



# **2021 PREA Annual Report**



# NEW MEXICO CORRECTIONS DEPARTMENT

Cabinet Secretary  
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The **New Mexico Corrections Department** is committed to providing safe and professional institutions where those entrusted to our care have opportunities for positive personal growth. Inside the prison, incidents of sexual abuse against incarcerated persons have not been taken as seriously as sexual abuse outside of prison. Sexual abuse should never be punishment for a crime.

Sexual abuse is a crime and it does not matter if the victims have committed crimes of their own. Rape has long-lasting consequences for the victims, for the security of the facilities, and for the well-being of the communities to which most incarcerated persons will return.

The PRISON RAPE ELIMINATION ACT (PREA) standard §115.88 requires the agency collect and review data in order to assess and improve the effectiveness of its sexual abuse prevention, detention, and response policies, practices, and training.

This report is intended to provide information for the calendar year 2021 and is intended to:

- Compare the current years data with those from previous years; and
- Assess the agency's progress in addressing sexual abuse within the facilities.
- Identify problem areas, taking corrective action on an ongoing basis within all NMCD facilities
- Ensure the ethical treatment of all individuals in our care.

Rachel A. Muniz  
PREA Compliance Bureau Chief

December 20, 2022  
Date

## PURPOSE AND SCOPE

The Prison Rape Elimination Act (PREA) was signed into Federal Law in September 2003 following unanimous support from both parties in the United States Congress. The purpose of the act is to "provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions, to provide information, resources, recommendations and funding to protect individuals from prison rape". PREA also mandated the publication of standards to ensure compliance and improve detection and response strategies in addressing sexual abuse and assault. The final standards were published in the federal register on June 20, 2012 and became effective on August 20, 2012.

This report provides a review of the aggregated data for calendar year 2021 and a comparison of aggregated data for calendar year 2020. To date, all facilities within the New Mexico Corrections Department have been found in compliance.

## DEFINITIONS RELATED TO SEXUAL ABUSE

**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:**

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

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- Contact between the mouth and the penis, vulva, or anus;
- 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;
- 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;
- 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;
- Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)-(5) of this section;
- 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.

### **Sexual Misconduct:**

- Any behavior or act of a sexual nature directed towards an offender by another offender, a department employee, contractor, volunteer, visitor or department representative.

### **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:

- 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
- 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.

## INVESTIGATIONS

Alleged PREA violations are reported in a timely manner and in cases that may constitute a criminal NMCD works with New Mexico State Police. NMCD facilitates investigate on-site, and assist in providing medical care and advocacy for victims of sexual abuse. For internal administrative investigations of PREA incidents, investigators are trained in gathering evidence and interviewing victims of sexual abuse. Training is conducted in accordance with PREA Standard 115.34. Following an investigation, the investigator must determine one of the following conclusions on a case:

**Substantiated:** an allegation was determined to have occurred based on a preponderance of evidence.

**Unsubstantiated:** evidence was insufficient to make a final determination that the allegation was true or false.

**Unfounded:** the allegation was investigated and determined to not have occurred.

**Pending:** An investigation has not been completed.

## 2021 PREA AUDITS

All NMCD PREA audits were performed by contracted DOJ Certified auditors.  
No corrective actions were issued in 2021.

| 2021 PREA AUDIT OUTCOMES                            |                 |                     |                     |       |
|---|-----------------|---------------------|---------------------|-------|
| FACILITY  | # Standards Met | # Standards Not Met | # Exceeds Standards | SCORE |
| Lea County Correctional Facility (LCCF)             | 42              | 0                   | 3                   | 100%  |
| New Mexico Men's Recovery Academy (NMMRA)           | 36              | 0                   | 5                   | 100%  |
| New Mexico Women's Recovery Academy (NMWRA)         | 36              | 0                   | 5                   | 100%  |
| Northwest New Mexico Correctional Facility (NWNMCF) | 39              | 0                   | 6                   | 100%  |
| Western New Mexico Correctional Facility (WNMCF)    | 44              | 0                   | 1                   | 100%  |

## AGENCY ACCOMPLISHMENTS IN 2021

- NMCD has hired and trained seven new full-time PREA Compliance Managers in addition to the three compliance officers previously in place. These positions are solely dedicated to PREA compliance, staff training, and assisting inmates with PREA questions and/or cases.
- NMCD has decreased the amount of time it takes to investigate and close these cases by increasing the number of trained and qualified investigators within the agency.
- During 2021 Both RCC and WNMCF had a period of corrective action from their 2020 audits and all required corrections were made within the specified time frames.

