



## 2024 Annual PREA Report

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Minnesota Department of Corrections Vision, Mission Values and Goals:  
**Vision**

Achieving justice through promotion of racial equity, restoration from harm, and community connectedness.

**Mission**

Transforming lives for a safer Minnesota.

**Values**

Safety • Dignity • Honesty • Service • Equity • Fairness • Respect

**Leadership Philosophy**

Create successful experiences for others.

**Strategic Priorities**

- Agency Reorganization
- Transformative Programming
- Safety and Wellbeing

***Prepared for:*** Gino Anselmo, Statewide PREA Coordinator

*Approved for Publication by:*

X *P. Schnell*

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PAUL SCHNELL  
Commissioner of Corrections

## Introduction

### Background

The Federal Prison Rape Elimination Act (PREA) establishes national standards to prevent, detect, and respond to sexual abuse and sexual harassment in confinement facilities. These standards apply to all public and private institutions that house adult, youth, or juvenile incarcerated persons (IPs). PREA requires facilities to collect, analyze, and report data on incidents of custodial rape, sexual abuse, and sexual harassment across federal, state, and local systems.

Standard §115.88 Data Review for Corrective Action requires an annual report summarizing allegation statistics, audit findings, agency challenges, and progress toward PREA compliance. This report enhances transparency, informs the public, and helps leaders identify and correct problem areas. To meet these requirements, the Minnesota Department of Corrections (DOC) collects data according to §115.87 Data Collection.

### Zero-Tolerance

The DOC maintains a strict zero-tolerance policy for sexual abuse, sexual assault, sexual misconduct, and sexual harassment among incarcerated individuals. Sexual activity between staff, volunteers, or contractors and incarcerated persons is strictly prohibited and may result in administrative and/or criminal sanctions. All staff, contractors, and volunteers are responsible for understanding and upholding this prohibition, as outlined in the DOC Code of Conduct. Mandatory staff training and education for the incarcerated population reinforce these expectations.

In accordance with §115.11 Zero-Tolerance of Sexual Abuse and Sexual Harassment; PREA Coordinator, the DOC employs a Statewide PREA Coordinator to oversee PREA implementation. Each facility also designates a PREA Compliance Manager to provide additional oversight.

All allegations and incidents, including those initially reported as consensual, are investigated to ensure safety and determine whether the incident is voluntary and non-coercive.

More information on specific PREA standards is available at the PREA Resource Center:

- <https://www.prearesourcecenter.org/standard/115-11>

- <https://www.prearesourcecenter.org/standard/115-88>
- <https://www.prearesourcecenter.org/standard/115-87>

## Scope of Report

The 2024 Annual PREA Report summarizes all allegations of sexual abuse and sexual harassment involving incarcerated persons during calendar year 2023. This includes incidents occurring in DOC facilities and for individuals under DOC control who are in custodial settings in the community. Custodial settings include halfway houses, jails, and treatment centers. The DOC operates nine adult male facilities, one juvenile facility (MCF-Red Wing), and one female facility (MCF-Shakopee). For reporting purposes, MCF-Red Wing is broken into two units: a juvenile facility and a 45-bed adult living unit. For reports made concerning individuals in custodial settings in the community, DOC's Statewide PREA Coordinator does follow-up with each allegation received, referring the investigation to the PREA compliance manager at the specific facility.

The report also presents audit results, agency accomplishments, and goals aimed at strengthening safety and PREA compliance across the department.

## Classifications of Sexual Abuse and Sexual Harassment

### **Incarcerated Person (IP)/IP Non-Consensual Sexual Acts:**

Penetration or oral sexual contact between incarcerated persons without consent or involving someone unable to consent.

### **IP/IP Abusive Sexual Contact:**

Non-penetrative sexual touching between incarcerated persons without consent or involving someone unable to consent.

### **IP/IP Consensual Sexual Acts:**

Sexual contact between incarcerated persons that is mutually agreed upon but still prohibited under DOC policy.

### **Staff Sexual Misconduct:**

Any sexual act, contact, request, or sexually motivated behavior by staff, volunteers, or contractors toward an incarcerated person.

### **IP/IP Sexual Harassment:**

Repeated unwelcome sexual comments, gestures, requests, or advances by one incarcerated person toward another.

**Staff/IP Sexual Harassment:**

Repeated sexual comments, gestures, or demeaning sexual remarks made by staff, volunteers, or contractors toward an incarcerated person.

