

**New Mexico Corrections Department  
Annual PREA Report  
2019**



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## **PURPOSE**

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 was 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.

These standards required Department of Justice (DOJ) audits of all facilities under the Governor control, which includes private operated facilities in the state. The first three-year audit cycle began in August of 2013. Failure to comply with the standards would result in a loss of five (5) percent of the state’s federal funding.

To date, all facilities under the New Mexico Governor’s control have been found in compliance, of at least two (2) DOJ audits.

## **INTRODUCTION**

The New Mexico Corrections Department (NMCD) is committed to providing safe and secure facilities for inmates and staff. We believe that as the custodians for inmates, the provision of an environment free from sexual violence and harassment is a core mission. We have a duty to provide clear expectations to inmates, staff, contractors, and volunteers to maintain sexual violent-free facilities. Moreover, and possibly most importantly, we have a duty to provide opportunities for inmates to serve their sentences in an environment that is free of violence and threats of sexual abuse while supporting opportunities for successful reintegration into our communities.

NMCD has implemented a written policy mandating zero tolerance towards all forms of sexual abuse and sexual harassment of all inmates within the agency’s seven (7) prison facilities and four (4) privately operated facilities. The policy outlines the agency’s approach to preventing, detecting and responding to such conduct. NMCD is committed to PREA compliance while providing a sexually safe environment for all inmates in our care.

All sexual abuse and sexual harassment allegations are fully investigated. Each facility is mandated to refer all allegations of this nature to the NMCD Office of Professional Standards (OPS), for investigation. Allegations will be administratively and/or criminally investigated depending on the nature of the alleged incident.

Upon completion of investigations, appropriate disciplinary action is taken against the perpetrator. If the allegations are criminal in nature NMCD cooperates fully with law enforcement to ensure a successful prosecution of all perpetrators.

### **AGENCY ACCOMPLISHMENTS IN 2019**

- NMCD received the Lucy Hayes Award, from the American Correctional Association (ACA). The award is presented to the agency or program that has achieved both ACA full accreditation and PREA compliance for every component within their area of responsibility. The award represents the dedication of the agency to enhance public safety and the well-being of those in our care.
- NMCD hosted the first annual PREA Coordinator Conference, in February of 2019, which was held in Albuquerque, New Mexico. Members from Just Detention International, Department of Justice, the PREA Resource Center and PREA Coordinators from around the country attended the event.
- NMCD completed a full year of uniform data collection, utilizing the NMCD PREA Incident Management System (PIMS).
- NMCD collaborated with the local Rape Crisis Centers to update all existing MOU's to provide inmates with access to outside PREA victim advocates for emotional support services related to sexual abuse and sexual harassment.
- NMCD continued to ensure all current employees, contractors and volunteers have completed background checks, at least every three (3) years, which exceeds the PREA standards. Background checks for all employees, contractors and volunteers were completed in May 2019.
- NMCD continues to train and educate all employees, contractor and volunteers, in their responsibilities to prevent, detect and respond to incidents of sexual abuse and sexual harassment. Each employee is required to attend PREA training during the annual in-service training, which exceeds the PREA standards.
- In March 2019, the PREA Coordinator's Office, began conducting retaliation monitoring for all inmates and staff that report or witness an incident. NMCD monitors for retaliation at 15 day, 45 day and 90 day intervals. The facility PREA Compliance Manager will conduct a face to face meeting with the victim or witness at the 45 day mark. There are benefits to having a designated retaliation monitor outside the facility monitoring each victim throughout the state. It provides for an

unbiased review of the victim or witness disciplinary history, work assignments and housing assignments.

- In November 2019, Northeastern New Mexico Detention Facility was successfully transferred from a privately operated facility to a state operated facility. Increasing NMCD public facilities to seven (7).
- NMCD PREA Coordinator provided PREA Coordinator training for all county detention centers in the State. The training was three days and was attended by twenty eight (28) designated PREA Coordinators.
- Implementation of an updated, enhanced PREA training video for inmates.

## **PREA DATA COLLECTION**

### **PREA Incident Management System**

In previous years, NMCD struggled with collecting uniform data for all allegations received. Allegations were tracked utilizing an access database and was prone to user error with no uniformity in the way allegations were classified. NMCD did receive a grant that allowed for the creation of the PREA Incident Management System (PIMS).

In 2018, NMCD went live with PIMS for all state facilities. However, there were complications with data entry by the privately operated facilities. PIMS shares data, that is entered into the NMCD Criminal Management Information System (CMIS), which includes correctional staff, names and user identification. This system did not contain data for staff at the private facilities. Modifications were needed to allow the private facilities to enter data, such as staff names. By the end of 2018, these issues had been resolved, and 2019 marked a full year of data entered into the system.

The system was designed to collect and record a uniform set of data and definitions for each allegation received. PIMS provides the agency with the capability to uniformly and accurately collect the data necessary to answer all questions from the most recent version of the "Survey of Sexual Violence" conducted by the Department of Justice.

### **Allegation Definitions**

The system has proven to be an effective tool for tracking PREA investigations. Each allegation entered, is classified into one of the following categories:

**Inmate-on-inmate abusive sexual contact**- Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse. This includes intentional touching, of the genitalia, anus, groin, breast, inner thigh or buttocks of any person. (Incidents in which the contact was incidental to a physical altercation is excluded)

**Inmate-on-Inmate sexual harassment** – repeated and unwanted 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.

**Inmate-on-Inmate sexual activity-** unauthorized, but consensual sexual activity between inmates. (Does not qualify as a PREA allegation. However, is tracked by NMCD for informational purposes only)

**Staff Sexual Misconduct** – Any behavior or act of a sexual nature directed toward an inmate by an employee, volunteer, contractor, official visitor or other agency representative (excludes family, friends or other visitors). Sexual relationships of a romantic nature between staff and inmates are included in this definition. This includes intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with the intent to abuse, arouse, or gratify sexual desire; completed, attempted, or requested sexual acts; occurrences of indecent exposure, invasion of privacy or staff voyeurism for reasons unrelated to official duties or for sexual gratification.

**Staff Sexual Harassment** – repeated verbal statements, comments or gestures of a sexual nature to an inmate by an employee, volunteer, contractor, official visitor, or other agency representative (excludes family, friends or other visitors). Includes: demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing or repeated profane or obscene language or gestures.

Only after an initial investigation has been completed, is an allegation defined as not PREA. For example, sexual activity between two inmates is investigated to ensure that there has not been coercion, intimidation or threats made to an inmate to perform in the behavior. Allegations received that an officer touched an inmate inappropriately during a pat search, will be classified as “staff sexual misconduct” when the case is referred for investigation however, after the initial investigation there may be a determination that the touching was incidental to the officer performing his or her duties. In many of these allegations there is video evidence that the pat search was performed as per NMCD policy.

In addition to uniform data, the system maintains additional documentation, such as retaliation monitoring, sexual abuse incident reviews and victim notifications.

Currently, data entered into PIMS is manually retrieved, which can be time consuming. Over the next year, the PREA Coordinator will work with NMCD Information Technology Division to develop reports that can retrieve the information stored within the system, in a timely fashion.