## DATA COLLECTION

In previous years, NMCD struggled with collecting uniform data for all allegations received. Allegations were tracked utilizing a

Microsoft Access database which was prone to user error with no uniformity in the way allegations were classified. NMCD received a grant that allowed for the creation of the PREA Incident Management System (PIMS). The system allows NMCD to collect accurate, uniform data using a standardized instrument and set of definitions for each allegation received.

## SOURCE OF ALLEGATIONS

NMCD provides internal and external ways for inmates or staff to report abuse. During the calendar year 2021, the manner in which the allegation was reported is as follows (this includes all cases; substantiated, unsubstantiated, or unfounded).

| How Incident Was Reported                                     | Total |
|---|-------|
| Inmate/Victim Report  | 85    |
| Staff Report  | 9     |
| Confidential Informant, Anonymous Tip, Third Party or Hotline | 15    |

## DATA REVIEW AND ASSESSMENT

| 2021 INMATE ON INMATE SEXUAL ABUSE                     |      |               |                 |           |          |           |
|--|------|---------------|-----------------|-----------|----------|-----------|
| FACILITY   | *ADP | SUBSTANTIATED | UNSUBSTANTIATED | UNFOUNDED | PENDING  | TOTAL     |
| Central New Mexico Correctional Facility (CNMCF)       | 596  | 0             | 0               | 0         | 0        | 0         |
| Guadalupe County Correctional Facility (GCCF)          | 339  | 0             | 1               | 0         | 0        | 1         |
| Lea County Correctional Facility (LCCF)                | 1114 | 0             | 2               | 1         | 0        | 3         |
| New Mexico Men's Recovery Academy (NMMRA)              | 71   | 0             | 1               | 0         | 0        | 1         |
| New Mexico Women's Recovery Academy (NMWRA)            | 30   | 0             | 0               | 0         | 0        | 0         |
| Northeastern New Mexico Correctional Facility (NENMCF) | 454  | 0             | 0               | 2         | 0        | 2         |
| Northwest New Mexico Correctional Center (NNMCC)       | 492  | 1             | 0               | 1         | 0        | 2         |
| Otero County Prison Facility (OCPF)                    | 549  | 1             | 0               | 0         | 0        | 1         |
| Penitentiary of New Mexico (PNM)                       | 681  | 0             | 0               | 0         | 0        | 0         |
| Roswell Correctional Center (RCC)                      | 265  | 1             | 0               | 0         | 0        | 1         |
| Southern New Mexico Correctional Facility (SNMCF)      | 646  | 0             | 0               | 1         | 0        | 1         |
| Springer Correctional Center (SWF/SCC)                 | 214  | 0             | 1               | 0         | 0        | 1         |
| Western New Mexico Correctional Facility (WNMCF)       | 317  | 0             | 3               | 1         |          | 4         |
| <b>TOTALS</b>  |      | <b>3</b>      | <b>8</b>        | <b>6</b>  | <b>0</b> | <b>17</b> |

\*ADP is the Average Daily Population

| 2021 STAFF ON INMATE SEXUAL MISCONDUCT                 |      |               |                 |           |          |           |
|--|------|---------------|-----------------|-----------|----------|-----------|
| FACILITY   | *ADP | SUBSTANTIATED | UNSUBSTANTIATED | UNFOUNDED | PENDING  | TOTAL     |
| Central New Mexico Correctional Facility (CNMCF)       | 596  | 0             | 1               | 0         | 0        | 1         |
| Guadalupe County Correctional Facility (GCCF)          | 339  | 0             | 0               | 0         | 0        | 0         |
| Lea County Correctional Facility (LCCF)                | 1114 | 1             | 1               | 1         | 0        | 3         |
| New Mexico Men's Recovery Academy (NMMRA)              | 71   | 0             | 0               | 0         | 0        | 0         |
| New Mexico Women's Recovery Academy (NMWRA)            | 30   | 0             | 0               | 0         | 0        | 0         |
| Northeastern New Mexico Correctional Facility (NENMCF) | 454  | 0             | 1               | 0         | 0        | 1         |
| Northwest New Mexico Correctional Center (NNMCC)       | 492  | 1             | 2               | 1         | 0        | 4         |
| Otero County Prison Facility (OCPF)                    | 549  | 1             | 0               | 3         | 0        | 4         |
| Penitentiary of New Mexico (PNM)                       | 681  | 1             | 0               | 2         | 0        | 3         |
| Roswell Correctional Center (RCC)                      | 265  | 0             | 0               | 3         | 0        | 3         |
| Southern New Mexico Correctional Facility (SNMCF)      | 646  | 0             | 0               | 0         | 0        | 0         |
| Springer Correctional Center (SWF/SCC)                 | 214  | 0             | 0               | 3         | 0        | 3         |
| Western New Mexico Correctional Facility (WNMCF)       | 317  | 0             | 1               | 8         | 0        | 9         |
| <b>TOTALS</b>  |      | <b>4</b>      | <b>6</b>        | <b>21</b> | <b>0</b> | <b>31</b> |