**Disposition Definitions**

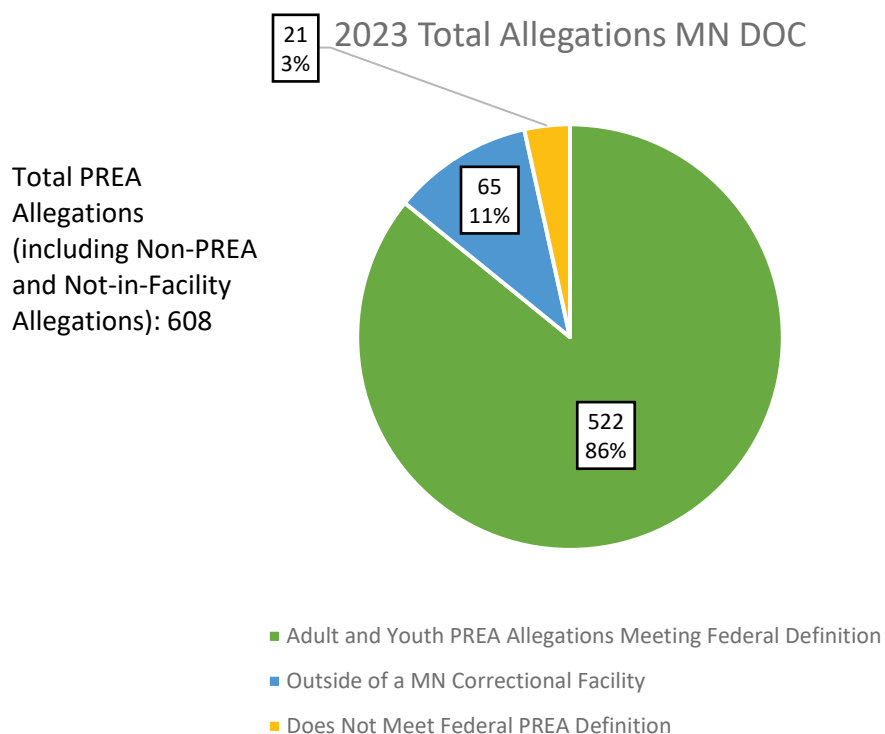
Each allegation is investigated and receives one of the following findings:

- **Substantiated:** Evidence confirms the incident occurred.
- **Unsubstantiated:** Evidence is insufficient to determine whether the incident occurred.
- **Unfounded:** Evidence shows the incident did not occur.

Note: Allegations of single instances of either staff or incarcerated person sexual harassment are also investigated and tracked. A single occurrence of sexual harassment can be significant and is incompatible with the agency's commitment to a culture of zero tolerance. Tracking single instances allows patterns to become evident and is consistent with PREA Resource Center guidance.

## Minnesota Department of Corrections Total Allegations in 2023

All allegations reported to a DOC staff member are documented and investigated but not all are found to meet the federal definition of PREA. In 2023, there were 608 allegations reported. Of those allegations 522 met the federal definition of PREA, while 65 allegations did not occur within a Minnesota Correctional Facility, and 21 allegations did not meet the federal PREA definition (13 were either consensual sex between two incarcerated persons and eight unrelated grievances submitted as a PREA complaint).

