



# 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: 2019

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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.

Last year, 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

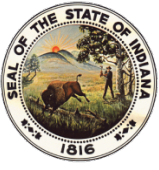
### **2019 PREA Report**

The Prison Rape Elimination Act requires us, as a juvenile detention facility, to collect accurate uniform data for every allegation of sexual abuse at our facility using a standardized instrument and set of definitions. This information shall be reported at least annually. The 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.

This report will be made readily available to the public through our website. There may be some information that is redacted 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.

### **Sexual Violence Reporting**

Since calendar year 2016, much prior to PREA implementation, the MCJDC has been participating in the annual Survey of Sexual Violence conducted by the US Census on behalf of



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the US Department of Justice. The summary of this reporting through calendar year 2019 shows the low number of sexual abuse and harassment incidents occurring at the MCJDC.

The MCJDC has zero tolerance for sexual abuse and harassment and is actively working to eliminate these activities in our facilities. The sexual abuse and harassment definitions used for the Survey of Sexual Violence and the MCJDC's incident reporting mirror the definitions from the PREA juvenile standards. These definitions are included as an appendix to this report.



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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 2019

### STATISTICS:

#### Youth on Youth Nonconsensual Sexual Acts

	2016	2017	2018	2019
Substantiated	0	0	0	0
Unsubstantiated	0	0	0	0
Unfounded	0	0	1	0
Ongoing Investigation	0	0	0	0
<b>Total:</b>	0	0	1	0

#### Youth on Youth Abusive Sexual Contact

	2016	2017	2018	2019
Substantiated	0	0	0	0
Unsubstantiated	0	0	0	0
Unfounded	0	0	0	0
Ongoing Investigation	0	0	0	0
<b>Total:</b>	0	0	0	0

#### Youth on Youth Sexual Harassment

	2016	2017	2018	2019
Substantiated	0	1	2	0
Unsubstantiated	0	0	4	0
Unfounded	0	3	1	0
Ongoing Investigation	0	0	0	0
<b>Total:</b>	0	4	7	0

#### Staff on Youth Sexual Misconduct

	2016	2017	2018	2019
Substantiated	0	0	0	0
Unsubstantiated	0	0	0	0
Unfounded	0	2	1	0
Ongoing Investigation	0	0	0	0
<b>Total:</b>	0	2	1	0



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## Staff on Youth Sexual Harassment

	2016	2017	2018	2019
Substantiated	0	0	0	0
Unsubstantiated	0	0	0	0
Unfounded	0	0	1	0
Ongoing Investigation	0	0	0	0
<b>Total:</b>	0	0	1	0

## Total Number of PREA Allegations

	2016	2017	2018	2019
Substantiated	0	1	2	0
Unsubstantiated	0	0	4	0
Unfounded	0	5	4	0
Ongoing Investigation	0	0	0	0
<b>Total:</b>	0	6	10	0

### **Summary:**

Overall, the number of PREA allegations reported in the calendar year has decreased by 100 percent from the previous year 2018. There were zero PREA allegations for the year. As noted above, MCJDC’s efforts have been ongoing for two years and went into effect in late 2017.

### **Recommended Corrective Actions:**

Given the recent implementation of so many PREA related policies and procedures, trainings, and the continuing low number of PREA related incidents, no extensive actions are recommended or necessary at this time.