



THE  
KENTUCKY  
DEPARTMENT OF JUVENILE JUSTICE

ANNUAL PREA MEETING 2014

J. MICHAEL BROWN  
SECRETARY

BOB HAYTER  
COMMISSIONER

PREA 2014



## JUSTICE AND PUBLIC SAFETY CABINET

**Steven L. Beshear**  
Governor

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**J. Michael Brown**  
Secretary

**Bob Hayter**  
Commissioner

### DJJ PREA ANNUAL MEETING REPORT 2014

#### **Meeting Participants**

Commissioner Hayter  
Deputy Commissioner Mark Cook  
Barney Kinman, IIB  
Ed Jewell, IIB  
Steve Potts, IIB  
LaShana Harris, DJJ PREA Compliance Officer  
DJJ Regional Facility Directors and FRAs  
DJJ Facility Superintendents  
DJJ Facility PREA Coordinators

The meeting began with a review of all the action steps that the Department of Juvenile Justice has taken since the standards were published.

The Prison Rape Elimination Act (PREA) standards were published on August 20, 2012, the Department of Juvenile Justice (DJJ) has been committed to establishing a zero tolerance environment against the sexual assault, sexual abuse, and sexual harassment of youth in confinement. DJJ has worked diligently to develop and integrate a safe system of care for youth within the Kentucky Department of Juvenile Justice. This year has been an extremely busy period for Department regarding PREA, the following is a recapitulation of PREA initiatives and milestones that have been accomplished during 2013-2014:

- |              |  |
|--------------|--|
| October 2012 | Statewide DJJ meeting for Executive Staff, Facility Superintendents, Facility PREA Coordinators, Community Managers, and |
| January 2013 | PREA training conducted for all contract private child caring agencies.  |
| January 2013 | PREA standards training and PHASE 1 training for all Facility and Community PREA Coordinators                            |
|              | PREA meeting with facility superintendents to conduct trainings on the vulnerability assessment tool.                    |
|              | Launched a pilot program for vulnerability assessment tool in several facilities.  |

February 2013	DJJ sponsored a PREA Symposium for departmental facility and community management and all PREA coordinators. The symposium provided education regarding all areas of business operations affected by PREA.
March 2013	PREA vulnerability assessment tool initiative started in all DJJ detention, youth development centers and group homes.
April 2013	DJJ PREA Compliance Officer worked with Justice Cabinet Leadership regarding PREA policy and standards  DJJ developed PREA education material and programming for Youth
May 2013	PREA Coordinator training regarding comprehensive Youth Education Program and Phase 3 PREA training.  DJJ started developing PREA policy in accordance with the federal standards
June 2013	DJJ trained all contract day treatment facilities regarding treat and the Education Branch conference
July 2013	Submission of PREA statistical data to federal government  PREA Youth Education training for private child caring agencies
August 2013	Specialized PREA training for Medical and Mental health staff featuring national trauma informed care expert-Dr. Marrow.  DJJ PREA initiative to conduct background checks for all staff started.  DJJ received a grant and contracted with the Moss Group to conduct a sexual assessment of Department. The assessment will yield a strategic plan for additional PREA integration and curriculum for specialized PREA training for the Department.
Sept. 2013	DJJ trauma informed care training for mental health staff conducted by the University of Louisville.
October 2013	DJJ PREA Policy implemented. DJJ filed emergency regulations regarding PREA on October 14, 2013.  DJJ conducted training for all PREA facility and office PREA coordinators regarding the policy and Phase 2 PREA training.  Comprehensive documentation collection for Moss Group sexual assessment submitted by the Department.
Nov. 2013	Moss Group face-to-face Kick-off meeting regarding the sexual assessment of DJJ facilities was conducted.  DJJ mental health leadership and the Office of the Commissioner meet to discuss trauma informed care integration.

The aforementioned milestones exhibit the proactive commitment that the Kentucky Department of Juvenile Justice has to integrating strategies that yield a safe system of care and maintaining a zero tolerance policy against sexual violence

The Kentucky Department of Juvenile Justice was awarded a Bureau of Justice Assistance Prison Rape Elimination Act Demonstration Project in the fall of 2013 and contracted with The Moss Group, Inc. (TMG) to conduct facility sexual safety assessments at three secure facilities beginning January 2014. The facilities and on-site assessment dates were as follows:

- Mayfield YDC (January 6-8, 2014)
- Adair YDC (January 8-10, 2014)
- Morehead YDC (January 13-15, 2014)

The Sexual Safety Assessment process included a comprehensive review of KY DJJ and facility policies, procedures and practices related to sexual safety, on-site inspections and observations, and examined the implementation of the Prison Rape Elimination Act (PREA) both on a facility and agency level. TMG conducted a review of KY DJJ policies for compliance with PREA standards. After completing the three facility assessments, TMG documented systemic themes related to sexual safety and PREA standards through not only the policy review, but also an analysis of the material that was gathered through the site visits, including staff surveys. The four systemic themes identified- leadership and culture, readiness and PREA implementation, development and implementation of training and special populations-offered an approach to documenting both the strengths and the challenges that emerged in the project work. The facility specific strengths and opportunities were detailed in a final report to Kentucky.

