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.

The JJS PREA Unit operates under the JJS Bureau of Performance and Policy. The PREA Unit consists of:
- PREA Coordinator, and
- PREA Management Analyst

A PREA Compliance Manager is designated at each of our six JJS facilities to coordinate the facility’s efforts to comply with the PREA standards. PREA Compliance Managers work under the guidance of the PREA Unit to implement the PREA Standards at their respective facility.

2016 PREA Achievements

PREA FACILITY AUDITS
The PREA standards requires that a minimum of 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 2017:
- Eagle Nest Reintegration Center – June 30th;
- Youth Diagnostic & Development Center – August 14th,
- John Paul Taylor Center – November 30th.

All three of these facilities were certified by a PREA Auditor to be in Compliance with the PREA Standards.

In 2018, CYFD does not have any scheduled PREA Audits, as all facilities have been audited in 2016 and 2017, and have been deemed PREA compliant by certified Department of Justice PREA Auditors.

PREA POLICY DEVELOPMENT
The PREA standards require the promulgation of numerous policies and procedures. Our Policy Unit has worked diligently to keep up with the on-going practice improvements initiated by the PREA Resource Center as articulated through the PREA Auditor. JJS PREA policies and procedures are reviewed by the Juvenile Justice Director, CYFD Legal Counsel, representatives from American Federation of State, County, and Municipal Employees (AFSCME) and signed by the Children, Youth & Families Department (CYFD) Cabinet Secretary.

TRAINING AND EDUCATION
All JJS facilities continue to train clients by utilizing a PREA education curriculum provided by the New Mexico Association of Counties and developed by Just Detention International (JDI). All JJS facilities will continue to train staff in PREA education during Foundations of Practice PREA Training and the National Institute of Corrections (NIC) PREA Training.
The PREA Unit creates and distributes a quarterly educational Newsletter.

Trainings Attended by PREA Coordinator and PREA Management Analyst:

- Supporting Our Youth: Working With Youth Survivors of Sexual Abuse in Detention (April 6-7, 2017)
- PREA: The Journey to Compliance in New Mexico for Juvenile Facilities (May 3-4, 2017)

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

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**Sexual Misconduct (1st Responder Duties)**

1) Call for back-up
2) Ensure victim is safe & away from alleged perpetrator
3) Assign an employee to stay with the victim until a Behavioral Health employee arrives
4) Assign an employee to stay with the alleged perpetrator until potential physical evidence is secured
5) Initiate an emergency unit-wide room confinement

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**Sexual Misconduct (1st Responder Duties)**

6) Escort the victim to Medical & initiate possible transport to a SANE facility
7) If the abuse occurred within 5 days, request the victim & ensure the alleged perpetrator not to take any action that may destroy physical evidence
8) Secure but do not disturb any other potential physical evidence
9) Notify the Facility PREA Compliance Manager
10) Do not initiate an investigation

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**FACILITY IMPROVMENTS**

Using PREA Reallocation Grant funds, CYFD purchased the following materials to improve sight lines within our facilities:

- Convex mirrors
- Window kits for doors
- “No Access” paint and tape

These funds were also used to purchase shower curtains to better guard against cross gender viewing.

**PUBLIC ACCESS AND ACCOUNTABILITY**

The Children, Youth & Families Department (CYFD) has created a PREA web-page under the CYFD.org website located at [https://cyfd.org/facilities/prison-rape-elimination-act-prea](https://cyfd.org/facilities/prison-rape-elimination-act-prea)
PREA INCIDENT REPORTING
CYFD has maintained 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 July 2017, CYFD has maintained the Memos of Understanding (MOUs) with four major Rape Crisis Centers in the State of New Mexico to provide rape crisis advocacy and counseling to our JJS clients:
- Rape Crisis Center of Central New Mexico
- La Pinion Sexual Assault Recovery Services
- Alternatives to Violence
- Arise Sexual Assault Services

THIRD PARTY REPORTING
In accordance with the PREA Standards, we have maintained a third party reporting mechanism through the PREA Coordinator for the New Mexico Corrections Department, to provide our clients and staff with an additional method of confidential reporting.

PREA & Performance-based Standards (PbS)
JJS continues its partnership with Performance-based Standards Learning Institute (PbSLI) 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 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.