| 2021 INMATE ON INMATE SEXUAL HARRASSMENT               |      |               |                 |           |          |           |
|--|------|---------------|-----------------|-----------|----------|-----------|
| FACILITY   | *ADP | SUBSTANTIATED | UNSUBSTANTIATED | UNFOUNDED | PENDING  | TOTAL     |
| Central New Mexico Correctional Facility (CNMCF)       | 596  | 1             | 1               | 1         | 0        | 3         |
| Guadalupe County Correctional Facility (GCCF)          | 339  | 0             | 1               | 0         | 0        | 1         |
| Lea County Correctional Facility (LCCF)                | 1114 | 0             | 2               | 0         | 0        | 2         |
| New Mexico Men's Recovery Academy (NMMRA)              | 71   | 0             | 0               | 0         | 0        | 1         |
| New Mexico Women's Recovery Academy (NMWRA)            | 30   | 1             | 0               | 0         | 0        | 0         |
| Northeastern New Mexico Correctional Facility (NENMCF) | 454  | 0             | 1               | 0         | 0        | 1         |
| Northwest New Mexico Correctional Center (NNMCC)       | 492  | 1             | 0               | 0         | 0        | 1         |
| Otero County Prison Facility (OCPF)                    | 549  | 0             | 1               | 0         | 0        | 1         |
| Penitentiary of New Mexico (PNM)                       | 681  | 0             | 2               | 0         | 0        | 2         |
| Roswell Correctional Center (RCC)                      | 265  | 0             | 0               | 0         | 0        | 0         |
| Southern New Mexico Correctional Facility (SNMCF)      | 646  | 0             | 1               | 0         | 0        | 1         |
| Springer Correctional Center (SWF/SCC)                 | 214  | 0             | 0               | 1         | 0        | 1         |
| Western New Mexico Correctional Facility (WNMCF)       | 317  | 0             | 1               | 0         | 0        | 1         |
| <b>TOTALS</b>  |      | <b>3</b>      | <b>10</b>       | <b>2</b>  | <b>0</b> | <b>15</b> |

| 2021 STAFF ON INMATE SEXUAL HARRASSMENT                |      |               |                 |           |          |           |
|--|------|---------------|-----------------|-----------|----------|-----------|
| FACILITY   | *ADP | SUBSTANTIATED | UNSUBSTANTIATED | UNFOUNDED | PENDING  | TOTAL     |
| Central New Mexico Correctional Facility (CNMCF)       | 596  | 1             | 7               | 7         | 0        | 15        |
| Guadalupe County Correctional Facility (GCCF)          | 339  | 0             | 2               | 1         | 0        | 3         |
| Lea County Correctional Facility (LCCF)                | 1114 | 0             | 2               | 2         | 0        | 4         |
| New Mexico Men's Recovery Academy (NMMRA)              | 71   | 0             | 0               | 0         | 0        | 0         |
| New Mexico Women's Recovery Academy (NMWRA)            | 30   | 0             | 0               | 0         | 0        | 0         |
| Northeastern New Mexico Correctional Facility (NENMCF) | 454  | 0             | 1               | 1         | 0        | 2         |
| Northwest New Mexico Correctional Center (NNMCC)       | 492  | 0             | 0               | 1         | 0        | 1         |
| Otero County Prison Facility (OCPF)                    | 549  | 1             | 0               | 0         | 0        | 1         |
| Penitentiary of New Mexico (PNM)                       | 681  | 0             | 3               | 0         | 0        | 3         |
| Roswell Correctional Center (RCC)                      | 265  | 0             | 0               | 1         | 0        | 1         |
| Southern New Mexico Correctional Facility (SNMCF)      | 646  | 0             | 0               | 1         | 0        | 1         |
| Springer Correctional Center (SWF/SCC)                 | 214  | 1             | 0               | 0         | 0        | 1         |
| Western New Mexico Correctional Facility (WNMCF)       | 317  | 1             | 2               | 6         | 0        | 9         |
| <b>TOTALS</b>  |      | <b>4</b>      | <b>17</b>       | <b>20</b> | <b>0</b> | <b>41</b> |