## **Outcome Definitions**

The PREA Incident Management System has also allowed for uniform tracking of the conclusion of an investigation. The investigator must determine one of the following conclusion on the 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.

**Informational only:** determined to not meet the definition of a PREA allegation. However, NMCD maintains the data for documentation purposes. (This would include allegations such as; inmate on inmate sexual activity; incidental touching during a pat-down search or undue familiarity allegations)

As of 2020, NMCD will no longer utilize "informational only". Allegations will be classified as "not PREA", if the allegation does not meet the definition of a PREA allegation.

## **SOURCE OF ALLEGATIONS**

NMCD provides numerous internal and external ways for inmates or staff to report abuse. During the calendar year 2019, the manner in which the allegation was reported is as follows (this includes all cases; substantiated, unsubstantiated, unfounded or informational only).

<b>Source</b>	<b>Total</b>
Anonymous Letter	4
Inmate Reported to Staff	151
Third Party via PREA Hotline	3
Staff Report	14
Warden to Warden Notification	6
Grievance	1



## **FACILITY SPECIFIC DATA AND SUMMARY**

NMCD has eleven prisons, within the great state of New Mexico. There are seven (7) public facilities and four (4) privately operated facilities, which houses over six thousand eight hundred (6800) inmates.

### **Central New Mexico Correctional Facility (CNMCF)**

**Central New Mexico Correctional Facility (CNMCF)**, located in Los Lunas, New Mexico is one of six adult correctional facilities operated by the State of New Mexico Corrections Department. Built in 1980 as a 480-bed medium custody facility, it has grown to encompass a three unit complex housing up to 1300 inmates. The mission of the Central New Mexico Correctional Facility is "to protect the public, employees and offenders under the jurisdiction of the New Mexico Corrections Department by implementing sentences, programs and services under conditions of housing, monitoring and training, which will provide the protection in a cost effective manner".

The Main Unit, also known as the Level III, provides the vast majority of support, auxiliary and specialized services for the two sister units. The unit is now designed to house a maximum of 678 Level III, IV, and a special management unit, in single and multi-occupancy cells/dorms. The design of the facility includes ten single cell housing units. These units have three pods in each unit with 16 cells per pod or forty-eight (48) inmates per unit for a total of 480 single cells. The main unit is broken down into one primary and four secondary missions. The primary mission is to serve as the Reception and Diagnostic Center for the Department (RDC), Mental Health Treatment Center (MHTC), Long Term Care Unit (LTCU) beds and dormitory style housing beds for geriatric inmates and the Diagnostic and Evaluation (D&E) Unit. There are a total of 63 buildings in the main unit which include four prison industry buildings, training, hospitality center, traffic control and garage.

Level II unit was originally designed to house 204 minimum custody inmates who have statutory restrictions that prevent them from being housed in less secure minimum custody facilities. In 2008 the design was restructured to accommodate 288 Level II inmates. The Level II is located on the same compound as the Main Unit, but has a separate perimeter. Over time the unit began to hold medical and mental health and other inmates that did not qualify by statute to be housed in other minimum custody units. The design of the facility includes six dormitories each accommodating 48 inmates.

Level I was originally built in 1939 and was commonly referred to as "The Farm." The unit is now considered a historical site. At one time the unit was self-sufficient; inmates worked the land, grew vegetables and raised livestock. Level I houses a total of 336 unrestricted minimum custody inmates in the fifty-six (56) six man units. Inmates assigned to the Level I serve the New Mexico Highway Department, and other governmental agencies. A Forestry Crew consisting of four firefighting crews of 12 inmates each responded to fires in New Mexico. The facility also has a small work release program.

CNMCF continues to improve and work to enhance their PREA program. To accomplish this they have:

- Dedicated a Captain position, to serve as the facility PREA Compliance Manager (PCM).
- Sends the PCM on technical reviews and facility assessments throughout the state to help gain Agency level compliance.
- Has successfully been determined to be compliant of all PREA standards, during two Department of Justice PREA Audits (2016, 2019)

### Breakdown of 2019 Allegations

OPS	Facility	Category	Type of Case	Disposition
19-0028	CNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0047	CNMCF	Inmate on Inmate	Abusive Sexual Contact	Substantiated
<b>Corrective Action:</b> Inmate was given a misconduct report for sexual misconduct. State Police was notified-DA declined prosecution				
19-0067	CNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0079	CNMCF	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0081	CNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0099	CNMCF	Staff on Inmate	Staff Sexual Misconduct	Unfounded
19-0100	CNMCF	Inmate on Inmate	Abusive Sexual Contact	Unsubstantiated
19-0112	CNMCF	Inmate on Inmate	Abusive Sexual Contact	Unfounded
19-0139	CNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0140	CNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0184	CNMCF	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0187	CNMCF	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0191	CNMCF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by definition)
19-0197	CNMCF	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0236	CNMCF	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0241	CNMCF	Inmate on Inmate	Abusive Sexual Contact	Unsubstantiated
19-0269	CNMCF	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0306	CNMCF	Staff on Inmate	Staff Sexual Misconduct	Substantiated
<b>Corrective Action:</b> Both inmate and contracted staff admitted to a sexual relationship-Contract Staff Terminated-State Police notified-DA declined prosecution.				
19-0330	CNMCF	Inmate on Inmate	Sexual Harassment	Informational Only (Not PREA by definition)
19-0354	CNMCF	Inmate on Inmate	Sexual Harassment	Substantiated

<b>Corrective Action:</b> Inmate was given a verbal reprimand.				
19-0384	CNMCF	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0401	CNMCF	Inmate on Inmate	Abusive Sexual Contact	Informational Only (Not PREA by definition)
19-0402	CNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0410	CNMCF	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0414	CNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0423	CNMCF	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0424	CNMCF	Inmate on Inmate	Sexual Harassment	Substantiated
<b>Corrective Action:</b> Victim stated that perpetrator was removing clothing and stated "I want to show you something." Circumstances did not rise to the level of the issuance of a misconduct report.				
19-0432	CNMCF	Staff on Inmate	Staff Sexual Misconduct	Unfounded
19-0443	CNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0450	CNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0451	CNMCF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by definition)
19-0453	CNMCF	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0014	CNMCF	Staff on Inmate	Sexual Harassment	Unfounded

#### Guadalupe County Correctional Facility (GCCF)

**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. Guadalupe County Correctional Facility is operated by GEO Group Inc., a private, for profit, corporation headquartered in Boca Raton, Florida. The GEO Group Inc. operates over 100 correctional, detention and treatment facilities worldwide. GCCF is under contract with the State of New Mexico to house up to 601 State inmates with a security classification of Level III (medium custody). Under a separate contract GCCF houses up to 20 Guadalupe County detainees. The detainees are housed separately and kept out of sight and sound of the State population.

GCCF sits on 440 acres of land with 27 acres within the secure perimeter. Construction of GCCF began in 1997 and GCCF received its first inmates in January of 1999. The physical plant consist three buildings totaling 191,400 square feet. GCCF's design is very efficient in that inmate housing and nearly all support functions are located in one "main" building. The main building is situated in a north/south with a corridor running the length of the building. Inmate housing units and support functions are located on wings off of the main corridor. Remotely operated grills/gates in corridors provide for compartmentalization in the event of emergency situations.

