



PRISON RAPE ELMINATION ACTION (PREA)

2015 Annual Report

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Background and Identification of State Facilities:

In 2003, the Prison Rape Elimination Act (PREA) was signed into law and The Department of Justice (DOJ) began the development of a set of national standards for implementation by federal, state, and local correctional organizations. The intended purpose of these standards was to provide comprehensive guidelines for preventing, detecting, and eliminating incidents of sexual abuse and sexual harassment involving adult inmates and youth in detention and residential facilities. The DOJ published the final PREA Juvenile Facility Standards on August 20, 2012.

Nevada began implementation of PREA Standards in early 2014 for all State operated Juvenile Correctional Facilities. Currently, there are three Juvenile Correctional Agencies in Nevada.

Nevada Youth Training Center (NYTC) is a staff secure facility located in Elko for male youth ages 12 to 18. NYTC operates a full-time accredited high school, vocational training and provides evidenced based programming to match the needs of the youth. Current population averages 60 youth.

Caliente Youth Center (CYC) is a staff secure facility located in Caliente for both male and female youth ages 12 to 18. Currently, CYC operates at a capacity of 140 youth; 100 male youth and 40 female youth. CYC operates a full-time accredited high school, vocational training and provides evidenced based programming to match the gender specific needs of the youth. Current population averages 140 youth.

Summit View Youth Center (SVYC) opened on February 26, 2016 under the supervision of the Division of Child and Family Services. The capacity is 48 beds for the most serious male youth offenders. SVYC, in cooperation with Clark County School District, operates school programs that offer both required and elective academic subjects, remedial programs, special education programs, vocational programs, and interscholastic activities. SVYC has nursing staff, a psychologist, contracted physicians, a contracted psychiatrist, and a contracted dentist to provide comprehensive on-site medical services. In addition, SVYC provides recreational programming, drug and alcohol abuse counseling, recovery programming, group and individual counseling, sexual offender treatment, cognitive restructuring, and treatment planning.

To ensure youth are safely supervised and rehabilitated, training staff at each youth center was a high priority. Each youth center scheduled up to 160-hours of competency-based training for all new employees within their first year of employment and for all staff to attend forty hours of training annually.

PREA training components include:

- 1) State's Zero Tolerance Policy and State laws regarding sexual harassment and sexual assault;
- 2) What constitutes sexual harassment and sexual assault between youth and staff on youth;
- 3) How to prevent, detect, report, and respond to allegations and how to differentiate between sexual and non-sexual contact and between consent and non-consent;
- 4) Residents rights to be free from sexual harassment and sexual assault;
- 5) The right of residents and staff to be free from retaliation;
- 6) How to avoid inappropriate relationships with residents;
- 7) The dynamics of sexual abuse and sexual harassment in juvenile facilities;
- 8) The common reactions of victims;
- 9) How to communicate effectively with all residents, including those with disabilities or who identify as LTBGQI.

In 2014, all staff received training in Prison Rape Elimination Act (PREA) standards. The State is currently working on securing updated curriculum for new staff training and refresher training every two years. In addition, the State is in process of updating the training required for newly committed youth and incorporating a PREA risk assessment as part of intake.

Investigations:

Investigations are conducted by local law enforcement or facility staff who have received specialized training. The superintendent appoints a facility PREA compliance management as well as several employees who are trained to conduct investigations. In addition to the basic PREA training all employees receive, those appointed to conduct investigation also complete specialized training which is offered through the PREA National Resource Center. Those specialized trainings include: Investigating Sexual Abuse in Confinement Settings and PREA Medical and Mental Care Standards.

