



**PREA Annual Data & Corrective Actions Report:
Arizona Department of Juvenile Corrections
2021-2022**

PREA ANNUAL DATA 2021-2022

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 and support 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.

The agency is in compliance with PREA standards and has completed four (4) PREA Audits. The PREA reports submitted by the PREA Auditor can be located on our website www.azdjc.gov under “Resources-PREA.”

2021 - 2022 COMPARISON OF PREA ALLEGATIONS

This report includes a comparison of data for calendar years 2021 and 2022 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>2021</u>	<u>2022</u>
Number of youth held in the facility on December 31 st	150	138
Number of youth admitted during the target year	110	230
Number of <i>alleged</i> non-consensual youth-on-youth sexual acts reported	0	0
Number of <i>substantiated</i> non-consensual youth-on-youth sexual acts	0	0
Number of <i>alleged</i> youth-on-youth abusive sexual contacts reported	1	2
Number of <i>substantiated</i> youth-on-youth abusive sexual contacts	0	2
Number of <i>alleged</i> youth-on-youth sexual harassment reported	4	1
Number of <i>substantiated</i> youth-on-youth sexual harassment	3	0
Number of <i>alleged</i> staff-on-youth sexual misconduct reported	4	11
Number of <i>substantiated</i> staff-on-youth sexual misconduct	0	0
Number of <i>alleged</i> staff-on-youth sexual harassment reported	0	0
Number of <i>substantiated</i> staff-on-youth sexual harassment	0	0

***Additional data from previous years is available in the agency’s public website: PREA Data Report 2017-2022*

2021- 2022 REPORTED ALLEGATIONS AND AGENCY INVESTIGATIONS

ADJC is committed to ensuring compliance with PREA Juveniles Standards as well as the health and safety of the juveniles in its care. When a PREA allegation is reported to the department, first responders are directed to act quickly and complete specific steps which include separating the potential youth victim(s) from suspect(s) and escorting youth to receive medical attention from our internal medical unit.

When an incident is reported by staff, interns, contractors, volunteers, youth, a third party reporter, or any person using the zero tolerance phone/email, an investigation (criminal and/or administrative) is initiated. Notifications are made to the youth's parents/legal guardians by facility administration and the youth victim is monitored by the Juvenile Ombudsman (JO) for a minimum of 90 days. The JO checks in with the youth victim(s) periodically, to ensure retaliation against the youth victim/witnesses does not occur. Immediate action is taken to prohibit any form of retaliation and an action plan is formulated by the Unit's Supervisor, PREA Coordinator, PREA Compliance Manager, JO and the facility's administration team.

The process of reviewing allegations that are reported at the facility includes an initial assessment of the allegation by a Shift Commander. The Shift Commander is a facility supervisor charged with supervising operations at the facility. The Inspector General (IG) receives all allegations automatically and conducts a review of all reported allegations. The IG is tasked with assigning investigations in collaboration with the Investigations Supervisor. The Inspector General, Investigations Supervisor and the PREA Coordinator monitor the investigation processes closely to ensure all aspects of the investigation are conducted with integrity and per the Arizona Revised Statutes.

COMPARATIVE ANALYSIS

A comparative analysis of 2021 and 2022 data indicates the following:

- There was *no change* in the number of reported allegations of *non-consensual sexual acts*. There were zero reported allegations in both years.
- There was an *increase* in the number of reported allegations of *youth-on-youth abusive sexual contact* in 2022 in comparison to 2021. In 2022, there were two (2) reported allegations and only one (1) in 2021. The investigations completed determined both allegations were substantiated. The investigation reports were submitted to the County Attorney's Office. Sexual Abuse Incident Review meetings were held for each case involving agency employees from various departments including first responder staff, housing unit supervisors, clinical staff, medical professionals, advocates, education principal, the assigned investigator and the PREA Coordinator. A report was completed and submitted to the facility's Secure Care Bureau Administrator for follow up.
- There was an *decrease* in the number of reported allegations of *youth-on-youth sexual harassment*. In 2021, there were four (4) reported allegations compared to only one (1) reported allegation in 2022. The reported allegation was determined to be unfounded after the investigation was completed.
- There was an *increase* in the number of reported allegations of *staff sexual misconduct*. There were four (4) allegations in 2021 and 11 reported allegations in 2022. Three allegations in 2021 were determined to be unsubstantiated. All other allegations were determined to be *unfounded* after a thorough investigation was completed.
- There was *no change* in the number of reported allegations of *staff sexual harassment*. There were zero reported allegations in both years.

