

Montgomery County Juvenile Court
Center for Adolescent Services
Prison Rape Elimination Act (PREA)
Annual Data Review & Assessment (§115.388, § 115.389)
2022

§ 115.388 The agency shall review data collected and aggregated pursuant to § 115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response to policies, practices, and training. § 115.389 (b) The agency shall make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one through other means.

Definitions:

1. **Prohibited Behavior:** Correspondence of, engaging in, or attempting to engage in a sexual act with any resident or the intentional touching of a resident/staff's genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, humiliate, harass, degrade, arouse, or gratify the sexual desire of any person.
 - A. Sexual acts or contacts between a resident and a staff member, even with no objections are raised, are always illegal.
 - B. Sexual acts or contacts between residents, even when no objections are raised, are prohibited acts.
2. **Sexual Abuse/Assault – Includes**
 - A. Sexual abuse/assault of an inmate, detainee, or resident by another inmate, detainee, or resident.
 - B. Sexual abuse/assault of an inmate, detainee, or resident by a staff member, contractor, volunteer or intern.
3. **Sexual Abuse/Assault by Another Inmate, Detainee, or Resident-** Includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:
 - A. Contact between the penis and the vulva, or the penis and the anus, including penetration however slight;
 - B. Contact between the mouth and the penis, vulva, or anus;
 - C. Contact between the mouth and any body part where the resident has the intent to abuse, arouse, or gratify sexual desire;
 - D. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
 - E. Any other intentional touching, either directly or through the clothing, of the genitalia, *anus, groin, breast, inner thigh, or the buttocks of any person, excluding contact incidental to a physical altercation.*
4. **Sexual Abuse/Assault by a Staff Member, Contractor, Volunteer, or Intern –** Includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:
 - A. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
 - B. Contact between the mouth and the penis, vulva, or anus;
 - C. Contact between the mouth and any other body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
 - D. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
 - E. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, volunteer or intern has the intent to abuse, arouse, or gratify sexual desire;
 - F. Any attempt, threat, or request by a staff member, contractor, volunteer or intern to engage in the activities described above in points (Ba) – (Be);
 - G. Any display by a staff member, contractor, volunteer, or intern of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident; and
 - H. Voyeurism by a staff member, contractor, volunteer, or intern.

1. The invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties. This includes the following:
 2. Peering at a resident who is using the toilet in his or her cell to perform bodily functions;
 3. Requiring a resident to expose his or her buttocks, genitals;
 4. Taking images of parts of an resident's naked body; and
 5. Taking images of a resident performing bodily function.

5. Sexual Harassment Includes the following:
 - A. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate detainee, or resident directed toward another; and
 - B. Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

6. Substantiated Allegation – An allegation that was investigated and determined to have occurred.
7. Unfounded Allegation – An allegation that was investigated and determined not to have occurred.
8. Unsubstantiated Allegation – An allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

Prior year's data: 2021

<u>Sexual Harassment</u>		<u>Sexual Abuse</u>		<u>Sexual Assault</u>	
Total Referrals	3	Total Referrals	17	Total Referrals	0
Substantiated	0	Substantiated	5	Substantiated	0
Unsubstantiated	2	Unsubstantiated	10	Unsubstantiated	0
Unfounded	1	Unfounded	2	Unfounded	0

Current year's data: 2022

<u>Sexual Harassment</u>		<u>Sexual Abuse</u>		<u>Sexual Assault</u>	
Total Referrals	2	Total Referrals	7	Total Referrals	0
Substantiated	0	Substantiated	2	Substantiated	0
Unsubstantiated	0	Unsubstantiated	5	Unsubstantiated	0
Unfounded	2	Unfounded	0	Unfounded	0

Agency Review:

The Center for Adolescent Services continues to make prevention of sexual abuse and sexual harassment a top priority amongst all youth, staff, and volunteers and contractors. CAS is committed to providing a safe and secure environment that is free from sexual abuse and sexual harassment for the youth that are placed in our care.

In 2021, CAS deployed the following to continue to enhance its efforts in preventing and eliminating sexual abuse and sexual harassment.

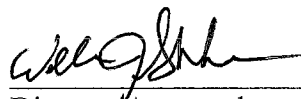
- We continually are educating residents on the definition and understanding of PREA to prevent incidents. Youth continue to receive a Risk Assessment of Sexual Victimization upon intake.
- We ensure youth receive PREA education and a vulnerability re-assessment within every 45 days while in placement.
- The facility upgraded their video monitoring equipment software at our control desk for improved view capabilities.
- The facility continues to train staff in LGBTQI Sensitivity training upon hire, in addition to general PREA Training.
- Educating & training staff in regards to active supervision of youth & unit best practices to prevent incidents.
- Replaced the exterior youth windows with a mirror tint to deter looking in from outside recreation yard and exterior of the facility.

In 2022, CAS continued to take steps to enhance its efforts in preventing and eliminating sexual abuse and sexual harassment.

- We continually are educating our residents on the definition and understanding of PREA to prevent incidents. We ensure youth receive PREA education and a vulnerability re-assessment every 45 days while in placement.
- Educating & training staff in regards to active supervision of youth to prevent incidents.
- Updated PREA Posters secured throughout the facility to promote reporting and a safe environment.
- Youth received Human Trafficking curriculum and victim advocacy through Gracehaven and ODYS.
- Encouraging victim advocacy support services through MC Prosecutors Office to our youth for past victimization.
- CAS Administration has consistently been conducting interviews for direct care positions to ensure the staff to youth ratio is adequate.
- The facility continues to train staff in LGBTQI Sensitivity training upon hire, in addition to general PREA Training.
- Adjusted camera views throughout the facility to address blind spots and vulnerability.
- The facility upgraded their video monitoring equipment software by adding three viewing stations in the supervisor's office and administrative areas for improved viewing capabilities.

Any specific material redacted? Yes No

Nature of material redacted: N/A

 William J. Shaffer

Director Approval