



PREA Annual Data & Compliance Report 2015

Arizona
Department
Of Juvenile
Corrections

ANNUAL REPORT

PREA ANNUAL DATA AND COMPLIANCE REPORT

PREA STANDARD § 115.388 DATA REVIEW FOR CORRECTIVE ACTION

The Prison Rape Elimination Act (PREA) was established to address sexual abuse and sexual harassment of persons confined to correctional facilities. Standard §115.388, Data Review for Correction Action of PREA, requires that all public and private institutions that house adult or juvenile offenders review data collected on an annual basis in order to assess and enhance the effectiveness of its sexual abuse prevention, detection, response policies/procedures, education and training, while identifying problem areas and taking corrective action on an ongoing basis.

The Arizona Department of Juvenile Corrections (ADJC) has improved its ability to identify risks and capture potential PREA violations by providing several methods of reporting sexual abuse and sexual harassment, safeguarding against retaliation for reporting, investigating every reported allegation, offering assistance to victims, and affording education and training to both youth and staff. These actions have created an environment where youth feel safe enough to report incidents which they may not have previously reported. It is reasonable to consider that successful implementation of the PREA Standards has resulted in a greater number of investigations (allegations) and an increase in substantiated cases. While this may be viewed negatively, it can also be viewed as a positive indicator that potential barriers to reporting and investigating have been addressed and the expectations for a “*safer environment*” have been established.

2014 - 2015 COMPARISON OF PREA ALLEGATIONS

This report includes a comparison of calendar years 2014 and 2015 data on sexual abuse and sexual harassment allegations and provides an assessment of the Department’s progress in preventing sexual abuse and sexual harassment of juvenile offenders.

<u>REPORTING CRITERIA</u>	<u>2014</u>	<u>2015</u>
Number of youth held in the facility on December 31 st	315	227
Number of youth admitted during the target year	341	346
Number of <i>alleged</i> non-consensual youth-on-youth sexual acts reported	1	1
Number of <i>substantiated</i> non-consensual youth-on-youth sexual acts	0	1
Number of <i>alleged</i> youth-on-youth abusive sexual contacts reported	10	11
Number of <i>substantiated</i> youth-on-youth abusive sexual contacts	2	2
Number of <i>alleged</i> youth-on-youth sexual harassment reported	9	4
Number of <i>substantiated</i> youth-on-youth sexual harassment	5	0
Number of <i>alleged</i> staff-on-youth sexual misconduct reported	7	2
Number of <i>substantiated</i> staff-on-youth sexual misconduct	1	1
Number of <i>alleged</i> staff-on-youth sexual harassment reported	0	2
Number of <i>substantiated</i> staff-on-youth sexual harassment	0	1

2014 - 2015 COMPARATIVE ANALYSIS

The Department has seen a decrease in certain categories of reported PREA allegations from 2014 to 2015. While the agency acknowledges these changes, it will continue its efforts in ensuring that juveniles, staff, volunteers, mentors, interns, and contractors are educated in the agency's Zero Tolerance policy, as well as the several methods of reporting allegations. ADJC is committed to ensuring a continued compliance with PREA Standards as well as the health and safety of the juveniles in our care. A comparative analysis of 2014 and 2015 data indicates the following:

- There was **no change** in the number of reported allegations of non-consensual youth-on-youth sexual acts. In 2015, there was one reported allegation which was found to be *substantiated*.
- There was an **increase** in the number of reported allegations of youth-on-youth abusive sexual contacts. In 2014, there were 10 reported allegations compared to 11 reported allegations in 2015. Of the 11 reported allegations of 2015, two were *substantiated*, four were *unsubstantiated*, and five were *unfounded*.
- There was a **decrease** in the number of reported allegations of youth-on-youth sexual harassment. In 2014, there were nine reported allegations compared to four reported allegations in 2015. Of the four reported allegations, one (1) was *unsubstantiated*, and three (3) were *unfounded*. ADJC records all allegations and substantiates all cases that meet the PREA Standards definitions.
- There was a **decrease** in the number of reported allegations of staff-on-youth sexual misconduct. In 2014, there were seven (7) reported allegations compared to two (2) reported allegations in 2015. Of the two (2) reported allegations, one (1) was *substantiated* and one (1) was *unfounded*. The *substantiated* report of sexual misconduct involved a female Youth Corrections Officer who was terminated and arrested.
- There was an **increase** in the number of reported allegations of staff-on-youth sexual harassment. In 2014, there were no reported allegations compared to two (2) reported allegations in 2015. Of the two (2) reported allegations, one (1) was *substantiated* and one (1) was *unfounded*. The *substantiated* report of sexual harassment involved a male Youth Corrections Officer who was terminated as a result of the investigation.

2015 CORRECTIVE ACTIONS

ADJC is committed to creating a safe environment and protecting youth against sexual victimization. ADJC has a zero tolerance for sexual contact of any kind with juveniles, including sexual conduct, assault, contact and/or harassment, by youth, staff, contractors, volunteers or others.

