



SURVEY OF SEXUAL VICTIMIZATION, 2022

Substantiated Incident Form (Adult)

U.S. DEPARTMENT OF JUSTICE
BUREAU OF JUSTICE STATISTICS
and ACTING AS COLLECTION AGENT
U.S. DEPT. OF COMMERCE
U.S. CENSUS BUREAU

Incident Number ___ out of ___

1. On what date did the incident occur?
(If more than one date, report the most recent.)

Month Day Year
1 2 2 5 2 0 2 3

2. In what facility did the incident occur?

Name
Bismarck Trhnsition Center
City/Place
Bismarck, ND 58504

3. Where did the incident occur? *(Mark (X)) all that apply.)*

- 01 In the victim's cell or room (e.g., if the victim and perpetrator share a cell or room, count as the victim's cell)
- 02 In the perpetrator's cell or room
- 03 In a dormitory or other multiple housing unit
- 04 In a common area (e.g., shower, dayroom, bathroom)
- 05 In a temporary holding cell or intake area within the facility
- 06 In a program service area (e.g., commissary, kitchen, storage, laundry, cafeteria, workshop, hallway)
- 07 In an instructional area (e.g., classroom, school, library, conference room)
- 08 In a recreation area (e.g., yard, courtyard, gymnasium)
- 09 In a medical area (e.g., infirmary, health clinic)
- 10 In a staff area (e.g., office, break room, counselor's office)
- 11 Offsite or while in transit
- 12 Other - *Specify*
- 13 Location unknown

4. Did the incident take place in an area subject to video monitoring?

- 01 Yes
- 02 No
- 03 Don't know

5. What time did the incident occur?
(Mark (X)) all that apply.)

- 01 Morning (6 a.m. to noon)
- 02 Afternoon (noon to 6 p.m.)
- 03 Evening (6 p.m. to midnight)
- 04 Overnight (midnight to 6 a.m.)
- 05 Time unknown

6. How many victims were involved in the incident?

Number of victims 1

→ **If more than two victims were involved, report their characteristics in Notes on page 5.**

7. Victim #1: What was the victim's sex or gender identity? *(See definitions on page 5.)*

- 01 Male
- 02 Female
- 03 Transgender
- 04 Intersex

8. Victim #1: What was the victim's age at the time of the incident?

- 01 Under age 18
- 02 18-24
- 03 25-29
- 04 30-34
- 05 35-39
- 06 40-44
- 07 45-54
- 08 55 or older

9. Victim #1: What was the victim's race/ethnic origin?
(Mark (X)) all that apply.)

- 01 White *(not of Hispanic origin)*
- 02 Black *(not of Hispanic origin)*
- 03 Hispanic or Latino
- 04 American Indian/Alaska Native *(not of Hispanic origin)*
- 05 Asian *(not of Hispanic origin)*
- 06 Native Hawaiian or Other Pacific Islander *(not of Hispanic origin)*
- 07 Other racial category in your information system - *Specify*

10. Victim #2: What was the victim's sex or gender identity? *(See definitions on page 5.)*

- 01 Male
- 02 Female
- 03 Transgender
- 04 Intersex

11. Victim #2: What was the victim's age at the time of the incident?

- 01 Under age 18
- 02 18-24
- 03 25-29
- 04 30-34
- 05 35-39
- 06 40-44
- 07 45-54
- 08 55 or older

Burden Statement

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The burden of this collection is estimated to average 30 minutes per response, including reviewing instructions, searching existing data sources, gathering necessary data, and completing and reviewing this form. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. Do not send your completed form to this address.

