Improving the quality of life for our children.
Introduction

Juvenile Justice Services (JJS) is committed to providing a safe and secure environment, free from all forms of Sexual Misconduct and Retaliation. JJS has **ZERO TOLERANCE** for Sexual Misconduct and maintains comprehensive procedures regarding prevention, detection and response to such conduct. All Sexual Misconduct regardless of consensual status is prohibited and subject to disciplinary action and possible criminal prosecution. JJS encourages all clients, employees, visitors, contractors, volunteers, and student interns who suspect, or witness any sexual misconduct to make a report.

Purpose

The Prison Rape Elimination Act (PREA) standard 115.387 requires data be collected and aggregated on sexual assault, sexual abuse, and sexual harassment incidents annually. In accordance to PREA standard 115.388 our agency will review the data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and training. Through our data collection we will identify problem areas and take corrective action on an ongoing basis.

2015 PREA Achievements

Since April 2015, JJS PREA team has actively worked toward compliance with the Prison Rape Elimination Act (PREA).

PREA UNIT

The PREA Unit was established under the Bureau of Performance and Policy. Office space and infrastructure was established and three FTE positions were created, hired, and trained to administrate and implement the PREA standards throughout all seven JJS facilities. The following positions comprise the PREA Unit:

- PREA Coordinator,
- PREA Management Analyst, and
- PREA Administrative Support.

Additionally, the PREA standards require that a PREA Compliance Manager be designated at each of our seven JJS facilities to coordinate the facility’s efforts to comply with the PREA standards. PREA Compliance Managers work as part of the PREA Team to operationalization of PREA at their respective facility.

PREA POLICY DEVELOPMENT

The PREA standards require the promulgation of numerous policies and procedures. Last June, we took advantage of free technical assistance offered by the PREA Resource Center and the Moss Group Inc. for policy review and development. Over the next several months the JJS Policy Manager, PREA Unit and the Moss Group worked together to review and revise our JJS PREA Policies. The JJS PREA policies and procedures have been reviewed by CYFD Legal Counsel, the American Federation of State, County, and Municipal Employees (AFSCME) and signed by the Children, Youth & Families Department (CYFD) Cabinet Secretary.
PREA FACILITY AUDITS
The PREA standards requires that one third of our facilities be audited each year. Using PREA Reallocation Grant funds, JJS contracted with a Department of Justice Certified PREA Auditor to audit three JJS facilities in 2016:

- Camino Nuevo Youth Center - May 26-28;
- Albuquerque Boys Reintegration Center - July 11-12;

The remaining four JJS facilities will be audited over the next two years to create the required audit cycle.

TRAINING AND EDUCATION
May 2015, the Performance/Policy Bureau Chief, JJS Policy Manager and the Office of the Inspector General’s Special Investigator attended a 2 day PREA Coordinator trainings provided by the Association of Counties.

June 2015, the Performance/Policy Bureau Chief and the facility PREA Compliance Managers attended a three-day PREA audit of the Southern New Mexico Correctional Facility in Las Cruces.

August 2015, the JJS behavior health and medical staff attended a specialized PREA training hosted by the New Mexico Corrections Department. The training consisted of thirty (30) hours of victim advocacy and provided 8 behavior health and medical staff with the knowledge needed to provide essential intervention, victim assistance and support services to those in the CYFD operated facilities.

January 2016, the PREA Unit, PREA Compliance Managers, and JJS facility administration attended a 2 day training at the New Mexico State Bar Association: PREA: The Journey to Compliance in New Mexico. The training was sponsored by the New Mexico Coalition of Sexual Assault Programs.

All JJS facilities continue to train staff and clients utilizing a PREA education curriculum provided by the New Mexico Association of Counties and developed by Just Detention International (JDI).

The PREA Unit creates and distributes a quarterly educational Newsletter.