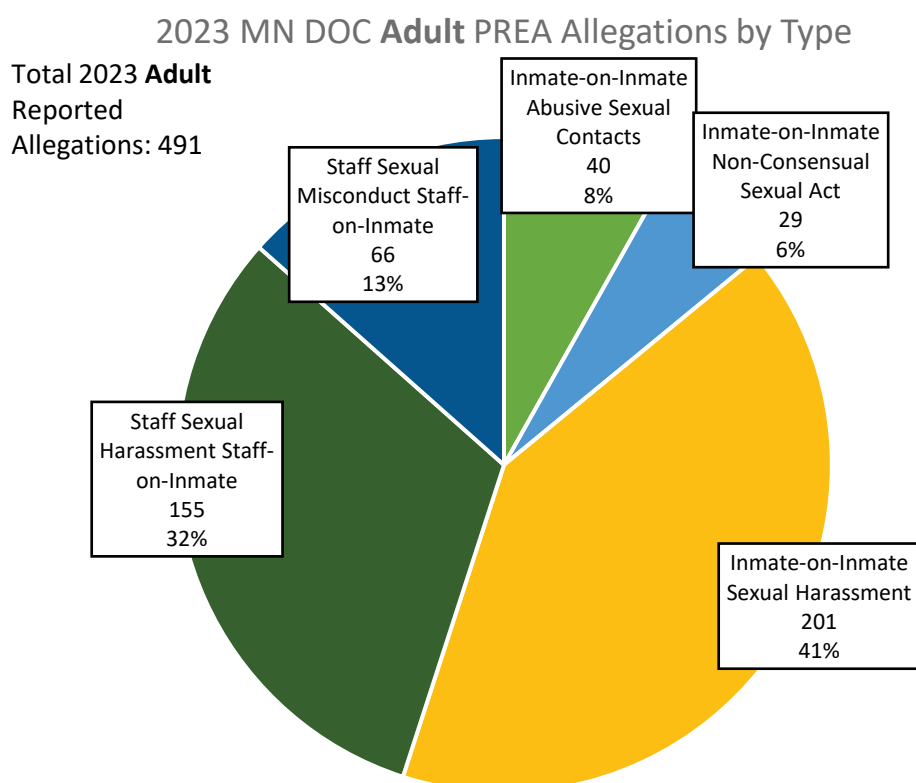


\*For reporting purposes, the allegations that are classified as non-PREA (21) and not-in-facility allegations (65) will not be included in the remainder of this report.

## 2023 Adult and Youthful Incarcerated Persons PREA Allegations by Type

### 2023 DOC Adult Incarcerated Person Reported PREA allegations

In 2023, the DOC had 522 reported allegations. Of these reported PREA allegations, a total of 491 allegations were reported from facilities with adult populations. The breakdown of reported PREA allegations according to allegation type is in the graphic below.



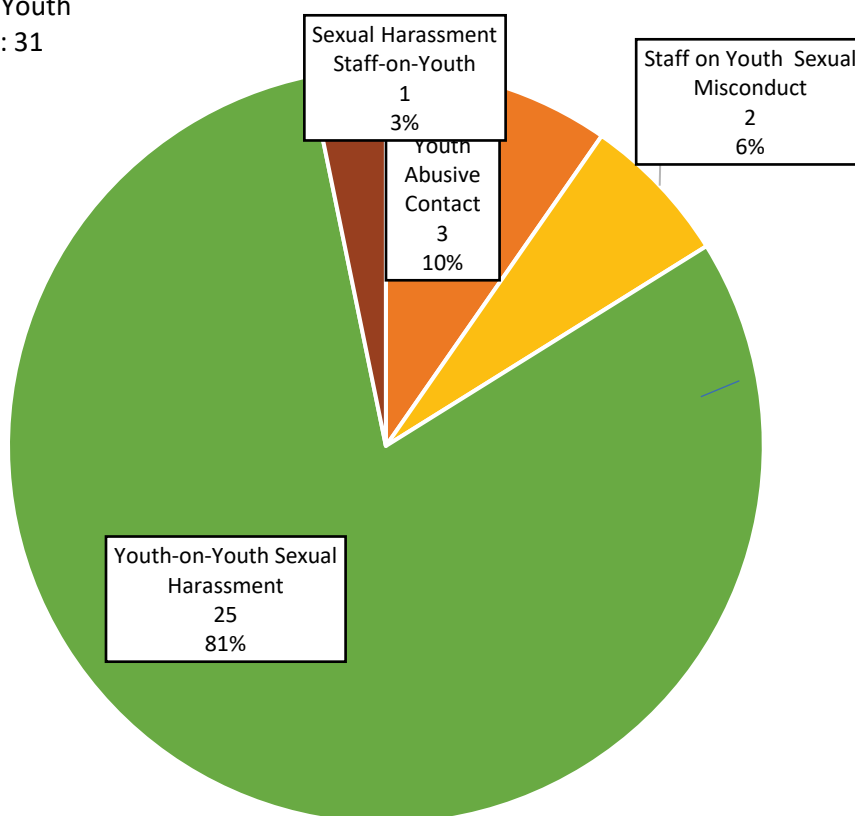
| Allegation Type                             | Count | Percentage |
|---------------------------------------------|-------|------------|
| Inmate-on-Inmate Sexual Harassment          | 201   | 41%        |
| Staff Sexual Harassment (Staff-on-Inmate)   | 155   | 32%        |
| Staff Sexual Misconduct (Staff-on-Inmate)   | 66    | 13%        |
| Inmate-on-Inmate Abusive Sexual Contacts    | 40    | 8%         |
| Inmate-on-Inmate Non-Consensual Sexual Acts | 29    | 6%         |
| Total Allegations                           | 491   | 100%       |

## 2023 DOC Youth Incarcerated Person Reported PREA Allegations

In 2023, thirty-one reported PREA allegations were from the DOC's Juvenile/Youth Facility.