12. Victim #2: What was the victim's race/ethnic origin?
(Mark (X)) all that apply.)

- 01 White (not of Hispanic origin)
- 02 Black (not of Hispanic origin)
- 03 Hispanic or Latino
- 04 American Indian/Alaska Native (not of Hispanic origin)
- 05 Asian (not of Hispanic origin)
- 06 Native Hawaiian or Other Pacific Islander (not of Hispanic origin)
- 07 Other racial category in your information system – Specify

13. Did the victim(s) sustain any physical injury during the incident?

- 02 No (No injury sustained)
- 01 Yes → **a. What injuries occurred?**
(Mark (X)) all that apply for all victims.)
 - 01 Knife or stab wounds
 - 02 Broken bones
 - 03 Anal or vaginal tearing
 - 04 Chipped or knocked out teeth
 - 05 Internal injuries
 - 06 Knocked unconscious
 - 07 Bruises, black eye, sprains, cuts, scratches, swelling, welts
 - 08 Other – Specify

→ **b. Did the victim(s) receive medical treatment for these injuries?**

- 01 Yes
- 02 No

14. Who reported the incident?
(Mark (X)) all that apply.)

- 01 Victim
- 02 Another inmate (non-victim)
- 03 Victim's family or friend
- 04 Correctional officer or front line staff
- 05 Administrative staff
- 06 Medical, healthcare, or mental health staff
- 07 Instructor, teacher, or counselor
- 08 Other staff (e.g., kitchen worker, maintenance staff)
- 09 Chaplain or other religion official
- 10 Perpetrator
- 11 Perpetrator's family or friend
- 12 Grievance coordinator, grievance process, or ombudsperson
- 13 Attorney or legal guardian (e.g., other than family member)
- 14 Confidential informant, anonymous tip, hot line, or through monitoring (e.g., camera, telephone, or mail)
- 15 Other – Specify

15. After the incident was reported, was the victim(s) – (Mark (X)) all that apply for all victims.)

- 01 Given a medical examination
- 02 Administered a rape kit
- 03 Tested for HIV/AIDS
- 04 Tested for other sexually transmitted diseases
- 05 Provided with counseling or mental health treatment
- 06 Offered but declined testing or treatment
- 07 Already released/discharged
- 08 None of the above

16. After the incident was reported, was the victim(s) – (Mark (X)) all that apply for all victims.)

- 01 Placed in or returned to administrative segregation, protective custody, or disciplinary segregation
- 02 Placed in a medical unit, ward, or hospital
- 03 Confined to own cell or room
- 04 Given a higher custody level or different unit within the facility
- 05 Transferred to another facility
- 06 Transferred to another housing unit or dorm, or given a single room or cell
- 07 Separated from perpetrator
- 08 Issued disciplinary report or loss of privileges
- 09 Placed in camera room, under closer surveillance, or increased supervision
- 10 Other – Specify

- 11 None of the above

17. What type of sexual violence was involved in the incident? (See definitions on page 5.)

- 01 Inmate-on-inmate nonconsensual sexual act
→ Complete Section A, below
- 02 Inmate-on-inmate abusive sexual contact
→ Complete Section A, below
- 03 Inmate-on-inmate sexual harassment
→ Complete Section A, below
- 04 Staff sexual misconduct
→ Complete Section B on pages 4–5
- 05 Staff sexual harassment
→ Complete Section B on pages 4–5

Section A – INMATE-ON-INMATE SEXUAL VICTIMIZATION

→ **If the perpetrator was a staff member, go to Section B on pages 4–5.**

18. How many inmate perpetrators were involved in the incident?

Number of inmate perpetrators . . . 1

→ **If more than two inmate perpetrators were involved, report their characteristics in Notes on page 5.**

19. Perpetrator #1: What was the inmate perpetrator's sex or gender identity?
(See definitions on page 5.)

- 01 Male
- 02 Female
- 03 Transgender
- 04 Intersex

20. Perpetrator #1: What was the inmate perpetrator's age at the time of the incident?

- 01 Under age 18
- 02 18-24
- 03 25-29
- 04 30-34
- 05 35-39
- 06 40-44
- 07 45-54
- 08 55 or older

21. Perpetrator #1: What was the inmate perpetrator's race/ethnic origin?
(Mark (X)) all that apply.)

- 01 White (not of Hispanic origin)
- 02 Black (not of Hispanic origin)
- 03 Hispanic or Latino
- 04 American Indian/Alaska Native (not of Hispanic origin)
- 05 Asian (not of Hispanic origin)
- 06 Native Hawaiian or Other Pacific Islander (not of Hispanic Origin)
- 07 Other racial category in your information system - Specify