PREA PRINT MEDIA:
The PREA Unit working in partnership with the State Printing Office, designed and produced the required PREA Reporting Posters, client education brochures and staff First Responder Cards. Funding for print costs were provided through the Department of Public Safety - PREA Reallocation Grant.

PREA Logs/Forms
In order to operationalize the PREA standards, we have created and implemented numerous forms and logs. The following PREA forms are have been developed with standardized headers and footers to indicate filing location and version control.

- Vulnerability Log
- Vulnerability Form
- PREA Incident Log
- Client Search Exception Form
- Staffing Plan Exception
• Client/Victim Retaliation Monitoring
• Garrity Warning Form
• PREA Acknowledgement Statement
• PREA Flowchart Staff on Client
• PREA Investigation Plan
• Training Acknowledgement – Staff, Volunteers and Contractors
• Training Sign-In Sheet, list all 11 sub categories for staff and supervisor initials
• Tracking form
• Retaliation Monitoring Form
• Investigation Disposition Letter to Client
• Search strip log
• Outside Agency reporting form
• Create Investigative/Reporting flow chart

PREA DATA COLLECTION & BUREAU OF JUSTICE REPORTING
The PREA Unit compiles all facility PREA statistics from a variety of sources, including:
• PREA Incident Checklist
• PS Screener documentation
• PREA Reporting Log from the Hearing Officers
• Grievance Tracking Log from the GOs
• Search Logs
• Unannounced Rounds Logs
• Serious Incident Reports (SIRs)
• Disciplinary Incident Reports (DIRs)

The PREA Unit has created electronic files, reports and logs to provide to the PREA Auditor prior to the on-site visit. This same data will be used to complete the Annual Bureau of Justice Survey of Sexual Victimization (SSV).

PUBLIC ACCESS AND ACCOUNTABILITY
The Children, Youth & Families Department (CYFD) has created a PREA web-page under the CYFD.org website/Juvenile Justice Facilities.

PREA INCIDENT REPORTING
We have developed a comprehensive incident reporting process utilizing Child Protective Services, New Mexico State Police, CYFD – Office of the Inspector General, and Facility Grievance Officers. This process ensures that all incidents of sexual misconduct are investigated and monitored by the PREA Coordinator.

COMMUNITY PARTNERSHIPS
In January 2016, the PREA Unit began working with the New Mexico Coalition of Sexual Assault Programs to draft a Memo of Understanding (MOU) between CYFD and the three major Rape Crisis Centers in the State of New Mexico to provide rape crisis advocacy and counseling to our JJS clients.
In accordance with the PREA Standards, we have also established a third party reporting mechanism through the Protective Services Department, to provide our clients and staff with an additional method of confidential reporting.

**PREA & Performance-based Standards (PbS)**

In February 2014, JJS hired the Performance-based Standards Learning Institute (PbS) to provide performance-based standards to identify, monitor, and improve conditions and treatment services provided to incarcerated youth using national level standards and outcome measures.

PbS was launched by the Department of Justice, Office of the Juvenile Justice and Delinquency Prevention (OJJDP) as a result of the Congressionally-mandated study of juvenile facilities that found they were dangerous for youth and staff, failed to provide adequate education, health and mental health services and reported unacceptable conditions of confinement. The 1994 Conditions of Confinement Study identified existing accreditation standards did not make the difference and called for OJJDP to develop performance-based standards and outcomes to begin to reform our country’s youth institutions and create accountability for a system under great scrutiny with little available data.

PbS is a national data-driven improvement model grounded in research that holds juvenile residential facilities to the highest standards of operations, programs, and services. PbS sets national standards that establish the highest expectations in seven areas of facility management: safety, security, order, health/mental health, programming, reintegration, and justice. PbS collects quantitative and qualitative data from administrative forms, youth records, incident reports, exit interviews of youths and climate surveys for youths, staff, and families. PbS trains and supports participants to collect data, analyze the results and change practices. PbS data undergoes a rigorous data quality assurance process and has established its reliability and validity for over 20 years. The data indicates how well facilities meet PbS’s standards and commitment to treating all youth in custody in meeting their civil rights.