2023 MN DOC Youth PREA Allegations by Type

Total 2023 Youth  
Allegations: 31



| Allegation Type                  | Count | Percentage |
|----------------------------------|-------|------------|
| Youth-on-Youth Sexual Harassment | 25    | 81%        |
| Youth-on-Youth Abusive Contact   | 3     | 10%        |
| Staff-on-Youth Sexual Misconduct | 2     | 6%         |
| Sexual Harassment Staff-on-Youth | 1     | 3%         |
| Total                            | 31    | 100%       |

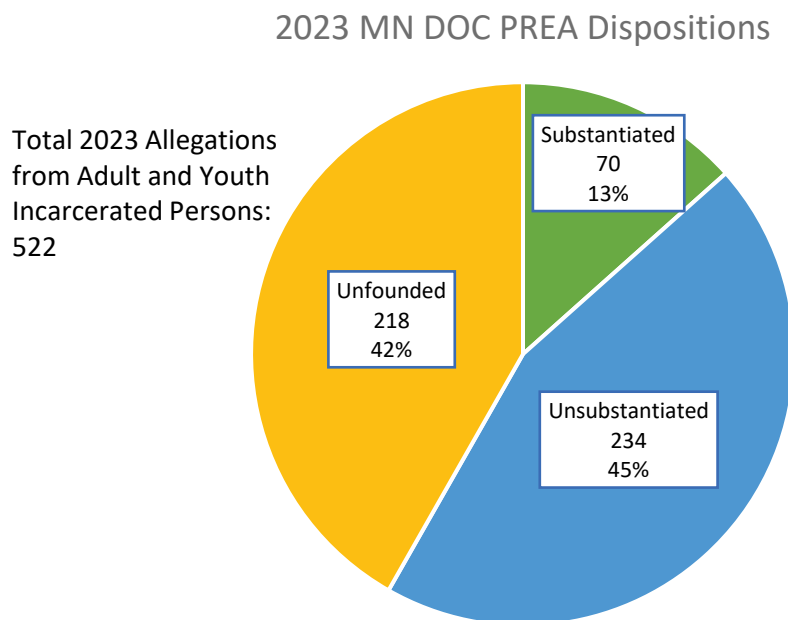


### 2023 MN DOC PREA Dispositions

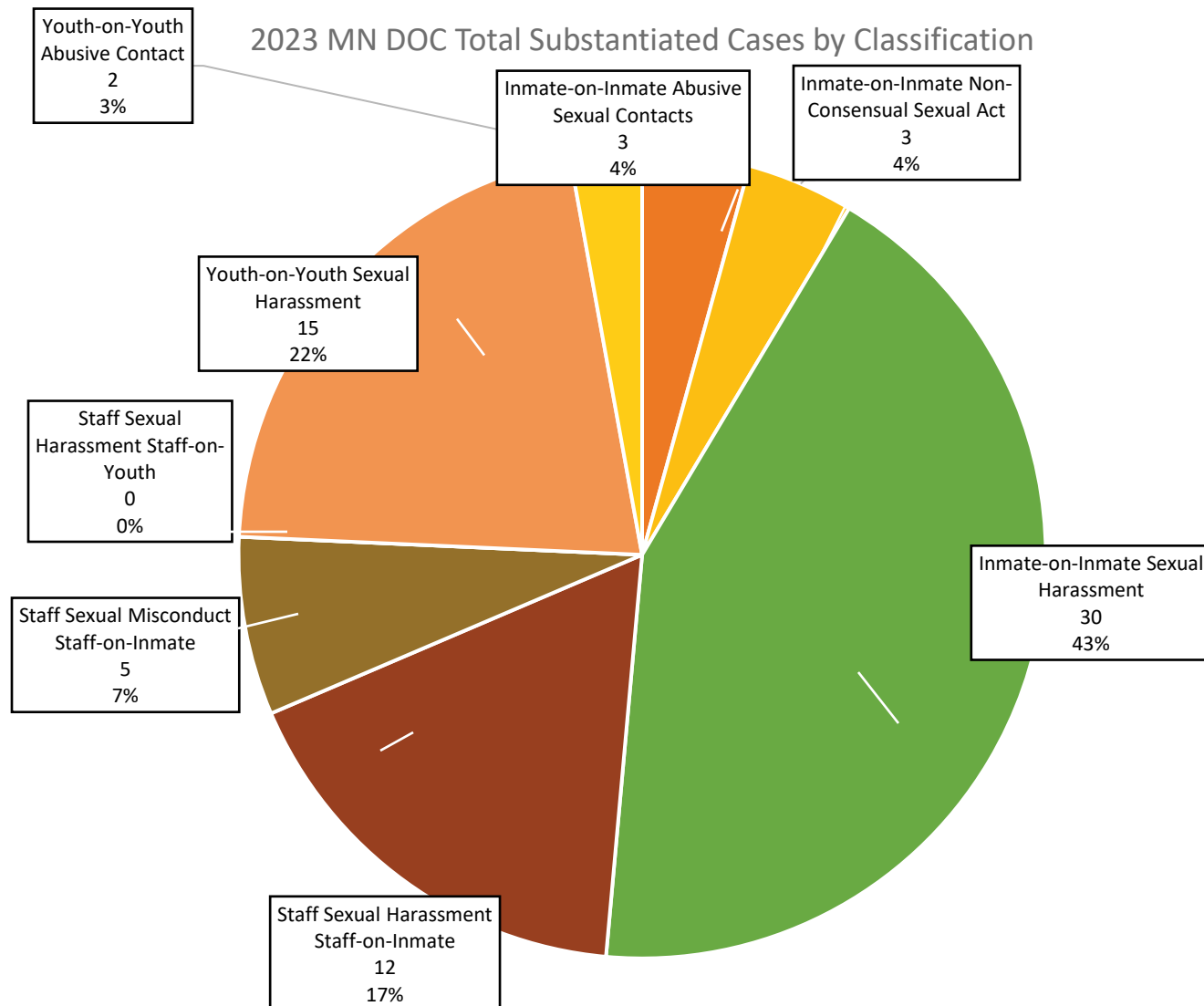
For both adult and youth incarcerated persons, there were 522 reported PREA allegations in 2023. After full investigation there were 70 substantiated allegations with 234 being unsubstantiated, and 218 unfounded.