Staff and visitors enter GCCF through a remotely controlled front gate. Immediately upon entering staff and visitors are required to undergo a search of their packages/bags and must clear a walk through metal detector. Upon clearing the metal detector and providing a photo identification, at the front control point, staff may enter the administration area. The administration area includes the Warden's office, personnel, mail, business office, records, and contract manager offices. After passing a second control point, staff has access to medical, segregation, supply/warehouse, laundry, food service, warehouse, visitation, medical, programs and housing units.

There are two general population housing units. Housing Unit One has one control center, five dayrooms, 120 double bunked cells split on two levels for a total of 240 beds, and 33 single cells for the segregation living area for a total of 273 beds. Housing Unit Two has one control center, five dayrooms, and 153 double bunked cells split on two levels for a total of 306 beds. Housing Unit three houses orientation inmates and consists of 11 single cells on one level for a maximum of 11 beds. Housing units are connected to the two service buildings by an activity unit. GCCF contains one gym, one commissary, two mental health offices, one therapeutic community activity room, one education resource center, eight case worker offices, one computer lab, and six standard classrooms.

GCCF has a large gymnasium. Outdoor recreation areas include a softball field, two basketball courts and four handball courts; there are ten covered individual recreation modules for segregation inmates.

The mission of GCCF is "to maintain a level of security such that the safety of the public is maintained as well as the safety of GCCF's employees and inmates. A system of order shall be initiated and perpetuated in such a manner as to produce an atmosphere conducive to efficient work, programming activities and services for all, and in an environment that provides for the rehabilitation of all inmates."

GCCF continues to improve and work to enhance their PREA program. To accomplish this they have:

- Dedicated a facility PREA Compliance Manager (PCM).
- Has successfully been determined to be compliant of all PREA standards, during two Department of Justice PREA Audits (2014, 2017)

## Breakdown of 2019 Allegations

OPS	Facility	Category	Type of Case	Disposition
19-0005	GCCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0018	GCCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0097	GCCF	Inmate on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0133	GCCF	Inmate on Inmate	Abusive Sexual Contact	Unsubstantiated
19-0145	GCCF	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0168	GCCF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0188	GCCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0231	GCCF	Inmate on Inmate	Abusive Sexual Contact	Unfounded
19-0338	GCCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0364	GCCF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0365	GCCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0381	GCCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0389	GCCF	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0422	GCCF	Staff on Inmate	Staff Sexual Misconduct	Informational Only (Not PREA by Definition)
19-0456	GCCF	Staff on Inmate	Sexual Harassment	Unsubstantiated

### Lea County Correctional Facility (LCCF)

**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.

The facility consists of a total of eight buildings within the secure perimeter. There are four housing units, each with five pods, a day room and cells for housing inmates, with usually two inmates in each cell. The facility also maintains a 42-cell restrictive housing unit when the use of segregation is necessary for inmate management. The facility also maintains 11 bed Minimum Restrictive housing unit. The design facility capacity is 1266 inmates. There is a multipurpose building housing the kitchen, laundry, property room, academic and vocational school, medical and behavior health staff, supply room, caustics and toxic room, intake, library, chapel and visitation.

The facility buildings are connected by internal corridors allowing for access to all buildings without having to go outside. Entrance to the secure facility is done through a multipurpose building and access to the maintenance building is gained by exiting this same building. The maintenance area is a separate building from the remainder of the building, but is located in the secure perimeter. The facility has a large recreation yard which is used by inmates on a daily basis. The recreation yard is sufficient in size to allow for multiple large muscle activities at a single time by multiple inmates. There is also a large industries building that is currently being utilized, as a wheelchair repair program, building of houses for Habitat for Humanity, and contains a wood shop program.

The administrative building is located outside the secure compound and serves as the main entrance to the facility. The administrative building houses the Facility Administrator's (Warden's) office, Business Office, Personnel, Mail Room, Main Control Center, Roll Call Room and sally port into the compound. This building is adequate to meet the needs of staff that provide necessary support for facility operations.

The mission of the facility is as follows: "It is the mission of the Lea County Correctional Facility to maintain full compliance with the standards, Codes and Court Orders, which may be applicable to the care and custody of New Mexico Corrections Department inmates at the facility. The management and supervision of the inmates at the LEA County Correctional Facility is considered to be an integral part of the Criminal Justice System and the New Mexico Corrections Department. As such, it is the mission of Lea County Correctional Facility to manage the facility in a safe and secure manner, providing public safety through a continuum of custody, control, supervision, programs and services for inmates, with professionalism, progressive management and financial responsibility."

LCCF continues to improve and work to enhance their PREA program. To accomplish this they have:

- Dedicated a facility PREA Compliance Manager (PCM).
- Has successfully been determined to be compliant of all PREA standards, during two Department of Justice PREA Audits (2015, 2018)

**Breakdown of 2019 Allegations**

Allegation Type	Count	Percentage	Category	Sub-category
Sexual Assault	1	100%	Sexual Assault	Sexual Assault
Sexual Harassment	1	100%	Sexual Harassment	Sexual Harassment
Physical Assault	1	100%	Physical Assault	Physical Assault
Verbal Abuse	1	100%	Verbal Abuse	Verbal Abuse
Stalking	1	100%	Stalking	Stalking
Harassment	1	100%	Harassment	Harassment
Discrimination	1	100%	Discrimination	Discrimination
Retaliation	1	100%	Retaliation	Retaliation
Unlawful Termination	1	100%	Unlawful Termination	Unlawful Termination
Wage and Hour Violations	1	100%	Wage and Hour Violations	Wage and Hour Violations
Unsafe Working Conditions	1	100%	Unsafe Working Conditions	Unsafe Working Conditions
Other	1	100%	Other	Other

**Northeastern New Mexico Correctional Facility (NENMCF)**

**Northeast New Mexico Correctional Facility (NENMCF)** is a 179,264 square foot private 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.

NENMCF is comprised of two main buildings; the Administration Building which contains business support functions, NENMCF armory, NENMCF training room, Senior

Administrative staff offices, conference room, inmate records room, video and phone monitoring room and the main control room. The Administration building is located outside the secure perimeter. The second building, which is located inside the secure perimeter, contains inmate housing and programming areas. Additionally it contains the intake area, the secondary control center, supply/warehouse, laundry, food service, warehouse, a staff dining hall, visitation, medical, unit management staff and offices, security and segregation.

NENMCF has one support building which houses the physical plant management team. Housing Unit One and Housing Unit two each have one control center. Each unit has five dayrooms, 146 double bunked general population cells split on two levels for a total of 292 (584 combined total). Housing Unit Three (segregation) has 41 single bunked cells split on two levels. Housing Units One and Two are connected to the two service buildings by an activity unit.

NENMCF contains one gym, one commissary, three mental health offices, and one residential drug and alcohol activity room, one education resource center, eight case worker offices, one computer lab, a facility chapel, six standard classrooms and three vocational classrooms.