JJS is now entering its third year of the continuous improvement process with PbS. In addition to data collection and performance measures, PbS provides JJS with national research and tools that support PREA, such as the following white paper: *Preventing and Monitoring Sexual Victimization (July 2013).* Among the PREA-related performance measures that are tracked in PbS are measures that support our zero tolerance for sexual misconduct. This data is collected twice a year through the confidential Client Climate Survey, and asks:

- **Within the last six months at this facility, has anyone forced you to engage in sexual activity?**
  - If yes:
    - How many times did this happen?
    - Where did this take place?
    - Who did this to you?
    - Was this incident reported to a staff member, counselor, teacher or someone else who could help you?
    - Has anything been done to stop this from happening again?
    - Other than the sexual assault, did you have any injuries as a result of this?
    - If you had injuries, what types of injuries did you suffer from this?
    - Did you receive medical care as a result of any of these injuries?
Outcome Measure Camino Nuevo Youth Center

Safety 15
Percent of interviewed youths who report that they were forced to engage in sexual activity within the last six months while at this facility.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Camino Nuevo Youth Center</td>
<td>2.94%</td>
<td>4.41%</td>
<td>0.00%</td>
<td>12.00%</td>
<td>1.92%</td>
</tr>
<tr>
<td>Field Average</td>
<td>2.01%</td>
<td>2.35%</td>
<td>2.67%</td>
<td>2.16%</td>
<td>2.67%</td>
</tr>
<tr>
<td>Total Data Points</td>
<td>102</td>
<td>216</td>
<td>186</td>
<td>153</td>
<td>159</td>
</tr>
<tr>
<td>Not Recorded Data Points</td>
<td>0</td>
<td>6</td>
<td>18</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>
Outcome Measure J. Paul Taylor Center

Safety 15
Percent of interviewed youths who report that they were forced to engage in sexual activity within the last six months while at this facility.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>J. Paul Taylor Center</td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.00%</td>
<td>3.23%</td>
<td>3.33%</td>
</tr>
<tr>
<td>Field Average</td>
<td>2.01%</td>
<td>2.35%</td>
<td>2.67%</td>
<td>2.16%</td>
<td>2.67%</td>
</tr>
<tr>
<td>Total Data Points</td>
<td>81</td>
<td>45</td>
<td>63</td>
<td>99</td>
<td>93</td>
</tr>
<tr>
<td>Not Recorded Data Points</td>
<td>3</td>
<td>3</td>
<td>0</td>
<td>6</td>
<td>3</td>
</tr>
</tbody>
</table>
Outcome Measure Youth Diagnostic/Intake Center

Safety 15
Percent of interviewed youths who report that they were forced to engage in sexual activity within the last six months while at this facility.

<table>
<thead>
<tr>
<th>Year</th>
<th>April 2014</th>
<th>October 2014</th>
<th>April 2015</th>
<th>October 2015</th>
<th>April 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Youth Diagnostic/Intake Center</td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>Field Average</td>
<td>0.00%</td>
<td>1.12%</td>
<td>0.38%</td>
<td>1.56%</td>
<td>0.80%</td>
</tr>
<tr>
<td>Total Data Points</td>
<td>33</td>
<td>27</td>
<td>45</td>
<td>18</td>
<td>39</td>
</tr>
<tr>
<td>Not Recorded Data Points</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
Safety 15
Percent of interviewed youths who report that they were forced to engage in sexual activity within the last six months while at this facility.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Youth Development Center</td>
<td>4.88%</td>
<td>0.00%</td>
<td>3.13%</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>Field Average</td>
<td>2.01%</td>
<td>2.35%</td>
<td>2.67%</td>
<td>2.16%</td>
<td>2.67%</td>
</tr>
<tr>
<td>Total Data Points</td>
<td>135</td>
<td>123</td>
<td>99</td>
<td>111</td>
<td>126</td>
</tr>
<tr>
<td>Not Recorded Data Points</td>
<td>6</td>
<td>0</td>
<td>3</td>
<td>3</td>
<td>0</td>
</tr>
</tbody>
</table>
Introduction