TMG was encouraged by the strategic actions taken by KY DJJ toward compliance with PREA standards. The organization's commitment to sexual safety for youth was identified as significant. In each of the facilities visited, the team documented strong staff understanding of their duty to report sexual abuse and sexual harassment. Combined survey responses indicated that 93.82% of staff agreed or strongly agreed that youth were sexually safe in their facilities. This was confirmed in youth interviews. Most importantly, combined survey responses indicated that 100% of staff agreed or strongly agreed that they have an individual responsibility in preventing, reporting and responding to behaviors related to sexual abuse.

The Kentucky Department of Juvenile Justice assisted and participated in the Justice and Public Safety Cabinet Statewide PREA Conference for Adult and Juvenile Corrections Professionals in January 2014. All KY DJJ PREA coordinators attended the conference.

The DJJ PREA team implemented the Internal Audit Program (IAP) to assess PREA compliance and readiness of each facility within the Department. A pilot program was initiated in March of 2014 and the program was designed to be compatible with the federal audit process. The facilities that participated in the IAP pilot were Fayette County Detention Center, Audubon Youth Development Center, and Westport Group Home. A comprehensive report that detailed all aspects of the federal expectations was generated for the facilities that participated in the IAP pilot.

KY DJJ hosted several major PREA trainings for all Department PREA Coordinators and Superintendents in 2014. The trainings covered Specialized Investigation Protocol for Facility and Community Administrators and PREA Coordinators; Federal Audit Training for Residential Superintendents and PREA Coordinators; and a comprehensive PREA training for PREA Coordinators.

KY DJJ is gearing up for the mandatory federal PREA audits set to begin in 2015. The PREA team has been working diligently with facilities in preparation for the federal audits.

KY DJJ in conjunction with KY Department of Adult Corrections applied for a federal PREA grant and received a \$1,000,000 grant award in the fall of 2014. KY DJJ will use the grant money to implement Trauma Informed Care throughout the Department, to validate the PREA vulnerability assessment tool, to develop web-based training, and to coordinate victim response services with the Kentucky Association of Sexual Assault Programs.

Furthermore, KY DJJ received a Reallocation grant in the fall of 2014 regarding PREA. Those grant funds will go toward translation services for the Department, PREA education materials, equipment, and training.

At this annual meeting, the Internal Investigations Unit of the Justice Cabinet facilitated a review of all the PREA allegations that were referred to the office for investigation for each facility. The following areas were discussed as a means of improving PREA integration, enhancing challenge areas and addressing identified problem areas:

- 1) Direct Supervision;
- 2) Staff to youth ratios;
- 3) Camera systems and monitoring;
- 4) Staff PREA training; and
- 5) Youth PREA training.

Facility leadership were asked to review staffing plans, staff PREA education and direct supervision procedures on an ongoing basis.

An area of concern that was discussed was staff breach of PREA and how the Department can address this issue. The Department will be utilizing the screening instrument as an employment tool to enhance hiring practices. Furthermore, staff will be re-educated regarding Staff and Youth Boundaries and Profession Interactions.

Facility leadership staff were given the opportunity to debrief all of the referrals and discuss the concerns regarding allegations that were reported on the DJJ Bureau of Justice and Statistics reports for 2013 and 2014.

Staff discussed the importance of supervision and PREA education of youth in custody. Participants also reviewed the DJJ Bureau of Justice and Statistics reports for 2012 and 2013 and compared the data from the previous year.

The facility leadership reviewed the following facilities regarding PREA related incidents in 2013 and instituted the action steps indicated below:

1) Audubon Youth Development Center

Discussed the importance of appropriate staff and youth communications.

Corrective Action Steps

- 1) When conducting staff PREA training trainers will discuss the importance of appropriate staff, youth communications and boundaries;
- 2) Staff will have annual training regarding sexual harassment and appropriate communications with other staff and youth; and
- 3) Youth will receive PREA education regarding safety.

2) Northern KY Youth Development Center

Discussed the importance of Youth Resident PREA Education and direct supervision.

Corrective Action Steps

- 1) Review staff to youth ratios
- 2) Review staffing plan
- 3) Staff should use active supervision at all times
- 4) Have an awareness of vulnerability assessment indicators
- 5) Have youth review PREA education

3) Adair Youth Development Center

Discussed the importance of appropriate staff and youth communications and interactions.

Corrective Action Steps

- 1) When conducting staff PREA training trainers will discuss the importance of appropriate staff and youth communications and boundaries;
- 2) Staff will have annual training regarding sexual harassment and appropriate communications with other staff and youth; and
- 3) Youth will receive PREA education regarding safety.

