

WALSH COUNTY CORRECTIONAL CENTER

2024 ANNUAL PREA REPORT

BACKGROUND

The Prison Rape Elimination Act of 2003 (PREA) was enacted to address sexual abuse and sexual harassment in federal, state and local institutions. The goal of PREA is to prevent, detect and respond to sexual abuse and sexual harassment within confinement settings, by establishing a zero-tolerance policy for sexual abuse and sexual harassment. PREA also includes a focus on data collection and analysis of PREA incidents that assists the agency in identifying problem areas, taking corrective action on an ongoing basis, and providing an assessment of the agency's progress in addressing sexual abuse and sexual harassment within its facilities.

The PREA standards were finalized in 2012. On August 20, 2013, all correctional agencies were required to be compliant with the PREA standards. The Walsh County Correctional Center (WCCC) began its initial efforts to comply with the finalized PREA standards by implementing policies and procedures, training employees, and educating offenders. Additionally, WCCC has installed a video monitoring system that is actively monitored on a 24-hour basis. Such a system is considered to be a deterrent to sexual misconduct and other safety violations, and is used in post-incident investigations. The system was installed to provide coverage in blind spots to the maximum extent possible.

Agencies must demonstrate zero tolerance of sexual abuse and sexual harassment not merely by words and written policy, but through their actions, including what they do to prevent sexual abuse and sexual harassment and to comply with the PREA standards. Compliance is demonstrated through PREA audits. Over a three-year period, one-third of an agency's facilities must be audited each year. The final PREA Audit Compliance Tool was officially released in 2014.

PURPOSE

The Prison Rape Elimination Act of 2003 requires data be collected and aggregated on sexual abuse incidents for the WCCC (§115.87). The standards require the WCCC to review data collected and produce an annual report of its findings from its data review and any corrective actions taken (§115.88). The annual report includes the current year's data and corrective action, data from prior years for comparison, and an assessment of the agency's progress in addressing sexual abuse. This report is the WCCC's formal report as it relates to this PREA standard. The WCCC makes this report readily available to the public annually through its website at: <https://www.co.walsh.nd.us>. We also contract with Grand Forks County Correctional Center their report is readily available to the public annually through its website at: <https://www.gfcounty.nd.gov/government/adult-corrections/prea>.

This report focuses on a review of the data collected from January 1, 2020 through December 31, 2024.

DEFINITIONS

The following are standardized definitions offered by the Prison Rape Elimination Act (§115.5 and §115.6). This ensures everyone is using the same language, and has the same understandings of key terms.

Sexual abuse includes:

- (1) Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
- (2) Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.

Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- (4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described above.
- (7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
- (8) Voyeurism by a staff member, contractor, or volunteer.

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

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 inmate, detainee, or resident directed toward another; and

- (2) Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Substantiated allegation means an allegation that was investigated and determined to have occurred.

Unfounded allegation means an allegation that was investigated and determined not to have occurred.

Unsubstantiated allegation means an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

AGENCY AGGREGATE DATA

In analyzing our aggregate data from 2020 through 2024, we do not see a significant change that can be attributed to any cause.

Comparison Data 2020 – 2024

Allegation Type	2024	2023	2022	2021	2020
Substantiated	0	0	0	0	0
Unsubstantiated	0	0	0	0	0
Unfounded	0	1	0	0	0
Ongoing Investigation	0	0	0	0	0
Total Inmate on Inmate	0	1	0	0	0
Substantiated	0	0	0	0	0
Unsubstantiated	0	0	0	0	0
Unfounded	0	1	0	0	0
Ongoing Investigation	0	0	0	0	0
Total Staff on Inmate	0	1	0	0	0

The following aggregate data represents the number of PREA Investigations completed based upon receipt of reports/complaints of sexual abuse or sexual harassment. All reports are investigated. Walsh County Correctional Center has compiled the following data regarding PREA reports and subsequent PREA investigation results for the year of **2024**.

2024 Agency Totals	Substantiated	Unsubstantiated	Unfounded	Ongoing Investigation	Total
Inmate Sexual Harassment	0	0	0	0	0
Inmate Sexual Abuse	0	0	0	0	0
Staff Sexual Harassment	0	0	0	0	0
Staff Sexual Misconduct	0	0	0	0	0
Staff Voyeurism	0	0	0	0	0
Totals	0	0	0	0	0

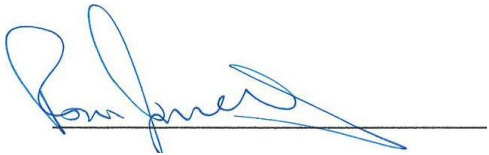
Walsh County Correctional Center has compiled the following data regarding PREA reports and subsequent PREA investigation results for the year of **2023**.

2023 Agency Totals	Substantiated	Unsubstantiated	Unfounded	Ongoing Investigation	Total
Inmate Sexual Harassment	0	0	1	0	0
Inmate Sexual Abuse	0	0	0	0	0
Staff Sexual Harassment	0	0	0	0	0
Staff Sexual Misconduct	0	0	1	0	0
Staff Voyeurism	0	0	0	0	0

Totals	0	0	2	0	0
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Walsh County Correctional Center has compiled the following data regarding PREA reports and subsequent PREA investigation results for the year of **2022**.

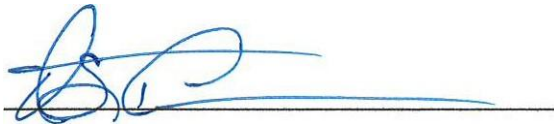
2022 Agency Totals	Substantiated	Unsubstantiated	Unfounded	Ongoing Investigation	Total
Inmate Sexual Harassment	0	0	0	0	0
Inmate Sexual Abuse	0	0	0	0	0
Staff Sexual Harassment	0	0	0	0	0
Staff Sexual Misconduct	0	0	0	0	0
Staff Voyeurism	0	0	0	0	0
Totals	0	0	0	0	0



Sheriff/Jail Administrator, Ron Jurgens

01/03/2025

Date



PREA Coordinator/ Chief Corrections Officer, Adam S. Trahan

01/03/2025

Date