standards 115.221 and 115.222

POLICY: 102 Responsive Planning

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B. Policies to ensure referrals of allegations for investigations § 115.222

1. An administrative and/or criminal investigation will be completed for all allegations of sexual abuse and/or sexual harassment.
2. Allegations of sexual abuse or sexual harassment will be referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. The agency shall publish such policy on its Web site. All referrals for investigation will be documented and tracked.
3. If a separate entity is responsible for conducting criminal investigations, such publication shall describe the responsibilities of both the Department and the investigating entity.
4. Any State entity responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in community confinement facilities shall have in place a policy governing the conduct of such investigations.

THIRD JUDICIAL DISTRICT  
DEPARTMENT OF CORRECTIONAL SERVICES

PREA: Standards 115.251, 115.252, 115.253, 115.254

POLICY: 105 Reporting of Incidents

**POLICY**

The Third Judicial District Department of Correctional Services is committed to establishing policy in regard to Prison Rape Elimination Act (PREA) Reporting of Incidents. This policy applies to all employees, prospective employees, interns, volunteers and contractors of the Third Judicial District Department of Correctional Services and will be maintained current by the District Director or designee.

**PROCEDURES:**

A. Offender Reporting § 115.251

1. The Department shall provide multiple internal ways for offenders to privately report sexual abuse and sexual harassment, retaliation by other offenders or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.
2. The Department shall also inform offenders of at least one way to report abuse or harassment to a public or private entity or office that is not part of the Department and that is able to receive and immediately forward offender reports of sexual abuse and sexual harassment to Department officials, allowing the offender to remain anonymous upon request.
3. Staff shall accept reports made verbally, in writing, anonymously and from third parties and shall promptly document any verbal reports.
4. The Department shall provide a method for staff to privately report sexual abuse and sexual harassment of offenders.

B. Exhaustion of Administrative Remedies § 115.252

1. The Department shall not impose a time limit on when an offender may submit a grievance regarding an allegation of sexual abuse.
2. The Department may apply otherwise applicable time limits on any portion of a grievance that does not allege an incident of sexual abuse.
3. The Department shall not require an offender to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.
4. Nothing in this section shall restrict the Department's ability to defend against a lawsuit filed by an offender on the ground that the applicable statute of limitations has expired.
5. The Department shall ensure that—
  - a. An offender who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and
  - b. Such grievance is not referred to a staff member who is the subject of the complaint.
6. The Department shall issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance.

THIRD JUDICIAL DISTRICT  
DEPARTMENT OF CORRECTIONAL SERVICES

PREA: Standards 115.251, 115.252, 115.253, 115.254

POLICY: 105 Reporting of Incidents

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7. Computation of the 90-day time period shall not include time consumed by offenders in preparing any administrative appeal.
8. The Department may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The Department shall notify the offender in writing of any such extension and provide a date by which a decision will be made.
9. At any level of the administrative process, including the final level, if the offender does not receive a response within the time allotted for reply, including any properly noticed extension, the offender may consider the absence of a response to be a denial at that level.
10. Third parties, including fellow offenders, staff members, family members, attorneys and outside advocates, shall be permitted to assist offenders in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of offenders.
11. If a third party files such a request on behalf of an offender, the Department may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.
12. If the offender declines to have the request processed on his or her behalf, the Department shall document the offender's decision.
13. The Department shall establish procedures for the filing of an emergency grievance alleging that an offender is subject to a substantial risk of imminent sexual abuse. RTF Policy #20 Grievances, and RTF Rule Packet.
14. After receiving an emergency grievance alleging an offender is subject to a substantial risk of imminent sexual abuse, the Department shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken, shall provide an initial response within 48 hours and shall issue a final Department decision within 5 calendar days. The initial response and final Department decision shall document the Department's determination whether the offender is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.
15. The Department may discipline an offender for filing a grievance related to alleged sexual abuse only where the Department demonstrates that the offender filed the grievance in bad faith.

C. Offender Access to Outside Confidential Support Services § 115.253

1. The Department shall provide offenders with access to outside victim advocates for emotional support services related to sexual abuse by giving offenders mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State or national victim advocacy or rape crisis organizations, and by enabling reasonable communication between offenders and these organizations, in as confidential a manner as possible.
2. The Department shall inform offenders, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

THIRD JUDICIAL DISTRICT  
DEPARTMENT OF CORRECTIONAL SERVICES

PREA: Standards 115.251, 115.252, 115.253, 115.254

POLICY: 105 Reporting of Incidents

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3. The Department shall maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide offenders with confidential emotional support services related to sexual abuse. The Department shall maintain copies of agreements or documentation showing attempts to enter into such agreements.

D. Third-party Reporting § 115.254

1. The Department shall establish a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of a resident.

THIRD JUDICIAL DISTRICT  
DEPARTMENT OF CORRECTIONAL SERVICES

PREA: Standards 115.286, 115.287, 115.288, 115.289

POLICY: 110 Data Collection and Review

**POLICY**

The Third Judicial District Department of Correctional Services is committed to establishing policy in regard to Prison Rape Elimination Act (PREA) Data Collection and Review. This policy applies to all employees, prospective employees, interns, volunteers and contractors of the Third Judicial District Department of Correctional Services and will be maintained current by the District Director or designee.

**PROCEDURES:**

A. PREA Incident Reviews § 115.286

1. The Department shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded.
2. Such review shall ordinarily occur within 30 days of the conclusion of the investigation.
3. The review team shall include upper-level management officials, with input from line supervisors, investigators and medical or mental health practitioners.
4. The review team shall:
  - a. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
  - b. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics;
  - c. If the incident happened in a facility assess whether physical barriers in the area may enable abuse;
  - d. Assess the adequacy of staffing levels;
  - e. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
  - f. Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (4)(a) through (4)(e) of this section, and any recommendations for improvement, and submit such report to the District Director and PREA compliance manager.
5. The Department shall implement the recommendations for improvement, or shall document its reasons for not doing so.

B. Data Collection § 115.287

1. The Department shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.
2. The Department shall aggregate the incident-based sexual abuse data at least annually. This data will be forwarded to the Department of Corrections, Division of Investigative Services.
3. The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.



THIRD JUDICIAL DISTRICT DEPARTMENT OF CORRECTIONAL SERVICES
PREA: Standards 115.286, 115.287, 115.288, 115.289
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4. The Department shall maintain, review and collect data as needed from all available incident-based documents including reports, investigation files, and sexual abuse incident reviews.
6. Upon request, the Department of Correction, Division of Investigative Services shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.

C. Data Review for Corrective Action § 115.288

1. The Department shall review data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection and response policies, practices and training, including:
  - a. Identifying problem areas;
  - b. Taking corrective action on an ongoing basis; and
  - c. Preparing an annual report of its findings and corrective actions.
2. Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.
3. The Department's report shall be approved by the District Director and made readily available to the public through its Web site or, if it does not have one, through other means.
4. The Department may redact specific material from the reports when publication would present a clear and specific threat to safety and security, but must indicate the nature of the material redacted.

D. Data storage, Publication and Destruction § 115.289

1. The Department shall ensure that data collected pursuant to § 115.287 are securely retained.
2. The Department shall make all aggregated sexual abuse data readily available to the public at least annually through its Annual Report (or Web site if available).
3. Before making aggregated sexual abuse data publicly available, the Department shall remove all personal identifiers.
4. The Department shall maintain sexual abuse data collected pursuant to § 115.287 for at least 10 years after the date of the initial collection unless Federal, State or local law requires otherwise.