



## **PREA Annual Report - 2013**

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

Unanimously passed by Congress, the Prison Rape Elimination Act (PREA) was signed on September 4, 2003, by President George H.W. Bush and became the first federal legislation addressing 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 detention facilities, and community residential settings. Moreover, the Act applies to all types of sexual misconduct against juveniles, including abuse by fellow juveniles and staff.

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

### **PREA Accomplishments**

The agency has greatly enhanced services that DJJ provides to youth and restructured policies and procedures to reduce incidents of sexual violence or sexual victimization. Many of these upgrades were already underway, most notably beginning in July 2011 when GA DJJ applied for the PREA "Zero Tolerance" grant, which DJJ was awarded. Some of the more significant work includes the following:

November 2011 thru February 2012, DJJ created the Safety and Security Task Force which made unannounced inspections for security issues at all 28 secure facilities, with an emphasis placed on PREA vulnerabilities.

The Task Force specifically addressed the following PREA security issues:

- Blind spots
- CCTV placement and operability
- Deficiencies in locking mechanisms and key control
- Officer positioning and officer- to- youth ratios

March 2012, the DJJ hired the first statewide PREA Coordinator and the PREA Oversight Committee was formed. The committee initially ensured that processes were developed based on the draft Department of Justice Standards. The DJJ Coordinator/Committee focused on the following:

- All contracts with public and private agencies which housed youths were amended to include the legal obligation to comply with PREA standards.
- All facilities and community offices appointed a PREA Compliance Officer, who ensured PREA compliance at their respective facility/office.

- Georgia DJJ's PREA Webpage was developed and implemented to keep both staff and the public aware of the department's efforts to comply with PREA.
- Office doors, shower areas, and locking mechanisms were redesigned or corrected to ensure proper monitoring and safety. PREA-specific shower curtains were added that allowed youth privacy but ensured proper monitoring for safety.
- A stand-alone PREA policy was developed, authorized and released agency-wide. The PREA National Standards were integrated into more than 50 pre-existing GA DJJ policies.
- Youth Information/Education materials were developed. These include guidelines, pamphlets, and posters in both English and Spanish. These materials were placed in youth areas in facilities and community offices.
- The web-based GA DJJ TIP Line was created to enhance outside reporting by parents and advocates about any abuses to include sexual abuse of youth within our care.

*Efforts to enhance specialized services for youth have been implemented that include:*

- Medical and Mental Health Screenings were modified to include required PREA information.
- Youth Educational Sessions were conducted with all youth. These sessions included the required PREA information, including the enhanced reporting procedures.
- Each facility entered into a memorandum of understanding with community service providers and victim advocate services that are able to provide youth services related to sexual assault and abuse.

*Staff Training enhanced, developed, and implemented to address specific PREA needs that include:*

- The Investigations Unit participated in specialized PREA-related incident training held in late 2011. This training sponsored by the Moss Group, was conducted in partnership with the GA Department of Corrections.
- Medical Staff received specialized training in the areas of Forensic Nursing and Sexual Abuse Education and Prevention.
- All GA DJJ facility Directors, and executive level and mid-level staff participated in a one-day PREA management course conducted by the Moss Group.
- Agency Investigators participated in a 3-day course specializing in Interviews and Interrogations conducted by the Georgia Bureau of Investigation.
- As of February 2013, more than 6,500 Georgia Juvenile Justice staff members, volunteers, contractors, and interns completed DJJ's PREA online training based on their level of contact with DJJ youth.
- In partnership with the Governor's Office for Children and Families' and the Georgia Center for Child Advocacy, GA DJJ implemented evidenced-based training for staff who deal with sexually abused children.

