

Annual Report

Fiscal Year 2016



**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 2015-2016 Annual Report.

Fiscal year 2016 was another year of change and challenges for the District staff. With the Department of Corrections Strategic Recidivism Reduction grant moving in to its final year, staff was inundated with changes that affect how they do their jobs. Much training was planned for the upcoming fiscal year; but, many of the changes were begun during this year. Staff is adjusting to these changes and continuing to provide excellent service to the state and the offenders under their supervision.

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, 2015 through June 30, 2016.

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
Administrative Office
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, BELIEFS & VISIONS

MISSION:

- To promote the health, safety, dignity and rights of offenders committed to our care.
- To assure public safety using the least restrictive and control measures feasible.
- To involve the offender and the community with the Department in ascertaining critical individual needs and providing the resources necessary to achieve integration.
- To provide each individual opportunities to develop more adequate life-coping skills and to achieve a higher likelihood of independent community participation.
- To monitor and evaluate Department programs for general effectiveness and achievement of specified results.
- To manage resources in the most efficient, effective and practicable manner consistent with the attainment of Department goals.
- To share information as necessary, beneficial, and appropriate with other elements of the criminal justice system.

BELIEFS:

- Every offender makes it and our communities are safe.
- We invest in partnerships so that all members of the community have hopes of succeeding.
- Individual growth is encouraged and expected and achievement is recognized.
- Shared decision-making and team participation demonstrate our mutual respect.
- Offenders are held accountable.
- Diversity is our strength.
- Innovation is valued.
- We measure our results, and, do what we know works.

VISION:

To have an Iowa with no more victims.

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 (formerly the Batterer's Education Program), Sex Offender Treatment Program, Informal Probation Program, Drug Court, and, three Residential Treatment Facilities - a 30 bed facility in Sheldon devoted primarily to serving clients with a history of substance abuse; two facilities 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 FY16 was \$8,386,086. 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: Moving-On, ACTV, Iowa Risk Revised, DRAOR, and Thinking for a Change.

LOCATIONS/CONTACTS

Administration	Field Services	Residential Services
<p>515 Water Street Sioux City, IA 51103 (712) 252-0590 Steve Scholl, Director</p>	<p>515 Water Street Sioux City, IA 51103 (712) 252-0590 Supervisors: Karen Borg, Tom Frisch, Steve Middleton</p> <p>100 West 5th St., Suite 1 Spencer, IA 51301 (712) 262-5252 Kim Waagmeester, Supervisor</p>	<p>515 Water Street Sioux City, IA 51103 (712) 252-4226 Darloe Janssen, Residential Manager</p> <p>515 Water Street Sioux City, IA 51103 (712) 224-5515 Kelsey Callens, Residential Manager</p> <p>720 Western Ave. Sheldon, IA 51201 (712) 324-5384 Maureen Hansen, Residential Manager</p>

