

2019 PREA Annual Report

Agency Report

Overview:

In 2010, the Bureau of Justice Assistance funded the National PREA Resource Center to continue to provide federally funded training and technical assistance to states and localities, as well as to serve as a single-stop resource for leading research and tools for all those in the field working to come into compliance with the federal standards.

According to the National PREA Resource Center, the Prison Rape Elimination Act (PREA) was passed in 2003 with unanimous support from both parties in Congress. The purpose of the act was to “provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations and funding to protect individuals from prison rape.” (Prison Rape Elimination Act, 2003). In addition to creating a mandate for significant research from the Bureau of Justice Statistics and through the National Institute of Justice, funding through the Bureau of Justice Assistance and the National Institute of Corrections supported major efforts in many state correctional, juvenile detention, community corrections, and jail systems.

The act also created the National Prison Rape Elimination Commission and charged it with developing draft standards for the elimination of prison rape. Those standards were published in June 2009, and were turned over to the Department of Justice for review and passage as a final rule. That final rule became effective August 20, 2012.

Rite of Passage (ROP) is committed to providing a safe environment and has a Zero Tolerance Policy regarding sexual abuse, sexual assault or sexual misconduct for the students in our care. To this end, ROP has developed Safe Environmental Standards in accordance with PREA, which have been in place for over 30 years. In 2018, each juvenile facility continued the implementation of these standards and initiated further staff training, interactive supervision, physical plant improvements, and quality assurance reviews with the involvement of PREA Compliance Managers.

Definitions:

Once a report of sexual abuse has been accepted and investigated, the incident will be classified using one of the following findings, based on definitions pursuant to §115.5 of the PREA Juvenile Facility Standards.

- **Substantiated:** allegation is supported by sufficient evidence to justify a reasonable conclusion of guilt.
- **Unsubstantiated:** Insufficient evidence to either prove or disprove the allegation.
- **Unfounded:** allegation is false or the agency that completes the investigation states that the allegation is unfounded.

Data Collection:

Pursuant to §115.87 of the PREA Juvenile Facility Standards, data for the 2019 Agency Report is based on meeting the following standards:

- (a) The agency shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.
- (b) The agency shall aggregate the incident-based sexual abuse data at least annually.
- (c) The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.
- (d) The agency shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.
- (e) The agency also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its residents.
- (f) Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.

Agency Reporting:

This 2018 Agency Report follows the requirements and standards pursuant to Pursuant to **§115.88** of the PREA Juvenile Facility Standards. The 2018 Agency Report is guided by these requirements and standards, which are listed below.

- (3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.
- (b) Such report shall include a comparison of the current year’s data and corrective actions with those from prior years and shall provide an assessment of the agency’s progress in addressing sexual abuse.
- (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.
- (d) The agency may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

Pursuant to PREA Juvenile Facility Standards **§115.88(3)** this 2019 Agency Report serves as the Annual Report for eight states in which ROP operates, with the exception of programs in states that report our statistics in their annual report. Pursuant to this section, this Annual Report includes findings and correction actions for the agency as a whole, as described further below.

Pursuant to PREA Juvenile Facility Standards **§115.88(3)(b)**, the following is a comparison of the current year’s sexual abuse data and corrective actions with those from prior years as well as an assessment of ROP’s progress in addressing sexual abuse.

Comparison:	Substantiated	Unsubstantiated	Unfounded
2016	1	5	0
2017	3	10	6
2018	5	4	3
2019	8	7	6

In our continuing effort to improve the lives of youth, ROP has embraced the principles associated with PREA and have aligned our Safe Environmental Standards to ensure PREA compliance as well as to improve safety for youth in our programs. Sexual activity of any type is prohibited for youth regardless of age, and pursuant to PREA Standard §115.387, incidents are reported and investigated promptly.

In the cases reported, our agency responds and investigates based on rigorous PREA standards. In 2019 and 2018, the most prevalent type of allegation reported involved youth to youth abusive contact. In 2019, there was an additional substantiation of a youth to youth non-consensual contact over 2018 findings and, overall, a slightly higher number of substantiations as compared to 2018. This slight increase in substantiations may be attributed to additional programs included in this report.

The corrective actions in 2019 focused on staff education and training, reporting procedures, and on improving staff supervision of students. The corrective actions regarding reporting procedures were demonstrated to be effective whereas ongoing staff training is needed in the area of supervision. In specifically addressing the substantiated incidents in 2019, the following corrective action plans were developed and implemented.

1. Staff training on appropriate supervision of youth
2. Ensure staffing pattern and ratios meet standards

Continual progress is being made to address sexual abuse prevention, particularly in the areas of physical plant improvements, staff education and training new staff on healthy adult-student relationships. Additionally, reporting systems and documentation protocol continues to improve.

Pursuant to PREA Juvenile Facility Standards §115.388(3)(c), the ROP 2018 Agency Report has been approved by the agency head and is made readily available to the public through the Rite of Passage website (www.riteofpassage.com).

Pursuant to PREA Juvenile Facility Standards §115.388(3)(d), this 2018 Agency Report does not include specific material from the reports that would present a clear and specific threat to the safety and security of a facility.