

Marshalltown Residential Facility – Second Judicial District PREA ANNUAL REPORT 2023

The Marshalltown Residential Facility is pleased to publish its 2023 Annual Report. This report reflects continuing efforts to move forward in complying with the national standards promulgated under the Prison Rape Elimination Act (PREA). We are committed to keeping those in our custody safe and free from harm and have zero tolerance for sexual assault and harassment of offenders under our jurisdiction.

PRISON RAPE ELIMINATION ACT (PREA)

In September of 2003, President Bush signed the Prison Rape Elimination. In August 2012, the PREA standards promulgated by the United States Department of Justice went into effect. The standards were established to address the problem of sexual abuse and sexual harassment of persons in the custody of U.S. correctional agencies. Major provisions of PREA include the development of standards for detection, prevention, reduction and punishment of prison/jail rapes. We continue to enforce zero tolerance on all issues pertaining to sexual abuse and sexual harassment involving residents and are working continuously to implement new policies, training requirements for staff and residents, and developing standards for detection, prevention, reduction and punishment of rape.

PREA COORDINATOR

A PREA Coordinator is assigned the responsibility for overseeing PREA activities throughout Second District. The PREA Coordinator has been appointed to lead our efforts in achieving compliance with PREA standards. Within each facility the Residential Manager serves as the facility PREA Compliance Manager.

These staff develop new and revise existing policies and procedures to support compliance with PREA standards and protect residents from sexual assault and harassment.

PREA INVESTIGATIONS

It is our policy to thoroughly investigate all complaints of sexual abuse or sexual harassment no matter whether resident-on-resident misconduct or employee misconduct, to properly determine whether the allegations are valid or invalid, and to take appropriate follow-up action.

Facility investigators have been properly trained in sexual harassment and sexual abuse investigations. Whenever an allegation has been in violation of a criminal offense, the matter will be investigated by The Marshalltown Police Department.

TRAINING

Staff receive annual PREA training from Second District. More advanced training is available to staff from the National Institute of Corrections, the Moss Group and the Department of Justice.

In addition all new residents were provided training on their rights to be free from sexual abuse and harassment and how to report any incidents of sexual abuse and harassment.

All new staff receive in-depth training on policies and procedures relating to PREA.

POLICIES

Operation of our facility consistent with PREA requirements is guided by policy.

VICTIM ADVOCACY SERVICES

We entered into an agreement with ACCESS on 7/1/2023 to provide advocacy services to our residents.

PREA AUDIT

A PREA Audit was performed by a Department of Justice certified PREA Auditor, Candace L. Snyder, on 9/23/21 and 9/24/21. Marshalltown Residential Facility was found to be in compliance with all PREA standards. The next Marshalltown audit is planned for the spring/summer of 2025.

DATA COLLECTION

In compliance with *Section 115.88* of the PREA Standards, staff have reviewed data collected and aggregated pursuant to *Section 115.87* and incident specific data in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including.

Also, in compliance with *Section 115.89* of the PREA Standards we will make all aggregated sexual abuse data readily available to the public at least annually by publishing data in this report and posting this report on our website.

General Definitions

Sexual Contact includes –

Physical contact for the purpose of sexual gratification of one or more of the parties involved.

Sexual abuse includes—

- (1) Sexual abuse of a resident by another resident
- (2) Sexual abuse of a resident by a staff member, contractor, or volunteer, 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:
 - a. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
 - b. Contact between the mouth and the penis, vulva, or anus;
 - c. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
 - d. 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 resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the 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 a resident and
- (8) Voyeurism by a staff member, contractor, or volunteer.

Sexual harassment includes—

- (1) Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one resident directed toward another; and
- (2) Repeated verbal comments or gestures of a sexual nature to a resident, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures

Voyeurism -- An invasion of privacy of a resident by staff for reasons unrelated to official duties, such as peering at a resident who is using a toilet in his or her cell to perform bodily functions; requiring a resident to expose his or her buttocks, genitals, or breasts; or taking images of all or part of a resident's naked body or of a resident performing bodily functions.

Substantiated allegation -- An allegation that was investigated and a preponderance of the evidence determined the allegation to have occurred.

Unfounded allegation -- An allegation that was 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 whether or not the event occurred.

Informational—An allegation or report of sexual activity, while a possible institutional rule violation, the incident was determined not to involve sexual abuse or sexual harassment.

2022	Resident Sexual Abuse	Resident Sexual Abuse Touching	Resident Sexual Harassment	Staff Sexual Abuse	Staff Sexual Harassment	Total
Substantiated	0	0	0	0	1	1
Unsubstantiated	0	0	0	0	0	0
Unfounded	0	1	0	0	1	2
Total	0	1	0	0	2	3

2023	Resident Sexual Abuse	Resident Sexual Abuse Touching	Resident Sexual Harassment	Staff Sexual Abuse	Staff Sexual Harassment	Total
Substantiated	0	0	0	0	0	0
Unsubstantiated	0	0	0	0	0	0
Unfounded	0	0	0	0	0	0
Total	0	0	0	0	0	0

COMPARATIVE ANALYSIS

In CY 22 there were two unfounded reports and one substantiated report of staff sexual harassment. In CY 2023 there were no PREA reports.