Outdoor general population recreation areas consist of two basketball courts, four handball courts, weight equipment and a grass field for soccer or football. Segregation recreation consists of eight activities. These areas are covered in the event of inclement weather.

NENMCF continues to improve and work to enhance their PREA program. To accomplish this they have:

- Dedicated a facility PREA Compliance Manager (PCM).
- Sends the PCM on technical reviews and facility assessments throughout the state to help gain Agency level compliance.
- Has successfully been determined to be compliant of all PREA standards, during two Department of Justice PREA Audits (2014, 2017)



Breakdown of 2019 Allegations

OPS	Facility	Category	Type of Case	Disposition
19-0002	NENMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0004	NENMCF	Inmate on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0006	NENMCF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0007	NENMCF	Staff on Inmate	Staff Sexual Misconduct	Unsubstantiated
19-0008	NENMCF	Staff on Inmate	Staff Sexual Misconduct	Unfounded
19-0105	NENMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0126	NENMCF	Staff on Inmate	Staff Sexual Misconduct	Unsubstantiated
19-0195	NENMCF	Staff on Inmate	Staff Sexual Misconduct	Unsubstantiated
19-0210	NENMCF	Staff on Inmate	Sexual Harassment	Substantiated
<b>Corrective Action:</b> Staff member was terminated. The staff member's actions did not rise to the level of criminal activity and therefore State Police was not notified.				
19-0271	NENMCF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0273	NENMCF	Inmate on Inmate	Abusive Sexual Contact	Unsubstantiated
19-0285	NENMCF	Staff on Inmate	Staff Sexual Misconduct	Pending
19-0305	NENMCF	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0323	NENMCF	Inmate on Inmate	Abusive Sexual Contact	Unsubstantiated
19-0341	NENMCF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0359	NENMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0033	NENMCF	Staff on Inmate	Staff Sexual Misconduct	Unsubstantiated

**Northwest New Mexico Correctional Center (NNMCC)**

**Northwest New Mexico Correctional Center (NNMCC)**, located in Grants, New Mexico, is a privately owned and operated facility. On June 15, 1989, Northwest then New Mexico Woman's Correctional Center opened its doors to 149 female inmates who transferred from the New Mexico Corrections Department's Western New Mexico Correctional Facility, also in Grants. The designed capacity was 204 inmates. In 1994, the population had increased to over 250. To alleviate this situation, CCA submitted a proposal and received approval from the New Mexico Corrections Department to construct two additional minimum security housing units and an additional medium security unit (bringing the capacity to 322), as well as construction of a therapeutic unit for the treatment of drug and alcohol abuse offenders. Construction began in May 1995 and was completed in December 1995. In October 1999, a second expansion began and was

completed in April 2000. With this expansion, approximately 57,303 square feet was added to the now existing 124,997 square footage. The 1999 expansion added a new Corrections Industries (standalone building); a new medical, dental, pharmaceutical, and medical administration area; along with 274 dormitory style housing units. An average of 704 inmates reside at NNMCC at any given time.

In July, 2016, a new contract was signed between CCA and the New Mexico Corrections Department which changed our mission from housing adult females, to now housing convicted adult males for the State of New Mexico. The new facility mission is to provide a pre-release preparation programming and substance abuse treatment to adult inmates with 24 months or less to serve. The facility name was changed to Northwest New Mexico Correctional Center, and the transition began in September 2016, with the moving out of the female population and moving in the male population.

NNMCC continues to improve and work to enhance their PREA program. To accomplish this they have:

- Dedicated a facility PREA Compliance Manager (PCM).
- Has successfully been determined to be compliant of all PREA standards, during two Department of Justice PREA Audits (2015, 2017)

#### Breakdown 2019 Allegations

OPS	Facility	Category	Type of Case	Disposition
19-0064	NNMCC	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0094	NNMCC	Staff on Inmate	Staff Sexual Misconduct	Unfounded
19-0131	NNMCC	Staff on Inmate	Staff Sexual Misconduct	Unfounded
19-0156	NNMCC	Staff on Inmate	Staff Sexual Misconduct	Unfounded
19-0175	NNMCC	Staff on Inmate	Sexual Harassment	Unfounded
19-0224	NNMCC	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0270	NNMCC	Staff on Inmate	Sexual Harassment	Unfounded
19-0280	NNMCC	Staff on Inmate	Staff Sexual Misconduct	Informational Only (Not PREA by Definition)
19-0281	NNMCC	Staff on Inmate	Staff Sexual Misconduct	Informational Only (Not PREA by Definition)
19-0295	NNMCC	Inmate on Inmate	Sexual Harassment	Unfounded
19-0307	NNMCC	Staff on Inmate	Staff Sexual Misconduct	Unfounded
19-0308	NNMCC	Staff on Inmate	Staff Sexual Misconduct	Unfounded
19-0348	NNMCC	Staff on Inmate	Sexual Harassment	Substantiated
<b>Correction Action:</b> Staff member received a letter of counseling and attended additional PREA training.				

19-0415	NNMCC	Staff on Inmate	Sexual Harassment	Unfounded
19-0447	NNMCC	Staff on Inmate	Sexual Harassment	Unsubstantiated

### Otero County Prison Facility (OCPF)

**The Otero County Prison Facility (OCPF)** is a medium security prison operated by the Management & Training Corporation (MTC). The facility confines detainees for the U.S. Marshals Service, the US Department of the Army, US Air Force, Bureau of Prisons, Otero County, New Mexico, and provides for the custody and programming for inmates in the custody of the New Mexico Corrections Department.

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.

The inmate housing consists of dormitory style housing units and special housing units (SHU) for both male and female inmates. The dorm units are 2 floor construction. Each dorm unit provides basic furnishings, shower facilities, and common TV areas. All showers and commodes at OCPF have panels, shower curtains and screens to enhance privacy. The Special Housing Unit has 173 male cells and 7 female cells. The units are a mix of single and double cells. The cells have commodes in the cell, the showers have doors and the SHU's have attached recreation spaces.

It is the mission of Management Training Corporation (MTC) to "Be a leader by: implementation of our plan to achieve high performance standards and goals; Maintaining a foundation based on integrity, accountability, and excellence; Providing long-term growth and stability while ensuring fiscal responsibility; creating opportunities through a positive environment for personal growth and development; empowering employees to implement innovative ideas for continuous improvement; Building esteem and pride by celebrating our diversity and accomplishments".

OCPF continues to improve and work to enhance their PREA program. To accomplish this they have:

- Dedicated a facility PREA Compliance Manager (PCM).
- Has successfully been determined to be compliant of all PREA standards, during two Department of Justice PREA Audits (2014, 2017)

## Breakdown of 2019 Allegations

OPS	Facility	Category	Type of Case	Disposition
19-0129	OCPF	Inmate on Inmate	Abusive Sexual Contact	Substantiated
<b>Corrective Action:</b> Perpetrator was given a misconduct report for sexual misconduct. Actions did not rise to the level for criminal charges. Therefore State Police was not notified.				
19-0300	OCPF	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0304	OCPF	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0340	OCPF	Inmate on Inmate	Abusive Sexual Contact	Unsubstantiated
19-0358	OCPF	Inmate on Inmate	Sexual Harassment	Substantiated
<b>Corrective Action:</b> Perpetrator was issued a misconduct report for sexual misconduct.				
19-0372	OCPF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0376	OCPF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0388	OCPF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0440	OCPF	Staff on Inmate	Sexual Harassment	Informational Only(Not PREA by Definition)
19-0469	OCPF	Staff on Inmate	Sexual Harassment	Substantiated
<b>Corrective Action:</b> The staff member resigned during the investigation.				

