



## **PREA Annual Report - 2020**

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## **Prison Rape Elimination Act (PREA)**

The Prison Rape Elimination Act (PREA) was unanimously passed by Congress and signed on September 4, 2003, by President George H.W. Bush, becoming the first federal legislation to address the issue of sexual assault in a correctional setting. The Act applies to sexual abuse in all custodial corrections settings, including prisons, jails, police lock-ups, juvenile facilities, and community residential settings. Moreover, the Act applies to all types of sexual misconduct against juveniles, including abuse by fellow juveniles and staff.

## **Georgia Department of Juvenile Justice**

The Georgia Department of Juvenile Justice (DJJ) provides secure housing, programming, mental health services, health care services, and education for juveniles who are on probation, awaiting adjudication, or have been adjudicated and committed to the Georgia Department of Juvenile Justice.

The Georgia Department of Juvenile Justice reviews data collected and aggregated pursuant to PREA standard 115.387 in order to assess and improve the effectiveness of the agency's sexual abuse prevention, detection, and response policies, practices, and training to include identifying problem areas; and taking corrective action on an ongoing basis.

The Georgia DJJ yearly comparison report began with FY2013. Specific information from all reports is redacted to prevent any threat to the safety and security of secure facilities, community residential programs, court service offices, and youth and staff. The PREA Annual Report redacted information concerning staff and youth personal identifiers.

## **Summary**

During the reporting period from January 1, 2020 thru December 31, 2020, the Georgia Department of Juvenile Justice (DJJ) OQA data base received 117 allegations of PREA incidents and additional 5 was reported from other sources for a total of 122 allegations reported in 2020. The alleged incidents were reported from one or more of DJJ's 25 Secure Facilities, one or more of DJJ's Community Service Offices, and one or more of DJJ's Residential Program Providers.

Of the 122 alleged PREA incidents, 56 were reported by secure facilities. A review of the 56 reported by secure facilities revealed 18 substantiated, 32 unsubstantiated, 0 unfounded, 0 pending, and 6 reported as others (None PREA, PREA code change, or substantiated as a none PREA code). The Georgia Department of Juvenile Justice is required to submit to the Department of Justice/Bureau of Justice Statistics and the U.S. Department of Commerce the 18 substantiated cases using the Survey of Sexual Victimization (SSV) Report Form. The Office of Investigations PREA Unit provides a SSV report on each substantiated case from secure facilities. The Office of Professional Development & Standards upload/enter all required SSV reports into the Department of Justice/Bureau of Justice Statistics federal database.

Of the 122 alleged PREA incidents, 66 were reported by community. A review of the 66 reported by community revealed 35 substantiated, 26 unsubstantiated, 0 unfounded, and 5 reported as others (None PREA, PREA code change, or substantiated as a none PREA code).

## DJJ Established PREA Reporting Codes

### Youth-On- Youth (PY)

1. PY1 = Youth-on-Youth Unwanted, Nonconsensual or Coerced Penetration (*Department of Justice SSV-5 Title: Nonconsensual Sexual Acts*)
2. PY2 = Youth-on-Youth Unwanted, Nonconsensual or Coerced Non-Penetration/Touching (*Department of Justice SSV-5 Title: Abusive Sexual Contact*)
3. PY3 = Youth-on-Youth Sexual Harassment (*Department of Justice SSV-5 Title: Sexual Harassment*)

### Staff-On-Youth (PS)

4. PS1 = Staff-on-Youth Sexual Penetration (*Department of Justice SSV-5 Title: Staff Sexual Misconduct*)
5. PS2 = Staff-on-Youth Non-Penetration Touching (*Department of Justice SSV-5 Title: Staff Sexual Misconduct*)
6. PS3 = Staff -on-Youth Indecent Exposure (*Department of Justice SSV-5 Title: Staff Sexual Misconduct*)
7. PS4 = Staff -on-Youth Sexual Harassment or Voyeurism (*Department of Justice SSV-5 Title: Staff Sexual Harassment*)