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  
10/01/2013 to 11/22/2017

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>Camino Nuevo Youth Center</th>
<th>April 2014</th>
<th>October 2014</th>
<th>April 2015</th>
<th>October 2015</th>
<th>April 2016</th>
<th>October 2016</th>
<th>April 2017</th>
<th>October 2017</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>
<td>0.00%</td>
<td>2.27%</td>
<td>5.09%</td>
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<tr>
<td>Field Average</td>
<td>2.01%</td>
<td>2.35%</td>
<td>2.67%</td>
<td>2.16%</td>
<td>2.71%</td>
<td>2.15%</td>
<td>3.16%</td>
<td>2.86%</td>
</tr>
<tr>
<td>Total Data Points</td>
<td>102</td>
<td>216</td>
<td>196</td>
<td>153</td>
<td>159</td>
<td>117</td>
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<tr>
<td>Not Recorded Data Points</td>
<td>0</td>
<td>6</td>
<td>18</td>
<td>3</td>
<td>3</td>
<td>9</td>
<td>9</td>
<td>0</td>
</tr>
</tbody>
</table>

Page 5 of 20
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>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Field Average</td>
<td>2.01%</td>
<td>2.85%</td>
<td>2.67%</td>
<td>2.16%</td>
<td>2.71%</td>
<td>2.16%</td>
<td>3.16%</td>
<td>2.06%</td>
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<tr>
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<td>45</td>
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<td>99</td>
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<td>78</td>
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<td>6</td>
<td>3</td>
<td>0</td>
<td>12</td>
<td>12</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>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Youth Development Center</td>
<td>4.85%</td>
<td>0.00%</td>
<td>3.13%</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>2.01%</td>
<td>2.35%</td>
<td>2.57%</td>
<td>2.18%</td>
<td>2.71%</td>
<td>2.15%</td>
<td>3.18%</td>
<td>2.86%</td>
</tr>
<tr>
<td>Total Data Points</td>
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<td>123</td>
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<td>3</td>
<td>3</td>
<td>0</td>
<td>6</td>
<td>12</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>
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<th></th>
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</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>
<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>
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<td>1.56%</td>
<td>0.79%</td>
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<td>0.32%</td>
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<tr>
<td>Total Data Points</td>
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<td>27</td>
<td>45</td>
<td>18</td>
<td>39</td>
<td>24</td>
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<td>0</td>
<td>0</td>
<td>0</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.
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.
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 antisocial 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.
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.
SURVEY OF SEXUAL VICTIMIZATION, 2016
State Juvenile Systems
Summary Form

DATA SUPPLIED BY

<table>
<thead>
<tr>
<th>Name</th>
<th>Greg Nelson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Performance &amp; Policy Bureau Chief</td>
</tr>
<tr>
<td>OFFICIAL ADDRESS</td>
<td>Number and street or P.O. Box/Route Number 300 San Mateo, Suite 800</td>
</tr>
<tr>
<td></td>
<td>City Albuquerque</td>
</tr>
<tr>
<td></td>
<td>State NM</td>
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<td></td>
<td>ZIP Code 87108</td>
</tr>
<tr>
<td>TELEPHONE</td>
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<tr>
<td></td>
<td>FAX NUMBER Area Code 505 Number 841-2949</td>
</tr>
<tr>
<td>E-MAIL ADDRESS</td>
<td><a href="mailto:Greg.Nelson@State.NM.US">Greg.Nelson@State.NM.US</a></td>
</tr>
</tbody>
</table>

What facilities are included in this data collection?
All state-operated juvenile residential placement facilities used to house juveniles and youthful offenders, regardless of age or reason for placement.

- INCLUDE State-operated juvenile residential facilities such as detention centers, training schools, long-term secure facilities; reception or diagnostic centers; group homes or halfway houses; boot camps; ranches; forestry camps, wilderness or marine programs, or farms; runaway or homeless shelters; and residential treatment centers for juveniles.

- EXCLUDE privately operated facilities and facilities operated or administered by local governments. (These facilities will be contacted directly for data on sexual victimization.)

What persons and incidents are included in this data collection?
Juveniles and youthful offenders, regardless of age or reason for placement, under your custody between January 1, 2016, and December 31, 2016.

- INCLUDE incidents involving juveniles or youthful offenders under the authority, custody, care of your confinement or community-based facilities or staff.

- EXCLUDE incidents involving juveniles or youthful offenders not held in facilities operated by your State Juvenile system.

