

BERNALILLO COUNTY METROPOLITAN DETENTION CENTER

Department of Corrections
100 Deputy Dean Miera Loop SW.
Albuquerque, N.M. 87151

3.07 Policy	Annual Review Date:	Page 1 of 10	Effective Date: 7/2/2014 Revision Date: 12/1/2014
Sexual Misconduct, Sexual Abuse, and Sexual Harassment of Inmates		ACA Standards:	
_____ Signature on File Signature of Approval Tom Swisstack, Acting Jail Administrator Metropolitan Detention Center		References:	

3.07 POLICY: Sexual Misconduct, Sexual Abuse and Sexual Harassment of Inmates

It is the policy of the Bernalillo County Metropolitan Detention Center (“MDC”) to provide a safe and secure environment for all inmates that is free from the threat of any form of sexual misconduct, sexual abuse and sexual harassment by establishing definitions of prohibited conduct and developing a program for the prevention, detection, response and investigation of such claims. MDC maintains a zero tolerance toward any form of sexual misconduct, sexual abuse and sexual harassment between inmates and staff, contractors, volunteers and other inmates and enforces this policy by ensuring MDC complies with the Prison Rape Elimination Act (PREA) Standards.

PURPOSE:

To ensure that the inmates in our custody are provided a safe and secure environment that is free from sexual abuse, sexual harassment, and sexual misconduct.

DEFINITIONS

1. Sexual Misconduct
 - a. Sexual misconduct includes any behavior or act of a sexual nature towards an inmate by an employee, contractor or volunteer with or without the inmate’s consent that does not meet the definition of sexual abuse or sexual harassment as set forth by this policy.
 - b. Sexual misconduct can occur between any combinations of genders.
 - c. Sexual misconduct includes, but may not be limited to, any act or attempt to commit an act of:
 - a. Intimate or close relationships with an inmate defined as any relationship beyond the boundaries of a professional relationship.
 - b. Personal conversation or correspondence with an inmate.
 - c. The exchanging of letters, pictures, phone numbers, addresses, email addresses or other personal information with inmates.

2. Sexual Misconduct by inmates:
 - a. Touching or having active or passive sexual contact with or fondling of the genitals, mouth, anus, breast or buttocks of another person, and the person consents to such conduct, regardless of whether the touching or contact is to clothed or unclothed parts of the body;
 - b. Displaying one’s anus, genitals, buttocks or female breast(s) to another person, regardless of the other person’s expressed or implied consent to the accused inmate’s conduct; or
 - c. Masturbating in the presence or direct vision of another person, regardless of the other party’s expressed or implied consent to the conduct.

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3. Sexual Abuse
 - a. Sexual abuse can occur between any combinations of genders.
 - b. The term sexual abuse as used in this policy refers to both:
 - a. Sexual abuse of an inmate by another inmate; and
 - b. Sexual abuse of an inmate by a staff member, contractor, or volunteer.
 - c. Sexual abuse of an inmate by another inmate includes the following acts, if the victim does not consent, is coerced into such an act by over 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.
 - d. Sexual abuse of an inmate by a staff member, contractor, or volunteer includes any of the following acts with or without consent of the inmate:
 - 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. 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;
 - d. 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;
 - e. 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;
 - f. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (i.) through (v.) of this definition;
 - g. 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
 - h. Voyeurism by a staff member, contractor, or volunteer.
4. Sexual Harassment
 - a. 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 directed toward another; and
5. Repeated verbal comments or gestures of a sexual nature to an inmate 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. Voyeurism by a staff member, contractor, or volunteer
 - a. 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.
6. Exigent circumstances

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- a. Any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to the security or institutional order of the facility.

PROCEDURES

A. PREA COORDINATOR

1. The Jail Administrator shall designate a PREA Coordinator
2. The PREA Coordinator shall be an individual with sufficient time to develop, implement, and oversee MDC's efforts to comply with the PREA standards
3. The PREA Coordinator is vested with the authority to develop, implement, and oversee MDC's efforts to comply with the PREA standards
4. The PREA Coordinator shall:
 1. Ensure all existing policies comply with PREA requirements;
 2. Coordinate with training staff to ensure that training complies with PREA requirements;
 3. Assist in sexual abuse incident reviews as set forth by this policy;
 4. Oversee data collection as set forth by this policy; and
 5. Coordinate MDC's response to allegations of sexual abuse and harassment.