## DATA REVIEW AND ANALYSIS

| TYPE OF REPORT                     | TOTAL CASES | PERCENTAGE OF TOTAL |
|------------------------------------|-------------|---------------------|
| Inmate on Inmate Sexual Harassment | 15          | 16%                 |
| Staff on Inmate Sexual Harassment  | 28          | 30%                 |
| Inmate on Inmate Sexual Abuse      | 17          | 19%                 |
| Staff on Inmate Sexual Misconduct  | 32          | 35%                 |
| <b>TOTAL CASES</b>                 | <b>92</b>   |                     |

| SUBSTANTIATED                      | 2018      | 2019      | 2020     | 2021      |
|------------------------------------|-----------|-----------|----------|-----------|
| Inmate on Inmate Sexual Harassment | 4         | 4         | 3        | 4         |
| Staff on Inmate Sexual Harassment  | 3         | 6         | 1        | 4         |
| Inmate on Inmate Sexual Abuse      | 1         | 2         | 0        | 3         |
| Staff on Inmate Sexual Misconduct  | 7         | 3         | 4        | 4         |
| <b>TOTAL CASES</b>                 | <b>15</b> | <b>15</b> | <b>8</b> | <b>15</b> |

**FACILITY SPECIFIC DATA AND SUMMARY**

NMCD has ten prisons and two community corrections programs within the state of New Mexico. There are eight public facilities and two privately operated facilities.

**Central New Mexico Correctional Facility (CNMCF)**, located in Los Lunas, New Mexico and was originally built in 1980. Today Central New Mexico Correctional Facility has become a complex of Level I, Level II and has multiple missions that include: Reception and Diagnostic Center, Mental Health Treatment Center (MHTC), Long Term Care Unit and Geriatric Unit.

| <b>Central New Mexico Correctional Facility (CNMCF)</b> |                      |                        |                  |                |
|---|----------------------|------------------------|------------------|----------------|
| <b>2021</b>   | <b>SUBSTANTIATED</b> | <b>UNSUBSTANTIATED</b> | <b>UNFOUNDED</b> | <b>PENDING</b> |
| INMATE ON INMATE SEXUAL ABUSE                           | 0                    | 0                      | 0                | 0              |
| INMATE ON INMATE SEXUAL HARRASSMENT                     | 1                    | 1                      | 1                | 0              |
| STAFF ON INMATE SEXUAL MISCONDUCT                       | 0                    | 1                      | 0                | 0              |
| STAFF ON INMATE SEXUAL ABUSE                            | 0                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL HARRASSMENT                      | 1                    | 7                      | 7                | 0              |
|   | <b>2</b>             | <b>9</b>               | <b>8</b>         | <b>0</b>       |

**Guadalupe County Correctional Facility (GCCF)** is located just off of South Highway 54, two miles southwest of Santa Rosa, New Mexico. Santa Rosa lies approximately 120 miles east of Albuquerque, New Mexico and 160 miles west of Amarillo, Texas. Santa Rosa is the county seat of Guadalupe County and has a population of approximately 2,700. The city is located on Historic Route 66. NMCD began operating the facility in 2021.

| <b>Guadalupe County Correctional Facility (GCCF)</b> |                      |                        |                  |                |
|--|----------------------|------------------------|------------------|----------------|
| <b>2021</b>  | <b>SUBSTANTIATED</b> | <b>UNSUBSTANTIATED</b> | <b>UNFOUNDED</b> | <b>PENDING</b> |
| INMATE ON INMATE SEXUAL ABUSE                        | 0                    | 1                      | 0                | 0              |
| INMATE ON INMATE SEXUAL HARRASSMENT                  | 0                    | 1                      | 0                | 0              |
| STAFF ON INMATE SEXUAL MISCONDUCT                    | 0                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL ABUSE                         | 0                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL HARRASSMENT                   | 0                    | 0                      | 0                | 0              |
|  | <b>0</b>             | <b>2</b>               | <b>0</b>         | <b>0</b>       |

**Lea County Correctional Facility (LCCF)** is a private prison that is owned and operated by the GEO Group, Inc. through agreement with the State of New Mexico. The facility is located on sixty acres of property that is owned by the GEO Group Inc. The facility is located approximately four miles outside of the city of Hobbs, New Mexico. The facility was constructed in 1997 and was occupied with its first inmates in 1998. The facility holds inmates who are committed to the custody of the New Mexico Department of Corrections.