These are the definitions of allegation outcomes:

- **Substantiated:** Evidence confirms the incident occurred.
- **Unsubstantiated:** Evidence is insufficient to determine whether the incident occurred.
- **Unfounded:** Evidence shows the incident did not occur.



## 2023 Substantiated PREA Allegations by Classification

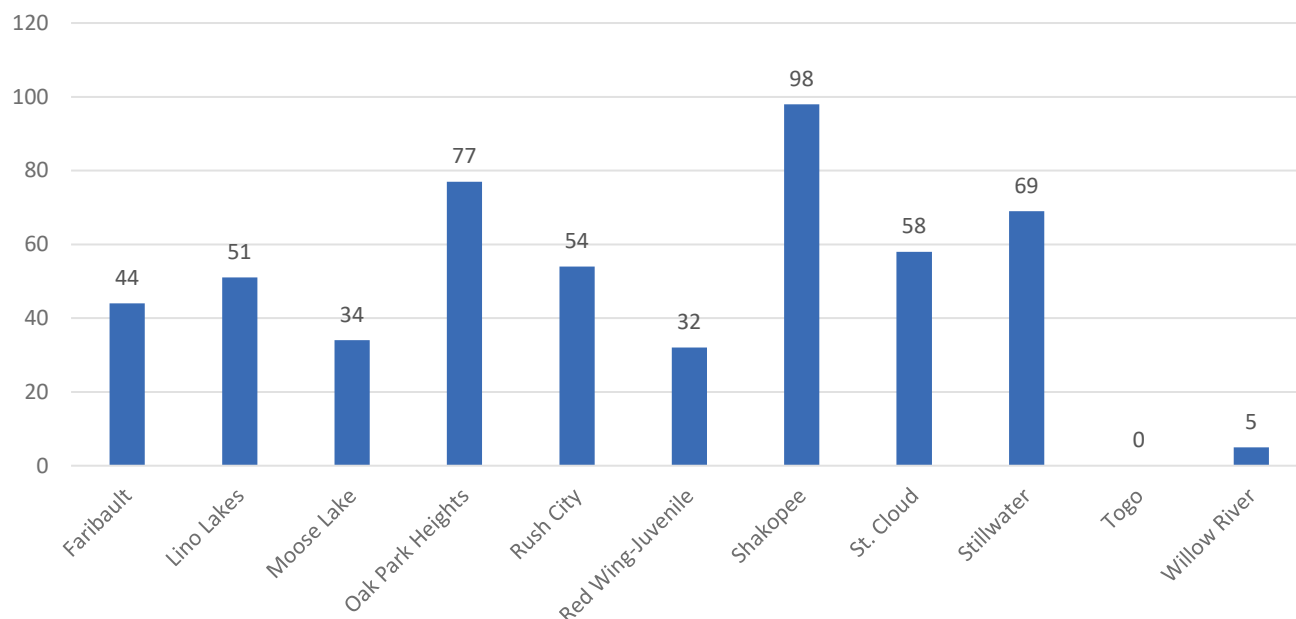


| Classification                             | Count | Percentage |
|--------------------------------------------|-------|------------|
| Inmate-on-Inmate Sexual Harassment         | 30    | 44%        |
| Youth-on-Youth Sexual Harassment           | 15    | 21%        |
| Staff Sexual Harassment — Staff-on-Inmate  | 12    | 17%        |