- B. SEXUAL ABUSE, HARRASSMENT, AND MISCONDUCT PROHIBITED: Any sexual abuse, harassment, and/or misconduct as defined above, whether committed by inmates or staff, contractors, or a volunteer is strictly prohibited.

C. REPORTING REQUIREMENTS

1. Reporting and Investigating Sexual Misconduct
 - a. Inmate Reporting
 - i. Form of report
 - (i) Inmates may report an allegation of sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents by:
 - (ii) Verbally relating the allegation to a staff member, contractor, or volunteer
 - (iii) By submitting a written complaint through the procedure outline by 13.09: Grievance Procedure or through the kiosks located throughout the facility.
 - (iv) A report shall not be rejected solely because it was submitted anonymously
 - ii. Acceptable individuals to report to:
 - (i) An inmate may report an allegation of sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents to any staff member, contractor or volunteer, including any supervisor.
 - iii. An inmate allegation shall not be rejected for failure to report it to a specific staff member.
 - iv. This policy is in place to ensure that inmates are never required to report an allegation to the staff member who is the subject of the allegation.
 - b. An inmate may also report an allegation to any third party, including but not limited to the PREA Crime Tip Line.
2. Staff and Facility Reporting Duties
 - a. Staff shall accept all reports made either verbally or in writing by any inmate or third party
 - b. Staff shall immediately document all verbal reports.
 - c. A report shall not be rejected solely because it was submitted anonymously
 - d. Staff is required to report immediately to the Unit Supervisor, the following:

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- i. any knowledge, suspicion, allegation, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the facility;
 - ii. retaliation against inmates or staff who reported such an incident; and
 - iii. Any staff neglect or violation of responsibilities that may have contributed to any incident or retaliation.
 - e. Staff must report any of the above regardless of the inmate's desire to keep the information confidential.
 - f. Staff must generate an incident report regarding any of the above-listed events.
 - g. The Unit Supervisor is responsible for immediately reporting the incident to the Unit Captain, Assistant Chief, Shift Commander and PREA Unit.
 - h. Apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in facility policy, to make treatment, investigation, and other security and management decisions.
 - i. Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse and to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services.
 - j. If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable person's statute, the MDC shall report the allegations to the designated State or local services agency under applicable mandatory reporting laws.
 - k. The Unit Captain shall report all allegations of sexual abuse or sexual harassment, including third-party and anonymous reports, to the Bernalillo County Sheriff's Office as required by Policy 8.18 and to the Office of Professional Standards.
 3. Reporting to other confinement facilities
 - a. Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the Jail Administrator shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred.
 - b. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.
 - c. The Jail Administrator shall document that he/she has provided such notification.
 - d. When MDC receives a notification from another agency of alleged sexual abuse that occurred in MDC it shall ensure that the allegation is investigated in accordance with Policy 3.35 and PREA standards.
 4. Third party reporting
 - a. MDC receives third party reports from individuals outside the facility through local law enforcement agencies, including the Bernalillo County Sheriff's Office and the Albuquerque Police Department.
 5. A copy of this policy is published on MDC's website.
- D. RESPONDING TO ALLEGATIONS OF SEXUAL MISCONDUCT, SEXUAL CONTACT
SEXUAL ABUSE, AND SEXUAL HARASSMENT
 1. If an employee receives information that an inmate is subject to substantial risk of imminent sexual abuse, the employee will take immediate action to protect the inmate, including, but not limited to:
 - a. Notifying the Unit Supervisor
 - b. If the potential abuser is known, separating the potential victim and potential abuser.
 - c. Temporarily placing the potential victim in protective custody subject to the requirements of the Administrative Segregation Policy
 2. Initial Response – Recent or Active
 - a. Recent incidents are defined as any incident occurring during the prior ninety-six (96) hours.

