

STATE OF NEW MEXICO

County of Luna

Joe “Oleo” Milo, Jr.
Chairman, District 1

Linda Smrkovsky
Commissioner, District 2



R. Javier Diaz
Commissioner, District 3

Charles “Tink” Jackson
County Manager

700 South Silver Avenue • Post Office Box 551 • Deming, New Mexico 88031
Telephone (575) 546-0494 Facsimile (575) 544-4293

FOR IMMEDIATE RELEASE: 4/8/2015
Contact: Matt Robinson, (575) 545-4627

Media Release

Luna County Detention Center officials are preparing for a vital federal audit of its policies and procedures to prevent prison rape and other assaults.

The Prison Rape Elimination Act of 2003 established a number of criteria with which detention centers and prisons must comply to prevent sexual assault involving inmates and staff. The audit will begin on Monday, April 20.

Matthew Elwell, LCDC Director, said compliance with PREA at the county facility entails a wide variety of approaches, including training for officers and orientations for new inmates. Newcomers to the facility are walked through an orientation of the law concerning PREA, their own rights, reporting assaults, and the stages of sexual abuse. Staff members also go through extensive training to identify and prevent assaults.

“No prisoner is adjudicated to endure rape or sexual assault while in detention or prison. Sexual assault is against state and federal law and institutional policies,” he said. “Our job is to protect those who are awaiting adjudication, and to protect and comply with the orders outlined in the sentencing for those who have been adjudicated.”

The law also protects against retaliation for reporting sexual abuse, regardless if it is a staff member or inmate reporting it. Because the LCDC has a zero tolerance policy for sexual abuse and sexual activities between inmates and staff or amongst inmates, a duty is placed on everyone in the facility to report abuse. The facility maintains a large array of informational materials, forms to report sexual abuse violations, videos, and posters and has established processes for hearings to be held to further investigate complaints made in the facility. The LCDC has a policy to refer substantiated cases to prosecutors and treatment protocols for victims of sexual abuse.

Anyone with information pertaining to LCDC’s compliance with PREA is asked to send information before April 20 to JMC Associates, P.O. Box 40, Sandia Park, NM 87047. No correspondence addressed to the auditors will be shared with Luna County or the detention center. The information will remain confidential, and any retaliation for sharing information with JMC should be reported.

Facilities under the PREA standards must be audited at least every three years to be considered compliant with the standards. This will be LCDC’s first PREA audit.

###