



MARION COUNTY JUVENILE DETENTION CENTER

2451 NORTH KEYSTONE AVENUE INDIANAPOLIS, IN 46218

PHONE - (317) 327-8300 FAX – (317) 327-8204



Marion County Juvenile Detention Center Annual Prison Rape Elimination Report Report Year: 2018

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The Marion County Juvenile Detention Center (MCJDC) has worked diligently the past few years to embrace and implement the principles supported by the Prison Rape Elimination Act of 2003 (PREA) to keep all juvenile's safe while in custody.

In March of 2018, the MCJDC went through the process of completing its first ever PREA audit. After an abbreviated Corrective Action Period, DOJ- Certified Auditor Sonya Love declared in June of 2018 that the MCJDC was fully compliant with the PREA standards. The MCJDC facility had prepped and prepared for this audit for over a year and successfully passed on the first attempt at doing so.

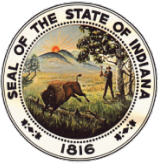
The MCJDC has zero tolerance for all forms of sexual abuse and sexual harassment of juveniles. The MCJDC is committed to the prevention and detection and immediately responds to all allegations, pursues appropriate disciplinary action, and refers for investigation and prosecution all those who perpetrate criminal conduct.

The occurrence of sexual abuse at the MCJDC is very low due to high levels of security including, single occupancy rooms, cameras in every area of the building scheduled regular programming

2017 -2018 Implementation & Prevention Measures

During the calendar years of 2017 & 2018, the facility made great strides towards PREA compliance, including:

- **Developing of a Risk Screening policy and Screening tool.** The division now conducts a screening of all juveniles entering the MCJDC facilities within 72 hours of admission
- **Development of a Staffing Plan.** A staffing plan along with a new schedule was developed and implemented that ensured staff coverage throughout the building to comply with PREA standards. This included a 1:8 ratio during waking hours and a 1:16 ratio during sleeping hours.
- **Development of a new staff training.** The incoming staff as well as the veteran staff now undergo 8 hours of PREA training. Training was also developed for the volunteer and contract staff who interact with the residents informing them of our zero-tolerance policy for sexual abuse and sexual harassment. A training was also developed to assist



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the youth counselors in learning how to properly conduct a Risk Assessment with each resident.

- **Development of juvenile education video and material.** The MCJDC developed and implemented a PREA education video for all juveniles entering the center to learn about their rights, possible warning signs and how to report.
- **Development of PREA policies:** The MCJDC developed and implemented PREA policies that encompass all the requirements of the PREA standards.
- **Established MOUs with outside agencies.** The facility sought out and developed relationships with agencies such as Families First, The Department of Children's Services and the Indianapolis Metropolitan Police Department.

Sexual Violence Reporting

Since calendar year 2016, two years prior to PREA implementation, the MCJDC has been participating in the annual Survey of Sexual Violence conducted by the US Census on behalf of the US Department of Justice. The summary of this reporting through calendar year 2018 shows the low number of sexual abuse and harassment incidents occurring at the MCJDC.



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APPENDIX: Sexual Abuse Definitions

Abusive Sexual Contact (by juveniles): Non-penetrative contact of any person without his/consent, or of a person who is unable to consent or refuse. This includes one or more of the following behaviors:

1. Intentional touching, either directly or through the clothing of the genitalia, anus, groin, breast, inner thigh, or buttocks;
2. Sexual contact does not include unintentional contact or kicking, grabbing, or punching genitals when the intent is to harm or deliberate rather than sexually explicit.

Sexual Assault/ Nonconsensual Sexual Act (between juveniles): An incident in which one or more of the following acts occurs WITHOUT consent between the parties involved:

1. Contact between the penis and the vagina or the penis and the anus involving penetration, however slight. It does not include kicking, grabbing, or punching genitals when the intent is to harm rather than sexually exploit;
2. Contact between the mouth and the penis, vagina, or anus;
3. Penetration of the vagina or anus of another person by hand, finger, or other object.

Sexual Harassment (by staff or between juveniles): Repeated unwelcome sexual advances, request for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, sexually offensive language, comments or gestures or any physical conduct that is of a sexual nature or sexually suggestive when:

1. Influencing, promising, or threatening a juvenile's safety, custody, or security level (including recommendations for court actions), privacy, housing, privileges, work detail or program status in exchange for sexual favors;
2. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual;
3. Such conduct has the purpose or effect an intimidating, hostile, or offensive environment for a juvenile or others by engaging in or permitting, sexually offensive behaviors or language that is directed at or observed by a juvenile or others; and/or
4. Creating or encouraging an atmosphere of intimidation, hostility or offensiveness as perceived by any individual who observes the sexually offensive behavior or language.

