

NEBRASKA

Good Life. Great Mission.

DEPT OF CORRECTIONAL SERVICES



Jim Pillen, Governor

Nebraska Department of Correctional Services

Annual PREA Assessment 2024

Rob Jeffreys, Director
Department of Correctional Services

P.O. Box 94661 Lincoln, NE 68509-4661
Phone: 402-471-2654 Fax: 402-479-5623

corrections.nebraska.gov

Introduction of PREA

The Prison Rape Elimination Act (PREA) was signed into law in 2003. PREA was the first law of its kind addressing prison sexual abuse. The final standards were signed in May 2012 and became effective in August 2012. There are 43 standards for adult prison/jails and 41 standards for the community confinement facilities. Every three years all facilities are required to be audited. The standards address such issues as prevention, detection and response.

Nebraska Department of Correctional Services (NDCS) has a zero-tolerance policy regarding sexual assault, sexual abuse and sexual harassment of inmates and staff within our nine facilities. Inmates and team members are educated on the reporting, detecting and preventing of sexual assault, sexual abuse, and sexual harassment. NDCS team members have an obligation to report all incidents.

Inmates are offered several ways in which to report the allegations of sexual assault, sexual abuse or sexual harassment. They are able to report directly to any team member, make a call to the PREA hotline, write a letter, submit an Inmate Interview Request form, file a grievance, tell a trusted third party such as a family member or friend. Inmates are also able to have family members or friends report incidents on the NDCS website.

Nebraska Department of Correctional Services requires that all inmates who enter the system go through an orientation within their initial 30 days of arrival. Team members, volunteers and contractors receive information and training on the department's zero tolerance policy and how to prevent, detect and respond to allegations of sexual assault, sexual abuse, sexual harassment or retaliation for reporting incidents during Pre-service training.

Each year all staff members are required to attend in-service training in which they receive refresher training and updates relative to PREA.

Assessment of NDCS's Progress

Nebraska Department of Correctional Services (NDCS) will continue to work towards remaining PREA compliant. The PREA Coordinator continues to meet quarterly with the 9 facility PREA Compliance Managers. Information regarding PREA has been made available on the NDCS website.

NDCS continues to actively participate in the audit process. NDCS is in contract with KDM Consults for the 3-year PREA audit cycle beginning August 20, 2022. Three audits were completed in 2023. Three audits are scheduled for 2024 and Three audits are scheduled for 2025, completing the 3-year audit cycle.

NDCS continues to maintain a zero-tolerance standard for all forms of sexual assault, sexual abuse, sexual harassment, and retaliation for reporting such incidents. The department continues to provide training and information to staff and inmates in an attempt to prevent, detect and respond to all allegations of sexual assault, sexual abuse, sexual harassment and retaliation.

Goals for 2025

- Continue to Work with Karen Murray, KDM Consults for the upcoming audit cycle 2022-2025.
- Review and update inmate educational material.
- Review and update staff education material.
- Review and update agency policies.
 - Policy 203.11-SEXUAL ASSAULT AND ABUSE.
 - Policy 201.03-IDENTIFICATION OF POTENTIAL AGGRESSORS AND VICTIM'S/SURVIVORS.
- Conduct at least 1 PREA investigator course for 2025.
- Continue to work with the Nebraska Statewide Coordinated Response Team (CRT).
- Attempt to enter into a memorandum of understanding with a community service provider.
- Develop self-audit criteria.
- Begin working with the newly developed Compliance team to focus efforts on all standards in regards to PREA standards.

Facility Audit schedule

Facility	Last completed Audit	Next Scheduled Audit
Work Ethic Camp	February 19-20, 2024 In compliance	October 5-6 2026
Nebraska Correctional Center for Women	February 12-14 2024 in 180-day corrective action	October 4-5 2027
Reception and Treatment Center	January 10-13, 2023 In compliance	November 3-6 2025
Community Correctional Center – Lincoln	February 13-16 2024 In compliance	September 28-29 2026
Nebraska State Penitentiary	February 13-16 2024 In compliance	September 30-October 2 2026
Omaha Correctional Center	February 9-11 2024 In compliance	September 30-31 2027
Nebraska Correctional Youth Facility	February 16-17 2023 In compliance	October 28-29 2025
Community Correctional Center – Omaha	February 14-15 2023 In compliance	October 29-30 2025
Tecumseh State Correctional Institution	February 17-19 2024 In compliance	September 27-29 2027