CORRECTIVE ACTION PLAN FOR 2023

The agency had a total of 14 reported allegations with two substantiated cases in 2023. There was an increase in reported allegations for staff sexual misconduct (11 total for the year) and each allegation was investigated thoroughly. All aspects of the allegations were extensively evaluated by an assigned investigator and a review was conducted on collected evidence which included but was not limited to: camera footage, digital evidence, interviews, review of other investigations, staff conduct and past employment history. Each investigation was also reviewed by the Inspector General, Investigations Supervisor and PREA Coordinator for accuracy and appropriate follow up. The staff identified as potential suspects had no contact with the youth involved during the investigation process, parents/legal guardians were contacted to notify them of the investigation, and the potential victim(s) were monitored closely. At the conclusion of each investigation, it was determined that each case was unfounded. This means the allegation and actions disclosed by the reporting victim, witness or third party reporter did not take place.

The agency is dedicated to providing all youth under its jurisdiction the ability to make reports confidentially and anonymously regardless of the outcomes and dispositions of investigations. The agency understands that it may be difficult to come forward and report sexual abuse or sexual harassment especially by a youth victim. All employees are trained to encourage youth to report all PREA allegations in an effort to keep youth safe.

In 2023 the agency focused on evaluating existing processes to ensure continued success and compliance with the PREA standards. It is crucial to conduct frequent assessments of implemented processes, internal audits and inspections, policy reviews, and consider environmental factors to deter PREA incidents from occurring and act swiftly when allegations are reported.

The following processes were evaluated based on completed assessments, inspection findings, PREA webinars and FAQ clarifications from the PREA Resource Center:

- **PREA Initial Screenings:** (new arrivals and parole violators) A team consisting of the Clinical Director, Psychology staff, Research Department, policy manager and the PREA Coordinator completed an evaluation of the existing screening tool. Based on information provided by the PRC, it was determined that updates to the screening tool were necessary. The updates included a numerical value to each question asked during the screening. The sum of each question is now calculated automatically by the PREA Screening System and provides clinical staff with objective results to assist in determining if a youth is a potential victim, potential aggressors, both or neither. This information along with other assessments are utilized to make decisions on housing unit placements and treatment for each youth.
- **Youth PREA Orientation (Presentation):** Youth orientation is critical when they arrive at Adobe Mountain School (AMS). The youth receive a pamphlet and youth handbook the first day they arrive that explain their rights including the agency's responsibilities with PREA and their safety. Within 10 days of arrival, the youth have a group with an intake staff where a presentation is shared (English or Spanish) that discusses PREA, how to report, investigation process and how both victims and suspects will be managed while at AMS. During this group, youth are allowed to

ask questions and take notes and staff are trained to conduct an interactive group to allow for youth to feel safe while discussing sexual abuse and harassment.

- **Staff Training (academy):** Training staff on how to detect, prevent and report sexual abuse and harassment is one of the most important factors that keep youth safe. The training was updated to reflect staff's responsibilities prior, during and after an allegation is reported.
- **Installation of cameras:** During internal audits, Sexual Abuse Incident Reviews and the yearly Staffing Plan meeting, the facility conducts assessments on potential vulnerable locations or other areas identified as "blind spots." The facility had at least 15 additional cameras installed in various locations including housing units, offices and outside areas where youth programmed.

The agency also hired a PREA Compliance Manager and a second Criminal Investigator who is AZPOST certified. The PREA Compliance Manager is dedicated to completing internal inspections, monitoring facility processes that are outlined in the PREA Juvenile Standards, working in collaboration with facility management, proposing recommendations to update processes or policies, periodically checking in with MDTs and units housing LGBTI youth. With a second Criminal Investigator, the response to initiate investigations and begin collecting evidence promptly. The investigator's ability to perform duties of a police officer have also assisted in submitting cases expeditiously to the County Attorney that were determined to be substantiated.

ADJC scheduled its fourth PREA Formal audit in 2023. A certified Federal PREA Auditor completed the agency and facility audit by conducting a facility onsite tour, interviews with staff and youth, assessment of documents, records, training logs and policies. At the conclusion of the audit, the agency was 100% compliant with all the PREA Juvenile Standards with no findings. The agency has been fully compliant with the standards during every audit completed since 2015.