**Note:** Definitions are based on the PREA standards 115.6 Definitions related to sexual abuse.

## 2013 – 2020 Yearly Allegation Comparison Reports

PREA Codes	2013	2014	2015	2016	2017	2018	2019	2020
<b>PY1</b> - Unwanted Penetration	26	13	6	12	21	7	8	22
<b>PY2</b> -Unwanted Touching (Non-Penetration)	50	56	53	30	27	23	37	55
<b>PY3</b> - Harassment	64	58	60	66	51	56	30	27
<b>PS1</b> - Sexual Penetration	14	4	3	7	3	6	0	6
<b>PS2</b> - Non-Penetration (Touching)	19	23	17	20	9	13	5	4
<b>PS3</b> - Indecent Exposure	2	0	0	1	0	0	0	1
<b>PS4</b> - Harassment	22	29	19	15	12	12	7	7
<b>Total Alleged PREA Incidents</b>	<b>197</b>	<b>183</b>	<b>158</b>	<b>151</b>	<b>123</b>	<b>117</b>	<b>87</b>	<b>122</b>

## 2020 Results of the DOJ Survey of Sexual Violence (SSV-5)

### General Information: Section #1 - Data Summary

<b>Q1</b>	On December 31, 2020, how many facilities operated by GA DJJ held juveniles' offenders charged with or court-adjudicated for an offense. <i>Note: Data includes only state operated secure facilities (RYDCs &amp; YDCs)</i>	<b>25</b>
<b>Q2A</b>	On December 31, 2020, the total number of male residents.	<b>791</b>
<b>Q2B</b>	On December 31, 2020, the total number of female residents.	<b>111</b>
<b>Q2C</b>	On December 31, 2020, the total number of residents held in the 25 reported facilities.	<b>902</b>
<b>Q3A</b>	On December 31, 2020, the total number of residents age under 18 or younger.	<b>782</b>
<b>Q3B</b>	On December 31, 2020, the total number of residents age 18 to 20.	<b>120</b>
<b>Q3C</b>	On December 31, 2020, the total number of residents age over 20 or older.	<b>0</b>
<b>Q4A</b>	On December 31, 2020, the total number of residents admitted. <i>Note: Distinct count of juvenile admissions between January 1, 2020, and December 31, 2020.</i>	<b>3,785</b>
<b>Q4B</b>	On December 31, 2020, the total number of residents discharged. <i>Note: Distinct count of juvenile releases between January 1, 2020, and December 31, 2020.</i>	<b>4,063</b>

**2020 DOJ Summary of Substantiated Survey of Sexual Violence Results (SSV-5) Based on Secure Facilities Only**

<b>Incident Type</b>	<b>Number Reported</b>
Nonconsensual Sexual Acts	1
Abusive Sexual Contact	11
Youth-on-Youth Sexual Harassment	3
Staff Sexual Misconduct	1
Staff Sexual Harassment	2
Total	18

**2020 DOJ Survey of Sexual Violence Results (SSV-5) Based of Secure Facilities Only (56 allegations process).**

The Georgia Department of Juvenile Justice collects accurate, uniform data for every allegation of sexual abuse and harassment at state-operated juvenile facilities, privately operated secure facilities, and community programs. However, the 2020 data collection for the US Department of Justice Survey of Sexual Violence report (SSV-5) requires data from only Georgia State-operated juvenile secure facilities (Regional Detention Centers – (RYDC); Youth Development Campuses – (YDC).

**2020 PREA Audit Methodology**

The Prison Rape Elimination Act of 2003 (PREA) requires that Governors must certify that their respective states are in full compliance with the standards associated with 28 C.F.R. Part 115 (PREA), which took effect on August 20, 2012. These standards apply to state and local confinement facilities, categorized as jails and prisons, community confinement facilities, lockups, and juvenile facilities.

All Georgia DJJ facilities are categorized as Juvenile Facilities. The facilities types are Regional Youth Detention Centers (RYDC), and Youth Development Campuses (YDC).

The agency has 25 secure facilities which are state-operated. All are covered under Prison Rape Elimination Act (PREA) Juvenile Facility Standards.