KDM Consults

Kdmconsults1@gmail.com

Contract: August 2022-August 2025

Point of Contact: Karen Murray

Auditor: Karen Murray

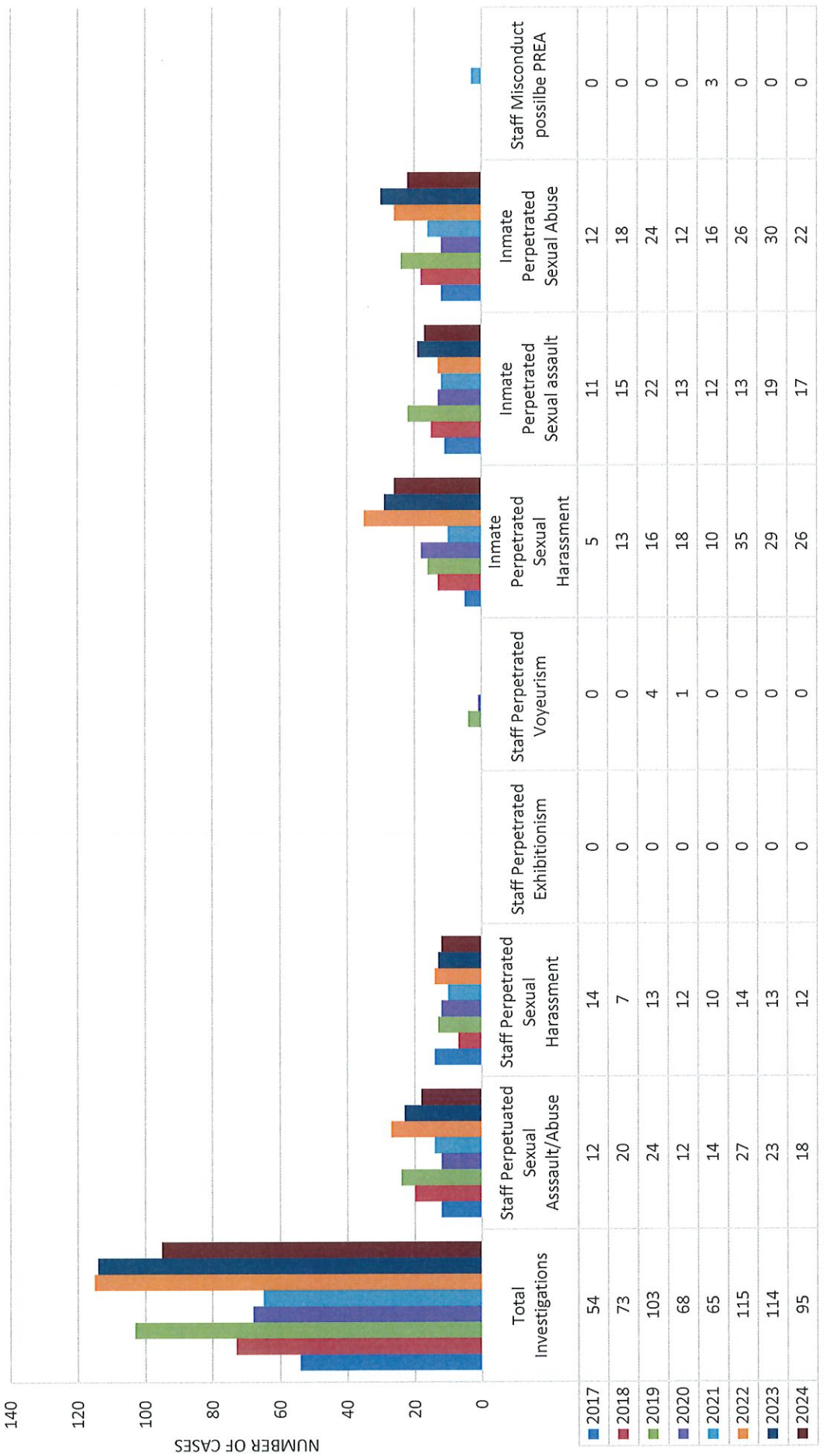
PREA INVESTIGATIONS

data is as of December 31, 2024

Total Investigations for 2024	
Substantiated	10
Unsubstantiated	49
Unfounded	17
Open/Active	19
Total number of investigations:	95
Staff Perpetrated Sexual Assault	
Substantiated	1
Unsubstantiated	2
Unfounded	4
Open/Active	0
Total:	7
Comments:	
❖ 202425NSP8020- Staff on Inmate Sexual Assault- referred to county Attorney under 83-417.	
Staff Perpetrated Sexual Abuse	
Substantiated	2
Unsubstantiated	2
Unfounded	5
Open/Active	2
Total:	11
Comments:	
❖ 202423NCW7904-Staff on Inmate Sexual Abuse-County Attorney accepted to prosecute under 83-417- hearing pending.	
❖ 202412RTC7955- Staff on Inmate Sexual Abuse- referred for administrative review not considered a criminal case. Staff member received facility discipline.	
Staff Perpetrated Exhibitionism	
Substantiated	0
Unsubstantiated	0
Unfounded	0
Open/Active	0
Total:	0
Staff Perpetrated Voyeurism	
Substantiated	0
Unsubstantiated	0
Unfounded	0
Open/Active	0
Total:	0
Staff Perpetrated Sexual Harassment	
Substantiated	1
Unsubstantiated	5
Unfounded	6
Open/Active	0
Total:	12
Comments:	
❖ 202412NSP7963- Staff on Inmate Sexual Harassment- Staff member received facility discipline.	

