



Louisville Metro Youth Detention Services

**PRISON RAPE ELIMINATION ACT
2015 ANNUAL REPORT**

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Prison Rape Elimination Act

The Prison Rape Elimination Act (PREA) was passed in 2003 with unanimous support from both parties in Congress. The purpose of the act was to “provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations and funding to protect individuals from prison rape”. In addition to creating a mandate for significant research from the Bureau of Justice Statistics and through the National Institute of Justice, funding through the Bureau of Justice Assistance and the National Institute of Corrections supported major efforts in many state correctional, juvenile detention, community corrections, and jail systems.

The act also created the National Prison Rape Elimination Commission and charged it with developing draft standards for the elimination of prison rape. Those standards were published in June 2009, and were turned over to the Department of Justice for review and passage as a final rule. That final rule became effective August 20, 2012.

Data Collection Summary

The Louisville Metro Youth Detention Center (LMYDC) collects uniform, accurate data for every allegation of sexual abuse in the facility. The data is used to complete the Survey of Sexual Violence (SSV) conducted by the Department of Justice. The data can be found on the Louisville Metro Youth Detention Services website.

LMYDC uses the data to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies and training, including identifying problem areas and taking corrective action on an ongoing basis. The current year's data and corrective actions are compared to the data from prior years and the progress made by LMYDC in addressing sexual abuse is assessed.

Facility Demographics

2014

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
White Male	15	10	14	7	11	15	10	13	11	17	10	19
Black Male	58	44	50	62	48	47	36	42	54	67	72	39
Other Male	0	2	0	0	1	5	0	0	1	0	1	4
White Female	4	6	3	4	4	5	3	3	6	3	6	9
Black Female	7	11	15	10	11	8	4	19	12	8	5	13
Other Female	1	0	1	0	0	0	0	0	0	3	0	0
Total Admitted			969									
Average Daily Population			54.4									
Average Length of Stay (days)			19.6									

2015

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
White Male	14	5	10	8	14	12	9	11	18	10	7	0
Black Male	33	63	66	52	61	60	55	54	66	63	61	0
Other Male	2	3	2	4	3	0	3	2	5	4	1	0
White Female	6	4	3	5	6	6	10	3	5	4	4	0
Black Female	8	6	9	9	8	12	9	11	18	19	16	0
Other Female	0	0	1	4	1	0	0	0	1	0	0	0
Total Admitted			969									
Average Daily Population			56.7									
Average Length of Stay (days)			18.4									

Definitions

Youth on Youth Sexual Victimization

Non-Consensual 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. (Excludes any 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.

Staff on Youth Sexual Abuse

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 (excludes family, friends, or other visitors).

Sexual relationships of a romantic nature between staff and youths are included in this definition. Consensual or non-consensual 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 (excludes family, friends, or other visitors). This includes:

- Demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing; or
- Repeated profane or obscene language or gestures.

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.

Data Comparison

PREA investigations between January 1, 2014 and December 31, 2014

In 2014, there was one PREA allegation. The allegation of Staff Sexual Misconduct was investigated and found to be unsubstantiated.

ALLEGATION	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED
Nonconsensual Sexual Acts	0	0	0
Abusive Sexual Contact	0	0	0
Youth Sexual Harassment	0	0	0
Staff Sexual Misconduct	0	1	0
Staff Sexual Harassment	0	0	0

PREA investigations between January 1, 2015 and December 31, 2015

In 2015, there were a total of 4 PREA allegations. All allegations were investigated. One youth on youth Abusive Sexual Contact was unsubstantiated; two youth on youth Abusive Sexual Contact were unfounded; and one youth on youth Sexual Harassment was unfounded.

ALLEGATION	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED
Nonconsensual Sexual Acts	0	0	0
Abusive Sexual Contact	0	1	2
Youth Sexual Harassment	0	0	1
Staff Sexual Misconduct	0	0	0
Staff Sexual Harassment	0	0	0

Assessment / Improvement / Corrective Action

The year 2015 produced four PREA allegations compared to just one allegation in 2014.

A walk through of the facility was conducted to assess the need for extra cameras to eliminate blind spots and areas with no camera coverage. While the increase in the quantity of cameras and the higher resolution of the proposed new cameras will significantly improve safety throughout the facility, it will also increase the amount of data being stored on the server. It was decided that a dedicated server will need to be purchased. Because of the additional equipment and associated costs, the project was not completed in 2015. Louisville Metro Information Technology has assumed the lead in this project and is working to have it completed by mid-2016.

In an effort to better understand and improve the grievance and investigation processes, several shift supervisors attended specialized training for investigators. LMYDC also began a search for an Internal Compliance Investigator. This person will have experience conducting investigations, presenting cases in court, and conducting research. A candidate was selected and is scheduled to begin work in early 2016.

PREA training is constantly evolving to keep staff, contractors, and volunteers up to date on policy and procedure changes and new information appropriate to working and communicating with juveniles in confinement settings.

LMYDC is committed to the prevention of, detection of, and response to sexual abuse and sexual harassment.

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