| <b>Lea County Correctional Facility (LCCF)</b> |                      |                        |                  |                |
|--|----------------------|------------------------|------------------|----------------|
| <b>2021</b>                                    | <b>SUBSTANTIATED</b> | <b>UNSUBSTANTIATED</b> | <b>UNFOUNDED</b> | <b>PENDING</b> |
| INMATE ON INMATE SEXUAL ABUSE                  | 0                    | 2                      | 1                | 0              |
| INMATE ON INMATE SEXUAL HARRASSMENT            | 0                    | 2                      | 0                | 0              |
| STAFF ON INMATE SEXUAL MISCONDUCT              | 1                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL ABUSE                   | 0                    | 1                      | 1                | 0              |
| STAFF ON INMATE SEXUAL HARRASSMENT             | 0                    | 2                      | 2                | 0              |
|  | <b>1</b>             | <b>7</b>               | <b>4</b>         | <b>0</b>       |

**New Mexico Men's Recovery Academy (NMMRA)** New Mexico Men's Recovery Academy (NMMRA) is located in Los Lunas, New Mexico. This facility is operated by the GEO Group, Inc. through agreement with the State of New Mexico. The physical plant design, physical and video surveillance and security features are adequate for the supervision and monitoring of the residents/clients. The facility is able to house one hundred and fifty-four (154) male residents in a campus style institution with four (4) independent living units. The units contain bedrooms (multiple and single bunks), bathroom, kitchens and dayrooms.

| <b>New Mexico Men's Recovery Academy (NMMRA)</b> |                      |                        |                  |                |
|--|----------------------|------------------------|------------------|----------------|
| <b>2021</b>                                      | <b>SUBSTANTIATED</b> | <b>UNSUBSTANTIATED</b> | <b>UNFOUNDED</b> | <b>PENDING</b> |
| INMATE ON INMATE SEXUAL ABUSE                    | 0                    | 1                      | 0                | 0              |
| INMATE ON INMATE SEXUAL HARRASSMENT              | 0                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL MISCONDUCT                | 0                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL ABUSE                     | 0                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL HARRASSMENT               | 0                    | 0                      | 0                | 0              |
|  | <b>0</b>             | <b>1</b>               | <b>0</b>         | <b>0</b>       |

**New Mexico Women's Recovery Academy (NMWRA)** New Mexico Women's Recovery Academy (NMWRA) is located in Albuquerque, New Mexico. It is facility New Mexico Corrections Department facility that is operated by the GEO Group, Inc. through agreement with the State of New Mexico. The physical plant design, physical and video surveillance and security features are adequate for the supervision and monitoring of the residents/clients.

| <b>New Mexico Women's Recovery Academy (NMWRA)</b> |                      |                        |                  |                |
|--|----------------------|------------------------|------------------|----------------|
| <b>2021</b>  | <b>SUBSTANTIATED</b> | <b>UNSUBSTANTIATED</b> | <b>UNFOUNDED</b> | <b>PENDING</b> |
| INMATE ON INMATE SEXUAL ABUSE                      | 0                    | 0                      | 0                | 0              |
| INMATE ON INMATE SEXUAL HARRASSMENT                | 1                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL MISCONDUCT                  | 0                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL ABUSE                       | 0                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL HARRASSMENT                 | 0                    | 0                      | 0                | 0              |
|  | <b>1</b>             | <b>0</b>               | <b>0</b>         | <b>0</b>       |

**Northeast New Mexico Correctional Facility (NENMCF)** is a 179,264 square foot prison located on 70 acres. It is located 4 miles east of Clayton New Mexico, between State Highway 7 and State Highway 56/64. In November 2019, the facility transferred from privately operated to public facility. Construction of NENMCF began in 2006, and NENMCF received its first inmates on August 4, 2008. The mission of the Northeast New Mexico Correctional Facility is to confine offenders in a safe, humane, and secure environment, to provide positive self- improvement opportunities for staff and inmates: and to establish and maintain a safe, supportive workplace for all employees.

| <b>Northeast New Mexico Correctional Facility (NENMCF)</b> |                      |                        |                  |                |
|--|----------------------|------------------------|------------------|----------------|
| <b>2021</b>  | <b>SUBSTANTIATED</b> | <b>UNSUBSTANTIATED</b> | <b>UNFOUNDED</b> | <b>PENDING</b> |
| INMATE ON INMATE SEXUAL ABUSE                              | 0                    | 0                      | 2                | 0              |
| INMATE ON INMATE SEXUAL HARRASSMENT                        | 0                    | 1                      | 0                | 0              |
| STAFF ON INMATE SEXUAL MISCONDUCT                          | 0                    | 1                      | 0                | 0              |
| STAFF ON INMATE SEXUAL ABUSE                               | 0                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL HARRASSMENT                         | 0                    | 1                      | 1                | 0              |
|  | <b>0</b>             | <b>3</b>               | <b>3</b>         | <b>0</b>       |