4) Contract Private Facility-Sunrise Oak Meadow

The Department met with the Executive Leadership from Sunrise and debriefed this incident. Department leadership discussed the importance of PREA education for youth in the care of the private child caring facility. The following corrective action steps for recommended.

Corrective Action Steps

- 1) Review staff to youth ratios
- 2) Review staffing plan
- 3) Staff should use active supervision at all times
- 4) Have an awareness of vulnerability assessment indicators
- 5) Have youth review PREA education

In examining the statistical data from the DJJ Bureau of Justice and Statistics reports for 2012 and 2013, Department leadership discussed that in 2012, there 3 substantiated PREA incidents in DJJ facilities and in 2014 there were 3 substantiated PREA incidents in DJJ facilities and 1 at a contract facility.

The Department has emphasized the importance of staff and youth PREA education and has taken additional steps to monitor staff plans and direct supervision within facilities.

FORM **SSV-5**  
(3-4-2013)**SURVEY OF SEXUAL VIOLENCE, 2012**  
**— State Juvenile Systems**  
**Summary Form**U.S. DEPARTMENT OF JUSTICE  
BUREAU OF JUSTICE STATISTICS  
AND ACTING AS COLLECTION AGENT  
U.S. DEPT. OF COMMERCE  
Economics and Statistics Administration  
U.S. CENSUS BUREAU**DATA SUPPLIED BY**

Name LaShana M. Harris		Title Assistant Director/PREA Compliance Officer			
<b>OFFICIAL ADDRESS</b>	Number and street or P.O. Box/Route Number 1025 Capital Center Drive		City Frankfort	State KY	ZIP Code 40601
	<b>TELEPHONE</b>	Area code 502	Number 573-2738	<b>FAX NUMBER</b>	Area Code 502
<b>E-MAIL ADDRESS</b>	lashana.harris@ky.gov				

KY001  
R\$f0858618 0 000 000 05 00000 018 00  
Kentucky Department of Juvenile  
Justice

(Please correct any error in name, mailing address, and ZIP Code)

**What facilities are included in this data collection?**

All State-operated juvenile residential placement facilities used to house juveniles and youthful offenders, regardless of age or reason for placement.

- **INCLUDE** State-operated juvenile residential facilities such as: detention centers, training schools, long-term secure facilities; reception or diagnostic centers; group homes or halfway houses; boot camps; ranches; forestry camps, wilderness or marine programs, or farms; runaway or homeless shelters; and residential treatment centers for juveniles.
- **EXCLUDE privately operated facilities and facilities operated or administered by local governments. (These facilities will be contacted directly for data on sexual violence.)**

**What persons and incidents are included in this data collection?**

Juveniles and youthful offenders, regardless of age or reason for placement, under your custody between January 1, 2012, and December 31, 2012.

- **INCLUDE** incidents involving juveniles or youthful offenders under the authority, custody, or care of your confinement or community-based facilities or staff.
- **EXCLUDE incidents involving juveniles or youthful offenders not held in facilities operated by your State juvenile system.**

**Reporting instructions:**

- Please complete the entire SSV-5 Form.
- If the answer to a question is "not available" or "unknown," write "DK" (do not know) in the space provided.
- If the answer to a question is "not applicable," write "NA" in the space provided.
- If the answer to a question is "none" or "zero," mark the box () provided.
- When exact numeric answers are not available, provide estimates and mark () the box beside each figure.

**Substantiated incidents of sexual violence:**

- Please complete an Incident Form (Juvenile, SSV-IJ) for each substantiated incident of sexual violence.

**Returning forms:**

- If you need assistance, please call **Greta Clark** at the **U.S. Census Bureau** toll-free at **1-800-253-2078** or email **govs.ssv@census.gov**
- **Please return your completed questionnaire and substantiated incident forms by July 1, 2013.**
- **If you prefer, you may also return these forms by mail or fax.**
- **MAIL TO:** U.S. Census Bureau, P.O. Box 5000, Jeffersonville, IN 47199-5000
- **FAX (TOLL FREE): 1-888-891-2099**

**Burden Statement**

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The burden of this collection is estimated to average 60 minutes per response, including reviewing instructions, searching existing data sources, gathering necessary data, and completing and reviewing this form. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. Do not send your completed form to this address.

**DEFINITIONS**

**JUVENILES and YOUTHFUL OFFENDERS:**

- Any person under the jurisdiction of your State's juvenile system or youthful offender authority, regardless of age or reason for placement.

**FACILITIES:**

INCLUDE all State-operated facilities used to house juveniles or youthful offenders charged with or court-adjudicated for:

- Any offense that is illegal for both adults and juveniles;

**OR**

- An offense that is ILLEGAL in your State for juveniles, but not for adults (running away, truancy, incorrigibility, curfew violations, and liquor violations).