The Georgia Department of Juvenile Justice contracted with US Department of Justice Certified Juvenile PREA Auditors to conduct required PREA audits. Each DJJ secure facility was audited on the required 43 standards and 350 plus provisions.

## GA DJJ PREA Certification

A list of facilities under the state executive branch's operational control that were audited during Audit Year 2 of Cycle 3.

Audit Year 1 of Cycle 3: Audit August 20, 2019 – August 19, 2020

State	Facility	Year	Cycle	On Site Audit Schedule Date & Month	Final Report Date	Disposition
GA	Bob Richards Regional Detention Center	2020	3	February 26-27, 2020	April 21, 2020	Compliant
GA	Claxton Regional Detention Center	2020	3	August 3-4, 2020	August 30, 2020	Compliant
GA	Crisp Regional Detention Center	2020	3	March 4-5, 2020	May 19, 2020	Compliant
GA	Elbert Shaw Regional Detention Center	2020	3	February 24-25, 2020	April 9, 2020	Compliant
GA	Macon Youth Development Center	2020	3	February 10-11, 2020	May 19, 2020	Compliant
GA	Macon Regional Detention Center	2020	3	February 12-13, 2020	April 2, 2020	Compliant
GA	Milledgeville Development Center	2020	3	August 5-6, 2020	August 31, 2020	Compliant
GA	Muscogee Youth Development Center	2020	3	March 2-3, 2020	April 21, 2020	Compliant

**Note:**

- All final 2021 Reports are posted on DJJ PREA website <http://www.djjnewsandviews.org/preageorgia/preareports.html>  
**All corrective actions were completed and submitted to auditor and is included in the final reports.**

Audit Year 2 of Cycle 3: Audit August 20, 2020 – August 19, 2021

State	Facility	Year	Cycle	On Site Audit Schedule Date & Month	Final Report Date	Disposition
GA	Atlanta Youth Development Campus <i>(Currently Housed at Metro RYDC- Temporarily shut down for construction)</i>	2021	3	NA	NA	NA
GA	Wilkes Regional Detention Center	2021	3	March 8-9, 2021	July 28, 2021	Compliant
GA	Augusta Regional Detention Center	2021	3	March 10-11, 2021	May 4, 2021	Compliant
GA	Waycross Regional Detention Center	2021	3	March 22-23, 2021	May 12, 2021	Compliant
GA	Savannah Regional Detention Center	2021	3	March 24-25, 2021	May 13, 2021	Compliant
GA	Rockdale Regional Detention Center	2021	3	April 5-6, 2021	May 19, 2021	Compliant
GA	DeKalb Regional Detention Center	2021	3	April 7-8, 2021	August 18, 2021	Compliant
GA	Marietta Regional Detention Center	2021	3	April 19-20, 2021	August 18, 2021	Compliant
GA	Caldwell Regional Detention Center	2021	3	April 21-22, 2021	August 18, 2021	Compliant

**Note:**

- All final 2021 Reports are posted on DJJ PREA website <http://www.djjnewsandviews.org/preageorgia/preareports.html>  
**All corrective actions were completed and submitted to auditor and is included in the final reports.**
- For review, each final report is attached.

## Proposed Audit Schedules

A proposed schedule for completing audits of all facilities under the state executive branch's operational control during the following 3 audit years.

Audit Year 3 of Cycle 3: Audit August 20, 2021 – August 19, 2022

State	Facility	Year	Cycle	On Site Audit Schedule Date & Month
GA	Sumter Youth Development Center <b>(Facility Closed)</b>	2022	3	NA
GA	Atlanta Youth Development Campus (reschedule)	2022	3	Date Pending
GA	Eastman Youth Development Campus	2022	3	January 24-25, 2022

GA	Loftis Regional Detention Center	2022	3	January 26-27, 2022
GA	Aaron Cohn Regional Detention Center	2022	3	February 7-8, 2022
GA	Terrell Regional Detention Center	2022	3	February 9-10, 2022
GA	Martha K. Glaze Regional Detention Center	2022	3	February 21-22, 2022
GA	Metro Regional Detention Center	2022	3	February 23-24, 2022
GA	Gainesville Regional Detention Center	2022	3	March 14-15, 2022
GA	Augusta Youth Development Center	2022	3	March 21-22, 2022

