

**DEFINITIONS**

**JUVENILES and YOUTHFUL OFFENDERS:**

- Any person under the custody or care of a juvenile residential facility owned or operated by a local government or private agency.

**FACILITIES:**

INCLUDE all juvenile residential placement facilities operated or administered by a local government and all privately owned or operated facilities that are used to house juveniles and youthful offenders charged with or court-adjudicated for:

- Any offense that is illegal for both adults and juveniles;

**OR**

- An offense that is ILLEGAL in your State for juveniles, but not for adults (running away, truancy, incorrigibility, curfew violations, and liquor violations).

EXCLUDE all State-operated facilities and locally or privately-operated facilities used ONLY to house juveniles for:

- Non-criminal behavior (neglect, abuse, abandonment, or dependency);

**OR**

- Being Persons in Need of Services (PINS) or Children in Need of Services (CHINS) who have assigned beds for reasons other than offenses.

**Section I – GENERAL INFORMATION**

**1. Is this facility owned by a —**

- 01  Private agency
- 02  Native American Tribal Government
- 03  State
- 04  County
- 05  Local or municipal government
- 06  Other – *Specify*

**2. Is this facility operated by a —**

- 01  Private agency
- 02  Native American Tribal Government
- 03  State
- 04  County
- 05  Local or municipal government
- 06  Other – *Specify*

**3. On December 31, 2012, how many persons held in this facility were —**

a. Males . . . . . 53

b. Females . . . . . 4

c. TOTAL(Sum of Items 3a to 3b) . . . . . 57

- Count persons held in the facility regardless of age or reason for placement. Include persons who were temporarily away but had assigned beds on December 31, 2012.

**4. On December 31, 2012, how many persons held in this facility were —**

a. Age 17 or younger . . . . . 57

b. Age 18 to 20 . . . . . 0

c. Age 21 or older . . . . . 0

d. TOTAL (Sum of Items 4a to 4c should equal Item 3c) . . . . . 57

- Count all persons held in the facility regardless of age or reason for placement. Include persons who were temporarily away but had assigned beds on December 31, 2012.

**5. Between January 1, 2012, and December 31, 2012, how many persons were admitted to or discharged from this facility?**

a. TOTAL number admitted . . . . . 1132

b. TOTAL number discharged . . . . . 1075

- Include all persons admitted to this facility by a formal legal document, by the authority of the courts, or by some other official agency.
- Include all persons discharged from this facility after a period of confinement including sentence completion, pretrial releases, transfers to adult jurisdictions or to other States, and deaths.
- Exclude admissions and discharges resulting from returns from escape, administrative transfers to other juvenile facilities, or temporary release including work/school release, medical appointments, other treatment facilities, or court appearances.

**Section II – YOUTH-ON-YOUTH SEXUAL VIOLENCE**

**DEFINITIONS OF SEXUAL VIOLENCE**

The definition of "rape" as required under the Prison Rape Elimination Act of 2003 will be operationalized by disaggregating sexual assault into two categories of youth-on-youth SEXUAL VIOLENCE. These categories reflect uniform definitions formulated by the National Center for Injury Prevention and Control, in "Sexual Violence Surveillance: Uniform Definitions and Recommended Data Elements," Centers for Disease Control and Prevention. The categories of youth-on-youth SEXUAL VIOLENCE are:

**NONCONSENSUAL SEXUAL ACTS:**

Contact of any person without his or her consent, or of a person who is unable to consent or refuse;

**AND**

- Contact between the penis and the vagina or the penis and the anus including penetration, however slight;

**OR**

- Contact between the mouth and the penis, vagina, or anus;

**OR**

- Penetration of the anal or genital opening of another person by a hand, finger, or other object.

**ABUSIVE SEXUAL CONTACTS:**

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.
- Exclude incidents in which the intent of the sexual contact is to harm or debilitate rather than sexually exploit.

**6. Does your facility record allegations of youth-on-youth NONCONSENSUAL SEXUAL ACTS?**

- 01  Yes → **a. Do you record all reported occurrences, or only substantiated ones?**
- 01  All  
02  Substantiated only
- b. Do you record attempted NONCONSENSUAL SEXUAL ACTS or only completed ones?**
- 01  Both attempted and completed  
02  Completed only
- 02  No → *Please provide the definition used by your facility for youth-on-youth NONCONSENSUAL SEXUAL ACTS in the space below. Use that definition to complete Items 7 and 8.*

**7. Between January 1, 2012, and December 31, 2012, how many allegations of youth-on-youth NONCONSENSUAL SEXUAL ACTS were reported?**

Number reported . . . . . 0  None

- If an allegation involved multiple victims, count only once.

**8. Of the allegations reported in Item 7, how many were — (Please contact the agency or office responsible for investigating allegations of sexual violence in order to fully complete this form.)**

**a. Substantiated** . . . . . 0  None

- The event was investigated and determined to have occurred.