MAP OF THE DISTRICT

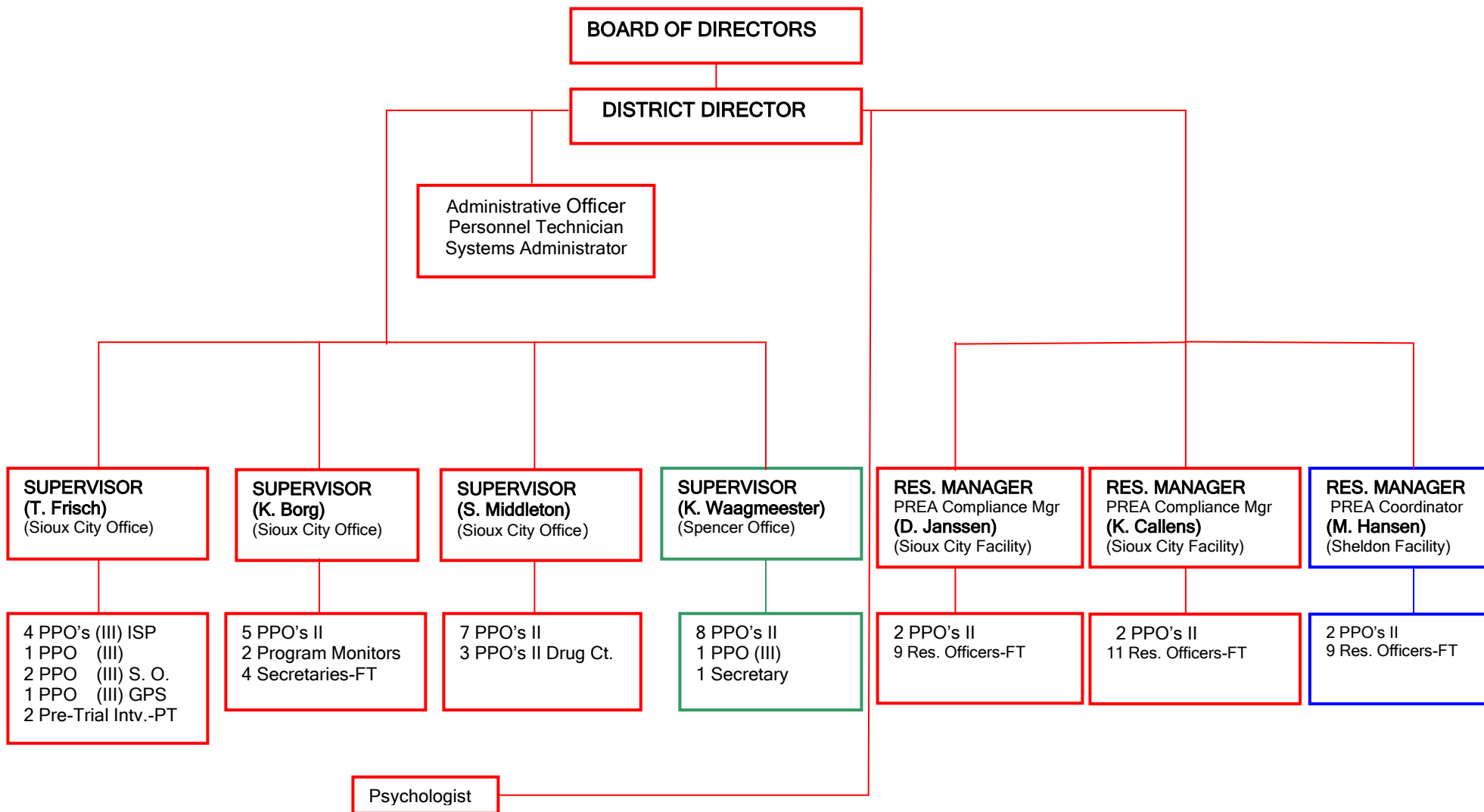


The 3rd Judicial District covers 16 counties in the northwest part of the state.

Area Offices:

- Sheldon Residential Facility
720 Western Avenue
Sheldon, IA 51201
- Spencer Field Services
100 West 5th, Suite One
Spencer, IA 51301

TABLE OF ORGANIZATION
Third Judicial District
Department of Correctional Services



Locations:
 Red Line = Sioux City
 Green Line = Spencer
 Blue Line = Sheldon

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

Curtis Phillips
1141 German Ave
Holstein, IA 51025

Monona County

Mike Collison
612 10th Street
Onawa, IA 51040

Palo Alto County

Craig Merrill
105 N Superior St.
Emmetsburg, IA 50536

Woodbury County

Jackie Smith
2324 Mohawk Ct.
Sioux City, IA 51104

Cherokee County

Jeff Simonsen
6061 K Avenue
Quimby, IA 51049

Dickinson County

Mardi Allen
24576 182nd Street
Spirit Lake, IA 51360

Kossuth County

Don Besch
1407 220th Avenue
Corwith, IA 50430

O'Brien County

Nancy McDowell
1016 6th Ave.
Sheldon, IA 51201

Plymouth County

Jim Henrich
440 Reed Street
Akron, IA 51011

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 4th Street NE
Sibley, IA 51249

Sioux County

Mark Sybesma
2980 350th 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

Jackie Smith, Board Representative - Woodbury County

FY16 Board of Directors Meetings

- *September 4, 2015 in Sioux City, Iowa*
- *December 4, 2015 in Sioux City, Iowa*
- *March 4, 2016 in Sioux City, Iowa*
- *June 3, 2016 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:

Successful:	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.
Unsuccessful:	Revoked, Sent Back to Jail, Discharged-Absconded/ Escaped.
Administrative:	Terminated by Court, Charge Amended, Death.
Intermediate Sanction:	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 2016, 206 offenders were placed in residential as a condition of probation; 222 as a condition of work release; and 42 as habitual drunken drivers (Table 1). The cumulative successful closure rate of all residential cases was 72% (Table 2 on the following page). Tables 3A and 3B indicate that those offenders average length of stay was 1.7 months in Sheldon and 5.3 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
OWI Continuum	10	32	28	11	42
Parole		2	2		2
Probation	51	155	138	41	206
Special Sentence	9	16	16	5	25
Work Release	51	171	110	60	222
Totals	121	377	294	117	498

TABLE 2
Residential Closures

Supervision Status/Closure Category	Admin	%	Successful	%	Un successful	%	Totals	%
OWI Continuum			28	100.0			28	9.5
Parole	1	50.0	1	50.0			2	9.7
Probation	1	0.7	83	60.1	54	39.1	138	46.9
Special Sentence	1	6.3	6	37.5	9	56.3	16	5.4
Work Release			93	84.5	17	15.5	110	37.4
Closure Category Totals/Percents	3	1.0	211	71.8	80	27.2	294	100.0

Admin = An Administrative Closure

TABLE 3A
Sheldon Residential Length of Stay Successful

Supervision Status	Work Unit Reason for Change	LOS Days	Court Closures Work Unit Residential	LOS Months
Work Release	Successful	2,248	45	1.6
OWI Continuum	Successful	1,223	18	2.2
Probation	Successful	2,680	65	1.4
Region Average Length of Stay-Months				1.7

LOS = Length of Stay

TABLE 3B
Sioux City Residential Length of Stay Successful

Supervision Status	Work Unit Reason for Change	LOS Days	Court Closures Work Unit Residential	LOS Months
Work Release	Successful	10,455	121	6.2
OWI Continuum	Successful	3,198	19	5.5
Parole	Successful	85	2	1.4
Probation	Successful	5,620	68	2.7
Special Sentence	Successful	1,787	6	9.8
Region Average Length of Stay-Months				5.3

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. Five hundred eighty-seven (587) pretrial interviews were conducted in FY 2016.

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 194 offenders received this service in FY 2016. Table 6 on the following page shows that of the 139 closures during FY 2016, over 87% were successfully closed.

TABLE 5
Supervision Status

Supervision Status	Active at Start	New Admits	Closures	Active at End	Offenders Served
CCUSO Transitional Release	2		2		2
Interstate Compact Parole	53	33	27	57	86
Interstate Compact Probation	193	127	124	184	320
No Correctional Supervision Status	3	1	2	1	4
Parole	265	221	219	273	486
Pretrial Release With Supervision	46	148	139	55	194
Probation	1,914	1,563	1,462	1,884	3,477
Special Sentence	68	23	30	83	91
Totals	2,544	2,116	2,005	2,537	4,660

TABLE 6
Closed Supervision Status

Supervision Status\ Reason For Change	Admin	Intermediate Sanction	Successful	Unsuccessful	Totals
CCUSO Release w/Supervision			2		2
Interstate Compact Parole	13		14		27
Interstate Compact Probation	46		76	2	124
No Correctional Supervision Status			2		2
Parole	2	38	110	69	219
Pretrial Release With Supervision	6		121	12	139
Probation	284		900	278	1,462
Special Sentence		2	12	16	30
Totals	351	40	1,237	377	2,005

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 2016, a total of 816 presentence reports were completed according to Table 7.