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- i. Staff members responding to an active scene must ensure that it is safe to respond and should call for assistance if needed.
 - ii. Once it is safe to respond, staff members must ensure the safety and security of the inmate(s).
 - iii. The first staff member to arrive on scene shall be responsible for taking the following actions:
 - (i) Immediately separate the alleged victim(s) and aggressor(s);
 - (ii) If needed, call for medical assistance ;
 - (iii) Report the incident to the Unit Supervisor
 - (iv) Attempt to preserve the crime scene until appropriate steps can be taken to collect any evidence
 - (v) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating
 - (vi) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.
 - b. Any incident in which there is a preponderance of evidence that a crime may have been committed must be immediately referred to local law enforcement for review.
 - c. Responding staff should observe the scene(s) and write down observations as soon as feasible.
 - d. If medical treatment is not needed at the site of the incident, the supervisor shall be responsible for escorting the alleged victim to the medical services unit for evaluation and treatment.
3. Initial Response – Incidents Not Occurring Recently
- a. In the event that a claim of sexual misconduct, sexual contact sexual abuse, or sexual harassment is made that has not occurred in the last ninety-six (96) hours, the responding staff shall use the following protocol:
 - i. Ensure the safety and security of the inmate making the allegation.
 - ii. Immediately report the incident to the Unit Supervisor.
 - iii. The Unit Supervisor is responsible for escorting the inmate to the medical services unit and notifying the PREA Unit of the incident via email.
 - iv. Any incident in which there is a preponderance of evidence that a crime may have been committed must be immediately referred to local law enforcement for review.
4. Medical Services
- a. Any inmate alleging sexual contact or sexual abuse shall be immediately referred to the Medical Services Unit for appropriate examination, documentation, transfer to the local Emergency Department (if needed), testing for sexually transmitted diseases (if needed), counseling, prophylactic treatment, follow up and referral, as needed.
 - b. Referral to medical services shall be made whether injury is apparent or not.
 - c. In the event that an allegation includes physical force, oral sex, vaginal sex, anal sex or penetration of any kind, the following protocol shall be used:

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- i. In the event that the inmate is in need of emergent care, the inmate will receive the necessary treatment to stabilize and will then be transferred to a local emergency room for evaluation and treatment.
- ii. If treated in an emergency room, the local emergency room physician will contact the Sexual Assault Nurse Examiner Unit to determine if the inmate meets criteria to be transferred for forensic examination and treatment.
- iii. If the inmate is not in need of emergent care the inmate will be evaluated and treated by medical staff at the facility.
- iv. If treated at the facility, medical staff will contact the Sexual Assault Nurse Examiner Unit to determine if the inmate meets criteria to be transferred for forensic examination and treatment.

5. Mental Health Services

- a. Any inmate alleging sexual misconduct, sexual contact, sexual abuse, or sexual harassment shall be referred to on-site mental health care providers for an evaluation once urgent or emergent medical care has been provided.
- b. Inmates in need of on-going counseling will be provided with such counseling as determined by facility mental health professionals.

6. Separations

- a. Pending the completion of an investigation, the Unit Supervisor shall ensure that the alleged victim and aggressor are immediately physically separated.
- b. If the allegation involves a staff member, contractor or volunteer, the department will ensure that the staff member, contractor or volunteer is separated through appropriate placement, classification, transfer or leave options while ensuring that the separation does not represent a form of punishment for the inmate.
- c. All efforts shall be made to place the alleged victim in an environment that will, to the extent possible, permit the victim the same level of privileges.
- d. Primary consideration will be to safeguard the well-being and security of the alleged victim and aggressor.

E. PROHIBITION OF RETALIATION

1. Retaliation against any inmate in response to their claim of sexual misconduct, sexual contact, sexual abuse or sexual harassment or in response to their cooperation in reporting or investigating such incidents is prohibited by any staff member, contractor, volunteer or inmate.
2. Retaliation against any staff member, contractor or volunteer in response to their cooperation in reporting or investigating such incidents is prohibited by any staff members, contractors or volunteers.
3. Retaliation is defined as any act of vengeance, covert or overt action or threat of action taken against an individual in response to their claim of sexual misconduct, sexual contact or sexual abuse or cooperation in the reporting or investigation of sexual misconduct, regardless of the disposition or merits of the complaint.
4. Examples of retaliation against inmates include, but are not limited to, the following:
 - a. Unnecessary discipline.
 - b. Verbal or physical intimidation.
 - c. Unnecessary changes in housing classification.
 - d. Unnecessary changes in work or program assignments.
 - e. Unjustified denials of privileges or services.
 - i. MDC shall protect all staff and inmates who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff,

