

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 are the Calendar Year 2013 PREA Incident Reports filed in DYRS. As with any institutional abuse reports that involve children in our facilities, each incident is independently investigated by the DSCYF Institutional Abuse unit.

Nancy Dietz, Director, DYRS

Calendar Year 2013 PREA Incidents

State Operated Facilities

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

Total Number of youth served in CY-2013 in State operated facilities: 744

Delaware Youth placed in Contracted Residential Facilities

| Program | City | State | Type Sexual Violence | Type (Youth/Worker) | Result |
|--|--------------|---------------|-----------------------------|----------------------------|---------------|
| Clarinda Academy | Clarinda | Iowa | no reports | | |
| Coastal Harbor Treatment Center | Savannah | Georgia | no reports | | |
| Connections Community Support Program | Wilmington | Delaware | 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 | no reports | | |
| Kidspeace, Inc. | Orefield | Pennsylvania | no reports | | |
| Maryland Treatment Centers-Mountain Manor | Baltimore | Maryland | no reports | | |
| Peoples Place II | Townsend | Delaware | no reports | | |
| Peoples Place II | Milford | Delaware | no reports | | |
| Southwest Indiana Regional Youth Village | Vincennes | Indiana | no reports | | |
| Stetson School | Barre | Massachusetts | Sexual Harassment | Youth on Youth | Unfounded |
| Summit School: Sleepy Hollow | Library | Pennsylvania | no reports | | |
| Summit School: Summit Academy | Herman | Pennsylvania | no reports | | |
| Therapeutic Center at Fox Chase | Philadelphia | Pennsylvania | no reports | | |
| Today, Inc. | Newtown | Pennsylvania | no reports | | |
| University Behavioral Center | Orlando | Florida | no reports | | |
| Youth Services Agency, Inc. | Jim Thorpe | Pennsylvania | no reports | | |
| Youth Services International-Chamberlain Academy | Chamberlain | South Dakota | no reports | | |

Total Number of youth served in CY-2013 in Contracted facilities: 558

PREA "Type of Sexual Violence" Definitions *

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|---------------------------|--|
| 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 *

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| 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. |
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* 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 and determine if there is sufficient evidence for further investigation. The facility Superintendent also investigates whether proper policies and procedures were followed.

The above table shows there was only one PREA related incident, which was 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 would be documented and communicated to the DYRS probation officer and the Department Contracts unit.

The above table shows there was only one PREA related incident, which was determined to be unfounded.