**Northwest New Mexico Correctional Center (NNMCC)**, is located in Grants, New Mexico. On June 15, 1989, Northwest opened its doors to 149 female inmates. In July, 2016, a new contract was signed between CCA and the New Mexico Corrections Department which changed the mission from housing adult females to housing convicted



adult males for the State of New Mexico. NMCD took over operations of this facility in November of 2021 and the facility is now named **WNMCF South**.

| <b>Northwest New Mexico Correctional Center (NNMCC)</b> |                      |                        |                  |                |
|---|----------------------|------------------------|------------------|----------------|
| <b>2021</b>   | <b>SUBSTANTIATED</b> | <b>UNSUBSTANTIATED</b> | <b>UNFOUNDED</b> | <b>PENDING</b> |
| INMATE ON INMATE SEXUAL ABUSE                           | 1                    | 0                      | 1                | 0              |
| INMATE ON INMATE SEXUAL HARRASSMENT                     | 1                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL MISCONDUCT                       | 1                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL ABUSE                            | 0                    | 2                      | 1                | 0              |
| STAFF ON INMATE SEXUAL HARRASSMENT                      | 0                    | 0                      | 1                | 0              |
|   | <b>3</b>             | <b>2</b>               | <b>3</b>         | <b>0</b>       |

The **Otero County Prison Facility (OCPF)** is a medium security prison operated by the Management & Training Corporation (MTC). The institution is located on a 12-15 acre site near the town of Chaparral, New Mexico, and approximately 27 miles north of El Paso, Texas. Original construction of the facility was in October, 2003, and had a bed capacity of 658. This has been increased over the years to the current capacity of 1420 beds.

| <b>The Otero County Prison Facility (OCPF)</b> |                      |                        |                  |                |
|--|----------------------|------------------------|------------------|----------------|
| <b>2021</b>                                    | <b>SUBSTANTIATED</b> | <b>UNSUBSTANTIATED</b> | <b>UNFOUNDED</b> | <b>PENDING</b> |
| INMATE ON INMATE SEXUAL ABUSE                  | 1                    | 0                      | 0                | 0              |
| INMATE ON INMATE SEXUAL HARRASSMENT            | 0                    | 1                      | 0                | 0              |
| STAFF ON INMATE SEXUAL MISCONDUCT              | 1                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL ABUSE                   | 0                    | 0                      | 3                | 0              |
| STAFF ON INMATE SEXUAL HARRASSMENT             | 1                    | 0                      | 0                | 0              |
|  | <b>3</b>             | <b>1</b>               | <b>3</b>         | <b>0</b>       |

**Penitentiary of New Mexico (PNM)** is located along the old Turquoise Trail, 14 miles south of Santa Fe New Mexico. PNM is the State's only super-max facility, housing the highest security classification of inmates in the State of New Mexico. The PNM Complex is comprised of three facilities housing male inmates in 1) MRU (previously Categorized as a minimum restricted unit); 2) South Special Management Unit (previously categorized as a close custody unit); and 3) North Special Management Unit for the highest security classification of offenders.

| <b>Penitentiary of New Mexico (PNM)</b> |                      |                        |                  |                |
|---|----------------------|------------------------|------------------|----------------|
| <b>2021</b>                             | <b>SUBSTANTIATED</b> | <b>UNSUBSTANTIATED</b> | <b>UNFOUNDED</b> | <b>PENDING</b> |
| INMATE ON INMATE SEXUAL ABUSE           | 0                    | 0                      | 0                | 0              |
| INMATE ON INMATE SEXUAL HARRASSMENT     | 0                    | 2                      | 0                | 0              |
| STAFF ON INMATE SEXUAL MISCONDUCT       | 1                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL ABUSE            | 0                    | 0                      | 2                | 0              |
| STAFF ON INMATE SEXUAL HARRASSMENT      | 0                    | 3                      | 0                | 0              |
|   | <b>1</b>             | <b>5</b>               | <b>2</b>         | <b>0</b>       |

**Roswell Correctional Center (RCC)**, located outside Hagerman, New Mexico, a small Southeast New Mexico Community. The Center was established in 1978 as a Level I prison, with a population of sixty-five (65) inmates. In January 2000, NMCD determined that it needed additional level II beds, at which time the center's custody level increased from a level I to a Level II facility, with a capacity to house three hundred and forty (340) inmates.