EXCLUDE State-operated facilities used ONLY to house juveniles for:

- Non-criminal purposes (neglect, abuse, abandonment, or dependency);

**OR**

- Being Persons in Need of Services (PINS) or Children in Need of Services (CHINS) who have assigned beds for reasons other than offenses.

**Section I - GENERAL INFORMATION**

**1. On December 31, 2012, how many facilities operated by your State held juveniles or youthful offenders CHARGED WITH or COURT-ADJUDICATED FOR AN OFFENSE?**

Number of facilities . . . 27

- Count all juvenile residential facilities where young persons who have committed offenses may be housed overnight.
- Count each facility with a separate physical location only once. Do not count separate living/sleeping units, wings, floors, dorms, barracks, or cottages within a single facility.

**2. On December 31, 2012, how many persons held in the facilities reported in Item 1 were —**

a. Males . . . . . 519

b. Females . . . . . 49

c. TOTAL (Sum of Items 2a to 2b) . 568

- Count persons held in the facilities reported in Item 1 regardless of age or reason for placement. Include persons who were temporarily away but had assigned beds on December 31, 2012.

**3. On December 31, 2012, how many persons held in the facilities reported in Item 1 were —**

a. Age 17 or younger . . . . . 511

b. Age 18 to 20 . . . . . 57

c. Age 21 or older . . . . . 0

d. TOTAL (Sum of Items 3a to 3c should equal Item 2c) . . . . . 568

- Count all persons held in the facilities reported in Item 1 regardless of age or reason for placement. Include persons who were temporarily away but had assigned beds on December 31, 2012.

**4. Between January 1, 2012, and December 31, 2012, how many persons were admitted to or discharged from the facilities reported in Item 1?**

a. TOTAL number admitted . . . 6205

b. TOTAL number discharged . . . 6218

- Include all persons admitted into your State-operated juvenile residential facilities by a formal legal document, by the authority of the courts, or by some other official agency.
- Include all persons discharged from your State-operated juvenile residential facilities after a period of confinement including sentence completion, pretrial releases, transfers to adult jurisdictions or to other States, and deaths.
- Exclude admissions and discharges resulting from returns from escape, administrative transfers to other juvenile facilities operated by your State, or temporary release including work/school release, medical appointments, other treatment facilities, or court appearances.

Section II - YOUTH-ON-YOUTH SEXUAL VIOLENCE

**DEFINITIONS OF SEXUAL VIOLENCE**

The definition of "rape" as required under the Prison Rape Elimination Act of 2003 will be operationalized by disaggregating sexual assault into two categories of youth-on-youth SEXUAL VIOLENCE. These categories reflect uniform definitions formulated by the National Center for Injury Prevention and Control, in "Sexual Violence Surveillance: Uniform Definitions and Recommended Data Elements," Centers for Disease Control and Prevention. The categories of youth-on-youth SEXUAL VIOLENCE are:

**NONCONSENSUAL SEXUAL ACTS:**

Contact of any person without his or her consent, or of a person who is unable to consent or refuse;

**AND**

- Contact between the penis and the vagina or the penis and the anus including penetration, however slight;

**OR**

- Contact between the mouth and the penis, vagina, or anus;

**OR**

- Penetration of the anal or genital opening of another person by a hand, finger, or other object.

**ABUSIVE SEXUAL CONTACTS:**

Contact of any person without his or her consent, or of a person who is unable to consent or refuse;

**AND**

- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.
- Exclude incidents in which the intent of the sexual contact is to harm or debilitate rather than sexually exploit.

**5. Does your State juvenile system record allegations of youth-on-youth NONCONSENSUAL SEXUAL ACTS?**

01  Yes → **a. Do you record all reported occurrences, or only substantiated ones?**

01  All

02  Substantiated only

**b. Do you record attempted NONCONSENSUAL SEXUAL ACTS or only completed ones?**

01  Both attempted and completed

02  Completed only

02  No → Please provide the definition used by your State juvenile system for youth-on-youth NONCONSENSUAL SEXUAL ACTS in the space below. Use that definition to complete items 6 and 7.

**6. Between January 1, 2012, and December 31, 2012, how many allegations of youth-on-youth NONCONSENSUAL SEXUAL ACTS were reported?**

Number reported . . . . . 1  None

- If an allegation involved multiple victimizations, count only once.

**7. Of the allegations reported in Item 6, how many were — (Please contact the agency or office responsible for investigating allegations of sexual violence in order to fully complete this form.)**

**a. Substantiated** . . . . . 0  None

- The event was investigated and determined to have occurred.

**b. Unsubstantiated** . . . . . 0  None

- Evidence was insufficient to make a final determination that the event occurred.

**c. Unfounded** . . . . . 1  None

- The event was determined NOT to have occurred.

**d. Investigation ongoing** . . . . . 0  None

- A final determination has not yet been made as to whether the event occurred.