Audit Year 1 of Cycle 4: Audit August 20, 2022 – August 19, 2023

State	Facility	Year	Cycle	On Site Audit Schedule Month
GA	Bob Richards Regional Detention Center	2023	4	January 2023
GA	Claxton Regional Detention Center	2023	4	January 2023
GA	Crisp Regional Detention Center	2023	4	February 2023
GA	Elbert Shaw Regional Detention Center	2023	4	February 2023
GA	Macon Youth Development Center	2023	4	February 2023
GA	Macon Regional Detention Center	2023	4	February 2023
GA	Milledgeville Development Center	2023	4	March 2023
GA	Muscogee Youth Development Center	2023	4	March 2023

Audit Year 2 of Cycle 4: Audit August 20, 2023 – August 19, 2024

State	Facility	Year	Cycle	On Site Audit Schedule Month
GA	Wilkes Regional Detention Center	2024	4	March 2024
GA	Augusta Regional Detention Center	2024	4	March 2024
GA	Waycross Regional Detention Center	2024	4	March 2024
GA	Savannah Regional Detention Center	2024	4	March 2024
GA	Rockdale Regional Detention Center	2024	4	April 2024
GA	DeKalb Regional Detention Center	2024	4	April 2024
GA	Marietta Regional Detention Center	2024	4	April 2024
GA	Caldwell Regional Detention Center	2024	4	April 2024
GA	Atlanta Youth Development Campus	2024	4	February 2024

### Corrective Actions

Exit briefings was held with the Facility Director, Assistant Director, PREA Coordinator, PREA Compliance Specialist, and the PREA Compliance Manager. The auditor discussed the onsite audit. The auditor did have some areas of concern and requested some additional supporting documentation for background checks and sexual abuse incident team meetings.

There was a corrective action regarding standard 115.313 Supervision and Monitoring section (c), each secure juvenile facility shall maintain staff ratios of a minimum of 1:8 during resident waking hours and 1:16 during resident sleeping hours, except during limited and discrete exigent circumstances, which shall be fully documented. Only security staff shall be included in these ratios. Any facility that, as of the date of publication of this final rule, is not already obligated by law, regulation, or judicial consent decree to maintain the staffing ratios set forth in this paragraph shall have until October 1, 2017, to achieve compliance.

The auditor's concern was some of the audited facilities were not meeting the 1:8 ratios on a consist bases.

**Agency Response:**

The agency used the guidance of the National PREA Resource Center Frequently Asked Questions (FAQ) dated July 9, 2013, who counts as “security staff” for purposes of the minimum staffing ratio standard for secure juvenile facilities? According to the response, only direct-care staff will count in the minimum mandatory ratios. Direct-care staff supervisors may generally be counted within the minimum ratios to the extent they are presently assigned to primarily or exclusively supervise residents.

Other persons whose duties involve supervision and control of residents for a portion of the day may count towards these ratios while they are actively supervising and controlling residents, assuming that they have received appropriate training. Appropriate training generally includes training on the supervision and control of delinquent youth including, among other things, verbal de-escalation techniques, age-appropriate defensive tactics, and crisis intervention.

Georgia Department of Juvenile Justice address the auditor’s concern by:

1. The Training Division develop a staff curriculum that meet the training requirements of the National PREA Resource Center Frequently Asked Questions.
2. Teachers, Recreational staff and counselors of the facilities were trained and are counted in the minimum ratios.

**Conclusion**

The Department of Juvenile Justice is committed to working with our federal, state and local partners to reduce and eliminate sexual abuse and sexual harassment in our juvenile secure facilities and community residential programs. The agency works diligently to engage federal and private experts and to obtain technical assistance and resources. The Department of Juvenile Justice will continue to pursue all efforts to develop and implement “Best Practices” in our processes and systems to improve the level of sexual safety for Georgia’s youth in confinement and to enhance services for the youth in our care.

**Publication Approval:**

Standard 115.388 Provision “C”: The agency’s report shall be approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means.



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Commissioner Tyrone Oliver, Agency Head – Approval