*Other concentrated efforts include:*

- The Moss Group conducted Sexual Safety Assessments in five facilities to evaluate facility strengths, reporting culture, and training.
- The Moss Group also conducted interviews with executive level staff as well as other key management positions to assess the overall understanding and support for the PREA initiative.
- Key GA DJJ executive/management staff participated in the Southeastern PREA Leadership Summit hosted by the Louisiana DJJ.
- PREA goals were included in the Georgia Department of Juvenile Justice Fiscal Years 2013 -2016 Strategic Plan to ensure budget commitments and annual allocations of staff.
- Based on the Department of Justice (DOJ) survey findings, a special DJJ PREA Advisory Committee reviewed all PREA investigative case files. **NOTE:** The findings revealed that DJJ did not have a strong reporting culture during the DOJ Survey period, January 1, 2011 through December 31, 2011.
- A revamp of the investigations protocol was implemented. This aligned GA DJJ's investigatory efforts with current PREA Standards to include using the specific PREA definitions for tracking purposes.
- October 16, 2013, the GA DJJ youth PREA Curriculum was released. The PREA curriculum model is comprised of several sets of resources, tailored to the duration of a youth's confinement. This curriculum focuses on:
  - Providing insight and support to youth who enter the system with vulnerabilities from past experiences of trauma, abuse, or victimization, including guidance in reducing the risk from such experiences.
  - Reduces the youth's risk of being a target or a victim of any kind of sexual assault while in our custody.
  - Expands the awareness of all youth of the range of predatory and sexual acting out behaviors, including bullying, sexual labeling, and name calling.
- In 2013, the creation of the GA DJJ Division of Operations and Compliance brought together key components to enhance the overall sexual safety and general safety and security of the agency. The re-alignment of the Office of Victim Services; the Office of Special Operations; the Office of Continuous Improvement, the Office of Classification & Transportation; and Program Coordinators: Prison Rape Elimination Act (PREA), Female Services, Gang Services and Intelligence Services are now operating as one Division.

*Our way ahead to further success:*

- DJJ has recently received a second PREA grant. The agency will focus efforts related to this grant on youth reporting to an outside entity and gender responsive training for all staff.

- Incorporating a telephone reporting system that will report to a third party organization that we will contract for implementation during our FY 2014 Budget.
- Pursuing processes to incorporate a kiosk reporting system in the dayrooms of secure facilities that would allow youth in detention opportunities to report sex-based allegations, as well as other serious issues and complaints, in an anonymous manner.
- Realizing that we have a high number of female staff working directly with our male youth population, the agency is looking at moving forward in 2014 with gender responsive training for staff and youth.
- We will also incorporate more gender specific training for staff as we recognize and acknowledge the differing pathways for boys and girls.
- Included in the agency 2014 – 2016 Strategic Plan is the PREA required staff- to- youth ratios, 1:8 during wake hours and 1:16 during sleep hours with effective date of October 1, 2017.

Since the release of the National PREA Standards, the agency is moving forward with additional significant changes, efforts and strategies in an effort to continue to reduce incidents of violence or sexual victimization. We have no greater responsibility than to first ensure that we do no harm, and secondly that we ensure the safety of youth and staff in our facilities.

### **DJJ PREA 2014 Certification Methodologies**

The Georgia Department of Juvenile Justice uses two (2) study methods to determine agency compliance with PREA. Methods: Certified DOJ Audit Reports and the Gap Analysis Report.

#### ***Certified Department of Justice Audits:***

All confinement facilities covered under the Prison Rape Elimination Act (PREA) standards must be audited at least every three years to be compliant with the PREA standards, with one third of each facility type operated by the agency, or private organization on behalf of an agency, audited each year. The audit cycle started August 20, 2013 thru August 19, 2016.

The following are facilities and community residential programs scheduled to have onsite visits conducted by August 19, 2014.

#### **2014 DOJ Certified Auditors Schedule**

<b>RYDC</b>	<b>Bed</b>	<b>Address</b>	<b>Post Audit Notice</b>	<b>DOJ Pre-Audit</b>	<b>On-Site Audit – DOJ</b>
Elbert Shaw RYDC (Dalton)	30 Beds 22-M \8-F	(Located in Whitfield County) 2735 Underwood Road, NE. Dalton, Ga. 30721	March 25	April 5	May 5-6
Bob Richards RYDC	64 Beds 48-M \ 16-F	(Located in Floyd County) 200 Marable Way NW Rome, Ga. 30165	March 25	April 5	May 7-9
Macon RYDC	64 Beds M	(located in Bibb County) 4164 Riggins Mill Road Macon, Ga. 31217-5999	March 28	April 25	May 19-20
Eastman RYDC	30 Beds 22-M \ 8-F	(Located in Hall County) 181 Industrial Blvd. Eastman, Ga. 31023-7113	April 14	May 16	June 16 - 17
Claxton RYDC	30 Beds 22-M \8-F	(Located in Evans County) 3609 Bill Hodges Road	April 14	May 16	June 18 -19