| Inmate-on-Inmate Abusive Sexual Contacts   | 3     | 4%         |
| Inmate-on-Inmate Non-Consensual Sexual Act | 3     | 4%         |
| Staff Sexual Misconduct — Staff-on-Inmate  | 5     | 7%         |
| Youth-on-Youth Abusive Contact             | 2     | 3%         |
| Total                                      | 70    | 100%       |

## 2023 MN DOC Total PREA Allegations by Facility

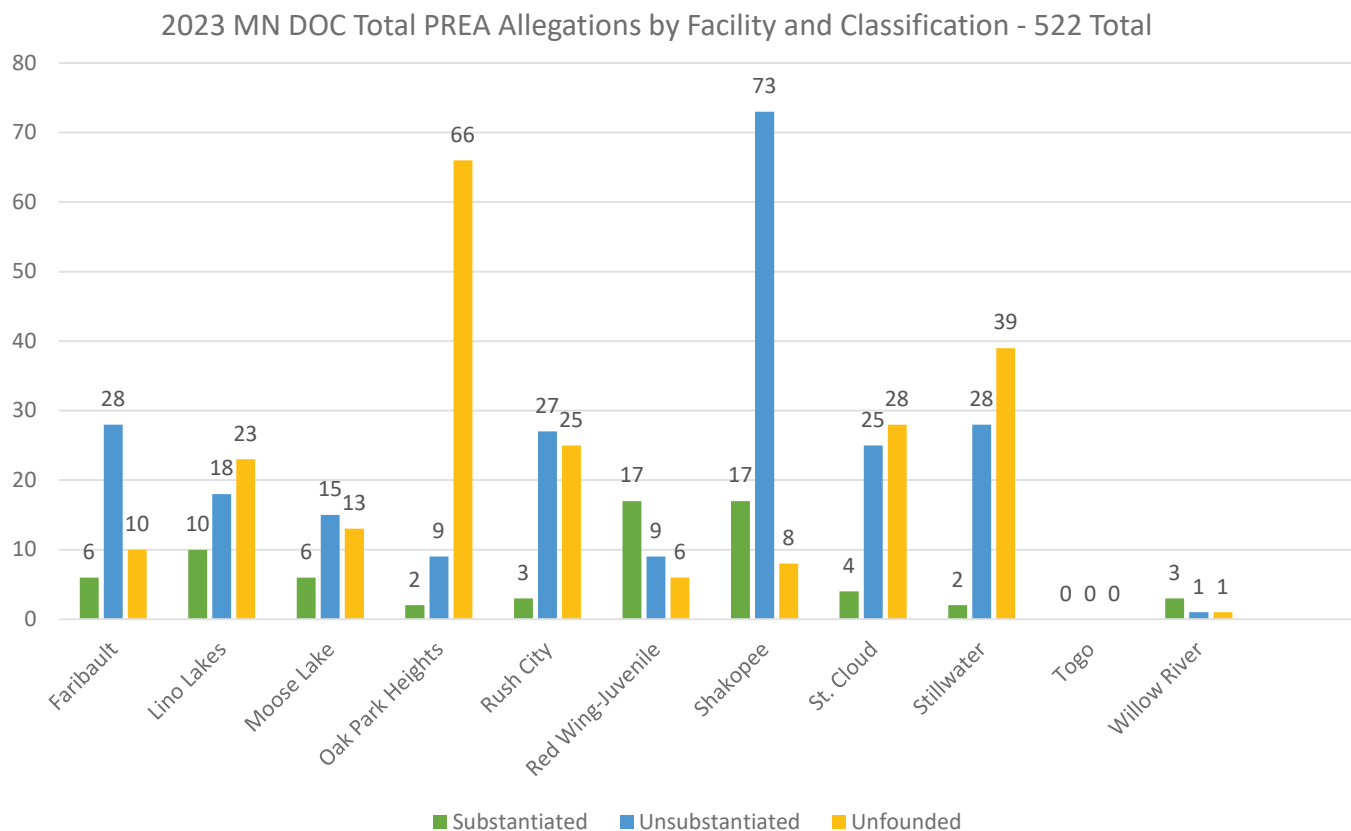
Allegations are not evenly distributed across the agency, which is expected given the differences among the 11 Minnesota correctional facilities. Each facility varies in population size, physical layout, and available programming.