TABLE 7
Presentence Investigation (PSI)

Form Type	Total	Percentage
Long	717	87.9
Informal	99	12.1
Total/Percent	816	100

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 3,477 offenders served during this fiscal year (Table 5 on page 16). Sixty-two percent (62%) of the 1,462 cases closed during Fiscal Year 2016 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 486 offenders who received this supervision in FY 2016, 221 were new admissions. Table 6 on the previous page reflects 110 offenders (nearly 50%) 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 FY16, the District received 160 new cases and served a total of 406 offenders with this service (Table 5 on page 16).

SPECIAL SERVICES

Specialized Supervision Program (Specialty) Closure Type DEFINITIONS:

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

TABLE 8
Intervention Program

Intervention Program	Active at Start	New Admits	Closures	Active at End	Offenders Served
Iowa Domestic Abuse Program	602	248	294	539	850
Drug Court Program	79	70	48	91	149
OWI Program	10	17	17	9	27
Restorative Justice Program	13	38	39	10	51
Sex Offender Program	37	32	30	37	69
Sex Offender Registry Modification - Adult Not on Supervision	1	1	1	1	2
Sex Offender Registry Modification - Adult on Supervision		1	1		1
Total	742	407	430	687	1,149

TABLE 9
Intervention Program - Closures

Intervention Program/Closure Category	Admin	%	Intermd Sanction	%	Successful	%	Un successful	%	Totals	%
Iowa Domestic Abuse Program	22	8.2	1	0.4	205	76.8	39	14.6	267	66.75
Drug Court Program	7	13.0			26	48.1	21	38.9	54	13.50
OWI Program			1	9.1	2	18.2	8	72.7	11	2.75
Restorative Justice Program			2	5.0	36	90.0	2	5.0	40	10.00
Sex Offender Program	1	3.6	1	3.6	10	35.7	16	57.1	28	7.00
Totals by Category/ Percents	30	7.5	5	1.2	279	69.8	86	21.5	400	100.0

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 fifty offenders received services in FY 2016 according to Table 8 above. Of the 294 closures, nearly 77% successfully completed the intervention.

Drug Court Program

During the FY 2016, 149 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 10,126 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 670 hearings during FY16.

Plymouth County Drug Court Program

The Plymouth County Drug Court started in 2007 and is structured very similar to the Woodbury County Drug Court. 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 FY16 panels held 248 hearings.

Veterans Treatment Court

In March 2015, Woodbury County began the State's first Veterans Treatment Court. At the end of the Fiscal Year 16, there were 7 active offenders in supervision and during the year the program served 11 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 2016, 175 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 2016, the District used real time Global Positioning (GPS) to monitor 132 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 27 offenders during FY 2016.

Victim Services/Restorative Justice

The Sheldon Residential Facility initiated a Restorative Justice Panel program In June of 2001. All residents are required to complete a minimum of ten (10) hours of community service work. In addition, they must also complete several assignments related to “Restorative Justice”- how their crime impacted their victims, the community and others. The Panel served 51 offenders in FY 2016 (Table 8 on page 20).

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 69 offenders in FY 2016 (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 1,082 offenders in FY 2016.

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 Spencer, 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 FY16:

\$420,997.61 - supervision fees;

\$ 15,401.60 - 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
Domestic Abuse Supervision	1	0	1	0	1
Day Reporting - Residential	1	11	11	1	12
Drug Court Supervision	81	68	59	90	149
Global Positioning - Satellite	46	86	80	52	132
Intensive Supervision	76	183	178	81	259
Intensive Supervision - Pretrial Release	2	1	3	0	3
Intensive Supervision - Sex Offenders	109	68	53	126	177
Low Risk Probation	502	580	565	517	1,082
Minimum Risk Program	0	39	4	35	39
OWI Pre-Placement	3	1	4	0	4
Radio Frequency	36	139	139	36	175
SCRAM(Secure Const. Remote Alcohol)	8	19	16	11	27
Veterans Court Supervision	4	7	4	7	11
Total Specialties	869	1,202	1,117	956	2,071

TABLE 11
Closed Specialty

Specialty/ Closure Category	Admin	%	Intermed Sanction	%	Successful	%	Un successful	%	Totals	%
Day Reporting - Residential			5	9.8	6	0.8			11	1.0
Domestic Abuse Supervision					1	0.1			1	0.1
Drug Court Supervision	5	8.3	3	5.9	32	4.2	19	7.6	59	5.3
Global Positioning - Satellite	5	8.3	19	37.3	38	5.0	16	6.4	78	7.0
Intensive Supervision	3	5.0	1	2.0	131	17.4	42	16.9	177	15.9
Intensive Supervision - Pretrial Release	1	1.7			2	0.3			3	0.3
Intensive Supervision - Sex Offenders	14	23.3	1	2.0	19	2.5	19	7.6	53	4.8
Low Risk Probation	29	48.3			395	52.4	141	56.6	565	50.7
Minimal Risk					3	0.4	1	0.4	4	0.4
Radio Frequency	3	5.0	20	39.2	107	14.2	9	3.6	139	12.5
SCRAM(Secure Continuous Remote Alcohol Monitor)			2	3.9	14	1.9			16	1.4
Veterans Court Supervision					4	0.5			4	0.4
OWI Pre-Placement					2	0.3	2	0.8	4	.04
Specialty Closure Category Totals	60	5.4	51	4.6	754	67.7	249	22.4	1,114	100.0