### Penitentiary of New Mexico (PNM)

**Penitentiary of New Mexico (PNM)** is located along the old turquoise Trail, 14 miles south of Santa Fe. 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.

PNM maintains its national accreditation status from the American Correctional Association and reports that PNM continues to intensify its efforts to achieve the mission of the Corrections Department by providing a balanced system approach to corrections from incarceration to community-based supervision with training, education, programs and services that provide opportunities for inmates to transition within the Department and into the Community.

Minimum Restrict Unit (MRU) was previously known as PNM Level. Inmate's criminal background and record of institutional behavior indicate that the inmate can function in a dormitory setting without presenting a significant risk to the safety, security, and orderly operation of the institution. The inmate must not have a recent history of violent incidents or escape. The inmate has the ability to work outside the confines of the security perimeter, while under staff supervision without posing

a risk of escape. The inmates assigned to MRU have less than four (4) years, until their projected release and are not serving a sentence for first-degree murder.

PNM South is a Special Management Unit facility as well as a Level IV General Population Facility. For placement at the South, institutional behavior indicates the inability to function in lower level general population setting, as the inmate poses a threat to the safety of staff, inmates or to the security of the institution. The inmate requires separation from the lower level general population setting with limited movement and activities. All cells at the South Facility are single occupancy cells.

PNM North is a Special Management Facility. For placement at North, institutional behavior threatens the security of the institution, requiring separation from the general population. This behavior includes, but is not limited to, assaults, escapes, inciting riots and planning or participating in STG activities. The inmates are housed in single occupancy cells.

The PNM South and North facilities are designed similarly with three buildings (1,2, and 3). The Buildings are divided into A and B Units with housing pods within each Unit. The inmates are housed in single cells with numerous accessible strip search enclosures in the pod. The Control Station is maintained on the second level with glass floors, windows with accessibility and visibility to the pods, and it contains the video monitoring equipment for ingress/egress, and the pod housing units.

The Supervisory staff and Program staff maintains their offices within each building. The North and South facilities function independently with separate Laundry Management, contracted Medical and Mental Health staff work in the Infirmary, a Gymnasium, Education Unit, Library, Chapel, Commissary, Visit Area, Property Area, Sally Port and Intake Area. Both North and South receive food services through a contractor, Summit Foods located in the Kitchen at the MRU facility. The MRU Facility consists of two housing units (A and B). The MRU facility is designed for dormitory housing and program access is within the confines of the Level II facility. Inmates assigned to MRU have the option for work line assignments on the grounds of PNM and outside the physical structure of MRU. The North and South facilities house approximately 288 inmates each and PNM's maximum total population is approximately 864 inmates.

PNM continues to improve and work to enhance their PREA program. To accomplish this they have:

- Dedicated a Captain position, to serve as the facility PREA Compliance Manager (PCM).
- Sends the PCM on technical reviews and facility assessments throughout the state to help gain Agency level compliance.
- Has successfully been determined to be compliant of all PREA standards, during two Department of Justice PREA Audits (2014, 2017)

### Breakdown of 2019 Allegations

OPS	Facility	Category	Type of Case	Disposition
19-0031	PNM	Staff on Inmate	Sexual Harassment	Unfounded
19-0054	PNM	Staff on Inmate	Sexual Harassment	Unfounded
19-0087	PNM	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0120	PNM	Staff on Inmate	Sexual Harassment	Unfounded
19-0123	PNM	Staff on Inmate	Staff Sexual Misconduct	Unfounded
19-0196	PNM	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0219	PNM	Staff on Inmate	Sexual Harassment	Unfounded
19-0234	PNM	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0248	PNM	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0255	PNM	Inmate on Inmate	Abusive Sexual Contact	Informational Only (Not PREA by Definition)
19-0256	PNM	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0265	PNM	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0302	PNM	Staff on Inmate	Staff Sexual Misconduct	Unsubstantiated
19-0317	PNM	Staff on Inmate	Sexual Harassment	Unfounded
19-0319	PNM	Staff on Inmate	Staff Sexual Misconduct	Unsubstantiated
19-0349	PNM	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0375	PNM	Inmate on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0403	PNM	Staff on Inmate	Sexual Harassment	Pending
19-0408	PNM	Staff on Inmate	Staff Sexual Misconduct	Pending
19-0446	PNM	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0448	PNM	Staff on Inmate	Sexual Harassment	Pending
19-0460	PNM	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0461	PNM	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0467	PNM	Staff on Inmate	Sexual Harassment	Pending
19-0468	PNM	Staff on Inmate	Sexual Harassment	Pending

#### Roswell Correctional Center (RCC)

**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, the Department determined that it was in need of 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.

There are various programming and treatment opportunities at RCC including, education programs, welding program, substance abuse community and a volunteer fire department.

In 2004, NMCD's first DWI treatment unit was established at RCC and is capable of housing and providing treatment for up to 100 inmates. The officers and staff of RCC are committed to providing public safety by operating a professional corrections system that provides rehabilitative programs for successfully returning offenders to the community.

- Dedicated position, to serve as the facility PREA Compliance Manager (PCM).
- Sends the PCM on technical reviews and facility assessments throughout the state to help gain Agency level compliance.
- Has successfully been determined to be compliant of all PREA standards, during two Department of Justice PREA Audits (2016, 2018)

#### **Breakdown of 2019 Allegations**

<b>OPS</b>	<b>Facility</b>	<b>Category</b>	<b>Type of Case</b>	<b>Disposition</b>
19-0050	RCC	Staff on Inmate	Sexual Harassment	Unfounded
19-0051	RCC	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0052	RCC	Staff on Inmate	Sexual Harassment	Unfounded
19-0059	RCC	Staff on Inmate	Sexual Harassment	Unfounded
19-0128	RCC	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0276	RCC	Staff on Inmate	Staff Sexual Misconduct	Unfounded
19-0366	RCC	Staff on Inmate	Sexual Harassment	Unsubstantiated

#### **Southern New Mexico Correctional Facility (SNMCF)**

**Southern New Mexico Correctional Facility (SNMCF)**, complex is located on the West Mesa near the City of Las Cruces. 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.

The Paul Oliver Unit (POU) is a Level II facility which houses a total capacity of 288 inmates in an open dormitory setting. An inmate's criminal background and record of

institutional behavior indicate that he may function in a dormitory setting without presenting a significant risk to the safety, security, and the orderly operation of the institution. Inmates housed at the POU must not have a recent history of violent incidents or escape. Inmates may also have the opportunity to work outside the confines of the security perimeter while under staff supervision. This includes details that are assigned to road/work crews that are supervised while in the local community. Supervisory staff and Program staff maintains their offices within each building and are both visible and accessible to the inmate population. Medical and Food Service departments are subcontracted and operated by private corporations.