**e. TOTAL** (Sum of items 7a through 7d) . . . . . 1  None

**8. Does your State juvenile system record allegations of youth-on-youth ABUSIVE SEXUAL CONTACTS? (See definitions on page 3.)**

01  Yes → **Can these be counted separately from allegations of NONCONSENSUAL SEXUAL ACTS?**

01  Yes

02  No → Skip to Item 11.

02  No → Please provide an explanation in the space below and then skip to Item 11.

**9. Between January 1, 2012, and December 31, 2012, how many allegations of youth-on-youth ABUSIVE SEXUAL CONTACTS were reported?**

Number reported . . . . . 0  None

- If an allegation involved multiple victims, count only once.

**10. Of the allegations reported in Item 9, how many were — (Please contact the agency or office responsible for investigating allegations of sexual violence in order to fully complete this form.)**

a. Substantiated . . . . . 0  None

b. Unsubstantiated . . . . . 0  None

c. Unfounded . . . . . 0  None

d. Investigation ongoing . . . . . 0  None

e. TOTAL (Sum of Items 10a through 10d) . . . . . 0  None

**Section III – STAFF SEXUAL MISCONDUCT AND HARASSMENT**

**DEFINITION OF STAFF SEXUAL MISCONDUCT**

The definition of STAFF SEXUAL MISCONDUCT is based on "Training for Investigators of Staff Sexual Misconduct," prepared by the National Institute of Corrections. STAFF SEXUAL MISCONDUCT includes any behavior or act of a sexual nature directed toward a juvenile or youthful offender by an employee, volunteer, contractor, official visitor, or other agency representative (exclude youth family, friends, or other visitors). Sexual relationships of a romantic nature between staff and youth are included in this definition.

Consensual or nonconsensual sexual acts including:

- Intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, arouse, or gratify sexual desire;

**OR**

- Completed, attempted, threatened, or requested sexual acts;

**OR**

- Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for sexual gratification.

**DEFINITION OF STAFF SEXUAL HARASSMENT**

The definition of STAFF SEXUAL HARASSMENT was also developed by the National Institute of Corrections. STAFF SEXUAL HARASSMENT includes repeated verbal statements or comments of a sexual nature to a juvenile or youthful offender by an employee, volunteer, contractor, official visitor, or other agency representative (exclude youth family, friends, or other visitors).

- Demeaning references to gender or derogatory comments about body or clothing;

**OR**

- Repeated profane or obscene language or gestures.

**11. Does your State juvenile system record allegations of STAFF SEXUAL MISCONDUCT?**

01  Yes → **Do you record all reported occurrences, or only substantiated ones?**

01  All

02  Substantiated only

02  No → Please provide an explanation in the space below and then skip to Item 14.

12. Between January 1, 2012, and December 31, 2012, how many allegations of STAFF SEXUAL MISCONDUCT were reported?

Number reported . . . . . 13  None

- If an allegation involved multiple victims, count only once.

13. Of the allegations reported in Item 12, how many were — (Please contact the agency or office responsible for investigating allegations of sexual violence in order to fully complete this form.)

a. Substantiated . . . . . 2  None

b. Unsubstantiated . . . . . 7  None

c. Unfounded . . . . . 4  None

d. Investigation ongoing . . . . . 0  None

e. TOTAL (Sum of Items 13a through 13d) . . . . . 13  None

14. Does your State juvenile system record allegations of STAFF SEXUAL HARASSMENT? (See definitions on page 4.)

01  Yes → Can these allegations be counted separately from allegations of STAFF SEXUAL MISCONDUCT?

01  Yes

02  No → Skip to Item 17.

02  No → Please provide an explanation in the space below and then skip to Item 17.

15. Between January 1, 2012, and December 31, 2012, how many allegations of STAFF SEXUAL HARASSMENT were reported?

Number reported . . . . . 1  None

- If an allegation involved multiple victims, or staff count only once.

16. Of the allegations reported in Item 15, how many were — (Please contact the agency or office responsible for investigating allegations of sexual violence in order to fully complete this form.)

a. Substantiated . . . . . 1  None

b. Unsubstantiated . . . . . 0  None

c. Unfounded . . . . . 0  None

d. Investigation ongoing . . . . . 0  None

e. TOTAL (Sum of Items 16a through 16d) . . . . . 1  None

Section IV - PRIVATE AND LOCAL ALLEGATIONS

17. Did any of the allegations reported in items 6, 9, 12, or 15 occur in a privately operated facility?

01  Yes

02  No

18. Did any of the allegations reported in items 6, 9, 12, or 15 occur in a facility operated or administered by local governments?

01  Yes

02  No

Section V - TOTAL SUBSTANTIATED INCIDENTS OF SEXUAL VIOLENCE

19. What is the total number of substantiated incidents reported in Items 7a, 10a, 13a, and 16a?

Total substantiated incidents . . . . . 3  None

→ Please complete an Incident Form (Juvenile, SSV-IJ) for each substantiated incident of sexual violence.

