



**PRISON RAPE ELIMINATION ACT (PREA)  
ANNUAL REPORT 2021**

**Office of Professional Development & Standards**

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## **Prison Rape Elimination Act**

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 lockups, 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 on probation, awaiting adjudication, or who 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 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 in 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, 2021, to December 31, 2021, the Georgia Department of Juvenile Justice (DJJ) OQA database received 115 allegations of PREA incidents for a total of 115 allegations reported for CY 2021. The alleged incidents were reported from one or more of DJJ's 25 Secure Facilities, one or more of DJJ's 92 Community Service Offices, and one or more of DJJ's 75 Residential Program Providers.

Of the 115 alleged PREA incidents, 74 were reported by secure facilities. A review of 25 secure facilities revealed 18 substantiated, 46 unsubstantiated, and 11 unfounded. One (1) was reported as (a 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 an SSV report for each substantiated case from secure facilities. The Office of Professional Development and Standards will upload/enter all required SSV reports into the Department of Justice Statistics federal database. Of the 115 alleged PREA incidents, 40 were reported by the community. A review of the 40 reported by the community revealed ten substantiated, 25 unsubstantiated, and five unfounded.

## **PREA Standard 115.387- Data Collection**

Section (C), The incident-based data collection shall include, at a minimum, data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

# 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)

1. PS1 = Staff-on-Youth Sexual Penetration (Department of Justice SSV-5 Title: Staff Sexual Misconduct)
2. PS2 = Staff-on-Youth Non-Penetration Touching (Department of Justice SSV-5 Title: Staff Sexual Misconduct)
3. PS3 = Staff-on-Youth Indecent Exposure (Department of Justice SSV-5 Title: Staff Sexual Misconduct)
4. 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 – 2021 Yearly Allegation Comparison Reports.

## Yearly Allegation Comparison Reports: 2013 – 2021

PREA Codes	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>PY1</b> - Unwanted Penetration	26	13	6	12	21	7	8	22	15
<b>PY2</b> - Unwanted Touching	50	56	53	30	27	23	37	55	40
<b>PY3</b> - Harassment	64	58	60	66	51	56	30	27	24
<b>PS1</b> - Sexual Penetration	14	4	3	7	3	6	0	6	11
<b>PS2</b> - Non-Penetration	19	23	17	20	9	13	5	4	5
<b>PS3</b> - Indecent Exposure	2	0	0	1	0	0	0	1	0
<b>PS4</b> - Harassment	22	29	19	15	12	12	7	7	20
<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>	<b>115</b>

## 2021 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 juvenile offenders charged with or court-adjudicated for an offense? <b>Note:</b> <i>Data includes only state-operated secure facilities (RYDCs &amp; YDCs)</i>	25
<b>Q2A</b>	On December 31, 2020, the total number of male residents.	832
<b>Q2B</b>	On December 31, 2020, the total number of female residents	116
<b>Q2C</b>	On December 31, 2020, the total number of residents held in the 25 reported facilities	948
<b>Q3A</b>	On December 31, 2020, the total number of residents aged under 18 or younger	844
<b>Q3B</b>	On December 31, 2020, the total number of residents aged 18 to 20	104
<b>Q3C</b>	On December 31, 2020, the total number of residents aged over 20 or older	0
<b>Q4A</b>	On December 31, 2020, the total number of residents admitted <b>Note:</b> <i>Distinct count of juvenile admissions between January 1, 2020, and December 31, 2020</i>	3857
<b>Q4B</b>	On December 31, 2020, the total number of residents discharged <b>Note:</b> <i>Distinct count of juvenile releases between January 1, 2020, and December 31, 2020</i>	3946

### 2021 DOJ Summary of Substantiated Survey of Sexual Violence Results (SSV-5) Based on Secure Facilities Only

Incident Type	Number Reported
Youth-on-Youth Nonconsensual Sexual	00
Youth-on-Youth Abusive Sexual Contact	7
Youth-on-Youth Sexual Harassment	5
Staff Sexual Misconduct	2
Staff Sexual Harassment	5
Total	17

### 2021 DOJ Survey of Sexual Violence Results (SSV-5) Based on Secure Facilities Only (74 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 2021 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)).

## **2021 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 CFR 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 facility 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. As a result, each DJJ secure facility was audited on the required 43 standards and 350 plus provisions.

