



PREA Annual Report - 2015

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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, 2015 thru December 31, 2015, the DJJ QA data base received allegations of 158 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.

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*)

2015 Summary of PREA Allegations

Secure Facilities	Total Allegations	Substantiated <u>19</u> PY1= 0 PY2= 3 PY3= 13 PS1/PS2/PS3 = 0 PS4 = 3	Unsubstantiated <u>87</u> PY1= 2 PY2= 24 PY3= 37 PS1/PS2/PS3 = 11 PS4 = 13	Unfounded <u>4</u> PY1= 0 PY2= 1 PY3= 1 PS1/PS2/PS3= 1 PS4 = 1	Open Cases <u>0</u> PY1= 0 PY2= 0 PY3= 0 PS1/PS2/PS3 = 0 PS4 = 0	Others <u>7</u> PY1= 0 PY2= 2 PY3= 2 PS1/PS2/PS3 = 2 PS4= 1 Note: None PREA or Duplicates, etc
Community	Total Allegations	Substantiated <u>12</u> PY1= 2 PY2= 10 PY3= 0 PS1/PS2/PS3= 0 PS4= - 0	Unsubstantiated <u>24</u> PY1= 2 PY2= 12 PY3 =5 PS1/PS2/PS3= 3 PS4= 2	Unfounded <u>1</u> PY1= 0 PY2= 0 PY3 =0 PS1/PS2/PS3 = 1 PS4 = 0	Open Cases <u>0</u> PY1= 0 PY2 =0 PY3 =0 PS1/PS2/PS3= 0 PS4 = 0	Others <u>4</u> PY1 = 0 PY2 = 2 PY3 = 1 PS1/PS2/PS3= 1 PS4 = 0 Note: None PREA or Duplicates
Total	158	32	111	5	0	10

2015 Monthly Allegations Comparison Report

PREA Codes	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	FYTD
PY1- Unwanted Penetration	0	1	0	1	0	1	1	1	0	1	0	0	6
PY2-Unwanted Touching	4	2	7	0	5	1	12	2	5	5	4	6	53
PY3- Harassment	5	4	4	3	8	8	4	9	3	3	6	3	60
PS1- Sexual Penetration	0	0	0	0	1	0	0	1	0	0	1	0	3
PS2- Non Penetration (Touching)	1	0	2	0	0	2	2	1	4	0	4	1	17
PS3- Indecent Exposure	0	0	0	0	0	0	0	0	0	0	0	0	0
PS4- Harassment /Voyeurism	5	1	1	0	2	2	0	2	1	0	3	2	19
Totals	15	8	14	4	16	14	19	16	13	9	18	12	158

2013 – 2015 Yearly Allegations Comparison Report

PREA Codes	2013	2014	2015
PY1- Unwanted Penetration	26	13	6
PY2- Unwanted Touching (Non-Penetration)	50	56	53
PY3- Harassment	64	58	60
PS1- Sexual Penetration	14	4	3
PS2- Non Penetration (Touching)	19	23	17
PS3- Indecent Exposure	2	0	0
PS4- Harassment	22	29	19
Total Alleged PREA Incidents	197	183	158

2015 Results of the DOJ Survey of Sexual Violence (SSV-5)

2015 DOJ Survey of Sexual Violence Results (SSV-5)

1. Non-Consensual Sexual Acts-PY1 = 0 Substantiated / 0 Unfounded	4. Staff Sexual Misconduct-PS1,PS2 & PS3 = 1 Substantiated/ 1 Unfounded
2. Abusive Sexual Contact-PY2 = 4 Substantiated / 1 Unfounded	5. Staff Sexual Harassment- PS4 = 2 Substantiated/ 1 Unfounded
3. Sexual Harassment-PY3 = 13 Substantiated / 1 Unfounded	
Youth-on-Youth Total 17 Substantiated / 2 Unfounded	Staff-On-Youth Total 3 Substantiated / 2 Unfounded

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 2015 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); Youth Development Campuses – (YDC); and Private/Contracted Regional Detention Centers and Youth Development Campuses.

