

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 2017 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 2017 PREA Incidents

State Operated Facilities

Program	City	State	Allegation	Type (Youth/Worker)	Result
New Castle County Detention Center	Wilmington	Delaware	Staff sexual harassment	Worker on youth	Unfounded
Stevenson House Detention Center	Milford	Delaware	(2) Abusive Sexual Acts	Youth on youth	1 Unsubstantiated 1 Unfounded
			(2) Staff sexual harassment	Worker on youth	Both unfounded
			Staff sexual misconduct	Worker on youth	Unfounded
Ferris School	Wilmington	Delaware	No reports		
Mowlds Cottage	Wilmington	Delaware	No reports		
Grace Cottage	Wilmington	Delaware	No reports		
Snowden Cottage	Wilmington	Delaware	No reports		
Multi-Purpose Facility	Wilmington	Delaware	No reports		

Total Number of youth served in CY-2017 in State operated facilities: 942

Delaware Youth placed in Contracted Residential Facilities

Program	City	State	Type Sexual Violence	Type (Youth/Worker)	Result
Clarinda Academy	Clarinda	Iowa	No reports		
Community Specialists Corp., New Outlook Academy	Pittsburgh	Pennsylvania	No reports		
Cove Prep	Torrance	Pennsylvania	No reports		
Diversified Treatment Alternatives	Lewisburg	Pennsylvania	No reports		
Glen Mills School	Concordville	Pennsylvania	No reports		
VisionQuest	Townsend	Delaware	No reports		
VisionQuest	Milford	Delaware	No reports		
Summit School: Summit Academy	Herman	Pennsylvania	Sexual harassment	Worker on youth	Unfounded
VisionQuest-Standing Timbers Academy	Gouldsboro	Pennsylvania	No reports		

Total Number of youth served in CY-2017 in the above contracted facilities: 335

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, Professional Standards Unit, Management Analyst, Division Deputy Director and Division Director. If the incident involves child abuse in the facility, the Department's Institutional Abuse Unit (IAU) would investigate the incident. If criminal behavior is indicated, law enforcement and the Abuse Unit may complete a joint investigation. After the formal investigations are completed or when no formal investigations are necessary, the facility superintendent will review the incident to ensure compliance to policy, procedure and training.

The above table shows there were six PREA related incidents: three staff sexual harassment accusations were determined to be unfounded or unsubstantiated; one unsubstantiated staff sexual misconduct allegation; and two youth-on-youth abusive sexual contact allegations-one substantiated and one 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 listed providers are those who have a population of 51% or more of juvenile justice youth.

The above table shows there was one related PREA incident, one unfounded staff sexual harassment allegation.