# GEORGIA DJJ PREA CERTIFICATION

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

State	Facility	Year	Cycle	Onsite Audit Schedule	Final Report Date	Disposition
GA	Bob Richards RYDC	2020	3	Feb. 26-2, 2020	April 21, 2020	Compliant
GA	Claxton RYDC	2020	3	Aug. 3-4, 2020	August 30, 2020	Compliant
GA	Crisp RYDC	2020	3	March 4-5, 2020	May 19, 2020	Compliant
GA	Elbert Shaw RYDC	2020	3	Feb. 24-25, 2020	April 9, 2020	Compliant
GA	Macon YDC	2020	3	Feb. 10-11, 2020	May 19, 2020	Compliant
GA	Macon RYDC	2020	3	Feb. 12-13, 2020	April 2, 2020	Compliant
GA	Milledgeville YDC	2020	3	Aug. 5-6, 2020	August 31, 2020	Compliant
GA	Muscogee YDC	2020	3	March 2-3, 2020	April 21, 2020	Compliant

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

State	Facility	Year	Cycle	Onsite Audit Schedule	Final Report Date	Disposition
GA	Atlanta YDC <i>(Currently Housed at Metro RYDC- due to construction)</i>	2021	3	NA	NA	NA
GA	Wilkes RYDC	2021	3	March 8-9, 2021	July 28, 2021	Compliant
GA	Augusta RYDC	2021	3	March 10-11, 2021	May 4, 2021	Compliant
GA	Waycross RYDC	2021	3	March 22-23, 2021	May 12, 2021	Compliant
GA	Savannah RYDC	2021	3	March 24-25, 2021	May 13, 2021	Compliant
GA	Rockdale RYDC	2021	3	April 5-6, 2021	May 19, 2021	Compliant
GA	Dekalb RYDC	2021	3	April 7-8, 2021	Aug.18, 2021	Compliant
GA	Marietta RYDC	2021	3	April 19-20, 2021	Aug.18, 2021	Compliant
GA	Cadwell RYDC	2021	3	April 21-22, 2021	August 18, 2021	Compliant

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

State	Facility	Year	Cycle	Onsite Audit Schedule	Final Report Date	Disposition
GA	Sumter YDC (Closed)	2022	3	NA	NA	NA
GA	Atlanta YDC	2022	3	April 20, 2022	August 17, 2022	Compliant
GA	Eastman YDC	2022	3	January 24, 2022	July 13, 2022	Compliant
GA	Loftiss RYDC	2022	3	January 26, 2022	July 11, 2022	Compliant
GA	Aaron Cohn RYDC	2022	3	February 7, 2022	July 11, 2022	Compliant
GA	Terrell RYDC	2022	3	February 9, 2022	August 4, 2022	Compliant
GA	Martha Glaze RYDC	2022	3	February 21, 2022	July 11, 2022	Compliant
GA	Metro RYDC	2022	3	February 24, 2022	July 13, 2022	Compliant
GA	Gainesville RYDC	2022	3	March 22, 2022	August 16, 2022	Compliant
GA	Augusta YDC	2022	3	March 2, 2022	August 16, 2022	Compliant

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

State	Facility	Year	Cycle	Onsite Audit Schedule Month
GA	Bob Richards RYDC	2020	4	Feb. 26-2, 2020
GA	Claxton RYDC	2020	4	Aug. 3-4, 2020
GA	Crisp RYDC	2020	4	March 4-5, 2020
GA	Elbert Shaw RYDC	2020	4	Feb. 24-25, 2020
GA	Macon YDC	2020	4	Feb. 10-11, 2020
GA	Macon RYDC	2020	4	Feb. 12-13, 2020
GA	Milledgeville YDC	2020	4	Jan. 2023
GA	Muscogee YDC	2020	4	Jan. 2023

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

State	Facility	Year	Cycle	Onsite Audit Schedule
GA	Atlanta YDC	2024	4	Jan. 2024
GA	Wilkes RYDC	2024	4	March 2024
GA	Augusta RYDC	2024	4	March 2024
GA	Waycross RYDC	2024	4	March 22-23, 2021
GA	Savannah RYDC	2024	4	Feb. 2024
GA	Rockdale RYDC	2024	4	Feb. 2024
GA	Dekalb RYDC	2024	4	Feb. 2024
GA	Marietta RYDC	2024	4	Jan. 2024
GA	Cadwell RYDC	2024	4	Feb. 2024

## **Corrective Actions**

Exit briefings were 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 had some areas of concern and requested 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 outlined in this paragraph shall have until October 1, 2017, to achieve compliance.

The auditor's concern was that some of the audited facilities were not meeting the 1:8 ratios consistently.

## **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 mandatory minimum ratios. However, direct-care staff supervisors may generally be counted within the minimum ratios to the extent they are presently assigned to supervise residents primarily or exclusively.

Other persons whose duties involve supervising and controlling residents for a portion of the day may count towards these ratios while actively supervising and controlling residents, assuming 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 addresses the auditor's concern by:**

1. The Training Division develops a staff curriculum that meets 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 secure juvenile facilities and community residential programs. The agency works diligently to engage federal and private experts and to obtain technical assistance and resources. In addition, 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.

Shawanda Reynolds-Cobb

Interim Commissioner, Agency Head-Approval