Department of Justice Identification of Investigation Outcomes:

- Substantiated - the event was investigated and determined to have occurred, based on a preponderance of the evidence
- Unsubstantiated - the investigation concluded that evidence was insufficient to determine whether or not the event occurred.
- Unfounded - the investigation determined that the event did not occur.
- Investigation Ongoing - evidence is still being gathered, processed or evaluated, and a final determination has not yet been made

PREA Standard Definitions Used in Nevada:

1. Sexual abuse of a youth by a staff member includes any of the following acts, with or without consent of the youth:
 - a. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
 - b. Contact between the mouth and the penis, vulva, or anus;
 - c. Contact between the mouth and any body part where the staff member, contractor, volunteer, or intern has the intent to abuse, arouse, or gratify sexual desire;
 - d. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument;
 - e. Any act of intentional contact, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh or buttocks of any person, excluding contact incidental to a physical alternation;
 - f. Any attempt, threat, or request by a staff member, contractor, volunteer, or intern to engage in activities described in 1) through 5) of this section;
 - g. Any display by a staff member, contractor, volunteer, or intern of his/her uncovered genitalia, buttocks, or breast in the presence of a youth;
 - h. Voyeurism by a staff member, contractor, volunteer, or intern. Voyeurism means an invasion of privacy of a youth for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his/her room/cell to perform bodily functions; requiring a youth to expose his/her buttocks, genitals, or breasts; or taking images of all or part of a youth's naked body or of the youth performing bodily functions.

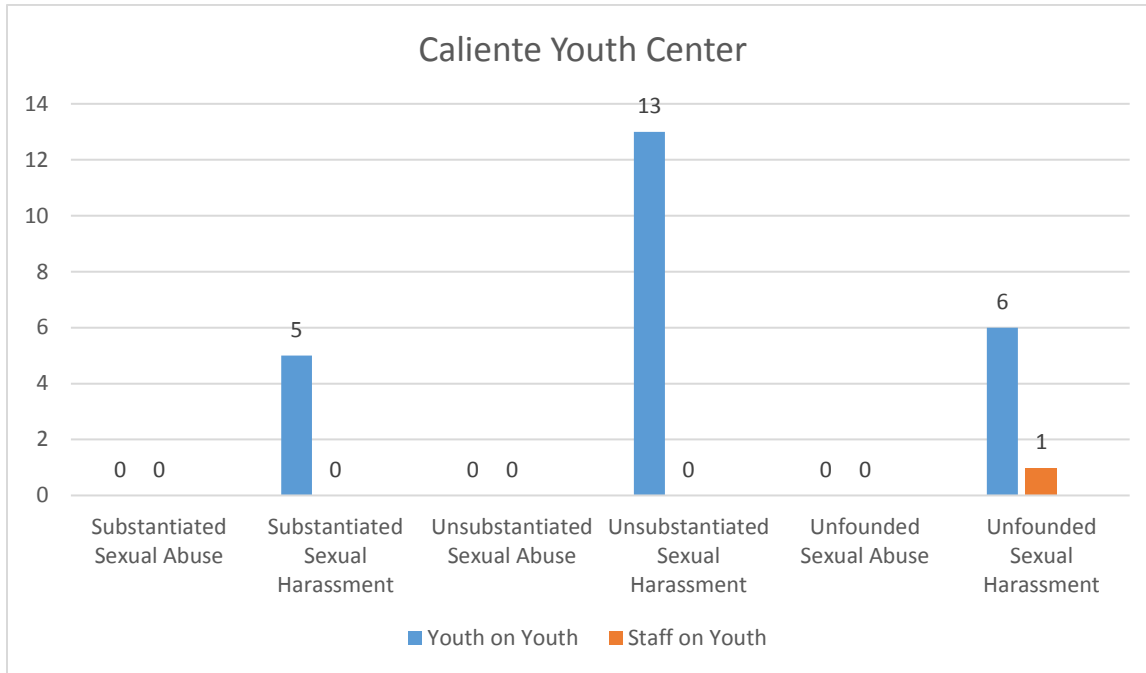
2. Sexual abuse of a youth by another youth includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:
 - a. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
 - b. Contact between the mouth and the penis, vulva, or anus;
 - c. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; or
 - d. Any act of intentional contact, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh or buttocks of any person, excluding contact incidental to a physical alternation.