SNMCF is accredited with the American Correctional Association (ACA) and continues to refine its overall processes through a series of internal audits with its GAR auditing instrument. This internal tool serves to audit all areas of the facility by utilizing a cross-section of Subject-Matter-Experts (SMEs) to examine compliance and operational readiness.

The mission of the Corrections Department is to protect society by providing a balanced approach to corrections from incarceration to community-based supervision with training, education, programs and services that provide opportunities for inmates to transition from the department back into the community. The New Mexico Corrections Department's (NMCD) mission statement is "We commit to the safety and well-being of the people of New Mexico by doing the right thing, always." NMCD's credo is "CRED: Courage, Responsibility, Ethics and Dedication." NMCD/SNMCF accomplishes this by placing offenders in safe, secure facilities which are humane and commensurate with an inmate's security level.

NMCD/SNMCF staff are its greatest resource. Staff are highly motivated, well trained and committed to public service. It is staff's commitment to the agency's core values and tradition of service that permeate throughout the ranks and ensures their success.

SNMCF continues to improve and work to enhance their PREA program. To accomplish this they have:

- Dedicated a Captain position, to serve as the facility PREA Compliance Manager (PCM).
- Sends the PCM on technical reviews and facility assessments throughout the state to help gain Agency level compliance.
- Has successfully been determined to be compliant of all PREA standards, during two Department of Justice PREA Audits (2016, 2019)



### Breakdown of 2019 Allegations

OPS	Facility	Category	Type of Case	Disposition
19-0071	SNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0093	SNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0103	SNMCF	Staff on Inmate	Staff Sexual Misconduct	Unfounded
19-0146	SNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0243	SNMCF	Inmate on Inmate	Sexual Harassment	Substantiated
<b>Corrective Action:</b> Perpetrator was issued a misconduct report for sexual misconduct.				
19-0246	SNMCF	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0278	SNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0299	SNMCF	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0311	SNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0318	SNMCF	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0328	SNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0350	SNMCF	Inmate on Inmate	Sexual Harassment	Unsubstantiated
19-0353	SNMCF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0406	SNMCF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0407	SNMCF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0416	SNMCF	Inmate on Inmate	Abusive Sexual Contact	Unsubstantiated
19-0418	SNMCF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0445	SNMCF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0449	SNMCF	Staff on Inmate	Sexual Harassment	Unfounded

#### Springer Correctional Center

**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 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 female 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.

SCC female offenders are given therapeutic junctures that are compassionate and empathetic. They have successfully restored wheelchairs that have been sent to third world countries, and local families in need.

SCC offenders also grow crops in hoop houses; where they learn therapeutic skills by promoting self-reliance, creating opportunities for recreation, beautifying land, reducing family food budgets, conserving resources and producing nutritious food. The female inmates help the town of Springer by cleaning the cemetery, the rodeo grounds and the museum every year.

SCC's seven self-help groups that raise money and give back to the communities in the surrounding areas such as Maxwell, Raton, Cimarron and Springer.

SCC continues to improve and work to enhance their PREA program. To accomplish this they have:

- Dedicated a Captain position, to serve as the facility PREA Compliance Manager (PCM).
- Sends the PCM on technical reviews and facility assessments throughout the state to help gain Agency level compliance.
- Has successfully been determined to be compliant of all PREA standards, during two Department of Justice PREA Audits (2016, 2019)

#### Breakdown 2019 Allegations

OPS	Facility	Category	Type of Case	Disposition
19-0019	SWCC	Staff on Inmate	Staff Sexual Misconduct	Unsubstantiated
19-0034	SWCC	Staff on Inmate	Staff Sexual Misconduct	Unfounded
19-0076	SWCC	Staff on Inmate	Staff Sexual Misconduct	Substantiated
<b>Corrective Action:</b> Staff member resigned during the investigation. The investigation determined that the staff member was engaged in undue familiarity. However the allegations did not rise to the level of criminal action. Therefore there was not notification to State Police.				
19-0085	SWCC	Staff on Inmate	Staff Sexual Misconduct	Unsubstantiated
19-0177	SWCC	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0185	SWCC	Staff on Inmate	Sexual Harassment	Substantiated
<b>Corrective Action:</b> Staff member received letter of counseling and attended additional PREA training.				

19-0217	SWCC	Inmate on Inmate	Abusive Sexual Contact	Unsubstantiated
19-0249	SWCC	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0321	SWCC	Staff on Inmate	Staff Sexual Misconduct	Substantiated
<b>Corrective Action:</b> Staff member was terminated. State Police was notified, no charges have been filed to date.				
19-0332	SWCC	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0379	SWCC	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0404	SWCC	Staff on Inmate	Sexual Harassment	Unsubstantiated

### Western New Mexico Correctional Facility

**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 the Department 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. The facility has a rated capacity of three hundred and eighty-eight (388) adult females.

WNMCF provides a continuum of vocational training services self-improvement programs and education opportunities that promote offender reentry into the community. WNMCF is committed to providing public safety by operating a safe, secure and accredited correctional facility that serves the safety and wellbeing of the people of New Mexico.

WNMCF continues to improve and work to enhance their PREA program. To accomplish this they have:

- Dedicated a Captain position, to serve as the facility PREA Compliance Manager (PCM).
- Sends the PCM on technical reviews and facility assessments throughout the state to help gain Agency level compliance.
- Has successfully been determined to be compliant of all PREA standards, during two Department of Justice PREA Audits (2016, 2019)

### Breakdown of 2019 Allegations

OPS	Facility	Category	Type of Case	Disposition
19-0032	WNMCF	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0033	WNMCF	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0104	WNMCF	Inmate on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0161	WNMCF	Staff on Inmate	Staff Sexual Misconduct	Unfounded
19-0169	WNMCF	Staff on Inmate	Sexual Harassment	Unsubstantiated
19-0208	WNMCF	Staff on Inmate	Sexual Harassment	Substantiated
<b>Corrective Action:</b> Staff member was given a letter of counseling and additional PREA training.				
19-0264	WNMCF	Inmate on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0268	WNMCF	Inmate on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0309	WNMCF	Staff on Inmate	Staff Sexual Misconduct	Unsubstantiated
19-0380	WNMCF	Staff on Inmate	Sexual Harassment	Informational Only (Not PREA by Definition)
19-0405	WNMCF	Staff on Inmate	Sexual Harassment	Unfounded
19-0425	WNMCF	Staff on Inmate	Sexual Harassment	Unfounded

### PREA AT A GLANCE

#### Aggregate Data

2019 PREA Allegations						
Category	Investigation Outcome					
	Allegations	Substantiated	Unsubstantiated	Unfounded	Informational Only	Pending
<b>Inmate on Inmate</b>						
Abusive Sexual Contact	19	2	11	3	3	0
Sexual Harassment	33	4	20	2	7	0
<b>Staff on Inmate</b>						
Staff Sexual Misconduct	31	3	9	14	3	2
Sexual Harassment	96	6	23	41	22	4
<b>Total</b>	179	15	63	60	35	6