Reporting instructions:
- Please complete the entire SSV-5 form.
- If the answer to a question is “not available” or “unknown,” write “DK” (do not know) in the space provided.
- If the answer to a question is “not applicable,” write “NA” in the space provided.
- Section I: when exact numeric answers are not available, provide estimates and mark (X) the box beside each figure.
- Sections II, III, and V: if the answer to a question is "none" or "zero," write "0" or mark the box (X) provided.

Substantiated Incidents of sexual violence:
- Please complete an Incident Form (Juvenile, SSV-Lj) for each substantiated incident of sexual victimization.

Returning forms:
- If you need assistance, please call Greta Clark at the U.S. Census Bureau toll-free at 1-800-253-2078 or email govs.ssv5@census.gov
- Please return your completed summary and substantiated incident forms by August 15, 2017.
- You may complete these forms online (see enclosed instructions). Or if you prefer, you may return these forms by mail or fax.
- MAIL TO: U.S. Census Bureau, P.O. Box 5000, Jeffersonville, IN 47199-5000
- FAX (TOLL FREE): 1-888-262-3974

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 60 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.
DEFINITIONS

JUVENILES and YOUTHFUL OFFENDERS

- Any person under the jurisdiction of your State’s juvenile system or youthful offender authority, regardless of age or reason for placement.

FACILITIES

INCLUDE all State-operated facilities used to house juveniles or youthful offenders charged with or court-adjudicated for:

- Any offense that is illegal for both adults and juveniles;
  
  OR
  
- An offense that is ILLEGAL in your State for juveniles, but not for adults (running away, truancy, incorrigibility, curfew violations, and liquor violations).

EXCLUDE State-operated facilities used ONLY to house juveniles for:

- Non-criminal purposes (neglect, abuse, abandonment, or dependancy);
  
  OR
  
- Being Persons in Need of Services (PINS) or Children in Need of Services (CHINS) who have assigned beds for reasons other than offenses.

2. On December 31, 2016, how many persons held in the facilities reported in Item 1 were —

a. Males ........................................ 175 □

b. Females ....................................... 30 □

c. TOTAL (Sum of items 2a and 2b) 205 □

- Count persons held in the facilities reported in Item 1 regardless of age or reason for placement. Include persons who were temporarily away but had assigned beds on December 31, 2016.

3. On December 31, 2016, how many persons held in the facilities reported in Item 1 were —

a. Age 17 or younger ..................... 104 □

b. Age 18 to 20 ............................... 101 □

c. Age 21 or older ......................... 0 □

d. TOTAL (Sum of items 3a through 3c) 205 □

- Count all persons held in the facilities reported in Item 1 regardless of age or reason for placement. Include persons who were temporarily away but had assigned beds on December 31, 2016.

Section I - GENERAL INFORMATION

1. On December 31, 2016, how many facilities operated by your State held juveniles or youthful offenders CHARGED WITH or COURT-ADJUDICATED FOR AN OFFENSE?

   Number of facilities .............. 7 □

- Count all juvenile residential facilities where young persons who have committed offenses may be housed overnight.

- Count each facility with a separate physical location only once. Do not count separate living/sleeping units, wings, floors, dorms, barracks, or cottages within a single facility.

4. Between January 1, 2016, and December 31, 2016, how many persons were admitted to or discharged from the facilities reported in Item 1?

a. TOTAL number admitted ......... 189 □

b. TOTAL number discharged ....... 190 □

- Include all persons admitted into your State-operated juvenile residential facilities by a formal legal document, by the authority of the courts, or by some other official agency.

- Include all persons discharged from your State-operated juvenile residential facilities after a period of confinement including sentences completion, pretrial releases, transfers to adult jurisdictions or to other States, and deaths.

- Exclude admissions and discharges resulting from returns from escape, administrative transfers to other juvenile facilities operated by your State, or temporary release including work/school release, medical appointments, other treatment facilities, or court appearances.
### 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 2000). 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;

- Sexual contact between the penis and the vulva or the penis and the anus including penetration, however slight;
- Contact between the mouth and the penis, vulva, or anus;
- 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;

- Intentional touching, other 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.