Inmate Perpetrated Sexual Assault	
Substantiated	0
Unsubstantiated	14
Unfounded	1
Open/Active	2
Total:	17
Inmate Perpetrated Sexual Abuse	
Substantiated	3
Unsubstantiated	16
Unfounded	1
Open/Active	2
Total:	22
Comments: ❖ 202412RTC8003- Inmate on Inmate Sexual Abuse- Misconduct Report issued- 30 days loss of good time. ❖ 202412OCC7982- Inmate on Inmate Sexual Abuse- Misconduct Report issued- 30 days loss of good time. ❖ 202412OCC7879- Inmate on Inmate Sexual Abuse- Misconduct report issued charged with sexual harassment- 5 days canteen restriction.	
Inmate Perpetrated Sexual Harassment	
Substantiated	3
Unsubstantiated	10
Unfounded	0
Open/Active	13
Total:	26
Comments: ❖ 202412NCW7738- Inmate on Inmate sexual harassment- Misconduct Report issued-15 days yard restriction. ❖ 202412OCC7873- Inmate on Inmate sexual harassment- Misconduct Report was not issued. ❖ 202412CCL7912- Inmate on Inmate sexual harassment- Misconduct Report was not issued.	
County Attorney Referrals	
Referred to County Attorney for prosecution	2
Staff perpetrated sexual assault/ abuse	0
Inmate perpetrated sexual assault/ abuse	0
Comments: ❖ 202423NCW7904-Staff on Inmate Sexual Abuse-County Attorney accepted to prosecute under 83-417.Hearing pending. ❖ 202425NSP8020- Staff on Inmate Sexual Assault- referred to county under 83-417.Pending County Attorney review.	

INVESTIGATIONS



Victim Advocacy

PREA Standard 115.53 / 115.253

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

Purpose

To provide inmates with access to emotional support services from outside the facility to help inmates heal from trauma. Access to outside support is important because inmates may be reluctant to seek emotional support from within a facility, and some facilities may lack resources to provide counseling services. A victim will most benefit from a trained support person who can provide a safe environment for discussing issues related to abuse confidentially. Although external emotional support service providers are different than the external reporting entity required by 115.51(b), they can assist an inmate to decide how and whether to report abuse to a facility, and to understand what to expect in an investigation. These providers can also help an inmate to become emotionally ready to make a report, which can enhance safety overall in a facility. Note that the 115.53 external support provider is intended to deal exclusively with the inmate and should not be expected to forward abuse reports to a facility.

- NDCS entered into a Memorandum of Understanding (MOU) with the Nebraska Coalition to End Sexual and Domestic Violence in April 2016. The MOU ended in April 2021.
- NDCS entered into a MOU with the Women's Center for Advancement in July 2021 and ended March 12, 2022.
- NDCS has attempted to enter into a MOU with the below community service providers.
 - enCourage Advocacy Center
 - Trevor Project
 - Women's Center for Advancement- Lincoln
 - Voices of Hope-2024

NDCS became part of a Focus Group in 2023 for the Planning of a National Service Line for Incarcerated Survivors of Sexual Abuse with the Urban Institute (Urban) and the National Sexual Violence Resource Center (NSVRC)

Supervision and Monitoring

PREA Standard 115.13/115.213

The agency shall ensure that each facility it operates shall develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, facilities shall take into consideration

- (1) Generally accepted detention and correctional practices.
- (2) Any judicial findings of inadequacy.
- (3) Any findings of inadequacy from federal investigative agencies.
- (4) Any findings of inadequacy from internal or external oversight bodies.
- (5) All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated).
- (6) The composition of the inmate population.
- (7) The number and placement of supervisory staff.
- (8) Institution programs occurring on a particular shift.
- (9) Any applicable state or local laws, regulations, or standards.
- (10) The prevalence of substantiated and unsubstantiated incidents of sexual abuse.
- (11) Any other relevant factors.

All nine facilities adhere to the staffing plan.

Nebraska Statewide Coordinated Response Team (CRT)

The Nebraska CRT is a group of professionals representing both state agency and provider organizations committed to achieving the group's vision and mission.

Vision

"We envision coordinated and collaborative responses to domestic and sexual violence throughout the state, focused on victim safety and offender accountability"

Mission


"The mission of the Nebraska State CRT is to foster the development and sustainability of effective local and statewide responses to domestic and sexual violence. This will be accomplished by offering guidance and resources based on model standards and practices, while recognizing each community's accomplishments, expertise, and needs."


CRT members will consist of:

- State agencies.
- Statewide organizations that work with the local level groups
- A quorum will be represented by a simple majority.

The Nebraska Department of Correctional Services (NDCS) PREA Coordinator represents the department with the Nebraska CRT. Meetings are held in odd months throughout the year.

This document was prepared and submitted by:


Danielle Reynolds, PREA Coordinator


Eric Staiger Agency Security Administrator


Robert Madsen, Deputy Director of Prisons


Taggart Boyd, Deputy Assistant Director


Diane Sabatka-Rine, Assistant Director


Rob Jeffreys, Director

Additional information is located in the institutional specific 2024 PREA Assessment.