The agency completed its first mandated PREA Audit in June, 2015. In preparation for the audit, the agency completed the following action steps to ensure compliance with PREA standards:

- Conducted PREA Education refresher groups with youth and reviewed multiple ways of reporting sexual abuse and sexual harassment.
- Conducted PREA refresher trainings with housing unit staff and support staff and reviewed first responder steps, coordinated response plans, supervision of juveniles and reporting

responsibilities.

- Implemented automated systems to document and store PREA information.
- Revised existing forms and updated practices to ensure compliance with PREA standards.
- Revised agency policies related to PREA to match practices more effectively as prescribed by the PREA standards.
- Installed video recording cameras in various locations (housing units and other buildings/areas) to minimize blind spots.
- Added a confidential way for youth to report sexual abuse via mail.

CORRECTIVE ACTION PLANS FROM PREVIOUS YEARS

2014 CORRECTIVE ACTIONS

In an effort to ensure PREA compliance, ADJC has implemented the following corrective actions:

- Appointed an ADJC PREA Compliance Manager with sufficient time and authority to coordinate the facility's efforts to comply with the PREA Standards. Although not specifically required by PREA Standards for Juvenile Facilities § 115.331(c), because ADJC operates only one facility, ADJC created the dedicated position to ensure ongoing compliance and monitoring of all PREA Standards.
- Installed a telephone intended solely for youth to report sexual abuse and harassment. The telephone is located in the Health Unit to allow youth to use the reporting hotline in private and remain anonymous. The telephone is a one way phone that connects youth to the Department of Child Safety.
- Sent five (5) ADJC auditors/inspectors to the United States Department of Justice (DOJ) training for Juvenile Facility Auditor certification in February 2014.
- An ADJC PREA Video was created to demonstrate how ADJC (1) uses the PREA posters to expand awareness of PREA at ADJC/Adobe Mountain School (AMS) and (2) uses the posters as a tool for discussing ADJC's zero-tolerance standard for sexual abuse and sexual harassment with youth in group settings.
- Conducted an Internal PREA Pre-Audit in June 2014 completed by certified agency auditors.
- Created a PREA brochure to be provided to youth upon arrival to ADJC. The PREA brochure/leaflet is designed to help educate youth on how to identify abuse; to provide guidelines on how to stay safe; to inform on how to report abuse; and to provide guidance on what to do if abuse does occur.
- Finalized a comprehensive agency PREA Policy and revised 23 other agency policies to ensure strict compliance with PREA Standards.
- Completed mandated in-service training for every agency employee that included a two (2) hour PREA presentation. Trainings were conducted by Staff Development Trainers, the PREA Coordinator and/or the PREA Compliance Manager.

- In addition to mandatory PREA education groups that occur within ten (10) days of a youth's arrival to AMS, facility-wide trainings were completed to include: youth reporting methods, access to outside services, investigation protocols, the right to be free from retaliation, and PREA education material.
- The Inspections Bureau developed an inspection plan to continue monitoring compliance with PREA Standards as prescribed by agency policy. Inspections will be completed periodically by the certified PREA Auditors working for the agency.
- A camera assessment was completed by the Inspections Team and support staff to determine the need of additional cameras. The assessment was submitted to agency's Assistant Director for review. The assessment was then utilized to request for funds in an effort to purchase new camera equipment.

2013 CORRECTIVE ACTIONS

In an effort to ensure PREA compliance, ADJC has implemented the following corrective actions:

- As required by PREA Standards for Juvenile Facilities § 115.331(b), in January 2013, ADJC appointed an upper-level, agency-wide ADJC PREA Coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in its facility. The original PREA Coordinator was the ADJC Legal Systems Bureau Administrator. In March 2015, the appointment changed to the ADJC Quality Assurance and Staff Development Bureau Administrator.
- ADJC began conducting on-site reviews of practices and processes related to PREA to assess compliance, track compliance, and to move toward compliance with the new rules.
- ADJC worked to modify or enhance current systems, processes, and policies to comply with PREA Standards and prepare for the PREA Audit.
- Bureau Administrators were assigned to conduct a review of processes and practices within their departments that may need revisions based on PREA Standards. A workgroup was then created to make changes to appropriate policies and practices.
- Increased the number of PREA trainers to facilitate PREA youth education groups. Nine (9) additional trainers were certified.
- In partnership with the Arizona Department of Administration (ADOA), in June 2013 ADJC created 12 PREA posters to display at ADJC/Adobe Mountain School. The posters were created as part of an ongoing campaign against sexual abuse and sexual violence. The posters contain photos of both male and female youth and include powerful messages in word and picture to communicate with our youth and engage them in critical thinking. The slogan, "No Body Deserves to be a Victim of Sexual Violence" is displayed on each poster. This project also helps to reinforce our efforts to provide the required education and treatment services to the children referred to us by the courts. The posters raise awareness among youth and staff and provide youth with visual reminders that ADJC has a zero-tolerance standard for sexual abuse and sexual harassment and that all youth have the right to be free from sexual abuse, sexual harassment, and retaliation. These posters are viewed

as a national model and ADJC granted the National PREA Resource Center permission to share these posters as models for the field. They are available on the National PREA Resource Center for download and use.