NOTES

FORM **SSV-5**  
(8-13-2014)

**SURVEY OF SEXUAL VICTIMIZATION, 2013**  
**State Juvenile Systems**  
**Summary Form**

U.S. DEPARTMENT OF JUSTICE  
 BUREAU OF JUSTICE STATISTICS  
 AND ACTING AS COLLECTION AGENT  
 U.S. DEPT. OF COMMERCE  
 Economics and Statistics Administration  
 U.S. CENSUS BUREAU

**DATA SUPPLIED BY**

<b>Name</b> LaShana M. Harris		<b>Title</b> Assistant Director/PREA Compliance Officer	
<b>OFFICIAL ADDRESS</b>	Number and street or P.O. Box/Route Number 1025 Capital Center Drive	City Frankfort	State KY
			ZIP Code 40601
<b>TELEPHONE</b>	Area code 502	Number 573-2738	<b>FAX NUMBER</b>
			Area Code Number
<b>E-MAIL ADDRESS</b>	lashanam.harris@ky.gov		

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Kentucky Department of Juvenile  
Justice

*(Please correct any error in name, mailing address, and ZIP Code)*

**What facilities are included in this data collection?**

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- **INCLUDE** State-operated juvenile residential facilities such as: detention centers, training schools, long-term secure facilities; reception or diagnostic centers; group homes or halfway houses; boot camps; ranches; forestry camps, wilderness or marine programs, or farms; runaway or homeless shelters; and residential treatment centers for juveniles.
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**What persons and incidents are included in this data collection?**

Juveniles and youthful offenders, regardless of age or reason for placement, under your custody between January 1, 2013, and December 31, 2013.

- **INCLUDE** incidents involving juveniles or youthful offenders under the authority, custody, or care of your confinement or community-based facilities or staff.
- **EXCLUDE** incidents involving juveniles or youthful offenders not held in facilities operated by your State juvenile system.

**Reporting instructions:**

- Please complete the entire SSV-5 Form.
- If the answer to a question is "not available" or "unknown," write "DK" (do not know) in the space provided.
- If the answer to a question is "not applicable," write "NA" in the space provided.
- If the answer to a question is "none" or "zero," mark the box () provided.
- When exact numeric answers are not available, provide estimates and mark () the box beside each figure.

**Substantiated incidents of sexual violence:**

- Please complete an Incident Form (Juvenile, SSV-IJ) for each substantiated incident of sexual victimization.

**Returning forms:**

- If you need assistance, please call **Greta Clark** at the **U.S. Census Bureau** toll-free at **1-800-253-2078** or email **govs.ssv@census.gov**
- **Please return your completed questionnaire and substantiated incident forms by September 15, 2014.**
- **You may complete these forms online (see enclosed instructions). Or if you prefer, you may return these forms by mail or fax.**
- **MAIL TO:** U.S. Census Bureau, P.O. Box 5000, Jeffersonville, IN 47199-5000
- **FAX (TOLL FREE): 1-888-262-3974**

**Burden Statement**

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The burden of this collection is estimated to average 60 minutes per response, including reviewing instructions, searching existing data sources, gathering necessary data, and completing and reviewing this form. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. Do not send your completed form to this address.

**DEFINITIONS**

**JUVENILES and YOUTHFUL OFFENDERS**

- Any person under the jurisdiction of your State's juvenile system or youthful offender authority, regardless of age or reason for placement.

**FACILITIES**

INCLUDE all State-operated facilities used to house juveniles or youthful offenders charged with or court-adjudicated for:

- Any offense that is illegal for both adults and juveniles;

**OR**

- An offense that is ILLEGAL in your State for juveniles, but not for adults (running away, truancy, incorrigibility, curfew violations, and liquor violations).

EXCLUDE State-operated facilities used ONLY to house juveniles for:

- Non-criminal purposes (neglect, abuse, abandonment, or dependency);

**OR**

- Being Persons In Need of Services (PINS) or Children in Need of Services (CHINS) who have assigned beds for reasons other than offenses.

**Section I - GENERAL INFORMATION**

**1. On December 31, 2013, how many facilities operated by your State held juveniles or youthful offenders CHARGED WITH or COURT-ADJUDICATED FOR AN OFFENSE?**

Number of facilities . . . 28

- Count all juvenile residential facilities where young persons who have committed offenses may be housed overnight.
- Count each facility with a separate physical location only once. Do not count separate living/sleeping units, wings, floors, dorms, barracks, or cottages within a single facility.

**2. On December 31, 2013, how many persons held in the facilities reported in Item 1 were —**

a. Males . . . . . 525

b. Females . . . . . 45

c. TOTAL (Sum of Items 2a and 2b) 570

- Count persons held in the facilities reported in Item 1 regardless of age or reason for placement. Include persons who were temporarily away but had assigned beds on December 31, 2013.

