



Office of Children and Family Services

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Division of Juvenile Justice and Opportunities for Youth (DJJOY) Prison Rape Elimination Act (PREA) Annual Report Findings and Corrective Actions 2015

The New York State Office of Children and Family Services (OCFS), in its continuing effort to provide quality, therapeutic treatment to juveniles entrusted to the agency's care, has fully embraced the federal Prison Rape Elimination Act (PREA) principles. Prior to PREA, OCFS has had a long history of proactive policies and procedures, training for employees and youth on measures to keep youth safe, and methods to report sexual misconduct and abuse. After PREA's implementation, OCFS appointed an agency-level PREA Coordinator to develop, implement and oversee agency compliance with PREA standards. Additionally, each OCFS Division of Juvenile Justice and Opportunity for Youth (DJJOY) facility has a designated and trained PREA Compliance Manager who oversees individual facility efforts to comply with PREA standards.

OCFS has implemented several changes within facilities to ensure compliance with PREA. OCFS created and utilizes a risk assessment tool to identify youth who may be vulnerable to victimization as well as those youth who may exhibit predatory behaviors. OCFS has also enhanced training for all staff, youth and volunteers toward our goal of optimal safety for youth.

OCFS operates 12 state juvenile facilities which provide services to more than 350 youth. In a continuing effort to provide a safe and therapeutic environment, OCFS is committed to improvement in the PREA standards, training and compliance. Below is a summary of reported incidents along with our findings and corrective action(s) taken pursuant to section 115.387 which shall be considered our Annual Report and posted for the public on the OCFS/PREA website at <http://ocfs.ny.gov/main/rehab/prea.asp>.

Summary and Findings:

The New York State Office of Children and Family Services (OCFS) had the following Prison Rape Elimination Act (PREA) reports within its 12 facilities operated by the Division of Juvenile Justice and Opportunities for Youth (DJJOY):

Youth on Youth Non-Consensual Sexual Acts	=	3 Reports - (0 Substantiated, 1 Unsubstantiated, 2 Unfounded)
Staff Sexual Misconduct with Youth	=	21 Reports - (0 Substantiated, 6 Unsubstantiated, 14 Unfounded, 1 pending)
Youth on Youth Abusive Sexual Contact	=	13 Reports - (2 Substantiated, 5 Unsubstantiated, 6 Unfounded)
Youth on Youth Sexual Harassment	=	16 Reports - (4 Substantiated, 11 Unsubstantiated, 1 Unfounded)
Staff Sexual Harassment of Youth	=	9 Reports - (3 Substantiated, 2 Unsubstantiated, 4 Unfounded)

Corrective Actions:

The following corrective actions were taken with regard to substantiated reports:

A criminal investigation is underway for the one incident of staff sexual misconduct which is currently pending. Administrative disciplinary action and training was taken for one substantiated incident of staff sexual harassment and the staff member involved in the other two substantiated cases of sexual harassment has resigned. Administrative disciplinary action was taken and education and appropriate counseling were provided to the youth involved in two substantiated reports of youth-on-youth abusive sexual contact. Administrative discipline and/or counselling was provided to the youth involved in the four substantiated cases of youth on youth sexual harassment.

New York State has seen a dramatic decrease in the total number of allegations of staff sexual misconduct, due mainly through education and treatment provided to the youth located at our female limited secure center. None of the allegations from that facility from 2014 and 2015 were substantiated. We also attribute some of the changes in the overall numbers of cases to our continued emphasis on PREA education and training with our staff and youth.

Additionally, facilities have continued to receive upgrades to their individual video surveillance systems. All of the above reports of abusive sexual contact were captured on video.

PREA Compliance Audits:

All twelve (12) OCFS/DJJOY-operated facilities have now been successfully audited. Four facilities' audits were completed in 2016 and OCFS will begin the second, three year audit cycle in 2017. All four facilities audited in 2016 (Goshen Secure Center, Ella McQueen Reception Center, Brentwood Residential Center for Girls and Taberg Residential Center for Girls) were in full compliance. In 2017, OCFS will begin the three year audit cycle again with four OCFS/DJJOY facilities scheduled for audits. Training for all employees, youth and volunteers will continue.