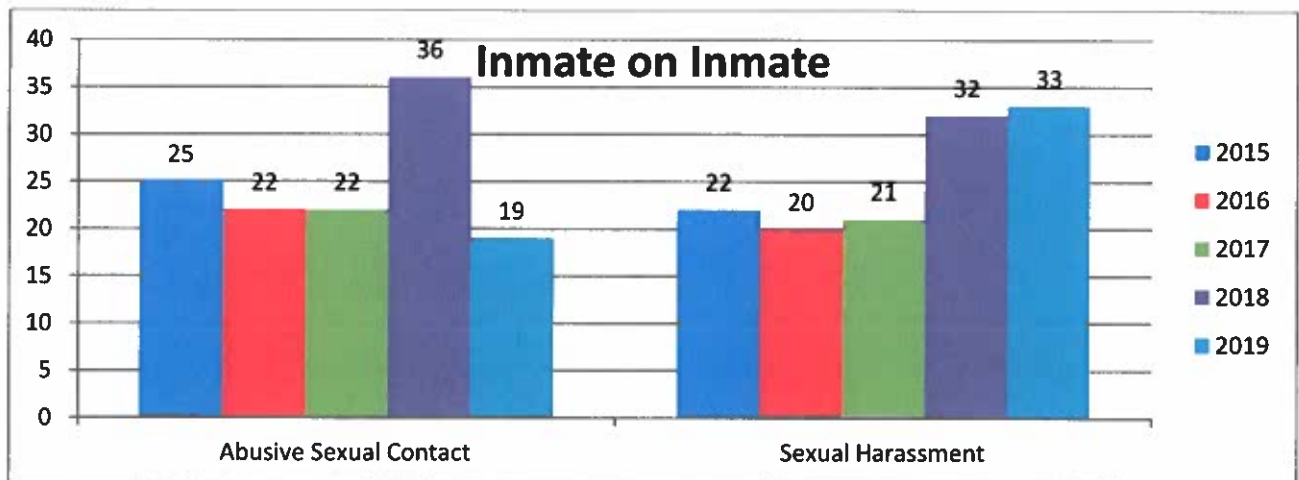
2018 PREA Allegations						
Category	Investigation Outcome					
	Allegations	Substantiated	Unsubstantiated	Unfounded	Informational Only	Pending
<b>Inmate on Inmate</b>						
Abusive Sexual Contact	36	1	19	11	3	2
Sexual Harassment	32	4	14	6	6	2
<b>Staff on Inmate</b>						
Staff Sexual Misconduct	54	7	13	26	7	1
Sexual Harassment	106	3	46	43	12	2
<b>Total</b>	<b>228</b>	<b>15</b>	<b>92</b>	<b>86</b>	<b>28</b>	<b>7</b>

2017 PREA Allegations						
Category	Investigation Outcome					
	Allegations	Substantiated	Unsubstantiated	Unfounded	Information Only	Pending
<b>Inmate on Inmate</b>						
Abusive Sexual Contact	22	1	10	6	1	4
Sexual Harassment	21	3	12	3	2	1
<b>Staff on Inmate</b>						
Staff Sexual Misconduct	32	4	7	13	2	6
Sexual Harassment	131	8	37	66	14	6
<b>Total</b>	<b>206</b>	<b>16</b>	<b>66</b>	<b>88</b>	<b>17</b>	<b>17</b>

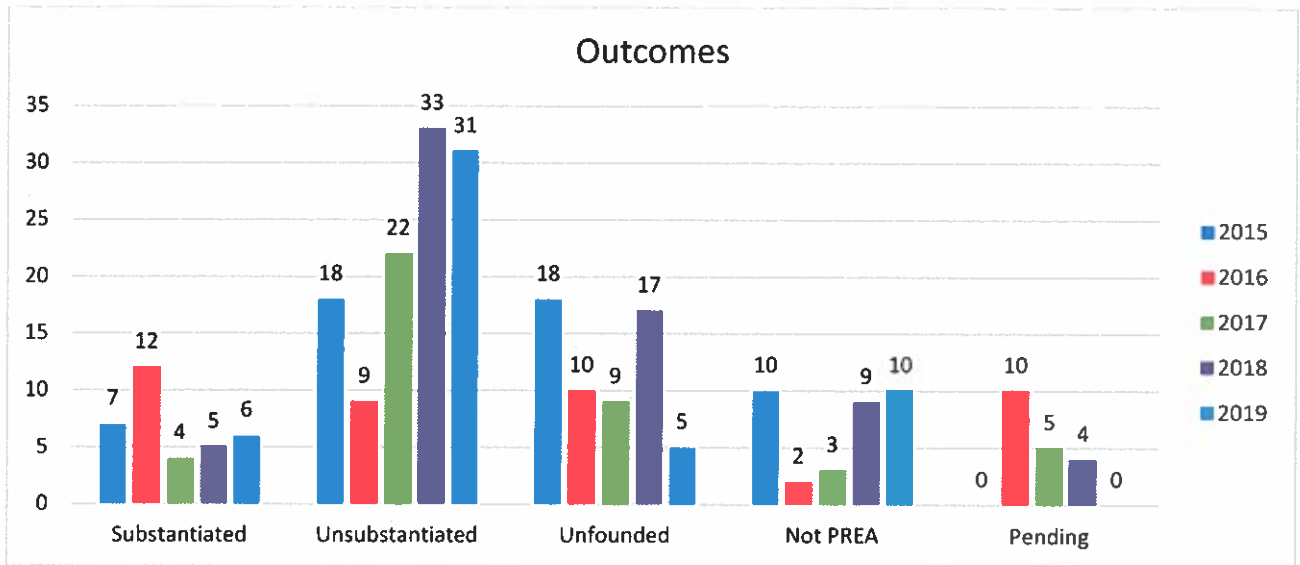
## Inmate on Inmate

### Allegations

(\*data for 2015 and 2016 could not be confirmed)