22. Perpetrator #2: What was the inmate perpetrator's sex or gender identity?
(See definitions on page 5.)

- 01 Male
- 02 Female
- 03 Transgender
- 04 Intersex

23. Perpetrator #2: What was the inmate perpetrator's age at the time of the incident?

- 01 Under age 18
- 02 18-24
- 03 25-29
- 04 30-34
- 05 35-39
- 06 40-44
- 07 45-54
- 08 55 or older

24. Perpetrator #2: What was the inmate perpetrator's race/ethnic origin?
(Mark (X)) all that apply.)

- 01 White (not of Hispanic origin)
- 02 Black (not of Hispanic origin)
- 03 Hispanic or Latino
- 04 American Indian/Alaska Native (not of Hispanic origin)
- 05 Asian (not of Hispanic origin)
- 06 Native Hawaiian or Other Pacific Islander (not of Hispanic Origin)
- 07 Other racial category in your information system - Specify

25. What was the nature of the incident?
(Mark (X)) all that apply.)

- 02 Sexual harassment
- 03 Indecent exposure, masturbation, or voyeurism
- 04 Horseplay
- 05 Repeated and unwelcome sexual advances or requests for sexual favors
- 06 Unwanted touching for sexual gratification or abusive sexual contact
- 07 Pressure or coercion (without force) resulting in a nonconsensual sexual act
- 08 Physical force (or the threat of force) resulting in a nonconsensual sexual act
- 09 Other - Specify

26. What type of pressure or physical force was used by the inmate perpetrator on the victim?
(Mark (X)) all that apply for all perpetrators.)

- 01 Sexual harassment, sexual innuendo, or verbal comments
- 02 Persuasion or talked into sexual activity
- 03 Surprised the victim with unwanted touching, grabbing or groping, or victim was asleep
- 04 Bribery or blackmail
- 05 Gave victim drugs or alcohol
- 06 Offered protection from other inmates
- 07 Threatened with physical harm
- 08 Physically held victim down or restrained in some way
- 09 Physically harmed or injured
- 10 Threatened with a weapon
- 11 Other - Specify

12 None

27. What sanction was imposed on the perpetrator(s)?
(Mark (X)) all that apply for all perpetrators.)

- 01 Placed in solitary confinement or disciplinary segregation
- 02 Confined to own cell or room
- 03 Placed in higher custody level, restricted unit or program, within the same facility
- 04 Transferred to other unit/cell or separated from victim
- 05 Transferred to another facility
- 06 Loss of "good/gain" time, increase in "bad" time or delayed release
- 07 Given extra work
- 08 Loss of privileges, disciplinary report or conduct violation, or other reprimand
- 09 Sent to counseling or treatment team
- 10 Arrested or referred to law enforcement agency
- 11 Referred for prosecution or indicted
- 12 Convicted, given new sentence, or fined
- 13 Other - Specify

Section B – STAFF-ON-INMATE SEXUAL ABUSE

→ If the perpetrator was an inmate, go to Section A on pages 2-3.

28. What was the nature of the incident?

(Mark (X) all that apply.)

- 01 Physical force resulting in a nonconsensual sexual act
- 02 Pressure or abuse of power resulting in a nonconsensual sexual act
- 03 Indecent exposure, invasion of privacy, or voyeurism for sexual gratification
- 04 Unwanted touching for sexual gratification
- 05 Sexual harassment or repeated verbal statements of a sexual nature by staff
- 06 Wrote letters, showed pictures, or offered gifts or special privileges to inmate
- 07 Sexual relationship between inmate and staff that appeared to be willing
- 08 Other – Specify

- 09 Level of coercion unknown

29. How many staff were involved in the incident?

Number of staff . . . _____

→ If more than two staff were involved, report their characteristics in Notes on page 5.

30. Staff #1: What was the gender of the staff?

- 01 Male
- 02 Female

31. Staff #1: What was the age of the staff at the time of the incident?

- 01 24 or younger
- 02 25–29
- 03 30–34
- 04 35–39
- 05 40–44
- 06 45–54
- 07 55 or older

32. Staff #1: What was the race/ethnic origin of the staff involved in the incident?

(Mark (X) all that apply.)

