



PREA Annual Report - 2014

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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.

PREA COMPSTAT Allegations Report

During the reporting period from January 1, 2014 thru December 31, 2014, the DJJ QA data base received allegations of 183 PREA incidents. The alleged incidents were reported from one or more of DJJ's 27 Secure Facilities, one or more of DJJ's 92 Court Service Offices, and one or more of DJJ's 75 Residential Program Providers.

The following are DJJ established PREA reporting codes:

Youth-On- Youth (PY)

1. PY1 = Youth-on-Youth Unwanted, Nonconsensual or Coerced (*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*)

2014 Monthly Alleged Incidents Comparison Report

PREA Codes	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	FYTD
PY1- Unwanted Penetration	2	0	0	1	1	2	2	0	1	1	2	1	13
PY2- Unwanted Touching	3	3	0	6	7	3	3	7	7	7	7	3	56
PY3- Harassment	2	5	4	5	1	7	7	8	6	7	3	3	58
PS1- Sexual Penetration	0	1	1	0	0	1	0	0	0	0	1	0	4
PS2- Non Penetration (Touching)	0	2	0	5	3	4	3	1	2	1	1	1	23
PS3- Indecent Exposure	0	0	0	0	0	0	0	0	0	0	0	0	0
PS4- Harassment	2	2	1	6	2	0	3	3	5	2	1	2	29
Totals	9	13	6	23	14	17	18	19	21	18	15	10	183

Yearly Alleged Incidents Comparison Report

PREA Codes	2013	2014
PY1- Unwanted Penetration	26	13
PY2- Unwanted Touching (Non-Penetration)	50	56
PY3- Harassment	64	58
PS1- Sexual Penetration	14	4
PS2- Non Penetration (Touching)	19	23
PS3- Indecent Exposure	2	0
PS4- Harassment	22	29
Total Alleged PREA Incidents	197	183

2014 Results of the DOJ Survey of Sexual Violence (SSV-5)

2014 DOJ Survey of Sexual Violence Results (SSV-5)	
1. Non-Consensual Sexual Acts-PY1 = 2 Substantiated / 1 Unfounded	4. Staff Sexual Misconduct-PS1,PS2 & PS3 = 2 Substantiated/ 2 Unfounded
2. Abusive Sexual Contact-PY2 = 6 Substantiated / 1 Unfounded	5. Staff Sexual Harassment- PS4 = 5 Substantiated/ 1 Unfounded
3. Sexual Harassment-PY3 = 8 Substantiated / 2 Unfounded	
<i>Youth-on-Youth Total 16 Substantiated / 4 Unfounded</i>	<i>Staff-On-Youth Total 7 Substantiated / 3 Unfounded</i>

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 2014 data collection for the US Department of Justice Survey of Sexual Violence report (SSV-5) requires data from only Georgia State-operated juvenile facilities (Regional Detention Centers – (RYDC) and Youth Development Campuses – (YDC)).

From January 1, 2014 thru December 31, 2014 a total of 183 PREA incidents were reported. Of these allegations, 124 were Youth-on-Youth PY and 59 were Staff-on-Youth PS.

The following are the results of the 124 Youth-on-Youth Allegations reported.

Youth-On-Youth Allegations

Non-Consensual Sexual Acts – PY1		Facility/SSV Report	Community/ Private	Total
Substantiated		2	6	8
Unsubstantiated		0	4	4
Unfounded		1	0	1
Others		0	0	0
	Totals	3	10	13
Abusive Sexual Contact – PY2		Facility/SSV Report	Community /Private	Total
Substantiated		6	6	12
Unsubstantiated		28	11	39
Unfounded		1	0	1
Others		0	0	0
	Totals	35	17	52
Sexual Harassment – PY3		Facility/SSV Report	Community /Private	Total
Substantiated		8	7	15
Unsubstantiated		32	5	37
Unfounded		2	1	3
Others		0	0	0
	Totals	42	13	55
	Grand Totals	80	40	120

Note: 4 was code changes for a total= 124

The following is the results of the 59 Staff-on-Youth Allegations reported.

Staff-On-Youth

Staff Sexual Misconduct – PS1, PS2 & PS3		Facility/SSV Report	Community/Private	Total
Substantiated		2	1	3
Unsubstantiated		18	3	21
Unfounded		2	0	2
Others		0	0	0
	Totals	22	4	26
Staff Sexual Harassment – PS4		Facility/SSV Report	Community /Private	Total
Substantiated		5	2	7
Unsubstantiated		18	2	20
Unfounded		1	0	1
Others		0	0	0
	Totals	24	4	28
	Grand Totals	46	8	54

Note: 5 were coded changes for a total =59

Staff-On-Youth Substantiated Incidents (Facility/SSV-5 Report Facilities Only)

Code	Incident #	Location	Results for OQA & Investigations	Results of Secure Facilities	Referred for Prosecution
PS2	201401371	Macon YDC	In reference to SIR 2014-0371, staff X was substantiated for staff on youth sexual contact. In an investigative review, X was found to have Harassed a Youth in a Macon YDC and to have had sexual contact with that youth. X was dismissed from employment effective April.	Terminated 4/9/14. C-11 code was entered in by POST. Investigation Closed.	No

