

Prison Rape Elimination Act (PREA)

The Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79) was enacted by Congress to address the problem of sexual abuse of persons in the custody of U.S. correctional agencies. The Act applies to all public and private institutions that house adult or juvenile offenders and is also relevant to community-based agencies. It addresses both inmate-on-inmate sexual abuse and staff sexual misconduct.

DYRS has a zero tolerance for any incidence of sexual activity with youth in our care. DYRS commits to full compliance with PREA and all criminal laws.

In compliance with PREA reporting standards, the list below shows the Calendar Year 2014 PREA Incident Reports filed in DYRS. All institutional abuse allegations that involve children in our facilities are screened and independently investigated by the DSCYF Institutional Abuse unit. If the incident rises to a criminal level, it is referred to the Delaware State Police.

Nancy Dietz, Director, DYRS

Calendar Year 2014 PREA Incidents

State Operated Facilities

| Program | City | State | Allegation | Type (Youth/Worker) | Result |
|------------------------------------|------------|----------|-------------------------|---------------------|-----------|
| Ferris School | Wilmington | Delaware | Staff Sexual Misconduct | Staff on Youth | Unfounded |
| Grace Cottage | Wilmington | Delaware | no reports | | |
| Mowlds Cottage | Wilmington | Delaware | no reports | | |
| New Castle County Detention Center | Wilmington | Delaware | Abusive Sexual Act | Youth on Youth | Unfounded |
| Snowden Cottage | Wilmington | Delaware | no reports | | |
| Stevenson House Detention Center | Milford | Delaware | no reports | | |

Total Number of youth served in CY-2014 in State operated facilities: 761

Delaware Youth placed in Contracted Residential Facilities

| Program | City | State | Type Sexual Violence | Type (Youth/Worker) | Result |
|---|--------------|--------------|-----------------------------|----------------------------|---------------|
| Chris Sturfels Youth Center (Connections) | Wilmington | Delaware | no reports | | |
| Clarinda Academy | Clarinda | Iowa | no reports | | |
| Cornell Abraxas | Marienville | Pennsylvania | no reports | | |
| Cove Prep | Torrance | Pennsylvania | no reports | | |
| Diversified Treatment Alternatives | Lewisburg | Pennsylvania | no reports | | |
| Glen Mills School | Concordville | Pennsylvania | Non-Consensual Act | Youth on Youth | Unfounded |
| Peoples Place II | Townsend | Delaware | no reports | | |
| Peoples Place II | Milford | Delaware | no reports | | |
| Pyramid Healthcare | Quakertown | Pennsylvania | no reports | | |
| Southwest Indiana Regional Youth Village | Vincennes | Indiana | no reports | | |
| Summit School: New Outlook Academy | Library | Pennsylvania | no reports | | |
| Summit School: Summit Academy | Herman | Pennsylvania | no reports | | |
| Today, Inc. | Newtown | Pennsylvania | no reports | | |
| Youth Services Agency, Inc. | Jim Thorpe | Pennsylvania | no reports | | |

Total Number of youth served in CY-2014 in Contracted facilities: 508

PREA "Type of Sexual Violence" Definitions *

| | |
|---------------------------|--|
| Non-consensual Sexual Act | Contact between the penis, vagina, or anus including penetration, however slight, contact between the mouth and the penis, vagina, or anus, or penetration of the anal or genital opening by the hand, finger, or other object without the victim's consent. |
| Abusive Sexual Act | Intentional touching of the genitals, breasts, buttocks, etc., either directly or through clothing without the victim's consent. |
| Sexual Harassment | Repeated verbal statements or comments of a sexual nature to a juvenile by another juvenile, employee, volunteer, contractor, or other agency representatives. Comments include demeaning references to gender or derogatory comments about body or clothing, or repeated profane or obscene language or gestures. |

PREA “RESULTS” Definitions *

| | |
|-----------------|--|
| Unfounded | The event was determined not to have occurred. |
| Unsubstantiated | Evidence was insufficient to make a final determination that the event occurred. |
| Substantiated | The event was investigated and determined to have occurred. |

* U.S. Department of Justice, Survey of Sexual Violence Report.

Division Annual Review of PREA Incidents

State Run Facilities

Every reportable event, whether PREA related or not, is reviewed by the facility Superintendent, Division Director, and Deputy Director. If the incident involves child abuse in the facility, the Department’s Institutional Abuse Unit would investigate the incident to determine if there is sufficient evidence for further investigation. The facility Superintendent also investigates to determine if proper policies and procedures were followed.

The above table shows there were two PREA related incidents, both were determined to be unfounded.

Delaware Youth placed in Contracted Residential Facilities

Reportable events that involve a Delaware youth are investigated by that provider’s investigation procedures, and if applicable, the governmental agency that would investigate child abuse (county, township, state, etc.). Any event that involves a DYRS youth is documented and communicated to the DYRS probation officer and the Department Contracts unit. All PREA eligible providers must comply with PREA standards as noted in the DSCYF Operating Guidelines for Contracted Children and Family Programs and Services.

The above table shows there was one unfounded PREA related incident reported in CY-2014.

DYRS Workers trained in PREA: CY-2014

| | Number of workers | Number of hours |
|---------------------|-------------------|-----------------|
| New worker training | 82 | 246 |
| Refresher training | 199 | 597 |
| TOTAL | 281 | 843 |

| | Number of workers | Number of hours |
|--------------------|-------------------|-----------------|
| Community Services | 12 | 36 |
| Secure Care | 269 | 807 |
| TOTAL | 281 | 843 |