2023 MN DOC Total PREA Allegations by Facility (522 Total)



| Facility            | Count | Percentage |
|---------------------|-------|------------|
| Faribault           | 44    | 8%         |
| Lino Lakes          | 51    | 10%        |
| Moose Lake          | 34    | 7%         |
| Oak Park Heights    | 77    | 15%        |
| Rush City           | 54    | 10%        |
| Red Wing - Juvenile | 32    | 6%         |
| Shakopee            | 98    | 19%        |
| St. Cloud           | 58    | 11%        |
| Stillwater          | 69    | 13%        |
| Togo                | 0     | 0%         |
| Willow River        | 5     | 1%         |
| Total               | 522   | 100%       |

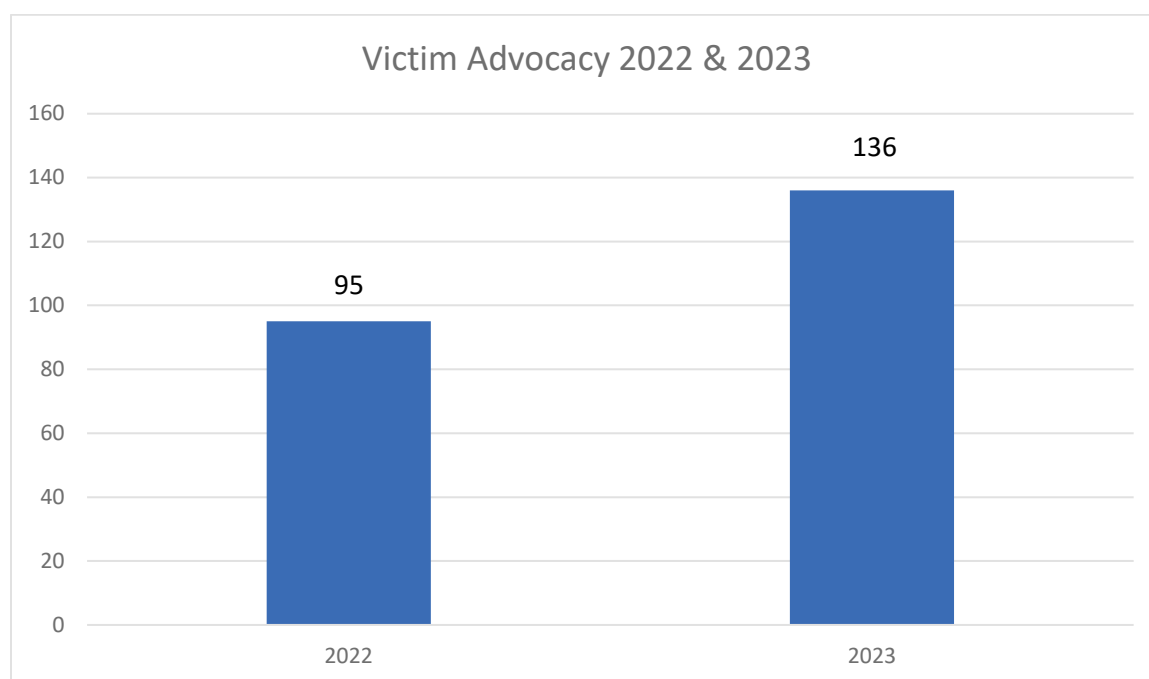
## 2023 MN DOC Total PREA Allegations by Facility and Classification



| Facility           | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------|---------------|-----------------|-----------|-------|
| Faribault          | 6             | 28              | 10        | 44    |
| Lino Lakes         | 10            | 18              | 23        | 51    |
| Moose Lake         | 6             | 15              | 13        | 34    |
| Oak Park Heights   | 2             | 9               | 66        | 77    |
| Rush City          | 3             | 27              | 25        | 54    |
| Red Wing- Juvenile | 17            | 9               | 6         | 32    |
| Shakopee           | 17            | 73              | 8         | 98    |
| St. Cloud          | 4             | 25              | 28        | 58    |
| Stillwater         | 2             | 28              | 39        | 69    |
| Togo               | 0             | 0               | 0         | 0     |
| Willow River       | 3             | 1               | 1         | 5     |
| Total              | 70            | 233             | 219       | 522   |