CORRECTIVE ACTIONS

The founded staff sexual harassment incident resulted in termination of employment for the staff person and district referral to the Marshall County Attorney's office who declined to prosecute.

REPORTING A PREA INCIDENT

If you or someone who you know have experienced sexual assault in our facility please report. You can contact the PREA Coordinator or Residential Manager for the Marshalltown Residential Facility. You can report information anonymously if you wish.

PREA COORDINATOR

Jennifer Reynoldson

515.598.2061

jennifer.reynoldson@iowa.gov

Residential Manager – Marshalltown Residential Facility

Mike Dalbec

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mike.dalbec@iowa.gov

You may also report to the Marshalltown Police Department.

We believe that the growth we have experienced toward PREA compliance will continue to create a more conducive reporting environment within our facility. Staff training and education for residents and staff will continue. Data collection and PREA monitoring will continue as well. We are firmly committed to our compliance with the PREA standards and protecting residents from sexual abuse and harassment.

Fort Dodge Residential Facility – Second Judicial District PREA ANNUAL REPORT 2023

The Fort Dodge Residential Facility is pleased to publish its 2023 Annual Report. This report reflects continuing efforts to move forward in complying with the national standards promulgated under the Prison Rape Elimination Act (PREA). We are committed to keeping those in our custody safe and free from harm and have zero tolerance for sexual assault and harassment of offenders under our jurisdiction.

PRISON RAPE ELIMINATION ACT (PREA)

In September of 2003, President Bush signed the Prison Rape Elimination. In August 2012, the PREA standards promulgated by the United States Department of Justice went into effect. The standards were established to address the problem of sexual abuse and sexual harassment of persons in the custody of U.S. correctional agencies. Major provisions of PREA include the development of standards for detection, prevention, reduction and punishment of prison/jail rapes. We continue to enforce zero tolerance on all issues pertaining to sexual abuse and sexual harassment involving residents and are working continuously to implement new policies, training requirements for staff and residents, and developing standards for detection, prevention, reduction and punishment of rape.

PREA COORDINATOR

A PREA Coordinator is assigned the responsibility for overseeing PREA activities throughout Second District. The PREA Coordinator has been appointed to lead our efforts in achieving compliance with PREA standards. Within each facility the Residential Manager serves as the facility PREA Compliance Manager.

These staff develop new and revise existing policies and procedures to support compliance with PREA standards and protect residents from sexual assault and harassment.

PREA INVESTIGATIONS

It is our policy to thoroughly investigate all complaints of sexual abuse or sexual harassment no matter whether resident-on-resident misconduct or employee misconduct, to properly determine whether the allegations are valid or invalid, and to take appropriate follow-up action.

Facility investigators have been properly trained in sexual harassment and sexual abuse investigations. Whenever an allegation has been in violation of a criminal offense, the matter will be investigated by the Fort Dodge Police Department.

TRAINING

Staff receive annual PREA training from Second District. More advanced training is available to staff from the National Institute of Corrections, the Moss Group and the Department of Justice.

In addition all new residents were provided training on their rights to be free from sexual abuse and harassment and how to report any incidents of sexual abuse and harassment.

All new staff received in-depth training on policies and procedures relating to PREA.

POLICIES

Operation of our facility consistent with PREA requirements is guided by policy.

VICTIM ADVOCACY SERVICES

We entered into an agreement with Crisis Intervention Services on 7/1/2021 to provide advocacy services to our residents.

PREA AUDIT

A PREA Audit was performed by a Department of Justice certified PREA Auditor, Candace L. Snyder, on 9/7/23 and 9/8/23.

Fort Dodge Residential Facility was found to be in compliance with all PREA standards.

The Fort Dodge Residential Facility Audit was originally planned for in the spring/summer of 2020. Due to operational challenges in the facility resulting from COVID the audit was delayed until April of 2021. In the PREA audit cycle that begins on August 20, 2022 the Second District will return to the regular schedule of auditing one facility in each year of the cycle. The next audit for the Fort Dodge Residential Facility is planned for September 2023.

DATA COLLECTION

In compliance with *Section 115.88* of the PREA Standards, staff have reviewed data collected and aggregated pursuant to *Section 115.87* and incident specific data in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training

Also, in compliance with *Section 115.89* of the PREA Standards we will make all aggregated sexual abuse data readily available to the public at least annually by publishing data in this report and posting this report on our website.

General Definitions

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consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

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- b. Contact between the mouth and the penis, vulva, or anus;
- c. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- d. 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.

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- (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;
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- (8) Voyeurism by a staff member, contractor, or volunteer.