Juvenile facilities are responsible for providing safe, healthy cultures and rehabilitation services that turn around the lives of delinquent youths. The Performance-based Standards (PbS) program, developed by the Council of Juvenile Correctional Administrators (CJCA), has been working with youth facilities for 18 years to improve and monitor the quality of life and conditions of confinement. PbS’ national standards are grounded in research and experience that show a safe, healthy environment is the necessary foundation for effective, lasting rehabilitation and youths’ successful return to families and communities.

PbS promotes a holistic approach to preventing and monitoring sexual victimization. Following the promulgation last year of the Prison Rape Elimination Act (PREA) standards by the US Attorney General, PbS and its participating facilities have intensified the focus on safe and healthy cultures. Facilities use PbS’ national standards, improvement process and data collection surveys to create and sustain safe and healthy cultures that include preventing sexual victimization and monitoring facility culture to meet PREA’s goal of zero tolerance.

PbS was developed to address the dangerous and unhealthy conditions reported in the 1994 Conditions of Confinement Study. In addition to calling for the development of national standards that establish the highest expectations for facility operations, services and youths’ daily experiences, the report found adherence to existing process standards were irrelevant to conditions. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) launched PbS to both improve conditions in youth facilities and establish performance outcomes to continually monitor quality of life and services and prevent deterioration and unsafe cultures.

PbS addresses seven areas of facility management: safety, security, order, health/mental health, programming, reintegration and justice. PbS collects both quantitative and qualitative data from administrative forms, youth records, incident reports, exit interviews of youths and climate surveys of youths, staff and families. The information indicates how well facilities meet PbS’ standards and commitment to treating all youths in custody as one of our own. In 2004 PbS won the Innovation in American Government Award for uniquely and effectively addressing conditions of confinement.

Preventing and Monitoring Sexual Victimization | Page 2 of 5
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Asking Youths about Victimization

PbS offers this issue brief to assist participants to best use survey responses along with outcome data to monitor and improve the safety and culture, and to eliminate and prevent sexual victimization.

PbS’ youth climate surveys, which include a question and sub-questions about sexual assault, allow for real-time analysis and timely response. PbS requested and was given permission to use the same survey questions developed for the biennial national Survey of Youth in Residential Placement (SYRP) to learn about how youth perceive their own safety and report any victimization in custody. Safety and security questions are posed as a series questions about general conditions, programs and family contact. The questions include:

- Do you fear for your safety?
- Have you had personal property stolen?
- Have you been beaten up or threatened with being beaten up?
- Have you been forced to engage in sexual activity?
- Do you know how to find help if you need it?

PbS facilities survey a minimum random sample of 30 youths (for a total of nearly 4,000 surveys) twice a year during each data collection period (April and October.) From October 2010 through April 2013, only two percent of youths in PbS facilities reported they had been forced to engage in sexual activity; 94 percent over the past year reported they had not been forced to engage in sexual activity and the remaining youths either refused to answer (about three percent) or left the question blank (one percent.)

Using PbS to Prevent Victimization

Youth surveys are designed to assess facility culture and safety and provide information that is not otherwise available. Extensive studies have endorsed the validity of self-report survey data when the questions are understood, there is a strong sense of anonymity and little fear of reprisal. When youths complete PbS surveys, they are assured anonymity and confidentiality including placing their completed surveys in an envelope, which they seal and place in a secure box.
Performance-based Standards

Research continues to show that the individual perceptions and experiences of youths in residential programs have a significant impact on the safety and climate within the facilities as well as recidivism. A recent analysis of the Pathways to Desistance Study added to the growing body of findings with the conclusion that, in addition to impacting the likelihood of anti-social behavior and system involvement upon release, youths’ perceptions offer a cost-effective means to monitor facility services, conditions and climate.

