



**Division of Juvenile Justice and Opportunities for Youth (DJJOY)
Prison Rape Elimination Act (PREA) Annual Report
Findings and Corrective Actions
2014**

The New York State Office of Children and Family Services (OCFS), in its continuing effort to provide quality, therapeutic treatment to juveniles entrusted to the agency's care, has fully embraced the federal Prison Rape Elimination Act (PREA) principles. Prior to PREA, OCFS has had a long history of proactive policies and procedures, training for employees and youth on measures to keep youth safe, and methods to report sexual misconduct and abuse. After PREA's implementation, OCFS appointed an agency-level PREA Coordinator to develop, implement and oversee agency compliance with PREA standards. Additionally, each OCFS Division of Juvenile Justice and Opportunity for Youth (DJJOY) facility has a designated and trained PREA Compliance Manager that oversees individual facility efforts to comply with PREA standards.

OCFS has implemented several changes within facilities to ensure compliance with PREA. OCFS has created a risk assessment tool to identify youth who may be vulnerable to victimization as well as those youth who may exhibit predatory behaviors. OCFS has also enhanced training for all staff, youth and volunteers toward our goal of optimal safety for youth.

OCFS operates 12 state juvenile facilities which provide services to more than 400 youth. In a continuing effort to provide a safe and therapeutic environment, OCFS is committed to improvement in the PREA standards, training and compliance. Below is a summary of reported incidents along with our findings and corrective action(s) taken pursuant to section 115.387 which shall be considered our Annual Report and posted for the public on the OCFS/PREA website at <http://ocfs.ny.gov/main/rehab/prea.asp>.

Summary and Findings:

The New York State Office of Children and Family Services (OCFS) had the following Prison Rape Elimination Act (PREA) reports within its 12 facilities operated by the Division of Juvenile Justice and Opportunities for Youth (DJJOY):

Youth on Youth Non-Consensual Sexual Acts	=	2 Reports - (2 Unsubstantiated)
Staff Sexual Misconduct with Youth	=	52 Reports - (1 Substantiated, 46 Unsubstantiated, 5 Unfounded)
Youth on Youth Abusive Sexual Contact	=	8 Reports - (2 Substantiated, 6 Unsubstantiated)
Youth on Youth Sexual Harassment	=	4 Reports - (2 Unsubstantiated, 2 Unfounded)
Staff Sexual Harassment of Youth	=	1 Report - (1 Unsubstantiated)

Corrective Actions:

The following corrective actions were taken with regard to substantiated reports:

Criminal charges have been filed and administrative disciplinary action has been taken against the staff person involved in one substantiated report of staff sexual misconduct with youth. Administrative disciplinary action was taken and education and appropriate counseling were provided to the youth involved in two substantiated reports of youth-on-youth abusive sexual contact.

Regarding the high number of reports of staff sexual misconduct with youth, the majority of reports came from one facility where the population is comprised of female youth with severe mental health deficits. DJJOY, in collaboration with the NYS Justice Center for the Protection of People with Special Needs, enacted a rapid response protocol, whereby investigations involving multiple allegations within a one-month time frame would be triaged and expedited to best serve the needs of the population. This has resulted in better service delivery to youth and has greatly decreased the number of false allegations of staff sexual misconduct.

Additionally, facilities have continued to receive upgrades to their video surveillance systems. All of the above reports of abusive sexual contact were captured on the respective facility's video surveillance systems.

PREA Compliance Audits:

Eight of the 12 OCFS/DJJOY-operated facilities have been audited. Four facilities' audits were completed in 2014 and four more were completed in 2015. All four facilities audited in 2015 (Brookwood Secure Center, Finger Lakes Residential Center, the Sgt. Henry Johnson Youth Leadership Academy {YLA} and the Red Hook Residential Center) were in full compliance. In 2016, the remaining four OCFS/DJJOY facilities will be scheduled for audits. Training for all employees, youth and volunteers will continue.