3. Sexual harassment includes:
 - a. 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 by another youth; and
 - b. Repeated Verbal comments or gestures of a sexual nature to a youth by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

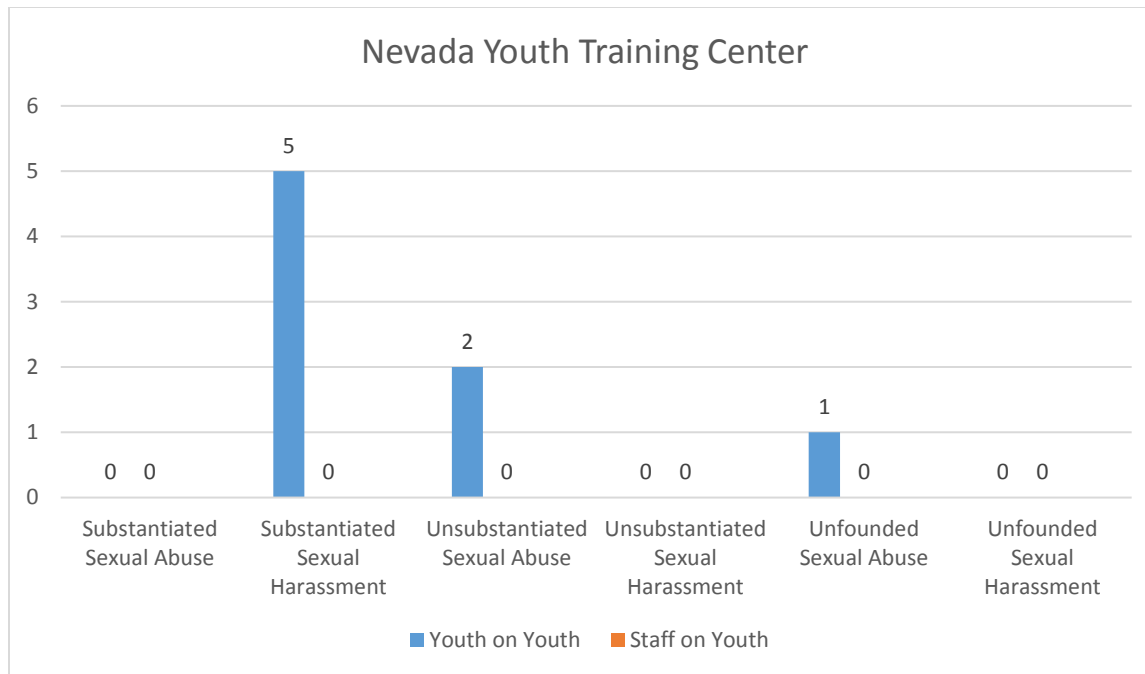
Data Collection and Presentation:

Nevada began data collection for State operated Juvenile Correctional Facilities in 2015. There were a total of 33 PREA investigations conducted statewide in 2015. Summit View was not operational in 2015, and therefore, no data is presented for this facility.

Correctional Center Data



- Substantiated– All substantiated incidents involved youth on youth sexual harassment
- Unsubstantiated– All 13 unsubstantiated incidents involved youth on youth sexual harassment
- Unfounded – Six out of seven unfounded incidents involved youth on youth sexual harassment; one unfounded incident involved staff on youth sexual harassment