**3. On December 31, 2013, how many persons held in the facilities reported in Item 1 were —**

a. Age 17 or younger . . . . . 498

b. Age 18 to 20 . . . . . 72

c. Age 21 or older . . . . . 0

d. TOTAL (Sum of Items 3a through 3c should equal Item 2c) . . . . . 570

- Count all persons held in the facilities reported in Item 1 regardless of age or reason for placement. Include persons who were temporarily away but had assigned beds on December 31, 2013.

**4. Between January 1, 2013, and December 31, 2013, how many persons were admitted to or discharged from the facilities reported in Item 1?**

a. TOTAL number admitted . . . 6205

b. TOTAL number discharged . . . 6218

- Include all persons admitted into your State-operated juvenile residential facilities by a formal legal document, by the authority of the courts, or by some other official agency.
- Include all persons discharged from your State-operated juvenile residential facilities after a period of confinement including sentence completion, pretrial releases, transfers to adult jurisdictions or to other States, and deaths.
- Exclude admissions and discharges resulting from returns from escape, administrative transfers to other juvenile facilities operated by your State, or temporary release including work/school release, medical appointments, other treatment facilities, or court appearances.

**Section II - YOUTH-ON-YOUTH SEXUAL VICTIMIZATION**

**DEFINITIONS**

The survey utilizes the definition of "sexual abuse" as provided by 28 C.F.R. §115.6 in the *National Standards to Prevent, Detect, and Respond to Prison Rape* (under the Prison Rape Elimination Act of 2003). For purposes of SSV, sexual abuse is disaggregated into three categories of youth-on-youth sexual victimization. These categories are:

**NONCONSENSUAL SEXUAL ACTS**

Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse;

**AND**

- Sexual contact between the penis and the vulva or the penis and the anus including penetration, however slight;

**OR**

- Contact between the mouth and the penis, vulva, or anus;

**OR**

- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.

**ABUSIVE SEXUAL CONTACT**

Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse;

**AND**

- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.
- EXCLUDE incidents in which the contact was incidental to a physical altercation.

**SEXUAL HARASSMENT**

Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one youth directed toward another.

**5. Does your State juvenile system record allegations of youth-on-youth NONCONSENSUAL SEXUAL ACTS?**

01  Yes → **a. Do you record all reported occurrences, or only substantiated ones?**

01  All

02  Substantiated only

**b. Do you record attempted NONCONSENSUAL SEXUAL ACTS or only completed ones?**

01  Both attempted and completed

02  Completed only

02  No → *Please provide the definition used by your State juvenile system for youth-on-youth NONCONSENSUAL SEXUAL ACTS in the space below. Use that definition to complete items 6 and 7.*

**6. Between January 1, 2013, and December 31, 2013, how many allegations of youth-on-youth NONCONSENSUAL SEXUAL ACTS were reported?**

**Number reported** . . . . . 1  None

- If an allegation involved multiple victimizations, count only once.
- Exclude any allegations that were reported as consensual.

**7. Of the allegations reported in Item 6, how many were — (Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)**

**a. Substantiated** . . . . . 1  None

- The event was investigated and determined to have occurred, based on a preponderance of the evidence (28 C.F.R. §115.72).

**b. Unsubstantiated** . . . . . 0  None

- The investigation concluded that evidence was insufficient to determine whether or not the event occurred.

**c. Unfounded** . . . . . 0  None

- The investigation determined that the event did NOT occur.

**d. Investigation ongoing** . . . . . 0  None

- Evidence is still being gathered, processed or evaluated, and a final determination has not yet been made.

**e. TOTAL (Sum of Items 7a through 7d)** . . . . . 0  None

- The total should equal the number reported in Item 6.

**8. Does your State juvenile system record allegations of youth-on-youth ABUSIVE SEXUAL CONTACT? (See definitions on page 3.)**

01  Yes → **Can these be counted separately from allegations of NONCONSENSUAL SEXUAL ACTS?**

01  Yes

02  No → *Skip to Item 11.*

02  No → *Please provide an explanation in the space below and then skip to Item 11.*

**9. Between January 1, 2013, and December 31, 2013, how many allegations of youth-on-youth ABUSIVE SEXUAL CONTACT were reported?**

Number reported . . . . . 4  None

- If an allegation involved multiple victimizations, count only once.
- Exclude any allegations that were reported as consensual.

**10. Of the allegations reported in Item 9, how many were — (Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)**

a. Substantiated . . . . . 1  None

b. Unsubstantiated . . . . . 0  None

c. Unfounded . . . . . 3  None

d. Investigation ongoing . . 0  None

e. TOTAL (Sum of Items 10a through 10d) . . . . . 4  None

- The total should equal the number reported in Item 9.