Staff-On-Youth Substantiated Incidents (SSV-5 Report)

Code	Incident	Location	Results for OQA & Investigations	Results	Referred for Prosecution
PS4	201500162	DeKalb RYDC	Substantiated violation of laws or rules. Substantiated the allegations of sexual harassment against staff based upon youth witness account and staff resignation just prior to scheduled polygraph examination. No criminal charges have been filed against staff. Staff resigned on January 26.	Resigned	No
PS4	201506506	DeKalb RYDC	Substantiated employee misconduct. Investigator substantiated the allegation of sexual harassment and employee misconduct based upon the testimonies of all the youth involved, as well as the admission for the staff during the investigation.	Termination	No
PS2	201513807	Marietta RYDC	Staff A – Substantiated violation of laws or rules. Staff B – Substantiated violation of laws or rules. Staff C – Substantiated violation of laws or rules. Staff D – Substantiated violation of laws or rules. Staff E – Substantiated violation of laws or rules. Staff F – Substantiated violation of laws or rules.	Staff A – 5 Day Suspension Staff B – Letter of Concern Staff C – Resigned Staff D – 5 Day Suspension Staff E – Resigned Staff F – 5 Day Suspension	No

2015 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), and Youth Development Campuses (YDC).

The agency has 27 secure facilities which are state-operated. All are covered under Prison Rape Elimination Act (PREA) Juvenile Facility Standards. To be compliant with PREA standards, these facilities have been audited within the past three years. 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 five (5) different Certified PREA Auditors from four (4) different states (Florida, Kentucky, South Carolina, and Texas) to validate DJJ PREA processes and systems. Each DJJ secure facility was audited on the required 41 standards and 271 plus sub-standards. "Exceeds" audit ratings are based on the complete PREA standard. The US Department of Justice Certified Juvenile PREA Audits found that one or more of Georgia DJJ facilities has one or more standards to receive a rating of "exceeds". Thus, the agency received a total of sixteen (16) out of forty-one (41) standards that "exceeded".

2015 Facilities Audit Results (August 19, 2014 – August 20, 2015)

One third of DJJ facilities were audited in 2015. Nine facilities received final PREA Reports resulting in 100% compliance.

Facility	Facility Type	Agency	Audit Status	Audit Year	Audit Completion Date	Site Review Date (s)	Compliance Determination
Rockdale RYDC	Juvenile (Detention)	GA DJJ	Completed	Year 2	March 10, 2015	February 9-10, 2015	Full Compliance
DeKalb RYDC	Juvenile (Detention)	GA DJJ	Completed	Year 2	March 10, 2015	February 11-12, 2015	Full Compliance
Marietta RYDC	Juvenile (Detention)	GA DJJ	Completed	Year 2	March 10, 2015	February 13-14, 2015	Full Compliance
Augusta RYDC	Juvenile (Detention)	GA DJJ	Completed	Year 2	March 10, 2015	February 16-17, 2015	Full Compliance
Sandersville RYDC	Juvenile (Detention)	GA DJJ	Completed	Year 2	April 3, 2015	March 9 – 10, 2015	Full Compliance
Atlanta YDC	Juvenile (Youth Development Campus)	GA DJJ	Completed	Year 2	April 3, 2015	March 11 – 12, 2015	Full Compliance
Waycross RYDC	Juvenile (Detention)	GA DJJ	Completed	Year 2	April 19, 2015	March 23 – 24, 2015	Full Compliance
Savannah RYDC	Juvenile (Detention)	GA DJJ	Completed	Year 2	April 19, 2015	March 25 – 26, 2015	Full Compliance
*Milan YDC-Private	Juvenile (Youth Development Campus)	YSI	Completed	Year 2	April 7, 2015	March 30 -31, 2015	Full Compliance

Note:

Final Reports Posted to 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 – 2015 will be posted on the DJJ PREA Website as required by PREA Standard # 115.388.