Admin = An Administrative Closure; Intermd Sanction = Intermediate Sanctions

Internal Intervention Closure DEFINITIONS:

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

TABLE 12
Internal Intervention

Internal Intervention	Active at Start	New Admits	Closures	Active at End	Offenders Served
Anger Management - Sheldon	1	17	18		18
Anger Management - Sioux City		27	28		27
Cognitive Ed Program - Cognitive - Sheldon	6	26	30	2	32
DCS Psychological Evaluation - Mental Health Evaluation - Sioux City		1	1		1
Drug Court - Drug Court Accountability Reviews - Sioux City	57	51	40	65	108
Drug Court - Plymouth County Drug Court Accountability Reviews - Le Mars	14	25	14	25	39
Empathy Class - Cognitive - Sioux City	3	80	82	1	83
IMCC-TeleMed Psychiatric Servies - Sheldon		6	6		6
Job Seeking/Keeping - Employment Services - Sioux City	1			1	1
RTF - Individual Assignment Cognitive Workbook - Sheldon		1			1
RTF - Individual Assignment Recovery Issues - Sheldon	5	21	19	7	26
RTF - OWI Continuum Program - Sioux City		1		1	1
RTF Programming - Life Skills - Sioux City	84	249	260	74	333
RTF Restorative Justice Assignments - Victim Empathy - Sheldon		22	20	2	22
RTF Restorative Justice Panel - Victim Empathy - Sheldon	3	17	19	2	20
RTF Sex Offender Continuing Care - Sioux City	7	7	10	4	14
RTF Sex Offender Group Treatment - Sioux City	8	19	18	9	27
RTF Victim Empathy Class - Victim Empathy - Sheldon	4	55	58	1	59
RTF - Women's Moving On - Sioux City	1	12	7	6	13
Sex Offender Continuing Care (non-resident) Sioux City	13	4	5	12	17
Sex Offender - Mental Health Evaluation - Sioux City		3	3		3
Thinking For A Change - Sioux City		13	13		13
Internal Intervention Totals:	207	657	651	212	864

Table 13
Security Standards and Activities

Non Toxin Type	Non Toxin Subtype	Total	Sheldon RTF	Sioux City Probation/ Parole	Sioux City RTF	Spencer Probation/ Parole
Eye Count	Eye Count	1		1		
Offsite	Arrest-New Charge	1		1		
Offsite	Arrest-Violation	13		13		
Offsite	Employment	92		88	2	2
Offsite	Furlough	199	160		39	
Offsite	Home Placement Investigation	51		50		1
Offsite	Home Search	21		20		1
Offsite	Home Visit	1,162	3	1,144	1	14
Offsite	Home Visit-Attempted	560		539		21
Offsite	Other Agency Assist	1		1		
Offsite	Public Location Field Check	43		43		
Offsite	Vehicle	2	1		1	
Offsite	Visual	244	190		54	
Offsite	Warrant - Absconder	5		5		
Offsite	Warrant - New Charge	1		1		
Offsite	Warrant - Violation	3		3		
Offsite	Warrant Check Attempted	17		17		
Personal Search	Pat	358	192	2	162	2
Personal Search	Strip	203	93		110	
Room/Cell	K9	3	2		1	
Room/Cell	Officer	189	166	1	22	
Totals		3,169	807	1,929	392	41

Table 14
Urinalysis and Breath Analysis Tests Conducted

Work Unit	Total	Blood Test	Breath Analysis	Hair Test	Saliva Test	Sweat Patch	Urinalysis
Sheldon Residential Facility	651	1	501			7	142
Sioux City Probation/Parole	5,091		919	1	143	1	4,027
Sioux City Residential Facility	1,544		614				930
Spencer Probation/Parole	419		22		8		389
Region Total	7,705	1	2,056	1	151	8	5,488

TABLE 15
Urinalysis Toxin Results by Location

Sheldon Residential Treatment Facility

	N	%	P	%	Region Total	Region Total %
Alcohol	497	99.20	4	0.8	501	2.08
Benzodiazepine (including Valium)	18	90.00	2	10.0	20	0.08
Cocaine	149	100.00			149	0.62
Methamphetamine	139	92.67	11	7.33	150	0.62
Other Amphetamines	17	77.27	5	22.73	22	0.09
Opiate other than Heroin	142	95.30	7	4.70	149	0.62
Oxycodone	1	100.00			1	0.00
Pcp/phencyclidine			1	100.00	1	0.00
THC	144	96.64	5	3.36	149	0.62
Toxin Substance Total/%	1,107	96.94	35	3.06	1,142	4.75

Sioux City Residential Treatment Facility

	N	%	P	%	Region Total	Region Total %
Alcohol	578	94.14	36	5.86	614	2.55
Benzodiazepine (including valium)	8	88.89	1	11.11	9	0.04
Cocaine	926	100.00			926	3.85
Methamphetamine	895	98.46	14	1.54	909	3.78
Opiate other than Heroin	845	98.71	11	1.29	856	3.56
Opiates including Heroin	2	100.00			2	0.01
Other Amphetamines	17	100.0			17	0.07
Other Stimulant	1	100.0			1	0.0
Oxycodone	13	86.67	2	13.33	15	0.06
Synthetic Drug	1	100.0			1	0.00
THC	914	98.60	13	1.40	927	3.86
Toxin Substance Total/%	4,200	98.20	77	1.80	4,277	17.79