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

<table>
<thead>
<tr>
<th>01</th>
<th>Yes → a. Do you record all reported occurrences, or only substantiated ones?</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>□ All</td>
</tr>
<tr>
<td>02</td>
<td>□ Substantiated only</td>
</tr>
</tbody>
</table>

| 02 | No → Please provide the definition used by your State juvenile system for youth-on-youth NONCONSENSUAL SEXUAL ACTS in the space below. Use that definition to complete Items 6 and 7. |

#### 6. Between January 1, 2016, and December 31, 2016, how many allegations of youth-on-youth NONCONSENSUAL SEXUAL ACTS were reported?

| Number reported | 0 |

- [ ] None

- [ ] 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>0</th>
</tr>
</thead>
</table>

- [ ] None

- [ ] 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>0</th>
</tr>
</thead>
</table>

- [ ] None

- [ ] The investigation concluded that evidence was insufficient to determine whether or not the event occurred.

<table>
<thead>
<tr>
<th>c. Unfounded</th>
<th>0</th>
</tr>
</thead>
</table>

- [ ] None

- [ ] The investigation determined that the event did NOT occur.

<table>
<thead>
<tr>
<th>d. Investigation ongoing</th>
<th>0</th>
</tr>
</thead>
</table>

- [ ] None

- [ ] 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>0</th>
</tr>
</thead>
</table>

- [ ] None

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

9. Between January 1, 2016, and December 31, 2016, how many allegations of youth-on-youth ABUSIVE SEXUAL CONTACT were reported?
   Number reported: 1
   - 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.)
   a. Substantiated: 0
   b. Unsubstantiated: 1
   c. Unfounded: 0
   d. Investigation ongoing: 0

11. Does your State juvenile system record allegations of youth-on-youth SEXUAL HARASSMENT? (See definitions on page 3.)
    01. Yes → Do you record all reported allegations or only substantiated ones?
    02. No → Please provide an explanation in the space below and then skip to Section III.

12. Between January 1, 2016, and December 31, 2016, how many allegations of youth-on-youth SEXUAL HARASSMENT were reported?
    Number reported: 13
    - 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.)
    a. Substantiated: 6
    b. Unsubstantiated: 4
    c. Unfounded: 3
    d. Investigation ongoing: 0

   e. TOTAL (Sum of Items 13a through 13d): 13
      - 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. §15.6 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;
- 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 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—

- Demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing;
- OR
- Repeated profane or obscene language or gestures.

14. Does your State juvenile system record allegations of STAFF SEXUAL MISCONDUCT?

- [ ] Yes → Do you record all reported occurrences, or only substantiated ones?
  - [ ] All
  - [ ] Substantiated only
- [ ] No → Please provide an explanation in the space below and then skip to Item 17.

15. Between January 1, 2016, and December 31, 2016, how many allegations of STAFF SEXUAL MISCONDUCT were reported?

Number reported . . . . . . . . 18 □ None
- If an allegation involved multiple victimizations, count only once.

16. Of the allegations reported in Item 15, how many were — (Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)

- [ ] Substantiated . . . . . . 0 □ None
- [ ] Unsubstantiated . . . . . 2 □ None
- [ ] Unfounded . . . . . . . . . 16 □ None
- [ ] Investigation ongoing . . . 0 □ None
- e. TOTAL (Sum of Items 16a through 16d) . . . . . . 18 □ None
- The total should equal the number reported in Item 15.
17. Does your State Juvenile system record allegations of STAFF SEXUAL HARASSMENT? 
(See definitions on page 5.)

☐ Yes → Can these allegations be counted separately from allegations of STAFF SEXUAL MISCONDUCT?

☐ Yes
☐ No → Skip to Item 20.

☐ No → Please provide an explanation in the space below and then skip to Item 20.

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?

☐ Yes
☐ 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?

☐ Yes
☐ 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 ................. 6 ☐ None

→ Please complete a Substantiated Incident Form (Juvenile, SSV-JJ) for each substantiated incident of sexual victimization.

NOTES

18. Between January 1, 2016, and December 31, 2016, how many allegations of STAFF SEXUAL HARASSMENT were reported?

Number reported ................. 6 ☐ 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 ......... 0 ☐ None

b. Unsubstantiated ......... 1 ☐ None

c. Unfounded ......... 5 ☐ None

d. Investigation ongoing ......... 0 ☐ None

e. TOTAL (Sum of Items 19a through 19d) ......... 6 ☐ None

• The total should equal the number reported in Item 18.
Signature of Approval

[Signature]

Tamere Marcantel
Juvenile Justice Deputy Director of Facilities

5/31/18

Date