While affirmative responses to the question regarding forced sexual activity on the PbS Youth Climate Survey may, but do not necessarily represent an authenticated claim, they present an opportunity to reinforce safety, underscore a culture of zero tolerance and encourage reporting of sexual misconduct or other victimization to prevent and detect sexual abuse. These opportunities are accomplished through an array of activities that may include:

- Administrative review of and participation in the facility’s communication structure.
- Review of relevant policies and procedures to ensure they are being executed as designed.
- Ensuring youths know how to report if they are victims or witnesses of sexual misconduct.
- Identifying and addressing staff training needs.
- Examining PbS outcomes and survey responses related to healthy cultures and safety.

Open communication forums that highlight safety are key to underscoring zero tolerance for sexual misconduct and other forms of victimization and a culture where reporting is encouraged and youths know where to get help. They may include individual sessions, unit/cottage meetings, treatment team meetings and resident council meetings, with participation by advocates external to the facility. These forums can build trust and impart information, leading to disclosures by youths who may have responded affirmatively to the sexual assault question in the youth surveys and prevent future victimization.

Communication forums with staff are important to gauge and address needs regarding education, support and accountability. Essential areas for training include appropriate staff-youth relationships, prevention and nature of non-consensual sexual acts (including the power differentials that often mask a lack of consent), and signs of sexual assault and trauma to ensure vigilance, reporting of any suspicion and prevention.
Ensuring Safe and Healthy Cultures

PbS research has concluded repeatedly that facilities in which youths know the rules, think school is good, describe staff as fair and report that they are not locked down, have fewer incidences of violence and overall better outcomes for youths and staff. Publication of that research has led to many changes in practice over the last few years that are reflected in PbS Youth Climate Survey responses as well as outcome data showing reduced violence in PbS participating facilities.

Additional examples of PbS youth survey questions and performance outcomes used to monitor facility culture and gauge application of PREA standards at an operational level are:

- Complete health/mental health intake screenings to guide housing assignments.
- Youth who report that their requests to see, call or write their attorneys was granted.
- Administrative sanctions of staff for conduct related to youth.
- Staff fairness regarding telephone procedures.
- Average daily ratio of direct care staff to youth.
- Youth who know how to file a grievance if they are being mistreated.
- Percent of youth who report that nothing bad will happen to them if they file a grievance.

Critical review of youth survey responses along with analysis of outcomes help to gauge facility culture and conditions and promote continuous improvement and monitoring. Survey responses also provide a table for discussion with staff and youths, and an opportunity to demonstrate that they have a meaningful “voice” and reinforce that their safety is of key concern.

PbS coaches and facility administrators and teams discuss affirmative responses to the question regarding forced sexual activity along with review and analysis of all reports. Administrative review upon receiving survey results can help to identify indicators of sexual or other victimization that warrant an immediate response including communication forums mentioned previously, review of policies and practices concerning supervision, staff/youth relationships and access to family and other supportive adults, and staff training to increase understanding as well as accountability.

Summary

PbS is a nationally recognized improvement program that promotes a comprehensive, wide-ranging approach to creating safe and healthy cultures, including zero tolerance for sexual assault. Analysis of and response to PbS’ outcome data and survey reports, and adoption of continuous improvement as part of daily management offer an opportunity to monitor and prevent sexual, and other forms of victimization.
2014 SURVEY OF SEXUAL VICTIMIZATION

The Survey of Sexual Victimization, formerly known as The Survey of Sexual Violence, (SSV) is an administrative data collection based on allegations of sexual victimization by other inmates or staff that are reported to correctional authorities. Additional information is collected on substantiated incidents on the victim(s), perpetrator(s), characteristics of the incident, and outcomes. The collection includes an enumeration of incidents reported to state prison systems, state juvenile correctional systems, the federal prison system, the Bureau of Immigration and Customs Enforcement (ICE), the U.S. military, and a sample of jail jurisdictions, privately operated adult prisons and jails, and facilities in Indian country.