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- ii. The Jail Administrator shall designate a Retaliation Monitor to monitor retaliation.
 - iii. The Retaliation Monitor shall ensure that multiple protection measures are employed to protect victims or witnesses to sexual abuse or harassment and any individuals who express a fear of retaliation including:
 - f. Housing transfers of alleged abusers
 - g. Housing transfers of alleged victims (subject to the requirements set forth in Policy 17.00)
5. Emotional support services for victim or other individual who express a fear of retaliation
- a. For at least 90 days following a report of sexual misconduct, sexual abuse or sexual harassment, the Retaliation Monitor shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and shall act promptly to remedy any such retaliation.
 - i. Items the Retaliation Monitor shall monitor include:
 - (i) Inmate disciplinary reports.
 - (ii) Housing or program changes
 - (iii) Negative performance reviews or reassignments of staff
 - (iv) Periodic status checks (inmates only)
 - b. The Retaliation Monitor shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.
 - c. The Retaliation Monitor's obligation to monitor shall terminate if the facility determines that the allegation is unfounded. In the case of inmates, such monitoring shall also include periodic status checks.

F. INTERFERENCE WITH OFFICIAL PROCESS

- 1. Interference by any staff member, contractor or volunteer in the reporting and /or investigation of an allegation or incident of sexual misconduct, sexual contact, sexual abuse or sexual harassment is prohibited.
- 2. Interference with official process includes, but is not limited to:
 - a. Any failure to report an incident of sexual misconduct, sexual contact, sexual abuse, or sexual harassment whether directly involved or not.
 - b. Any attempt to "cover up" or otherwise hide an incident of sexual misconduct.
 - c. Any failure to cooperate fully with an investigation or inquiry.
 - d. The making of a false statement or allegation that the party or witness knew could not have been true.

G. DISCIPLINARY ACTION

- 1. Disciplinary sanctions for staff
 - a. Staff members shall be subject to disciplinary action up to and including criminal investigation and termination for incidents including but not limited to:
 - i. Failing to report any allegation of sexual misconduct, sexual harassment, or sexual abuse.
 - ii. Substantiated involvement in sexual misconduct, sexual harassment or sexual abuse of inmates.
 - iii. Knowingly making a false allegation of sexual misconduct, sexual harassment or sexual abuse. False allegations do not include claims that cannot be substantiated but were otherwise made with good intent.
 - iv. Violating facility sexual abuse sexual harassment, or sexual misconduct policies.
 - b. In the event that there is a substantiated finding of sexual misconduct, sexual harassment or sexual abuse that is possibly a violation of state statute, a copy of the

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report along with any supporting documentation will be forwarded to local law enforcement for review and potential charges.

- i. Termination shall be the presumptive disciplinary sanction for any staff member who is found to have engaged in sexual abuse.
 - ii. Disciplinary sanction for violations of MDC policies related to sexual abuse sexual harassment, or sexual misconduct, other than actually engaging in sexual abuse, shall be commensurate with the nature and circumstance of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.
 - iii. All terminations for violations of facility sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement, unless the activity was clearly not criminal, and to any relevant licensing bodies.
 - iv. The standards set forth in this policy take precedence, where inconsistent with Policy 3.34: Disciplinary Procedures. All non-conflicting portions of Policy 3.34: Disciplinary Procedures will apply to discipline under this section.
2. Corrective action for contractors and volunteers
- a. Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and shall be reported to law enforcement unless the activity was clearly not criminal and relevant licensing bodies.
 - i. The facility takes appropriate remedial measures, and considers whether to prohibit further contact with inmates, in the case of any other violation of facility sexual abuse or sexual harassment policies by a contractor or volunteer.
 - b. Disciplinary sanctions for inmates
 - i. Disciplinary sanctions for inmates are controlled by Chapter 14 of this Policy and Procedures Manual.