Staff Sexual Misconduct (includes one or more of the following behaviors):

1. Consensual or non – consensual sexual acts, including verbal or written communication, involving a juveniles and staff.



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2. Any behavior of a sexual nature, that involved touching, directed toward a juvenile by staff.
3. Intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, arouse or gratify sexual desire. It does not include kicking, grabbing, or punching the genitals when the intent is to harm or deliberate rather than to sexually exploit.
4. All completed, attempted, threatened, or requested sexual acts between staff and the juvenile.
5. Incidents of indecent exposure, voyeurism, or invasion of privacy for sexual gratification.



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Survey of Sexual Violence Summary of Report for 2018

STATISTICS:

Youth on Youth Nonconsensual Sexual Acts

	2016	2017	2018
Substantiated	0	0	0
Unsubstantiated	0	0	0
Unfounded	0	0	1
Ongoing Investigation	0	0	0
Total:	0	0	1

Youth on Youth Abusive Sexual Contact

	2016	2017	2018
Substantiated	0	0	0
Unsubstantiated	0	0	0
Unfounded	0	0	0
Ongoing Investigation	0	0	0
Total:	0	0	0

Youth on Youth Sexual Harassment

	2016	2017	2018
Substantiated	0	1	2
Unsubstantiated	0	0	4
Unfounded	0	3	1
Ongoing Investigation	0	0	0
Total:	0	4	7

Staff on Youth Sexual Misconduct

	2016	2017	2018
Substantiated	0	0	0
Unsubstantiated	0	0	0
Unfounded	0	2	1
Ongoing Investigation	0	0	0
Total:	0	2	1



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Staff on Youth Sexual Harassment

	2016	2017	2018
Substantiated	0	0	0
Unsubstantiated	0	0	0
Unfounded	0	0	1
Ongoing Investigation	0	0	0
Total:	0	0	1

Total Number of PREA Allegations

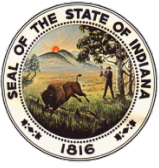
	2016	2017	2018
Substantiated	0	1	2
Unsubstantiated	0	0	4
Unfounded	0	5	4
Ongoing Investigation	0	0	0
Total:	0	6	10

Summary:

Overall the number of PREA allegations reported in calendar year has 2018 has increased 66 percent from the previous year 2017. There were only two substantiated claims for the year. Both substantiated claims were from Youth-on-Youth sexual harassment incidents. We would hope to see a downward trajectory of allegations in the next few years as we continue to enforce and environment of sexual safety. It is likely, that as the MCJDC has truly undergone the process of PREA implementation which includes educating the residents on what PREA is, that there would be increased reporting with increased understanding. The availability of signs, information through posters and videos empowers the youth population with the knowledge of what sexual harassment and sexual abuse is. Along with increased awareness and understanding, the quality of and the depth of investigations improved also. Youth may be less likely to make false allegations with a clearer understanding of the purpose and intention of PREA. Nevertheless, the MCJDC is committed to taking every allegation seriously and conducting a full investigation.

In all cases, staff and supervisors responded appropriately to the allegations. Actions included:

- Immediate and ongoing separation of alleged victim and perpetrator
- Comprehensive administrative reviews
- Documentation and notification under the PREA Policy
- Periodic follow-up monitoring by the PREA Coordinator



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Allegations of PREA Incidents between Juveniles and Staff

In calendar year 2018, MCJDC received 1 allegation of sexual harassment of juveniles, and 1 allegation of sexual misconduct between staff and a juvenile. After either criminal investigation by law enforcement or administrative investigations, all of these incidents were found to be unsubstantiated or unfounded.

In all cases, staff and supervisors responded appropriately to the allegations. Actions included:

- Immediate separation of alleged victim and perpetrator
- Comprehensive criminal and/or administrative investigations
- Documentation and notification under the PREA Policy
- Immediate protections of the youth from retaliation
- Periodic follow-up monitoring by the PREA Coordinator
- Temporary/Permanent Reassignment of staff to another post

Recommended Corrective Actions:

This year being the full PREA implementation year of all of the new policies, practices procedures and trainings in addition to passing an audit, no corrective actions are recommended.