| <b>Roswell Correctional Center (RCC)</b> |                      |                        |                  |                |
|--|----------------------|------------------------|------------------|----------------|
| <b>2021</b>                              | <b>SUBSTANTIATED</b> | <b>UNSUBSTANTIATED</b> | <b>UNFOUNDED</b> | <b>PENDING</b> |

|                                     |          |          |          |          |
|-------------------------------------|----------|----------|----------|----------|
| INMATE ON INMATE SEXUAL ABUSE       | 1        | 0        | 0        | 0        |
| INMATE ON INMATE SEXUAL HARRASSMENT | 0        | 0        | 0        | 0        |
| STAFF ON INMATE SEXUAL MISCONDUCT   | 0        | 0        | 3        | 0        |
| STAFF ON INMATE SEXUAL ABUSE        | 0        | 0        | 0        | 0        |
| STAFF ON INMATE SEXUAL HARRASSMENT  | 0        | 0        | 0        | 0        |
|                                     | <b>1</b> | <b>0</b> | <b>3</b> | <b>0</b> |

**Southern New Mexico Correctional Facility (SNMCF)**, complex is located on the West Mesa near the City of Las Cruces, New Mexico. Las Cruces is the second largest city in New Mexico and is located approximately 40 miles North of El Paso, Texas. The SNMCF (Joe Silva Unit-JSU) Level III facility includes three different custody levels housing a total capacity of 480 inmates. This includes the Level III (General Population), Level IV (Close Custody) and the temporary Restrictive Housing Unit (RHU). The Level IV is Close Custody requiring increased staff supervision, small group-controlled movement and intensive Security Threat Intelligence Unit (STIU) monitoring.

| <b>Southern New Mexico Correctional Facility (SNMCF)</b> |                      |                        |                  |                |
|--|----------------------|------------------------|------------------|----------------|
| <b>2021</b>  | <b>SUBSTANTIATED</b> | <b>UNSUBSTANTIATED</b> | <b>UNFOUNDED</b> | <b>PENDING</b> |
| INMATE ON INMATE SEXUAL ABUSE                            | 0                    | 0                      | 1                | 0              |
| INMATE ON INMATE SEXUAL HARRASSMENT                      | 0                    | 1                      | 0                | 0              |
| STAFF ON INMATE SEXUAL MISCONDUCT                        | 0                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL ABUSE                             | 0                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL HARRASSMENT                       | 0                    | 0                      | 1                | 0              |
|  | <b>0</b>             | <b>1</b>               | <b>2</b>         | <b>0</b>       |

**Springer Correctional Center (SCC)**, consists of 36 buildings on 40 acres and is located 2.5 miles west of the town of Springer, New Mexico on State Highway 468. SCC began operations as an adult male Level I and Level II facility with 25 offenders in 2007. Since then, the offender population at SCC has grown to over 400 offenders and has transitioned to an adult female facility. SCC inmates are offered similar treatment and academic opportunities that are available to male offenders. However, SCC offers programs that are trauma-informed and address women's gender-based needs. These include but are not limited to substance abuse treatment, educational programs employment skills development, and economic knowledge.

| <b>Springer Correctional Center (SCC)</b> |                      |                        |                  |                |
|---|----------------------|------------------------|------------------|----------------|
| <b>2021</b>                               | <b>SUBSTANTIATED</b> | <b>UNSUBSTANTIATED</b> | <b>UNFOUNDED</b> | <b>PENDING</b> |
| INMATE ON INMATE SEXUAL ABUSE             | 0                    | 1                      | 1                | 0              |
| INMATE ON INMATE SEXUAL HARRASSMENT       | 0                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL MISCONDUCT         | 0                    | 0                      | 0                | 0              |
| STAFF ON INMATE SEXUAL ABUSE              | 0                    | 0                      | 3                | 0              |
| STAFF ON INMATE SEXUAL HARRASSMENT        | 1                    | 0                      | 0                | 0              |
|   | <b>1</b>             | <b>1</b>               | <b>4</b>         | <b>0</b>       |

**Western New Mexico Correctional Facility (WNMCF)**, is located in Cibola County, City of Grants, New Mexico. The facility was established in 1984 as an adult female facility for the Department. The facility also served as the Reception and Diagnostic Center (RDC) for NMCD until a mission change occurred in 1999. From 1999-2016 WNMCF served as medium level II general population adult male facility. In October 2016 the mission of WNMCF changed and the facility again became the RDC for female offenders as well as a Level III General Population, Level IV General Population and the Special Management Facility for the Department.