H. EMPLOYEE ASSISTANCE PROGRAMS

1. In the event that an employee feels that they are having difficulty maintaining professional boundaries with inmates, they are encouraged to seek help from the Employee Assistance Program.
2. It is recommended and encouraged that any employee who is the subject or a witness in a sexual misconduct investigation seek assistance from the employee assistance program.
3. Any employee who acts as the aggressor in a substantiated case of sexual misconduct that does not result in the termination of that employee may be required by the department to attend a minimum number of counseling sessions through the employee assistance program.

I. MANDATORY TRAINING FOR STAFF

1. All staff who have contact with inmates shall be trained on the following topics:
 - a. MDC's zero tolerance policy for sexual abuse and sexual harassment;
 - b. How to fulfill requirements for prevention, detection, reporting, and response to sexual abuse and sexual harassment as set forth in this policy;
 - c. Inmates' right to be free from sexual abuse and harassment by both other inmates and staff members, contractors, and volunteer
 - d. Inmates' to be free from retaliation for reporting sexual abuse and sexual harassment;
 - e. The dynamics of sexual abuse and sexual harassment in confinement;
 - f. The common reactions of sexual abuse and sexual harassment victims;
 - g. How to detect and respond to signs of threatened and actual sexual abuse;
 - h. How to avoid inappropriate relationships with inmates;
 - i. How to communicate effectively and professionally with inmates, including: lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates;

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- j. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities
 - i. Because MDC houses both male and female inmates, the above-listed training will include considerations relevant to both genders
 - ii. All current employees who have not received such training shall be trained within one year of the effective date of the PREA standards, and MDC shall provide each employee with refresher training every two years to ensure that all employees know MDC's current sexual abuse and sexual harassment policies and procedures. In years in which an employee does not receive refresher training, the MDC shall provide refresher information on current sexual abuse and sexual harassment policies.
 - iii. All such training shall be documented.
2. Documentation of training shall include verification by each employee that the employee understands the training he/she received.

J. INFORMATION PROVIDED TO INMATES

1. Inmates will be provided information concerning staff on inmate and inmate on inmate sexual misconduct, sexual harassment, and sexual abuse through the following mechanisms:
 - a. Initial Inmate Orientation
 - b. Inmate Handbook
 - c. Informational Posters in Housing Areas

K. SEXUAL ABUSE INCIDENT REVIEWS

1. MDC 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 and the PREA Coordinator 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 at the facility;
 - c. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
 - d. Assess the adequacy of staff levels in that area during different shifts;
 - 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 (i) through (v) of this section, any recommendations for improvement and submit such report to the facility Jail Administrator.
5. MDC shall implement the review team's recommendations for improvement, or shall document its reasons for not doing so.

L. PUBLICATION

1. The MDC shall publish this policy and how an individual would report allegations of sexual abuse or sexual harassment on its website.

M. DATA COLLECTION AND REVIEW OF SEXUAL ABUSE

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1. The PREA Coordinator 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 PREA Coordinator shall aggregate the incident-based sexual abuse data at least annually.
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.
4. The PREA Coordinator shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.
5. The PREA Coordinator also shall obtain incident- based and aggregated data from every private facility with which it contracts for the confinement of its inmates.
6. Upon request, MDC shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.
7. The PREA Coordinator shall review data collected and aggregated pursuant to this policy in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by:
 - a. Identifying problem areas;
 - b. Taking corrective action on an ongoing basis; and
 - c. Preparing an annual report of its findings and corrective actions for MDC
 - i. 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 MDC's progress in addressing sexual abuse.
 - ii. The PREA report shall be approved by the Jail Administrator and made readily available to the public through MDC's website.
 - iii. The PREA Coordinator may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.
 - d. The PREA Coordinator shall ensure that data collected pursuant to this policy is securely retained.
 - e. The PREA Coordinator shall make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its Web site or, if it does not have one, through other means.
 - f. Before making aggregated sexual abuse data publicly available, the PREA Coordinator shall remove all personal identifiers.
 - g. MDC shall maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.