**b. Unsubstantiated** . . . . . 0  None

- Evidence was insufficient to make a final determination that the event occurred.

**c. Unfounded** . . . . . 0  None

- The event was determined NOT to have occurred.

**d. Investigation ongoing** . . . . . 0  None

- A final determination has not yet been made as to whether the event occurred.

**e. TOTAL** (Sum of Items 8a through 8d) . . . . . 0  None

**9. Does your facility record allegations of youth-on-youth ABUSIVE SEXUAL CONTACTS?**  
(See definitions on page 3.)

01  Yes → **Can these be counted separately from allegations of NONCONSENSUAL SEXUAL ACTS?**

01  Yes

02  No → Skip to Item 12.

02  No → Please provide an explanation in the space below and then skip to Item 12.

**10. Between January 1, 2012, and December 31, 2012, how many allegations of youth-on-youth ABUSIVE SEXUAL CONTACTS were reported?**

Number reported . . . . . 0  None

- If an allegation involved multiple victimizations, count only once.

**11. Of the allegations reported in Item 10, how many were —** (Please contact the agency or office responsible for investigating allegations of sexual violence in order to fully complete this form.)

a. **Substantiated** . . . . . 0  None

b. **Unsubstantiated** . . . . . 0  None

c. **Unfounded** . . . . . 0  None

d. **Investigation ongoing** . . . . . 0  None

e. **TOTAL** (Sum of Items 11a through 11d) . . . . . 0  None

**Section III – STAFF SEXUAL MISCONDUCT AND HARASSMENT**

**DEFINITION OF STAFF SEXUAL MISCONDUCT**

The definition of STAFF SEXUAL MISCONDUCT is based on "Training for Investigators of Staff Sexual Misconduct," prepared by the National Institute of Corrections. STAFF SEXUAL MISCONDUCT includes any behavior or act of a sexual nature directed toward a juvenile or youthful offender by an employee, volunteer, contractor, office visitor, or other agency representative (exclude youth family, friends, or other visitors). Sexual relationships of a romantic nature between staff and youth are included in this definition.

Consensual or nonconsensual sexual acts including:

- Intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks 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 sexual gratification.

**DEFINITION OF STAFF SEXUAL HARASSMENT**

The definition of STAFF SEXUAL HARASSMENT was also developed by the National Institute of Corrections. STAFF SEXUAL HARASSMENT includes repeated verbal statements or comments of a sexual nature to a juvenile or youthful offender by an employee, volunteer, contractor, office visitor, or other agency representative (exclude youth family, friends, or other visitors).

- Demeaning references to gender or derogatory comments about body or clothing;

**OR**

- Repeated profane or obscene language or gestures.

**12. Does your facility record allegations of STAFF SEXUAL MISCONDUCT?**

01  Yes → **Do you record all reported occurrences, or only substantiated ones?**

01  All

02  Substantiated only

02  No → Please provide an explanation in the space below and then skip to Item 15.

**13. Between January 1, 2012, and December 31, 2012, how many allegations of STAFF SEXUAL MISCONDUCT were reported?**

Number reported . . . . . 0  None

- If an allegation involved multiple victims, count only once.

**14. Of the allegations reported in Item 13, how many were — (Please contact the agency or office responsible for investigating allegations of sexual violence in order to fully complete this form.)**

a. Substantiated . . . . . 0  None

b. Unsubstantiated . . . . . 0  None

c. Unfounded . . . . . 0  None

d. Investigation ongoing . . . . . 0  None

e. TOTAL (Sum of Items 14a through 14d) . . . . . 0  None

**15. Does your facility record allegations of STAFF SEXUAL HARASSMENT? (See definitions on page 4.)**

01  Yes → **Can these allegations be counted separately from allegations of STAFF SEXUAL MISCONDUCT?**

01  Yes

02  No → Skip to Item 18.

02  No → Please provide an explanation in the space below and then skip to Item 18.

**16. Between January 1, 2012, and December 31, 2012, how many allegations of STAFF SEXUAL HARASSMENT were reported?**

Number reported . . . . . 0  None

- If an allegation involved multiple victims or staff, count only once.

**17. Of the allegations reported in Item 16, how many were — (Please contact the agency or office responsible for investigating allegations of sexual violence in order to fully complete this form.)**

a. Substantiated . . . . . 0  None

b. Unsubstantiated . . . . . 0  None

c. Unfounded . . . . . 0  None

d. Investigation ongoing . . . . . 0  None

e. TOTAL (Sum of Items 17a through 17d) . . . . . 0  None

**Section IV – TOTAL SUBSTANTIATED INCIDENTS OF SEXUAL VIOLENCE**

**18. What is the total number of substantiated incidents reported in Items 8a, 11a, 14a, and 17a?**

Total substantiated incidents . . . . . 0  None

→ **Please complete an Incident Form (Juvenile, SSV-IJ) for each substantiated incident of sexual violence.**

**NOTES**