- 01 White (not of Hispanic origin)
- 02 Black (not of Hispanic origin)
- 03 Hispanic or Latino
- 04 American Indian/Alaska Native (not of Hispanic origin)
- 05 Asian (not of Hispanic origin)
- 06 Native Hawaiian or Other Pacific Islander (not of Hispanic origin)
- 07 Other racial category in your information system – Specify

33. Staff #2: What was the gender of the staff?

- 01 Male
- 02 Female

34. Staff #2: What was the age of the staff at the time of the incident?

- 01 24 or younger
- 02 25–29
- 03 30–34
- 04 35–39
- 05 40–44
- 06 45–54
- 07 55 or older

35. Staff #2: What was the race/ethnic origin of the staff involved in the incident?

(Mark (X) all that apply.)

- 01 White (not of Hispanic origin)
- 02 Black (not of Hispanic origin)
- 03 Hispanic or Latino
- 04 American Indian/Alaska Native (not of Hispanic origin)
- 05 Asian (not of Hispanic origin)
- 06 Native Hawaiian or Other Pacific Islander (not of Hispanic origin)
- 07 Other racial category in your information system – Specify

36. Was the staff involved in the incident an employee of the facility, a contractor, or a volunteer?

(Mark (X) all that apply for all staff involved.)

- 01 Full or part time paid employee
- 02 Contract employee or vendor
- 03 Volunteer or intern
- 04 Other – Specify

37. What was the primary position description of the staff involved in the incident?

(Mark (X) all that apply for all staff involved.)

- 01 Administrator, including wardens, superintendents, assistants and others in administrative positions
- 02 Correctional officer or supervisory staff
- 03 Clerical staff including secretaries, clerks, receptionists, and other administrative support
- 04 Maintenance and other facility support staff, including groundskeepers, janitors, cooks, and drivers
- 05 Medical or health care staff, including counselors, doctors, dentists, psychologists, psychiatrists, social workers, nurses, and medical assistants
- 06 Education staff, including instructors, teachers, librarians, and education assistants
- 07 Other program staff
- 08 Volunteers or Interns
- 09 Other staff – Specify

38. What sanction was imposed on the staff?

(Mark (X) all that apply for all staff involved.)

- 01 Sent to training or counseling
- 02 Reprimanded or disciplined
- 03 Demoted, diminished responsibilities, or suspended temporarily
- 04 Transferred to another facility or unit
- 05 Arrested or referred to law enforcement agency
- 06 Referred for prosecution or indicted
- 07 Convicted, plead guilty, sentenced, or fined
- 08 Discharged, terminated, or contract not renewed
- 09 Staff resigned (prior to completion of investigation)
- 10 Staff resigned (after investigation was completed)
- 11 Other – Specify _____

12 No action taken

39. At the time of the incident, how long had the staff worked at the facility?

(Mark (X) all that apply for all staff involved.)

- 01 Less than 6 months
- 02 6 months to 1 year
- 03 1 to 5 years
- 04 5 to 10 years
- 05 More than 10 years

NOTES

Definitions

Sexual victimization

NONCONSENSUAL SEXUAL ACTS: Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse;

AND

Contact between the penis and the vulva or the penis and the anus, including penetration, however slight; OR Contact between the mouth and the penis, vulva, or anus;

OR

Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.

ABUSIVE SEXUAL CONTACT (less severe): Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse;

AND

Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.

EXCLUDE incidents in which the contact was incidental to a physical altercation.

SEXUAL HARASSMENT BY ANOTHER INMATE: Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another.

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 (exclude family, friends or other visitors).

Sexual relationships of a romantic nature between staff and inmates are included in this definition. Consensual or nonconsensual sexual acts include—

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;

OR

Completed, attempted, threatened, or requested sexual acts;

OR

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 comments or gestures of a sexual nature to an inmate by an employee, volunteer, contractor, official visitor, or other agency representative (exclude family, friends, or other visitors). Include demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing;

OR

Repeated profane or obscene language or gestures.

Gender categories

TRANSGENDER: A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.

INTERSEX: A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.