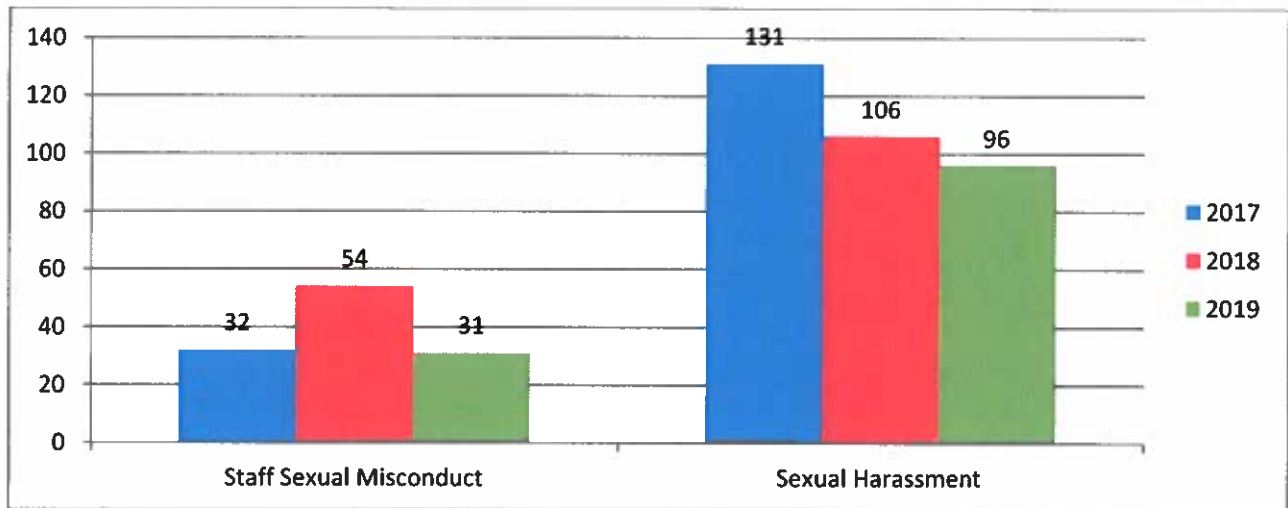


## Outcomes

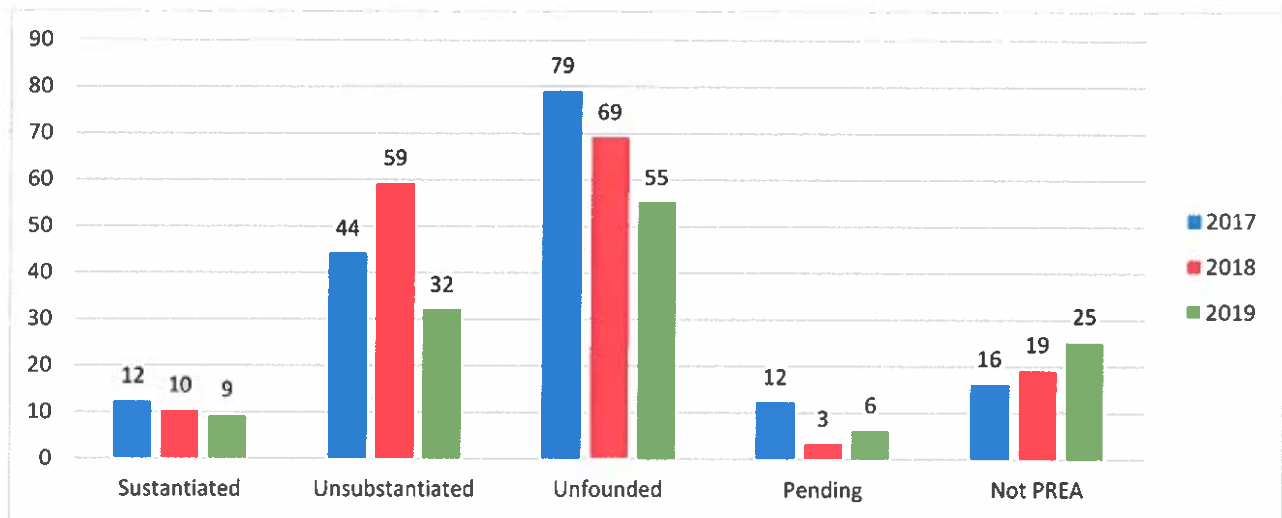


## Staff on Inmate

### Allegations



## Outcomes



### **CORRECTIVE ACTION-SUBSTANTIATED PREA ALLEGATION**

NMCD mandates zero tolerance towards all forms of sexual abuse and sexual harassment in all facilities. It is the policy of NMCD that sexual conduct 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 modern video technology which works effectively and is often utilized often during investigations.

Staffing levels at each facility did not appear to have contributed to the substantiated cases of sexual abuse and sexual harassment.

#### **Staff Sexual Harassment Incidents: (6)**

In all six substantiated cases of staff sexual harassment, disciplinary action was taken at the facility level against the staff members involved.

**Staff Sexual Misconduct: (3)**

In all three substantiated cases of staff sexual misconduct, appropriate action was taken at the facility level against the staff members involved. In two of the cases, the staff member resigned prior to the completion of the investigation and one staff member was terminated. In one, case the conduct did not rise to criminal action, in two other cases, the State Police was notified, as of the filing of this report, no charges have been filed.

**Inmate on Inmate Sexual Harassment: (4)**

In all four substantiated cases of inmate on inmate sexual harassment, disciplinary action was taken at the facility level against the perpetrator.

**Inmate on Inmate Abusive Sexual Contact: (2)**

In both substantiated cases of inmate on inmate abusive sexual contact, disciplinary action was taken at the facility level against the perpetrators. In one case, State Police were notified and the District Attorney's Office decline prosecution. The second case did not rise to criminal action, and therefore was not referred to State Police.

**Inmate on Inmate Sexual Activity: (46)**

Although inmate on inmate sexual activity is not a PREA allegation by definition, NMCD does track, monitor and discipline those inmates that engage in this behavior. Any inmate who engages in this behavior is served a major misconduct report for sexual misconduct.

In all cases housing changes were made, in an effort to stop the behavior. There was a significant increase in 2017. This is contributed to staff education and the ability to track the sexual activity efficiently. In 2019 there has been a significant decrease in sexual activity. This is contributed the facilities issuing misconduct reports.

Inmate on Inmate	2015	2016	2017	2018	2019
Sexual Activity	10	15	82	81	46

**CONCLUSION**

The New Mexico Corrections Department enforces a zero tolerance policy for all sexual abuse and sexual harassment within our facilities. To ensure the policy is implemented in the most efficient manner, NMCD continues to improve the reporting processes on how PREA allegations are reported, categorized and tracked.

NMCD is aggressively working to improve in all aspects of the PREA process and continues to make strides in the prevention, detection and response to all sexual abuse and sexual harassment. In addition, NMCD strives to have consistent applications of the



PREA standards in all of our facilities. Since the publishing of the PREA standards in August 2012, it is evident that implementation of the standards has become engrained among staff, contract staff, contractors, volunteers and inmates, which creates a safer environment for our staff and inmates, by reducing incidents of sexual abuse and sexual harassment.

Moving forward, NMCD will strive to:

1. Continue ongoing review of operational practices to improve sexual safety within all facilities
2. Maintain compliance with §115.401 Frequency and Scope of Audits and ensure that all facilities are audited within the three year cycle.
3. The PREA Coordinator will work with the IT Department to establish reports in PIMS.
4. Continue to enhance training for staff, contract staff, contractors, volunteers and inmates.

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# NEW MEXICO CORRECTIONS DEPARTMENT



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. The review is intended to:

- ✓ Identify problem areas, taking corrective action on an ongoing basis within all facilities under NMCD control
- ✓ Compare the current years data and the corrective action with those from previous years; and
- ✓ Assess the agency's progress in addressing sexual abuse within the facilities.

This report is intended to provide information for the calendar year 2019. All personal identifying information has been excluded from this report.

A handwritten signature in black ink, appearing to read "Alisha Tafoya Lucero".

Alisha Tafoya Lucero  
NMCD Cabinet Secretary

8/21/2020  
Date

A handwritten signature in black ink, appearing to read "Robin M. Bruck".

Robin M. Bruck  
NMCD PREA Coordinator

8-21-2020  
Date