| <b>Western New Mexico Correctional Facility (WNMCF)</b> |                      |                        |                  |                |
|---|----------------------|------------------------|------------------|----------------|
| <b>2021</b>   | <b>SUBSTANTIATED</b> | <b>UNSUBSTANTIATED</b> | <b>UNFOUNDED</b> | <b>PENDING</b> |

|                                     |          |          |           |          |
|-------------------------------------|----------|----------|-----------|----------|
| INMATE ON INMATE SEXUAL ABUSE       | 0        | 3        | 1         | 0        |
| INMATE ON INMATE SEXUAL HARRASSMENT | 0        | 1        | 0         | 0        |
| STAFF ON INMATE SEXUAL MISCONDUCT   | 0        | 0        | 0         | 0        |
| STAFF ON INMATE SEXUAL ABUSE        | 0        | 2        | 8         | 0        |
| STAFF ON INMATE SEXUAL HARRASSMENT  | 1        | 2        | 6         | 0        |
|                                     | <b>1</b> | <b>8</b> | <b>15</b> | <b>0</b> |

## ANALYSIS of SUBSTANTIATED Abuse and Sexual Misconduct

NMCD mandates zero tolerance towards all forms of sexual abuse and sexual harassment in all facilities. It is the policy of NMCD that sexual misconduct between employee, contract staff, contractors, volunteers and inmates, regardless of consensual status, is prohibited and subject to administrative and criminal sanctions.

- In analysis of all substantiated allegations, the circumstances involved did not require agency-wide corrective action i.e. changes to policy, local procedures or issuance of directives etc.
- None of the substantiated incidents appear to have been motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex (LGBTI) identification, status or perceived status.
- A review of locations in which incidents occurred, physical barriers did not appear to contribute to the incident. NMCD facilities have effective modern video technology utilized during investigations.
- Staffing levels at each facility did not appear to have contributed to substantiated cases of sexual misconduct and sexual harassment.
- There are no pending cases for 2021

### Inmate on Inmate Abuse

PREA 21-0023 Substantiated 3/5/2021 NWNMCF The victim in this case reported that the perpetrator was putting his genitals on him and rubbing up against him. In addition, the perpetrator was watching him in the shower. They were immediately separated and the perpetrator received a sexual misconduct report and was transferred to another facility. The victim was examined by medical staff and determined to not have any injuries. The victim was offered mental health services.

PREA 21-0067 Substantiated 6/20/2021 OCPF The victim in this case reported that the perpetrator grabbed his groin area and made contact with his genitals. The perpetrator was removed and taken to the restrictive housing unit. The victim was examined by medical staff and determined to not have any injuries. The victim was offered mental health services.

PREA 21-0097 Substantiated 9/8/2021 RCC The victim in this case reported that the perpetrators had forced him, through threat of bodily harm, to put a bar of soap and his own fingers up inside his rectum while they watched. The victim was separated from all other inmates and taken to the local hospital where he was seen by a SANE nurse. The NM State Police were called, a report was made, and they interviewed the victim. The perpetrators received sexual misconduct reports and were transferred to another facility. The victim was transferred, at his request, to another facility. The victim was offered mental health services.

### Staff Sexual Misconduct

PREA 21-0017 Substantiated 2/19/2021 LCCF The staff member in this case was caught bringing in a cell phone for an inmate. The staff member admitted to having an inappropriate personal relationship with the inmate. The staff member admitted to kissing the inmate two times. New Mexico State Police were contacted and the staff member was placed under arrest for the attempted introduction of a cell phone into a place of imprisonment. The staff member was charged with a third degree felony and was relieved of her job duties. The inmate was offered mental health services and transferred to another facility.

PREA 21-0075 Substantiated 7/8/2021 OCPF The staff member in this case resigned before the investigation began. The inmate was found to have pictures and contact information of this former staff member. The inmate admitted to initiating and having a romantic relationship with the former staff member. According to the inmate the relationship began after the staff member resigned. The inmate stated that there was no sexual contact between them. The inmate was offered mental health services.

PREA 21-0089 Substantiated 08/23/2021 NWNMCC The staff member in this case was found to be having phone conversations with the inmate while still employed. Both the staff member and inmate denied having a romantic relationship. The staff member was terminated upon the close of the investigation for undue familiarity. The inmate was offered mental health services.

PREA 21-0085 Substantiated 8/6/2021 PNM LEVEL II The staff member in this case was seen on the camera system kissing the inmate. The staff member was put on administrative leave and eventually terminated. The inmate admitted they had a romantic relationship. The inmate was offered mental health services.

## **CONCLUSION**

The New Mexico Corrections Department enforces a zero-tolerance policy for all sexual abuse, sexual misconduct, and sexual harassment. To ensure the policy is implemented and enforced in the most efficient manner, NMCD continues to improve the PREA allegation reporting process. NMCD is working aggressively to improve all aspects of the PREA process, and continues to make progress in the prevention, detection and response to all forms of sexual abuse.

It is evident that implementation of the standards has become integrated into the daily operations of the agency. Our progress is reflected in our outstanding PREA audit results in 2021 yielding TWENTY EXCEEDS standards.