YDC	Bed	Address	Post Audit Notice	DOJ Pre-Audit	On-Site Audit – DOJ
Macon YDC	96 Beds Y-72 \ RY-24	(Located in Bibb County) 4160 Riggins Mill Road Macon, Ga. 31217-5440	March 28	April 25	May 21-23
Muscogee YDC	60 Beds M	(Located in Muscogee County) 7700-A Chatworth Road Midland, Ga. 31820	March 28	May 2	June 4-5
Crisp RYDC (Private/Contractor)	64 Beds 48-M \ 16-F	(Located in Crisp County) 130 Rehab Road Cordele, Ga. 31015	Open	April 18	May 26-28

### Gap Analysis:

The fifty (50) Juvenile Facility Standards were divided into three-hundred and fifty (350) requirements.

A Gap Analysis was conducted to measure Georgia Department of Juvenile Justice compliance with each requirement. In conducting the Gap Analysis the agency utilized an instrument titled “Implementing The Prison Rape Elimination Act: A Toolkit for Juvenile Agencies and Facilities,” developed by The Moss Group under a subcontract with The Center for Innovative Public Policies, Inc., with funding from the United States Department of Justice Programs, and Bureau of Justice Assistance.

Data from the agency policies, internal PREA audits and documentation/validation of practices were used to complete the Toolkit instrument. **Yes** or **No** answers were entered. **Yes** answers mean that all parts of the requirements were fully implemented. **No** answers mean that the requirement is not currently implemented or partially implemented.

### Findings

1. Of the **350** requirements, **346** received yes answers; **3** received no answers and **1** received not-applicable.

## 2013 Annual PREA COMPSTAT Reported Allegations

Data Collection: January thru December 2013

PREA Youth = PY  
PREA Staff = PS

### Monthly COMPSTAT Report

Reported PREA Incidents		Current Month (December 2013)	FYTD (2013)	Previous Month (November 2013)
PY1- Unwanted Penetration		1	26	1
PY2-Unwanted Touching		1	50	3
PY3- Harassment		4	64	7
PS1- Sexual Penetration		2	14	0
PS2- Non Penetration (Touching)		0	19	4
PS3- Indecent Exposure		0	2	0
PS4- Harassment/Voyeurism		1	22	2
<b>Total Incidents</b>		<b>9</b>	<b>197</b>	<b>17</b>

*(Secure Facilities & Community – December 2013)*

	PY1	PY2	PY3	PS1	PS2	PS3	PS4	Total	FYTD
Secure Facilities	1	1	4	1	0	0	1	8	160
Community	0	0	0	1	0	0	0	1	37
<b>Total</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>9</b>	<b>197</b>

### 2013 Monthly Comparison Report

PREA Codes	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	FYTD
PY1- Unwanted Penetration	2	2	3	4	1	0	3	3	3	3	1	1	26
PY2-Unwanted Touching	6	5	8	6	4	5	4	3	3	2	3	1	50
PY3- Harassment	5	5	5	3	10	7	4	6	5	3	7	4	64
PS1- Sexual Penetration	4	1	0	1	0	2	0	0	3	1	0	2	14
PS2- Non Penetration (Touching)	3	0	2	1	0	1	3	0	1	4	4	0	19
PS3- Indecent Exposure	0	0	0	0	0	2	0	0	0	0	0	0	2
PS4- Harassment/Voyeurism	0	1	2	5	1	3	2	0	1	4	2	1	22
<b>Totals</b>	<b>20</b>	<b>14</b>	<b>20</b>	<b>20</b>	<b>16</b>	<b>20</b>	<b>16</b>	<b>12</b>	<b>16</b>	<b>17</b>	<b>17</b>	<b>9</b>	<b>197</b>

