

Union County Juvenile Detention Center

Prison Rape Elimination Act Annual Data Report and Review

Introduction

The Prison Rape Elimination Act's (PREA) goal is to eliminate sexual victimization, abuse and harassment of person held in confinement. All confinement facilities under the (PREA) standards must be audited. The PREA Standards were enacted on August 20, 2012.

The Union County Juvenile Detention Center (the "UCJDC") began preparing for compliance with PREA before the PREA standards were enacted because of its overriding concern for its residents' safety and security, which includes their sexual safety. The UCJDC is dedicated to complying with PREA through effective programming and training.

To ensure compliance with PREA, the UCJDC has revised its policies and procedures to implement the PREA Juvenile Standards established by the United States Department of Justice. The UCJDC was audited by the United States Department of Justice certified PREA auditor February 2016 and the final audit report shows that the UCJDC has met or exceeded every standard promulgated to prevent, detect and respond to prison rape.

The UCJDC collects data on every allegation of sexual abuse and sexual harassment, utilizing the United States Department of Justice Sexual Victimization Juvenile Incident form. Each allegation is reported to the UCJDC Superintendent, and if a criminal investigation is warranted, it is reported to the Union County Police Department.

At the conclusion of every investigation, the UCJDC conducts a Sexual Abuse Incident Review (SAIR) with a review team composed of the Assistant Superintendent of the UCJDC and the PREA Coordinator with input for line supervisors, investigators, and medical and mental health practitioners. The purpose of the SAIR is to answer certain questions required by PREA (as set forth in 28 C.F.R. 115.386) and, more importantly, to determine if any changes are needed to UCJDC's policies or procedures to better prevent, detect and/or respond to any future incidents or allegations of sexual abuse and sexual harassment.

Definitions

The PREA defines sexual victimization as:

Youth on Youth Non-Consensual 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; or penetration of the anal or genital opening of another person, however slight, by hand, finger, object, or other instrument.

Youth on Youth abusive sexual contact: Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse; an intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person. *This excludes any incident in which the contact was incidental to a physical altercation.*

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

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 (excluding family, friends or other visitors). Sexual relationships of a romantic nature between staff and youth are included in this definition. Consensual or non-consensual 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.
- 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 (*this excludes family, friends or other visitors*). This includes:

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

Substantiated Allegation: An allegation that was investigated and determined to have occurred.

Unsubstantiated Allegation: An allegation that was investigated and produces insufficient evidence to make a final determination as to whether or not the event occurred.

Unfounded Allegation: An allegation that was investigated and determined not to have occurred.

Youth on Youth Non-Consensual Sexual Acts

| | 2014 | 2015 | 2016 |
|-----------------------------------|------|------|------|
| Total Reported Allegations | 0 | 0 | 0 |
| Substantiated | 0 | 0 | 0 |
| Unsubstantiated | 0 | 0 | 0 |
| Unfounded | 0 | 0 | 0 |
| Investigation Ongoing | 0 | 0 | 0 |

Youth on Youth Abusive Sexual Contact

| | 2014 | 2015 | 2016 |
|-----------------------------------|------|------|------|
| Total Reported Allegations | 0 | 0 | 1 |
| Substantiated | 0 | 0 | 0 |
| Unsubstantiated | 0 | 0 | 1 |
| Unfounded | 0 | 0 | 0 |
| Investigation Ongoing | 0 | 0 | 0 |

Youth on Youth Sexual Harassment

| | 2014 | 2015 | 2016 |
|-----------------------------------|------|------|------|
| Total Reported Allegations | 0 | 0 | 0 |
| Substantiated | 0 | 0 | 0 |
| Unsubstantiated | 0 | 0 | 0 |
| Unfounded | 0 | 0 | 0 |
| Investigation Ongoing | 0 | 0 | 0 |

Staff on Youth Sexual Misconduct

| | 2014 | 2015 | 2016 |
|-----------------------------------|------|------|------|
| Total Reported Allegations | 0 | 0 | 1 |
| Substantiated | 1* | 0 | 0 |
| Unsubstantiated | 0 | 0 | 1 |
| Unfounded | 0 | 0 | 0 |
| Investigation Ongoing | 0 | 0 | 0 |

**Case Substantiated in 2014-Case was reported in 2013. The investigation was ongoing from 2013 into 2014 and was substantiated mid-year 2014.*

Staff on Youth Sexual Harassment

| | 2014 | 2015 | 2016 |
|-----------------------------------|------|------|------|
| Total Reported Allegations | 0 | 0 | 1 |
| Substantiated | 0 | 0 | 0 |
| Unsubstantiated | 0 | 0 | 1 |
| Unfounded | 0 | 0 | 0 |
| Investigation Ongoing | 0 | 0 | 0 |

Conclusion

The Union County Juvenile Detention Center continually strives to ensure the sexual safety of all residents. In order to provide a safe facility, the Union County Juvenile Detention Center has thoroughly investigated and reviewed the incidents.

In 2015, a decision was made to have cameras installed in the educational classrooms and additional cameras placed throughout the facility.

In 2016, the following corrective actions:

- Developed a Memorandum of Understanding (MOU) with the Union County Rape Crisis Center for advocacy;
- Increased staffing in the Training Department;
- Increased the annual training hours;
- Improved communications with the residents and families.

Anyone who suspects a resident at the Union County Juvenile Detention Center is being sexually victimized, abused or harassed is encouraged to contact the UCJDC Administration or any of the third party phone numbers that can be found on the UCJDC website. All reports will be kept confidential and thoroughly investigated, and if warranted will be reported to the Union County Police Department if a criminal investigation is necessary.