**11. Does your State juvenile system record allegations of youth-on-youth SEXUAL HARASSMENT? (See definitions on page 2.)**

01  Yes → **Do you record all reported allegations or only substantiated ones?**

01  All

02  Substantiated only

02  No → *Please provide an explanation in the space below and then skip to Section III.*

**12. Between January 1, 2013, and December 31, 2013, how many allegations of youth-on-youth SEXUAL HARASSMENT were reported?**

Number reported . . . . . 1  None

- If an allegation involved multiple victims or youth perpetrators, count only once.
- Exclude any allegations that were reported as consensual.

**13. Of the allegations reported in Item 12, how many were — (Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)**

a. Substantiated . . . . . 1  None

b. Unsubstantiated . . . . . 0  None

c. Unfounded . . . . . 0  None

d. Investigation ongoing . . 0  None

e. TOTAL (Sum of Items 13a through 13d) . . . . . 1  None

- The total should equal the number reported in Item 12.

**Section III - STAFF-ON-YOUTH SEXUAL ABUSE**

**DEFINITIONS**

The survey utilizes the definition of "sexual abuse" by a staff member, contractor or volunteer as provided by 28 C.F.R. §115.6 in the *National Standards to Prevent, Detect, and Respond to Prison Rape* (under the Prison Rape Elimination Act of 2003). For purposes of SSV, sexual abuse is disaggregated into two categories of staff-on-youth sexual abuse. These categories are:

**STAFF SEXUAL MISCONDUCT**

Any behavior or act of a sexual nature directed toward a youth by an employee, volunteer, contractor, official visitor or other agency representative (exclude family, friend or other visitors).

Sexual relationships of a romantic nature between staff and youths are included in this definition. Consensual or nonconsensual sexual acts include—

- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with the intent to abuse, arouse, or gratify sexual desire;

**OR**

- Completed, attempted, threatened, or requested sexual acts;

**OR**

- Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for reasons unrelated to official duties or for sexual gratification.

**STAFF SEXUAL HARASSMENT**

Repeated verbal statements, comments or gestures of a sexual nature to a youth by an employee, volunteer, contractor, official visitor, or other agency representative (exclude family, friends, or other visitors). Include—

- Demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing;

**OR**

- Repeated profane or obscene language or gestures.

**14. Does your State juvenile system record allegations of STAFF SEXUAL MISCONDUCT?**

01  Yes → **Do you record all reported occurrences, or only substantiated ones?**

01  All

02  Substantiated only

02  No → *Please provide an explanation in the space below and then skip to Item 17.*

**15. Between January 1, 2013, and December 31, 2013, how many allegations of STAFF SEXUAL MISCONDUCT were reported?**

Number reported . . . . . 11  None

- If an allegation involved multiple victimizations, count only once.

**16. Of the allegations reported in Item 15, how many were — (Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)**

a. **Substantiated** . . . . . 0  None

b. **Unsubstantiated** . . . . . 0  None

c. **Unfounded** . . . . . 11  None

d. **Investigation ongoing** . . . . . 0  None

e. **TOTAL** (Sum of Items 16a through 16d) . . . . . 11  None

- The total should equal the number reported in Item 15.

**17. Does your State juvenile system record allegations of STAFF SEXUAL HARASSMENT? (See definitions on page 5.)**

01  Yes → **Can these allegations be counted separately from allegations of STAFF SEXUAL MISCONDUCT?**

01  Yes

02  No → *Skip to Item 20.*

02  No → *Please provide an explanation in the space below and then skip to Item 20.*

**18. Between January 1, 2013, and December 31, 2013, how many allegations of STAFF SEXUAL HARASSMENT were reported?**

Number reported ..... 4  None

- If an allegation involved multiple victims or staff, count only once.

**19. Of the allegations reported in Item 18, how many were — (Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)**

a. **Substantiated** ..... 2  None

b. **Unsubstantiated** ..... 1  None

c. **Unfounded** ..... 1  None

d. **Investigation ongoing** . 0  None

e. **TOTAL** (Sum of Items 19a through 19d) ..... 4  None

- The total should equal the number reported in Item 18.

**Section IV – PRIVATE AND LOCAL ALLEGATIONS**

**20. Did any of the allegations reported in Items 6, 9, 12, 15, or 18 occur in a privately operated facility?**

01  Yes

02  No

**21. Did any of the allegations reported in Items 6, 9, 12, 15, or 18 occur in a facility operated or administered by local governments?**

01  Yes

02  No

**Section V – TOTAL SUBSTANTIATED INCIDENTS OF SEXUAL VICTIMIZATION**

**22. What is the total number of substantiated incidents reported in Items 7a, 10a, 13a, 16a, and 19a?**

Total substantiated incidents ..... 5  None

→ **Please complete an Incident Form (Juvenile, SSV-IJ) for each substantiated incident of sexual victimization.**

**NOTES**

This is additional information regarding the data reported in question 6. The incident occurred in a privately operated residential child caring facility. The youth victim involved in the nonconsensual sexual act was committed to the Department of Juvenile Justice and placed in the privately operated facility by the Department. The perpetrator was not a Department of Juvenile Justice youth.