Because the methodology changed slightly each year and varied between youth and adult collections, see the Methodology section in each report for additional details.
Section II - YOUTH-ON-YOUTH SEXUAL VICTIMIZATION

DEFINITIONS

The survey utilizes the definition of "sexual abuse" as provided by 28 C.F.R. §115.6 in the National Standards to Prevent, Detect, and Respond to Prison Rape (under the Prison Rape Elimination Act of 2003). For purposes of SSV, sexual abuse is disaggregated into three categories of youth-on-youth sexual victimization. These categories are:

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

- Sexual 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 any part of the body.

OR

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

ABUSIVE SEXUAL CONTACT

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

Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one youth directed toward another.

5. Does your State juvenile system record allegations of youth-on-youth NONCONSENSUAL SEXUAL ACTS?

<table>
<thead>
<tr>
<th>a. Do you record all reported occurrences, or only substantiated ones?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ All</td>
</tr>
<tr>
<td>☐ Substantiated only</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>b. Do you record attempted NONCONSENSUAL SEXUAL ACTS or only completed ones?</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ Both attempted and completed</td>
</tr>
<tr>
<td>☐ Completed only</td>
</tr>
</tbody>
</table>

6. Between January 1, 2014, and December 31, 2014, how many allegations of youth-on-youth NONCONSENSUAL SEXUAL ACTS were reported?

<table>
<thead>
<tr>
<th>Number reported</th>
<th>☐ None</th>
</tr>
</thead>
</table>

- If an allegation involved multiple victimizations, count only once.
- Exclude any allegations that were reported as consensual.

7. Of the allegations reported in Item 6, how many were — (Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)

<table>
<thead>
<tr>
<th>a. Substantiated</th>
<th>☒ None</th>
</tr>
</thead>
</table>
- The event was investigated and determined to have occurred, based on a preponderance of the evidence (28 C.F.R. §115.72).

<table>
<thead>
<tr>
<th>b. Unsubstantiated</th>
<th>☒ None</th>
</tr>
</thead>
</table>
- The investigation concluded that evidence was insufficient to determine whether or not the event occurred.

<table>
<thead>
<tr>
<th>c. Unfounded</th>
<th>☐ None</th>
</tr>
</thead>
</table>
- The investigation determined that the event did NOT occur.

<table>
<thead>
<tr>
<th>d. Investigation ongoing</th>
<th>☒ None</th>
</tr>
</thead>
</table>
- Evidence is still being gathered, processed or evaluated, and a final determination has not yet been made.

<table>
<thead>
<tr>
<th>e. TOTAL (Sum of Items 7a through 7d)</th>
<th>☐ None</th>
</tr>
</thead>
</table>
- The total should equal the number reported in Item 6.
8. Does your State juvenile system record allegations of youth-on-youth ABUSIVE SEXUAL CONTACT? (See definitions on page 3.)

01 X Yes → Can these be counted separately from allegations of NONCONSENSUAL SEXUAL ACTS?
01 X Yes
02 No → Skip to Item 11.
02 No → Please provide an explanation in the space below and then skip to Item 11.

9. Between January 1, 2014, and December 31, 2014, how many allegations of youth-on-youth ABUSIVE SEXUAL CONTACT were reported?

Number reported: [ ] None
- If an allegation involved multiple victimizations, count only once.
- Exclude any allegations that were reported as consensual.

10. Of the allegations reported in Item 9, how many were — (Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)

<table>
<thead>
<tr>
<th>Type of Allegation</th>
<th>Count</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Substantiated</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>b. Unsubstantiated</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>c. Unfounded</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>d. Investigation ongoing</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>e. TOTAL (Sum of Items 10a through 10d)</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
</tbody>
</table>

- The total should equal the number reported in Item 9.

