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, 2014, how many persons held in this facility were —

a. Males . . . . . 48 ☐

b. Females . . . . . 9 ☐

c. TOTAL(Sum of Items 3a and 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, 2014.

4. On December 31, 2014, how many persons held in this facility were —

a. Age 17 or younger . . . . . 57 ☐

b. Age 18 to 20 . . . . . ☐

c. Age 21 or older . . . . . ☐

d. TOTAL (Sum of Items 4a through 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, 2014.

5. Between January 1, 2014, and December 31, 2014, how many persons were admitted to or discharged from this facility?

a. TOTAL number admitted . . 969 ☐

b. TOTAL number discharged . 912 ☐

- 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 VICTIMIZATION

DEFINITIONS

The survey utilizes the definition of "sexual abuse" as provided by 28 C.F.R. §115.6 in the *National Standards to Prevent, Detect, and Respond to Prison Rape* (under the Prison Rape Elimination Act of 2003). For purposes of SSV, sexual abuse is disaggregated into three categories of youth-on-youth sexual victimization. These categories are:

NONCONSENSUAL SEXUAL ACTS

Sexual 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 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.
- EXCLUDE 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.

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, 2014, and December 31, 2014, how many allegations of youth-on-youth NONCONSENSUAL SEXUAL ACTS were reported?

Number reported . . . . . 0 ☐ None

- If an allegation involved multiple victimizations, count only once.
- Exclude any allegations that were reported as consensual.

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

a. Substantiated . . . . . _____ ☐ None

- The event was investigated and determined to have occurred, based on a preponderance of the evidence (28 C.F.R. §115.72).

b. Unsubstantiated . . . . _____ ☐ None

- The investigation concluded that evidence was insufficient to determine whether or not the event occurred.

c. Unfounded . . . . . _____ ☐ None

- The investigation determined that the event did NOT occur.

d. Investigation ongoing . _____ ☐ None

- Evidence is still being gathered, processed or evaluated, and a final determination has not yet been made.

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

- The total should equal the number reported in Item 7.

9. Does your facility record allegations of youth-on-youth ABUSIVE SEXUAL CONTACT? *(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, 2014, and December 31, 2014, how many allegations of youth-on-youth ABUSIVE SEXUAL CONTACT were reported?

Number reported . . . . . 0 ☐ None

- If an allegation involved multiple victimizations, count only once.
- Exclude any allegations that were reported as consensual.

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

a. Substantiated . . . . . _____ ☐ None

b. Unsubstantiated . . . . . _____ ☐ None

c. Unfounded . . . . . _____ ☐ None

d. Investigation ongoing . . _____ ☐ None

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

- The total should equal the number reported in Item 10.

12. Does your facility record allegations of youth-on-youth SEXUAL HARASSMENT? *(See definitions on page 3.)*

01 ☑ Yes → **Do you record all reported allegations or only substantiated ones?**

01 ☑ All

02 ☐ Substantiated only

02 ☐ No → *Please provide an explanation in the space below and then skip to Section III.*

13. Between January 1, 2014, and December 31, 2014, how many allegations of youth-on-youth SEXUAL HARASSMENT were reported?

Number reported . . . . . 0 ☐ None

- If an allegation involved multiple victims or youth perpetrators, count only once.
- Exclude any allegations that were reported as consensual.

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

a. Substantiated . . . . . _____ ☐ None

b. Unsubstantiated . . . . _____ ☐ None

c. Unfounded . . . . . _____ ☐ None

d. Investigation ongoing . _____ ☐ None

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

- The total should equal the number reported in Item 13.

Section III – STAFF-ON-YOUTH SEXUAL ABUSE

DEFINITIONS

The survey utilizes the definition of "sexual abuse" by a staff member, contractor or volunteer as provided by 28 C.F.R. §115.6 in the *National Standards to Prevent, Detect, and Respond to Prison Rape* (under the Prison Rape Elimination Act of 2003). For purposes of SSV, sexual abuse is disaggregated into two categories of staff-on-youth sexual abuse. These categories are:

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 (exclude family, friends or other visitors).

Sexual relationships of a romantic nature between staff and youths are included in this definition. Consensual or nonconsensual 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 (exclude family, friends, or other visitors). Include–

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

OR

- Repeated profane or obscene language or gestures.

15. 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 18.*

16. Between January 1, 2014, and December 31, 2014, how many allegations of STAFF SEXUAL MISCONDUCT were reported?

Number reported . . . . . 1 ☐ None

- If an allegation involved multiple victimizations, 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 victimization in order to fully complete this form.)*

a. Substantiated . . . . . _____ ☐ None

b. Unsubstantiated . . . . 1 ☐ None

c. Unfounded . . . . . _____ ☐ None

d. Investigation ongoing _____ ☐ None

e. TOTAL (Sum of Items 17a through 17d) . . . . . 1 ☐ None

- The total should equal the number reported in Item 16.

18. Does your facility record allegations of STAFF SEXUAL HARASSMENT ? *(See definitions on page 5.)*

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

01 ☑ Yes

02 ☐ No → *Skip to Item 21*

02 ☐ No → *Please provide an explanation in the space below and then skip to Item 21.*

19. Between January 1, 2014, and December 31, 2014, how many allegations of STAFF SEXUAL HARASSMENT were reported?

Number reported . . . . . 0 ☐ None

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

20. Of the allegations reported in Item 19, how many were — *(Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)*

a. Substantiated . . . . . _____ ☐ None

b. Unsubstantiated . . . . . _____ ☐ None

c. Unfounded . . . . . _____ ☐ None

d. Investigation ongoing . _____ ☐ None

e. TOTAL (Sum of Items 20a through 20d) . . . . . 0 ☐ None

- The total should equal the number reported in Item 19.

Section IV – TOTAL SUBSTANTIATED INCIDENTS OF SEXUAL VICTIMIZATION

21. What is the total number of substantiated incidents reported in Items 8a, 11a, 14a, 17a, and 20a.

Total substantiated incidents . . . . . 0 ☐ None

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

NOTES

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