Sioux City Probation/Parole Office

	N	%	P	%	Region Total	Region Total %
Alcohol	873	86.78	133	13.22	1,006	4.19
Benzodiazepine (including Valium)	1,286	99.00	13	1.00	1,299	5.40
Cocaine	3,624	99.45	20	0.55	3,644	15.16
Heroin			1	100.00	1	0.00
Methadone			1	100.00	1	0.00
Methamphetamine	3,704	90.63	383	9.37	4,087	17.00
Opiate other than Heroin	2,853	98.45	45	1.55	2,898	12.06
Opiates including Heroin	9	100.00			9	0.04
Other Amphetamines	19	86.36	3	13.64	22	0.09
Oxycodone	33	91.67	3	8.33	36	0.15
PCP/Phencyclidine	54	100.00			54	0.22
Synthetic Drug	9	90.00	1	10.00	10	0.04
THC	3,619	89.38	430	10.62	4,049	16.85
Toxin Substance Total/%	16,083	93.96	1,033	6.04	17,116	71.21

Spencer Probation/Parole Office

	N	%	P	%	Region Total	Region Total %
Alcohol	7	31.82	15	68.18	22	0.09
Benzodiazepine (including Valium)	25	100.0			25	0.10
Cocaine	381	99.22	3	0.78	384	1.60
MDMA - Ecstasy	1	100.00			1	0.00
Methadone	1	100.00			1	0.00
Methamphetamine	304	79.58	78	20.42	3.82	1.59
Opiate other than Heroin	266	98.15	5	1.85	271	1.13
Opiates including Heroin	1	100.00			1	0.00
Other Amphetamines	15	93.75	1	6.25	16	0.07
Oxycodone	6	100.00			1	0.02
PCP/Phencyclidine	1	100.00			1	0.00
THC	269	68.97	121	31.03	390	1.62
Toxin Substance Total/%	1,277	85.13	223	14.87	1,500	6.24

TABLE 16
Breath Analysis Results

Alcohol

Test Results	Total	Percentage
Negative	1,898	92.32%
Positive	158	7.68%
Unknown		
Toxin Total	2,056	100.00 %

TABLE 17
Statement of Average and Daily Costs
For the Twelve Months Ending June 30, 2016

Average Costs	
Pretrial Interview	\$27.68
Presentence Investigations	\$453.78

Daily Costs	
Pretrial Release with Supervision	\$4.47
Probation/Parole Supervision	\$3.61
Probation/Parole Intensive Services	\$11.84
Low Risk Probation	\$0.67
Intensive Supervision Sex Offenders	\$13.22
Drug Court	\$8.10
IDAP (Batterer's Education Program)	\$0.56
Sex Offender Treatment Program	\$6.47
Residential Services	\$76.16

Table 18
Assessments Submitted in FY 2016

Assessment Tool	Total 3JD
ACUTE 2007	1
DRAOR CBC	2,448
Iowa Risk Assessment Revised	3,350
ISORO	23
ISORA/STATIC-99-R COMBINED	25
Jesness	185
LSI_R	1
OWI Continuum Worksheet II	41
Sexual Violence Propensity Revised	525
SOTIPS	1
Static-99-R	24
ASSESSMENTS SUBMITTED	6,624

Table 18 identifies the different assessments that were used in FY 2016. 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

Third Judicial District
 All District Programs Combined
 Income Statement
 For the Twelve Months Ending June 30, 2016

	Department Revised Budget	Actual Revenues and Expenditures	Percent (Actual of Budget)
FTE Positions			
Residential Officer	29.00	29.00	100.00%
Total Staffing	86.59	86.59	100.00%
Resources Available			
--- Balance Brought Forward	610,115.00	610,115.00	100.00%
05A Appropriation	7,241,256.00	7,241,256.00	100.00%
05K DAS Distribution	-	-	---
--- Appropriation Transfer	-	-	---
--- De-appropriation	-	-	---
201R Federal Support	-	-	---
202R Local Governments	-	-	---
204R Intra State Receipts	-	-	---
205R Reimbursement from Other Agencies	-	-	---
234R Transfers - Other Agencies	-	-	---
301R Interest	2,000.00	1,762.57	88.13%
401R Fees, Licenses & Permits	422,649.00	436,399.21	103.25%
402R Tuition & Fees	-	-	---
501R Refunds & Reimbursements	664,328.00	706,668.01	106.37%
602R Sale of Equipment & Salvage	-	-	---
603R Rents & Leases	-	-	---
604R Agricultural Sales	-	-	---
606R Other Sales & Services	-	-	---
704R Other	-	-	---
Total Resources Available	8,940,348.00	8,996,200.79	100.62%
Funds Expended			
101 Personal Services-Salaries	7,800,283.00	7,801,926.62	100.02%
202 Personal Travel (In State)	41,950.00	40,900.43	97.50%
203 State Vehicle Operation	8,700.00	7,095.63	81.56%
204 Depreciation	-	-	---
205 Personal Travel (Out of State)	-	-	---

	Department Revised Budget	Actual Revenues and Expenditures	Percent (Actual of Budget)	
301	Office Supplies	31,400.00	29,787.60	94.86%
302	Facility Maintenance Supplies	6,625.00	5,365.94	81.00%
303	Equipment Maintenance Supplies	-	-	---
304	Professional & Scientific Supplies	24,180.00	22,224.42	91.91%
306	Housing & Subsistence Supplies	13,250.00	13,385.40	101.02%
307	Ag, Conservation & Horticulture Supply	-	-	---
308	Other Supplies	850.00	380.02	44.71%
309	Printing & Binding	-	-	---
310	Drugs & Biologicals	-	-	---
311	Food	100,000.00	99,557.77	99.56%
312	Uniforms & Related Items	-	-	---
313	Postage	-	-	---
401	Communications	49,010.00	51,262.84	104.60%
402	Rentals	49,150.00	44,876.26	91.30%
403	Utilities	89,250.00	84,016.63	94.14%
405	Professional & Scientific Services	76,750.00	67,715.09	88.23%
406	Outside Services	60,450.00	59,486.82	98.41%
407	Intra-State Transfers	-	-	---
408	Advertising & Publicity	-	-	---
409	Outside Repairs/Service	74,250.00	69,047.24	92.99%
412	Auditor of State Reimbursements	-	-	---
414	Reimbursement to Other Agencies	22,425.00	18,575.14	82.83%
416	ITS Reimbursements	-	-	---
417	Worker's Compensation	8,500.00	8,379.00	98.58%
418	IT Outside Services	-	-	---
434	Transfers - Other Agencies Services	-	-	---
501	Equipment	-	8,987.00	---
502	Office Equipment	-	-	---
503	Equipment - Non-Inventory	12,350.00	2,592.92	21.00%
510	IT Equipment	38,500.00	36,855.52	95.73%
601	Claims	-	-	---
602	Other Expense & Obligations	25,950.00	20,299.48	78.23%
609	Bonds, Credit Union, Deferred Comp	-	-	---
705	Refunds-Other	-	-	---
901	Capitals	-	-	---
---	Balance Carry Forward	406,525.00	503,482.82	123.39%
---	Reversion	-	-	---
Total Expenses		8,940,349.00	8,996,200.79	99.52%
Ending Balance			-	
Resources Available				