11. Does your State juvenile system record allegations of youth-on-youth SEXUAL HARASSMENT? (See definitions on page 2.)

01 X Yes → Do you record all reported allegations or only substantiated ones?
01 X All
02 No → Please provide an explanation in the space below and then skip to Section III.
02 Substantiated only

12. Between January 1, 2014, and December 31, 2014, how many allegations of youth-on-youth SEXUAL HARASSMENT were reported?

Number reported: [ ] None
- If an allegation involved multiple victims or youth perpetrators, count only once.
- Exclude any allegations that were reported as consensual.

13. Of the allegations reported in Item 12, how many were — (Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)

<table>
<thead>
<tr>
<th>Type of Allegation</th>
<th>Count</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Substantiated</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>b. Unsubstantiated</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>c. Unfounded</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>d. Investigation ongoing</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>e. TOTAL (Sum of Items 13a through 13d)</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
</tbody>
</table>

- The total should equal the number reported in Item 12.
## Section III - STAFF-ON-YOUTH SEXUAL ABUSE

### DEFINITIONS

The survey utilizes the definition of "sexual abuse" by a staff member, contractor or volunteer as provided by 28 C.F.R. §115.6 in the National Standards to Prevent, Detect, and Respond to Prison Rape (under the Prison Rape Elimination Act of 2003). For purposes of SSV, sexual abuse is disaggregated into two categories of staff-on-youth sexual abuse. These categories are:

### STAFF SEXUAL MISCONDUCT

Any behavior or act of a sexual nature directed toward a youth by an employee, volunteer, contractor, official visitor or other agency representative (exclude family, friend or other visitors).

Sexual relationships of a romantic nature between staff and youths 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;
- Completed, attempted, threatened, or requested sexual acts;
- Occurrence 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 a youth by an employee, volunteer, contractor, official visitor, or other agency representative (exclude family, friends, or other visitors). Include—

- Derogatory references or sexually suggestive body language or gestures.
-運用 reference to gender;
- Repeated profanity or obscene language or gestures.
17. Does your State juvenile system record allegations of STAFF SEXUAL HARASSMENT? (See definitions on page 2.)
   a. ☑ Yes → Can these allegations be counted separately from allegations of STAFF SEXUAL MISCONDUCT?
      a. ☑ Yes
      b. ☐ No → Skip to item 20.
   c. ☐ No → Please provide an explanation in the space below and then skip to item 20.

18. Between January 1, 2014, and December 31, 2014, how many allegations of STAFF SEXUAL HARASSMENT were reported?
   Number reported ........ 5 ☐ None
   • If an allegation involved multiple victims or staff, count only once.

19. Of the allegations reported in item 18, how many were — (Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)
   a. Substantiated ........ ☑ ☑ None
   b. Unsubstantiated .... ☑ ☑ None
   c. Unfounded .......... 5 ☐ None
   d. Investigation ongoing . ☑ ☑ None
   e. TOTAL (Sum of items 19a through 19d) ........ 5 ☐ None
   • The total should equal the number reported in item 18.

Section IV - PRIVATE AND LOCAL ALLEGATIONS

20. Did any of the allegations reported in items 6, 9, 12, 15, or 18 occur in a privately operated facility?
   a. ☐ Yes
   b. ☑ No

21. Did any of the allegations reported in items 6, 9, 12, 15, or 18 occur in a facility operated or administered by local governments?
   a. ☐ Yes
   b. ☑ No

Section V - TOTAL SUBSTANTIATED INCIDENTS OF SEXUAL VICTIMIZATION

22. What is the total number of substantiated incidents reported in items 7a, 10a, 13a, 16a, and 19a?

Total substantiated incidents ........ 10 ☐ None

→ Please complete an Incident Form (Juvenile, SSV-IJ) for each substantiated incident of sexual victimization.

NOTES

Not all of the investigations distinguished between unsubstantiated and unfounded. In those cases, I counted them as unfounded.
Signature of Approval

Tamara Marcantel, Director of Juvenile Justice Services

Date 5/19/16