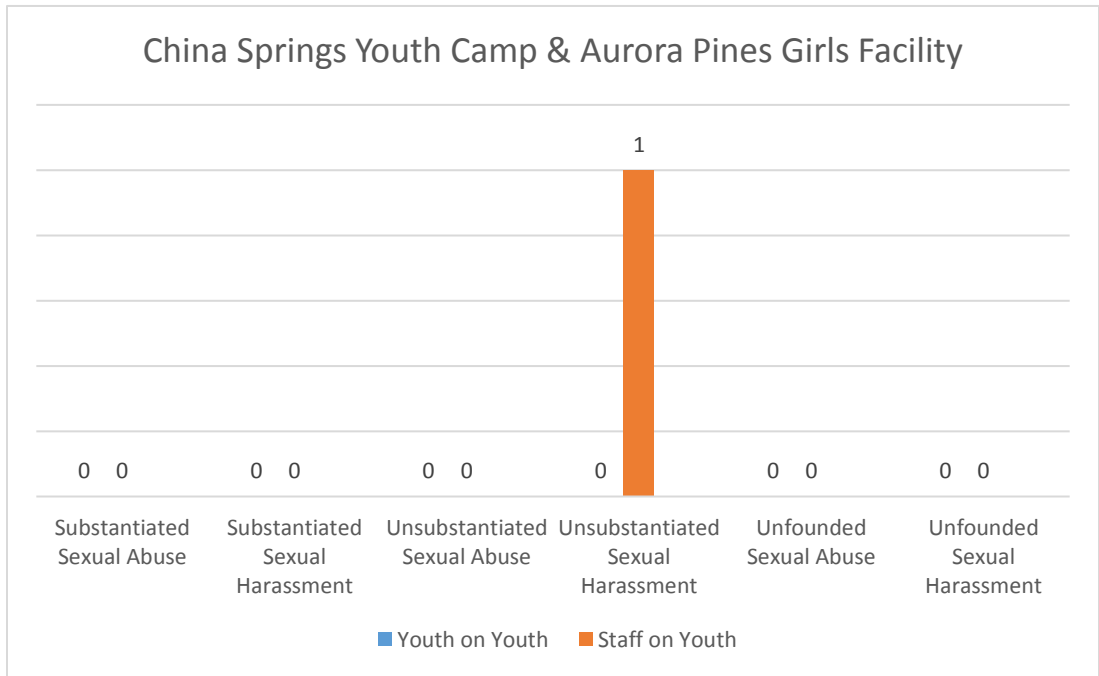


- Substantiated – All of the substantiated incidents involved youth on youth sexual harassment.
- Unsubstantiated – Both unsubstantiated incidents involved youth on youth sexual abuse.
- Unfounded – The one unfounded incident involved youth on youth sexual abuse.
- Note: There were no staff on youth allegations.

Interlocal Agreements

The Division of Child and Family Services (DCFS) contracts with two governmental entities, Douglas County and Clark County, for the purpose of residential services for juvenile justice youth. DCFS will monitor these entities to ensure they are PREA compliant or working towards compliance and provide their aggregated PREA data annually, per PREA standards 115.312 and 115.387(e). DCFS has an interlocal agreement with Douglas County for the China Springs Youth Camp and Aurora Pines Girls Facility and with Clark County for the Spring Mountain Youth Camp. Within these facilities, there was only one PREA allegation investigated in 2015, which resulted in an unsubstantiated allegation of staff on youth sexual harassment.

Interlocal Data



Spring Mountain Youth Camp



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Substantiated Sexual Abuse Substantiated Sexual Harassment Unsubstantiated Sexual Abuse Unsubstantiated Sexual Harassment Unfounded Sexual Abuse Unfounded Sexual Harassment

■ Youth on Youth ■ Staff on Youth

Action Steps for Future:

- Standardization of reporting for the three state operated Juvenile Correctional Facilities.
- The inclusion of Residential Treatment Centers into data collection activities.
- Obtain budget authority to purchase and install video surveillance in CYC and Summit View.
- Look at the possibility of a youth phone system to give the youth the ability to immediately and anonymously report sexual abuse and harassment to a third party.
- Look to modernize the State's Juvenile Justice Case Management System which has a built in incident report system. This will assist in the collection of PREA related data.

Accomplishments:

- Nevada recently hired a full time PREA Coordinator, as July 2016.
- NYTC currently has video surveillance capability. This surveillance will support supervision and consistent implementation of policy and procedures to reduce and eliminate instances of sexual abuse and harassment.
- Both NYTC and CYC received federal PREA audits in 2015 and are currently working on their corrective action plans to be 100% PREA Compliance.
- The State chose to have their Central Office audited in 2015 which identified policy areas in need of improvement.
- Nevada implemented a statewide PREA policy in July 2016.
- The first PREA audit for Summit View has been scheduled for November 2016.

References

- Data Sources:
 - Juvenile Correction Facility Data Report
 - Survey of Sexual Victimization, 2015
- Information Sources:
 - PREA Resource Center: <http://www.prearesourcecenter.org/>