STAFF TRAINING

The Third Judicial District continued its commitment to staff development and training programs. Department staff received a total of **1,832 hours** of training during FY 2016. The top ten trainings in the District are listed below.

TOP TEN TRAINING TOPICS:

1. From Corrections Fatigue to Fulfillment
2. Motivational Interviewing
3. ICA Conference Workshops
4. PREA
5. SRR Strategy/Continuous Quality Improvement
6. E-Learning
7. Reentry/Evidence-Base Practices
8. Victim Impact
9. Gangs, Drugs, Crimes against Children
10. CPR/First Aid/Bloodborne Pathogens/Universal precautions

**Third Judicial District
Department of Correctional Services**

Annual PREA Report

Fiscal Year 2016

Submitted by:

Maureen Hansen, PREA Coordinator

Approved by:

Steven L. Scholl, District Director

Prison Rape Elimination Act (PREA) Annual Report

DEPARTMENT OF CORRECTIONAL SERVICES

THIRD JUDICIAL DISTRICT



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). In addition to creating a mandate for significant research from the Bureau of Justice Statistics and through the National Institute of Justice, funding through the Bureau of Justice Assistance and the National Institute of Corrections supported major efforts in many state correctional, juvenile detention, community corrections, and jail systems.

The act also created the National Prison Rape Elimination Commission and charged it with developing draft standards for the elimination of prison rape. Those standards were published in June 2009, and were turned over to the Department of Justice for review and passage as a final rule. That final rule became effective August 20, 2012.” (<http://www.prearesourcecenter.org/about/prison-rape-elimination-act-prea>)

The Third Judicial District Department of Correctional Services is committed to establishing policy in regard to Prison Rape Elimination Act (PREA) prevention 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. The Third Judicial District mandates zero tolerance toward all forms of sexual abuse and sexual harassment. The Third Judicial District has implemented an approach to preventing, detecting and responding to sexual abuse and harassment through implementation of policy, establishing a culture of zero tolerance, and coordinating effective response and follow through to any such reports. The following information is provided in accordance with PREA Standards 115.287, 115.288, and 115.289.

The following improvements and corrective actions have been made during this fiscal year:

- Outside cameras were installed to cover the outside facility grounds at the Sheldon RTF. This allows staff to have full view of the facility property when residents are outside of the building.
- A sliding window was installed in the south facility control room to allow more accessibility for residents to communicate with Residential Officers in the control room.

- 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 in the area of Preventing and Addressing Staff Sexual Misconduct in Correctional Settings
 - All Sheldon RTF staff have been trained how to appropriately respond to an allegation of sexual abuse/assault/harassment.
 - All three 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.
 - Department and Personnel policies have been updated to incorporate PREA standards

- Procedures:
 - 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.
 - The staffing plan for all three facilities is reviewed annually.

§ 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.

3rd District					
August 20, 2015 – August 20, 2016 (PREA Audit year)					
Investigation Type	Substantiated	Unsubstantiated	Unfounded	Other	Total
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
TOTAL PREA INVESTIGATIONS	0	0	0	0	0

A comparison of the 2015 PREA fiscal year’s (August 20, 2014 – August 19, 2015) data and corrective actions with those from prior years was reported. After two years of collecting data, a baseline has been established for comparisons to be made against next PREA fiscal year. Last fiscal year there were no PREA allegations/investigations/reports made.

Every year, one-third of an agencies confinement or community based correctional facilities shall be audited (facilities are audited every third year). During the 2015/2016 audit year, none of the facilities were required to be audited. The Sheldon RTF will be audited in May of 2016.

Respectfully Submitted:

Approved by:



Maureen Hansen, PREA Coordinator



Steven Scholl, District Director

3rd Judicial District Department of Correctional Services
PREA Reporting Options

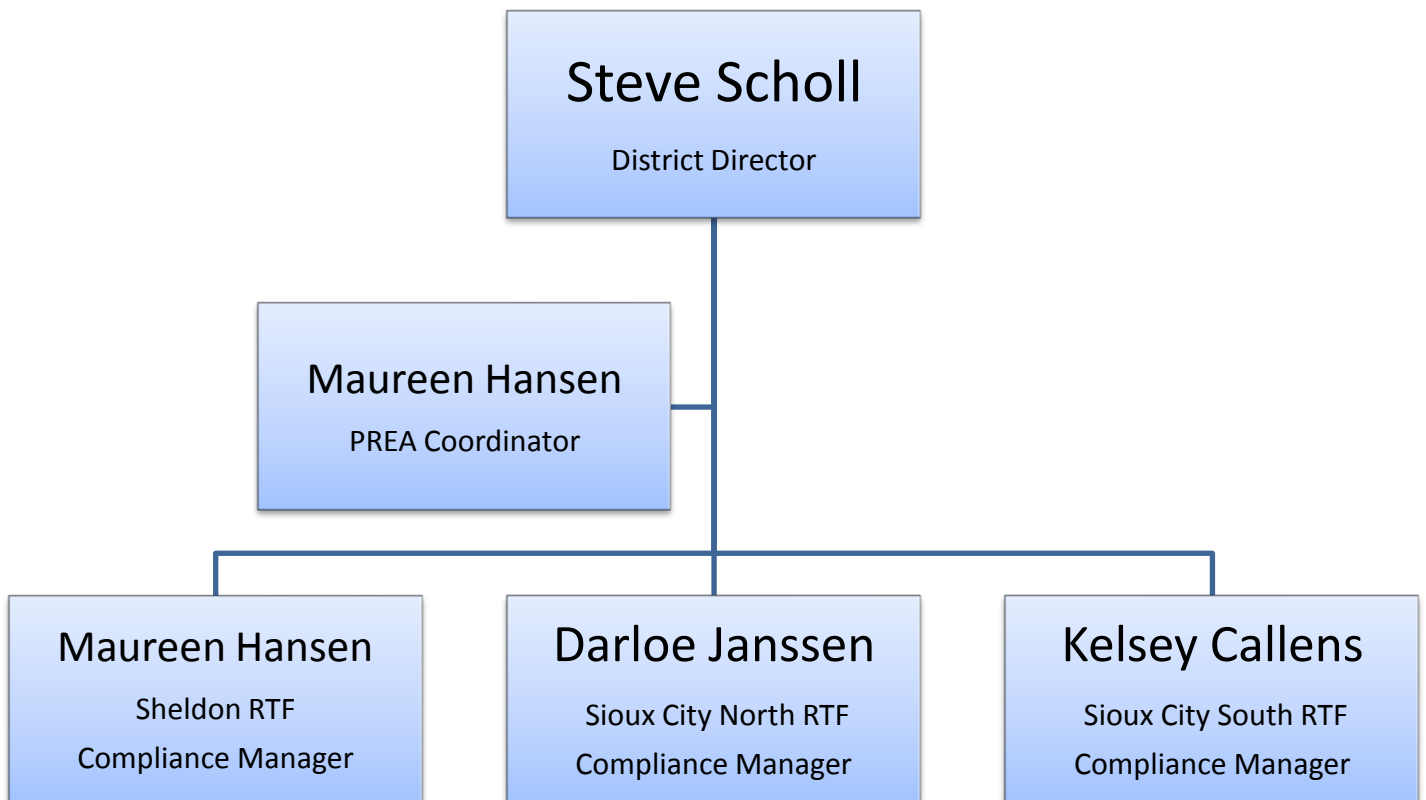
Steve Scholl, District Director 515 Water St. Sioux City, IA 51103 712-224-6844	Maureen Hansen, Sheldon Residential Manager 720 Western Ave Sheldon, IA 51201 712-324-5384 ext 222
Darloe Janssen, Sioux City Residential Manager 515 Water St. (RTF North) Sioux City, IA 51103 712-224-6850	Kelsey Callens, 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
Tom Frisch 515 Water St. Sioux City, IA 51103 712-224-6824	Kim Waagmeester 100 West 5 th 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 th 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

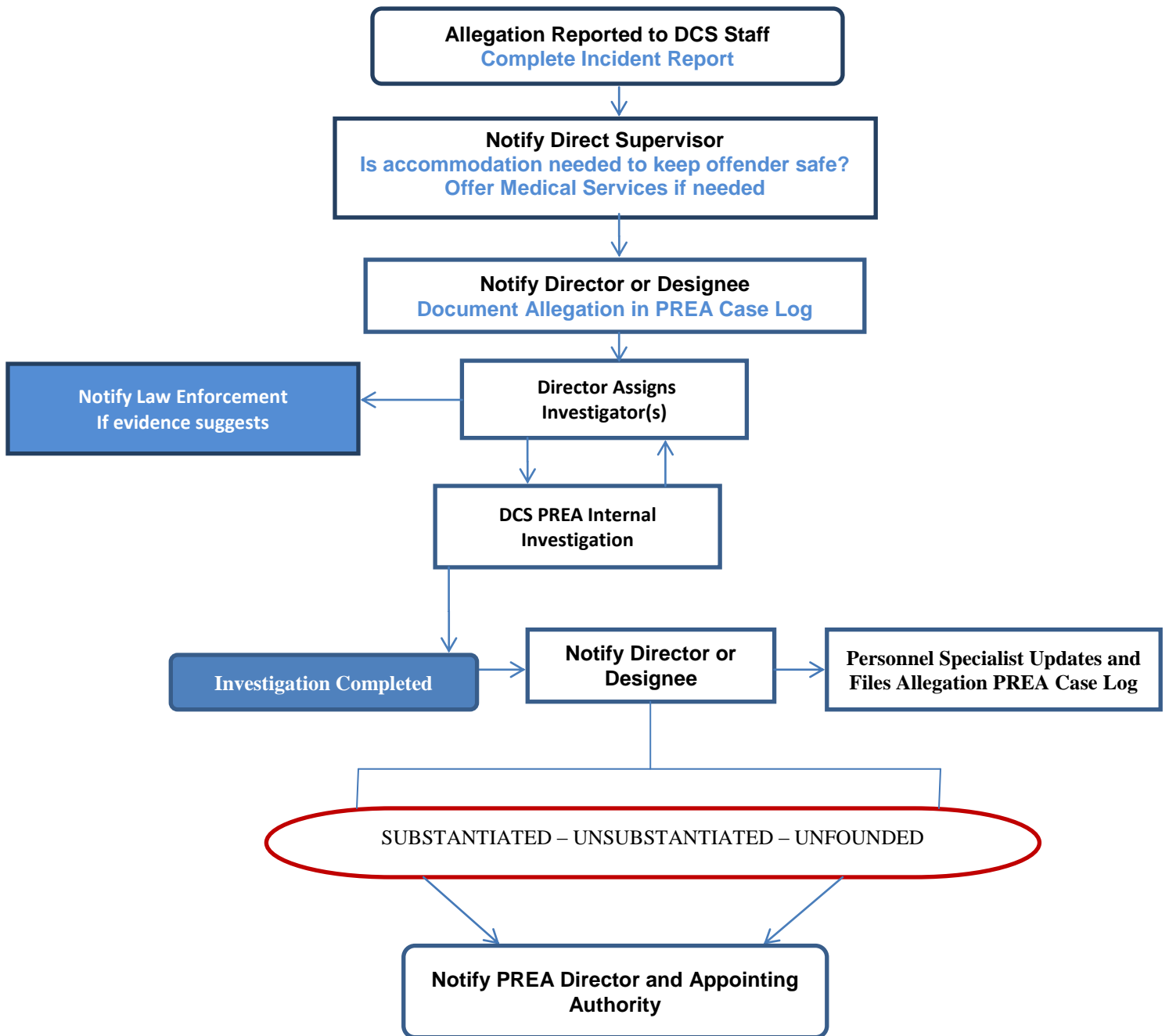
Iowa Sexual Assault Hotline	800-942-0333
Council on Sexual Assault & Domestic Violence (Sioux City)	800-982-7233
Family Crisis Center (Sioux Center)	800-382-5603
Center Against Abuse & Sexual Assault (Spencer)	877-362-4612
National Sexual Assault Hotline	800-656-4673