PS2	201408048	Rockdale RYDC	Warrant for sexual battery secured and served to youth Y Rockdale RYDC. Staff X resigned in lieu of termination. X received a reminder 2 and a demotion. X will receive a DML and demotion to JCO1.	Investigation Closed.	Yes: Warrant for Sexual Battery/Investigations
PS4	201401371 (Duplicate) two codes	Macon YDC	In reference to SIR 2014-0371, X was substantiated for staff on youth sexual contact. In an investigative review, X was found to have Harassed a Youth a Macon YDC and to have had sexual contact with that youth. X was dismissed from employment effective April.	Terminated 4/9/14. C-11 code was entered in by POST. Investigation Closed.	No
PS4	201408528	Augusta YDC	There is sufficient evidence to substantiate the allegation of staff on youth voyeurism and/or sexual harassment against X. Youth alleged that X offered him candy in exchange for sexual favors. We recommend no further action; X refused a polygraph.	Handled by law Enforcement.	Yes: Warrant – Enticing A Child for Indecent Purposes August 27, 2014/Investigations
PS4	201401219	Eastman YDC	There were no witnesses and CCTV video was not clear and did not show X watching youth Y in the shower. X took a polygraph and deception was noted in all questions concerning this issue.	Per DJJ Legal Department termination is not consistent with DJJ Policy. Employee retrained on PREA and Prevention of Sexual Harassment and the incident was documented in the employee performance management plan.	No
PS4	201402515	Eastman YDC	Violation of Laws or Rules. Resignation	Investigation Closed	No
PS4	201400517	Waycross RYDC	Due to the nature of the incident, it is recommended that X should be terminated.	Terminated/No Rehired Recommended.	No

2014 PREA Certification & Standards Assurance Report

1st Department of Justice Audit Cycle: August 20, 2013 – August 19, 2016

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), Youth Development Campuses (YDC), and Contract/Private.

The agency has 27 secure facilities, 25 of which are state-operated, and *2 were private contractors when this audit cycle began. All are covered under Prison Rape Elimination Act (PREA) Juvenile Facility Standards. To be compliant with PREA standards, these facilities have been or are currently scheduled to be audited every three years, to include one third of each facility-type operated by DJJ, or private contractors on behalf of DJJ, audited each year. The PREA audit cycle is scheduled August 20, 2013 thru August 19, 2016.

The Georgia Department of Juvenile Justice contracted with US Department of Justice Certified Juvenile PREA Auditors to conduct required PREA audits. The agency has used three (3) different Certified PREA Auditors from two (2) different states (Florida and Kentucky) to validate DJJ PREA processes and systems. Each DJJ secure facility was audited to examine 41 standards and 271 sub-standards. “Exceeds” audit ratings are based on the complete PREA standard. The US Department of Justice Certified Juvenile PREA Audit found that of the 41 standard processes and systems examined, Georgia DJJ scored seven (7) with “exceeds” ratings agency wide.

2014 Facilities Audited Results

One third of DJJ facilities were audited in 2014. All eight facilities received a final PREA Report resulting in 100% compliance.

Facility	Bed	Address	Post Audit Notice of DOJ Audit	DOJ Pre-Audit Questionnaire Due	Certified Audit On-Site Visit	# Of Exceeded Standards	Audit Results
Elbert Shaw RYDC (Dalton)	30 Beds 22-M \8-F	(Located in Whitfield County) 2735 Underwood Road, NE. Dalton, Ga. 30721	March 24	April 5	May 5-6, 2014 <i>Florida</i>	4	December 5, 2014 100% Compliance
Bob Richards RYDC	64 Beds 48-M \16-F	(Located in Floyd County) 200 Marable Way NW Rome, Ga. 30165	March 24	April 5	May 7-8 <i>Florida</i>	3	December 5, 2014 100% Compliance
Macon RYDC	64 Beds M	(located in Bibb County) 4164 Riggins Mill Road Macon, Ga. 31217-5999	March 28	April 25	May 19-20 <i>Florida</i>	2	December 5, 2014 100% Compliance
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 21-22 <i>Florida</i>	2	December 5, 2014 100% Compliance
Muscogee YDC	60 Beds M	(Located in Muscogee County) 7700-A Chatsworth Road Midland, Ga. 31820	March 28	May 2	June 4-5 <i>Florida</i>	3	December 5, 2014 100% Compliance
Eastman RYDC	30 Beds 22-M \8-F	(Located in Dodge County) 181 Industrial Blvd. Eastman, Ga. 31023-7113	April 14	May 16	June 16 – 17 <i>Florida</i>	3	December 5, 2014 100% Compliance
Claxton RYDC	30 Beds 22-M \8-F	(Located in Evans County) 3609 Bill Hodges Road Claxton, Ga. 30228	April 14	May 16	June 18 -19 <i>Florida</i>	2	December 5, 2014 100% Compliance
Crisp RYDC <i>(Private/Contractor)</i>	64 Beds M	(Located in Crisp County) 130 Rehab Road Cordele, Ga. 31015	April 16	April 18	May 26 – 28 <i>Kentucky</i>	7	December 5, 2014 100% Compliance

Note: All reports may be reviewed on DJJ PREA website. <http://www.djjnewsandviews.org/preageorgia/preareports.html>

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 Note: PREA Annual Report – 2014 will be posted on the DJJ PREA Website as required by PREA Standard # 115.388.