### Yearly Comparison Report

PREA Codes	2013	2014	2015	2016	2017	2018	2019	2020
PY1- Unwanted Penetration	<b>26</b>							
PY2-Unwanted Touching	<b>50</b>							
PY3- Harassment	<b>64</b>							
PS1- Sexual Penetration	<b>14</b>							
PS2- Non Penetration (Touching)	<b>19</b>							
PS3- Indecent Exposure	<b>2</b>							
PS4- Harassment/Voyeurism	<b>22</b>							
<b>Total Alleged PREA Incidents</b>	<b>197</b>							

## **Identified PREA Issues of Concern (Agency-wide)**

**Concern #1:** The agencies determined that the PREA codes did not meet the Department of Justice definition of sexual abuse and sexual harassment.

### **Corrective Actions:**

1. The agency revised PREA codes to clearly meet the Department of Justice definition of sexual abuse and sexual harassment.
2. Institutional behaviors have a separate set of codes that defines adolescent behaviors as it relates to sexual activities that are not related or connected to the PREA codes. Institutional behavior that may lead to a sexually charged environment needs to be managed on a case by case basis by the facility.
3. Provide PREA Codes Training to all staff to clarify the following:
  - DJJ SIR Codes that meet the DOJ definition of sexual abuse and sexual harassment.
  - DJJ SIR Codes that meet the agency definition of adolescent institutional behaviors to include “red flags” but do not meet the DOJ definition regarding sexual behaviors.
4. Provide specialized investigative training to the Facility Based Investigators.
5. Continue to promote the DJJ tip line to the general public as well as DJJ Staff, Parents and youth in community based programs.

**Concern #2:** The agency has determined that all facilities were not free from blind spots.

### **Corrective Actions:**

1. In secure facilities areas, windows and doors will be free of posters, blinds, paper, etc. which obstruct the direct line of sight into offices, rooms and locations. Locations that are primarily used for administrative (non-youth) purposes may have blinds; however, blinds must be raised anytime youth are in that location.
2. The agency has re-designed a total of 255 office and shower doors to comply with clear and unobstructed views.

**Concern #3:** The agency has determined that the Staff -to-youth ratios does not meet DOJ requirements.

### **Corrective Actions:**

1. To ensure that the agency meets the required ratios 1:8 during waking hours and 1:16 during sleep hours, this requirement has been added to the Georgia Department of Juvenile Justice FY2014 through FY2017 Strategic Plan.

**Concern #4:** The agency shall also provide at least one way for residents to report abuse or harassment to a public or private entity or office that is not part of the agency and that is able to receive and immediately forward resident reports of sexual abuse and sexual harassment to agency officials, allowing the resident to

remain anonymous upon request. Residents detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security.

**Corrective Actions:**

1. The agency has completed and has scheduled the release of the Request for Proposal (RFP) for an agency-wide youth phone system during the week of February 24, 2014. All proposals are due the week of April 7, 2014.

**Concern #5:** The agency determined that staff is not trained for conducting cross-gender pat-down searches or searches of transgender and intersex residents in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. It should be noted that agency policies prohibit cross-gender pat-down searches. To be in compliance with PREA standards, staff must receive training in this area.

**Corrective Actions:**

1. The agency will develop and train staff on gender response issues to include a section on pat-down searches for cross-gender residents to include transgender and intersex residents.

**Comparison Information**

The 2014 Annual PREA report will include a comparison of the current year's data and corrective actions with those from prior years and will provide an assessment of the agency's progress in addressing sexual abuse areas of concern.

**Conclusion**

The State of Georgia is committed to working with our federal, state and local partners to reduce and eliminate sexual violence in our facilities and community residential programs. We will work diligently to engage federal and private expertise and to obtain technical assistance and resources. GA DJJ will continue all our efforts to develop and implement "best practice" programs to improve the level of safety for youth in confinement and to enhance services for the youth in our care.

**Submitted by: Adam T. Barnett, BS, MA, CQIA**

DOJ Certified Juvenile Auditor & ACA Certified Auditor  
DJJ PREA Program Coordinator

**Note:** PREA Annual Report – 2013 will be posted on the DJJ PREA Website pending review for compliance with PREA Standard # 115.388 from the contracted DOJ certified Juvenile PREA Auditor.