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.

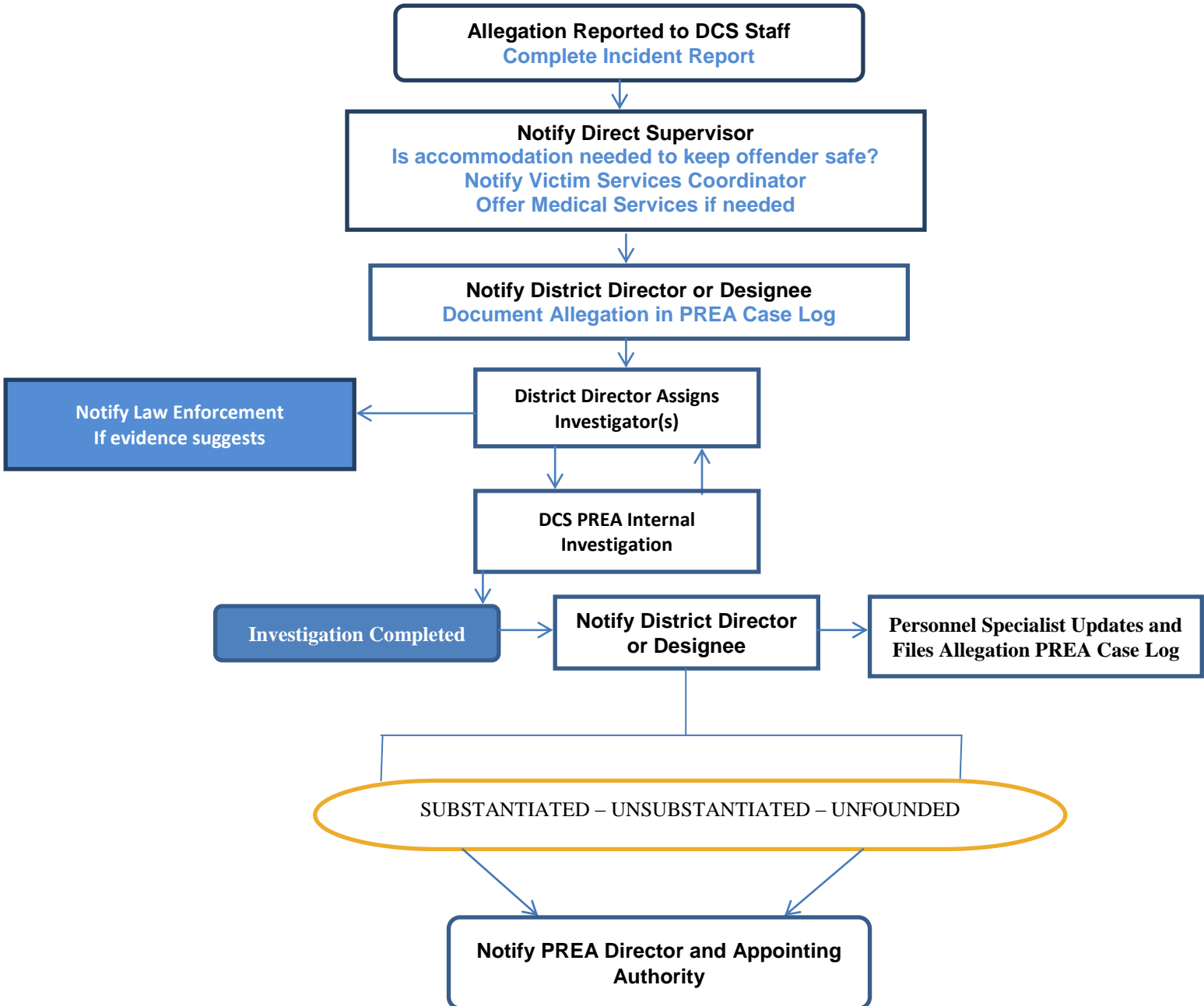
3rd Judicial District PREA Organizational Table



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

Page 2 of 2

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.

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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.

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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.

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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.

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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.