CORRECTIVE ACTION PLANS FROM PREVIOUS YEARS

Corrective Action for 2022

ADJC is committed to creating a safe environment and protecting youth against sexual victimization. The agency has zero tolerance for sexual contact of any kind with juveniles, including sexual conduct, assault/abuse, contact and/or harassment, by youth, staff, contractors, volunteers, interns and any other person who may enter Adobe Mountain School.

The agency has established policies and procedures to facilitate a safe environment for the juveniles committed to the department. In addition to policies, employees are educated in PREA expectations prior to having youth contact and they receive training on proper boundaries with youth, how to report allegations of sexual abuse and harassment, how to promote a safe environment and encourage youth to report PREA allegations. Additionally, staff are made aware of state laws requiring employees to report all types of abuse against youth and the agency's responsibilities to investigate all reports made by staff, youth, and third party reporters.

Both staff and youth have access to several reporting mechanisms including confidential and anonymous ways of reporting. The agency acts quickly to investigate all reports made involving potential youth victims and promptly submits all substantiated allegations to the County Attorney for prosecution.

In 2022, the agency completed the following action steps to continue maintaining full compliance with the Juvenile PREA Standards and promoting youth safety:

- Completed PREA training for each cadet during scheduled academy classes.
- Completed PREA Refresher information review through a PREA info sheet that was provided to every agency employee.
- Conducted a review of clinical intake PREA assessments to better identify potential youth victims and aggressors and provide appropriate accommodations to vulnerable youth populations.
- Conducted an internal Quality Assurance Audit to assess the facilities compliance with the standards and correct any potential deficiencies.
- Hiring of two criminal investigators who will be responsible for conducting all PREA allegations.

The department has certified compliance with the PREA Standards since 2015 and will continue to assess and review the facility's protocols to identify concerns. Action plans will be implemented to quickly rectify problem areas and the proper department leads will be notified to collaborate compliance efforts.

The PREA data collected of 2021 allegations shows a decrease in reported incidents, however, the agency will continue to enforce both state and federal laws to maintain compliance and will implement safety precautions in the form of internal assessments, training, inspections and investigations.

Corrective Action for 2021

The agency scheduled its third PREA Formal Audit in July of 2020. Originally, the audit was scheduled to take place in May of 2020. Due to the rise in Covid-19 cases at the facility, our agency Director postponed the audit until July of 2020. The PREA Management Office (PMO) was notified by the contracted Federal PREA Auditor of our intent to postpone our audit.

During the pandemic, the agency has been committed to enforcing protocols and procedures that continue to promote zero tolerance towards sexual abuse and sexual harassment of juveniles. The PREA Coordinator worked closely with facility administrators and Housing Unit Managers to ensure the agency remained in full compliance with the PREA Juvenile Standards. This was completed by monitoring practices, updating protocols and completing internal Quality Assurance Inspections.

The agency's Office of Inspector General which oversees all PREA related practices focused their inspections and reviews on the following protocols:

- The monitoring of juvenile victims by the Juvenile Ombudsman (per standard 115.367);
- Medical and mental health services provided to juveniles free of cost;
- Reporting allegations to victims' legal guardians and/or parents;
- Investigating all allegations of sexual abuse and harassment;
- Ensuring PREA education and other PREA materials were provided to juveniles within 10 days;
- And ensuring training was provided to employees before having youth contact per Standard 115.331 on how to prevent, respond and report PREA incidents.

In addition to preparing for a PREA audit in 2020, the agency focused efforts in ensuring youth safety by providing the following:

- PREA information to staff and juveniles on reporting methods;

- Certification opportunity for four (4) additional staff who completed the 40 hour Advocate Training provided by the Arizona Coalition to End Domestic and Sexual Violence; and
- An updated PREA CBT for specialized employees and contractors (required for contractors and employees with juvenile contact).

During our third PREA Audit, the auditor completed a facility tour, interviews of youth and staff, and reviewed documentation of proof of compliance for each PREA standard. The agency was 100% compliant.

In 2021 the agency completed the following action plans in an effort to maintain compliance with the PREA Juvenile Standards:

- Camera Upgrades: Additional cameras added in selected housing units and a system upgrade was completed.
- In person PREA training (during in-service): Training information included response by first responder, responsibilities of Shift Commanders, medical health and mental health staff.