Sexual harassment includes—

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2022	Resident Sexual Abuse	Resident Sexual Abuse Touching	Resident Sexual Harassment	Staff Sexual Abuse	Staff Sexual Harassment	Total
Substantiated	0	0	0	0	0	0
Unsubstantiated	0	0	0	0	0	0
Unfounded	0	0	0	0	0	0
Total	0	0	0	0	0	0

2023	Resident Sexual Abuse	Resident Sexual Abuse Touching	Resident Sexual Harassment	Staff Sexual Abuse	Staff Sexual Harassment	Total
Substantiated	0	0	0	0	0	0
Unsubstantiated	0	0	0	0	0	0
Unfounded	0	0	1	0	0	1
Total	0	0	1	0	0	1

COMPARATIVE ANALYSIS

There was one unfounded complaint at the Fort Dodge Residential Facility in CY23. There were no incidents reported in CY22. We feel that this reflects our firm commitment in detection, prevention, reduction and punishment of sexual abuse and sexual harassment within our facility.

CORRECTIVE ACTIONS

There were no corrective actions required in the 2021 PREA Audit.

REPORTING A PREA INCIDENT

If you or someone who you know have experienced sexual assault in our facility please report. You can contact the PREA Coordinator or Residential Manager for the Fort Dodge Residential Facility. You can report information anonymously if you wish.

PREA COORDINATOR

Jennifer Reynoldson
515.598.2061
jennifer.reynoldson@iowa.gov

Residential Manager – Fort Dodge Residential Facility

Murphy Washington
515.574.4053
Murphy.washington@iowa.gov

You may also report to the Fort Dodge Police Department.

We believe that the growth we have experienced toward PREA compliance will continue to create a more conducive reporting environment within our facility. Staff training and education for residents and staff will continue. Data collection and PREA monitoring will continue as well. We are firmly committed to our compliance with the PREA standards and protecting residents from sexual abuse and harassment.

Beje Clark Residential Facility – Second Judicial District PREA ANNUAL REPORT 2023

The Beje Clark Residential Facility is pleased to publish its 2023 Annual Report. This report reflects continuing efforts to move forward in complying with the national standards promulgated under the Prison Rape Elimination Act (PREA). We are committed to keeping those in our custody safe and free from harm and have zero tolerance for sexual assault and harassment of offenders under our jurisdiction.

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PREA INVESTIGATIONS

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Facility investigators have been properly trained in sexual harassment and sexual abuse investigations. Whenever an allegation has been in violation of a criminal offense, the matter will be investigated by The Mason City Police Department.

TRAINING

Staff receive annual PREA training from Second District. More advanced training is available to staff from the National Institute of Corrections, the Moss Group and the Department of Justice.

In addition all new residents were provided training on their rights to be free from sexual abuse and harassment and how to report any incidents of sexual abuse and harassment.

All new staff received in-depth training on policies and procedures relating to PREA.

POLICIES

Operation of our facility consistent with PREA requirements is guided by policy.

VICTIM ADVOCACY SERVICES

We entered into an agreement with Crisis Intervention Services on 7/1/2021 to provide advocacy services to our residents.

PREA AUDIT

A PREA Audit was performed by a Department of Justice certified PREA Auditor, Candace L. Snyder, on 9/21/21 and 9/22/21. Beje Clark Residential Facility was found to be in compliance with all PREA standards. The next Beje Clark audit is planned for the spring/summer of 2024.

DATA COLLECTION

In compliance with *Section 115.88* of the PREA Standards, staff have reviewed data collected and aggregated pursuant to *Section 115.87* and incident specific data in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including.

Also, in compliance with *Section 115.89* of the PREA Standards we will make all aggregated sexual abuse data readily available to the public at least annually by publishing data in this report and posting this report on our website.

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- (8) Voyeurism by a staff member, contractor, or volunteer.

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Informational—An allegation or report of sexual activity, while a possible institutional rule violation, the incident was determined not to involve sexual abuse or sexual harassment.

2022	Resident Sexual Abuse	Resident Sexual Abuse Touching	Resident Sexual Harassment	Staff Sexual Abuse	Staff Sexual Harassment	Total
Substantiated	0	2	0	0	0	2
Unsubstantiated	0	1	0	0	0	1
Unfounded	0	0	0	0	1	1
Total	0	3	0	0	1	4

2023	Resident Sexual Abuse	Resident Sexual Abuse Touching	Resident Sexual Harassment	Staff Sexual Abuse	Staff Sexual Harassment	Total
Substantiated	1	0	0	0	0	1
Unsubstantiated	0	0	0	0	1	1
Unfounded	0	0	0	0	0	0
Total	1	0	0	0	1	2

COMPARATIVE ANALYSIS

Two incidents were reported at the Beje Clark Residential Facility in CY23. There were four incidents reported in CY22. Beje Clark is a mixed gender facility. In CY23, the substantiated incident occurred in the restroom in the middle of the night. Staff were notified in the morning and steps were immediately taken to mitigate harm.

CORRECTIVE ACTIONS

There were no corrective actions required in the 2021 PREA Audit.

REPORTING A PREA INCIDENT

If you or someone who you know have experienced sexual assault in our facility please report. You can contact the PREA Coordinator or Residential Manager for the Beje Clark Residential Facility. You can report information anonymously if you wish.

PREA COORDINATOR

Jennifer Reynoldson

515.598.2061

jennifer.reynoldson@iowa.gov

Residential Manager – Beje Clark Residential Facility

John Scholl

641.422.3830

John.scholl@iowa.gov

You may also report to the Mason City Police Department.

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