## PREA Advocacy Services Multi-Year Comparison

The DOC's Victim Services and Restorative Justice (VSRJ) Unit collects data on its advocacy work and is responsible for connecting incarcerated individuals who request advocacy services with community-based services. VSRJ tracks the number of referrals for advocacy that are received. Between 2022 and 2023, the requests for advocacy around sexual violence increased by 43 percent. The requests for referrals involve some cases where there is a current allegation and investigation but also include reports made by incarcerated individuals of sexual violence experienced prior to incarceration. This includes sexual violence experienced in the community and may have happened days or years earlier. An increase in requests for sexual violence advocacy services is seen as a positive, as we know from studies and national statistics that a significant number of incarcerated individuals have experienced prior to their incarceration. All of those requesting advocacy services were referred to a community-based advocacy service.



## Audit Findings

In 2023, three facilities (Faribault, Oak Park Heights, and Rush City) were audited. These audits ended with assurances due to facilities being out of compliance with several standards. Any areas of correction noted in the audits were fully addressed by our agency. Many improvements are noted in the facility achievements below. Audit reports can be found at: <https://mn.gov/doc/about/prea-policy/>.

## Agency and Facility Achievements

Each year, we analyze aggregate data and facility audit reports for opportunities for improvement and to correct deficiencies. Below is a compilation of achievements drawn from this review and analysis.

- Increased staff training on PREA standards.
- Added cameras and bathroom privacy screening to our facilities to reduce PREA related events.
- Created the structure for a statewide PREA unit to assist facilities in prevention, detection, and response to PREA allegations. The unit is comprised of the Statewide PREA Coordinator, a Data Management Analyst, two Regional Assistants for investigations, and an Audit Specialist.
- Replaced the agency's original sexual offense database system ImageTrend with a new system named PREATrac at the end of July 2023. This ensures better tracking and follow up of all allegations.
- Provided training on the new PREATrac system was conducted and Master Instructors established at each facility to ensure better documentation of allegations, investigations, and understanding of the database.
- Increased Facility Administrative Investigators who attend specialized training on a regular basis.
- Used grant funds provided by Impact Justice, the administrators of the PREA Resource Center, for specialized training for Human Resources, Health Services, the PREA Compliance Managers, and investigators.

- Reemphasized the importance of facility SART meetings in partnership with facility leadership.
- Improved victim response rates by developing better access to DOC's Victim Services & Restorative Justice unit.
- Connected 100 percent of requests for advocacy services with community-based services.
- Consistently held a sexual violence trauma and healing support group through VSRJ at MCF-Shakopee.
- Developed an agency retention schedule for all PREA information.

## Conclusion

The DOC enforces a zero-tolerance policy for sexual harassment and sexual abuse. To ensure this policy is implemented in the most effective way, the DOC continuously improves its processes around how sexual assault, sexual abuse, and sexual harassment allegations are interpreted, reported, and tracked. Investigations, coupled with prevention training, greatly assist our efforts to maintain consistent application of the standards and create a safer environment for the incarcerated population.

In 2023, it was the 12<sup>th</sup> year since the DOC adopted and implemented the PREA standards. There have been significant internal changes to department operations during this period. Population increases, staffing challenges, both lean and healthy budget years, and pandemic responses have all occurred while the number of PREA investigations has increased. However, the DOC has continually improved our response to PREA allegations and our approach to meeting the national standards. Education for our incarcerated people and our staff, along with increased use of technology and data tracking, has increased tremendously.

As an agency, we have developed a comprehensive PREA Resource Unit that includes a Statewide PREA Coordinator, Data Management Analyst, Audit Specialist and two Regional Assistant positions. We anticipate hiring for these positions in 2024. This unit will assist the agency in prevention, detection, and ensuring proper responses to sexual abuse and sexual harassment allegations.

DOC is committed to zero tolerance for sexual abuse and sexual harassment and will continue to seek improvements in its efforts to maintain consistent application of the PREA Standards, thereby creating a safer environment for our incarcerated population.

### **Further Information**

For clarification of any information, or to report a sexual safety allegation, the PREA Statewide Coordinator can be contacted from the DOC's website: <https://mn.gov/doc/about/prea-policy> or mail to: PREA Unit, 1450 Energy Park Drive, Ste 200, St. Paul, MN 55108