

Oklahoma Office of Juvenile Affairs (OJA)
2019/2018 Annual Report

The OJA continues to implement best practices and the requirements of the Prison Rape Elimination Act (PREA) standards in order to address allegations of sexual abuse and sexual harassment of the juveniles. Leadership of the OJA is dedicated to on-going monitoring and corrective action (when needed) in order to reach full PREA compliance and most importantly to maximize the safety of all youth in OJA operated facilities. As an agency, OJA is continually striving toward changes that integrate the PREA standards and ensure the highest level of sexual safety within OJA facilities. OJA staff and juveniles have an increased awareness of reporting standards for potential PREA violations contributing to higher rates of report and the appropriateness of referrals received.

2019 Aggregated Data

Secure Facilities included are: Central Oklahoma Juvenile Center, Tecumseh, OK
 Southwest Oklahoma Juvenile Center, Manitou, OK

2019 Report of Sexual Abuse/Sexual Harassment Allegations at OJA Facilities					
Average Total Population = 96	<u>Allegations</u>	<u>Substantiated</u> <i>The allegation was investigated and determined to have occurred, based on the preponderance of the evidence.</i>	<u>Unsubstantiated</u> <i>The allegation was investigated and the investigation concluded that evidence was insufficient to determine whether or not the event occurred.</i>	<u>Unfounded</u> <i>The allegation was investigated and the investigation determined that the event did NOT occur.</i>	<u>Ongoing Investigation</u>
Youth on Youth <u>Nonconsensual Sexual Act</u>	1	0	0	1	0
Youth on Youth <u>Abusive Sexual Contacts</u>	3	1	2	0	0
Youth on Youth <u>Sexual Harassment</u>	6	2	4	0	0
Staff on Youth <u>Sexual Misconduct</u>	15	2	8	5	0
Staff on Youth <u>Sexual Harassment</u>	2	1	1	0	0
Totals	27	6	15	6	0

(Definitions are listed on last page.)

2019 PREA Corrective Actions for OJA

During 2019, there was a total of (27) twenty-seven allegations of sexual abuse or sexual harassment at OJA operated facilities. Of the (27) twenty-seven allegations reported, there were (6) six confirmed incidents. (2) two allegations were confirmed as sexual misconduct by staff, (1) one allegation was confirmed as an abusive sexual act by a youth, (1) one allegation was confirmed as sexual harassment by staff and (2) two allegations were confirmed as sexual harassment by a youth. (1) One staff resigned after the investigation was completed. (2) Two staff were terminated after the investigation was completed and the cases was referred to the District Attorney.

PREA training is continuous throughout the year to ensure that staff and residents understand that OJA has ZERO TOLERANCE towards any form of sexual misconduct or sexual harassment.

To maintain compliance with the PREA standards, OJA put in place the following preventative actions:

Preventative Actions:

- Two secure OJA facilities have successfully passed a PREA Compliance Audit with no corrective actions needed in 2017 and both facilities will have a re-certification PREA Audit in December 2020.
- Mock Audit evaluations were conducted at each facility to ensure PREA Compliance is maintained at all times.
- Continuous PREA training of all staff, juveniles, volunteers, and contractors at OJA facilities.

2018 Aggregated Data

Secure Facilities included are: Central Oklahoma Juvenile Center, Tecumseh, OK
Southwest Oklahoma Juvenile Center, Manitou, OK

2018 Report of Sexual Abuse/Sexual Harassment Allegations at OJA Facilities					
Average Total Population = 124	<u>Allegations</u>	<u>Substantiated</u> <i>The allegation was investigated and determined to have occurred, based on the preponderance of the evidence.</i>	<u>Unsubstantiated</u> <i>The allegation was investigated and the investigation concluded that evidence was insufficient to determine whether or not the event occurred.</i>	<u>Unfounded</u> <i>The allegation was investigated and the investigation determined that the event did NOT occur.</i>	<u>Ongoing Investigation</u>
Youth on Youth <u>Nonconsensual Sexual Act</u>	0	0	0	0	0
Youth on Youth <u>Abusive Sexual Contacts</u>	0	0	0	0	0
Youth on Youth <u>Sexual Harassment</u>	3	2	1	0	0
Staff on Youth <u>Sexual Misconduct</u>	14	2	6	6	0
Staff on Youth <u>Sexual Harassment</u>	4	2	2	0	0
Totals	21	6	9	6	0

(Definitions are listed on last page.)

2018 PREA Corrective Actions for OJA

During 2018, there was a total of (21) twenty-one allegations of sexual abuse or sexual harassment at OJA operated facilities. Of the (21) twenty-one allegations reported, (2) two allegations were confirmed as sexual misconduct. The (2) two staff resigned after the investigations were completed. Charges were referred to the District Attorney on (2) two cases.

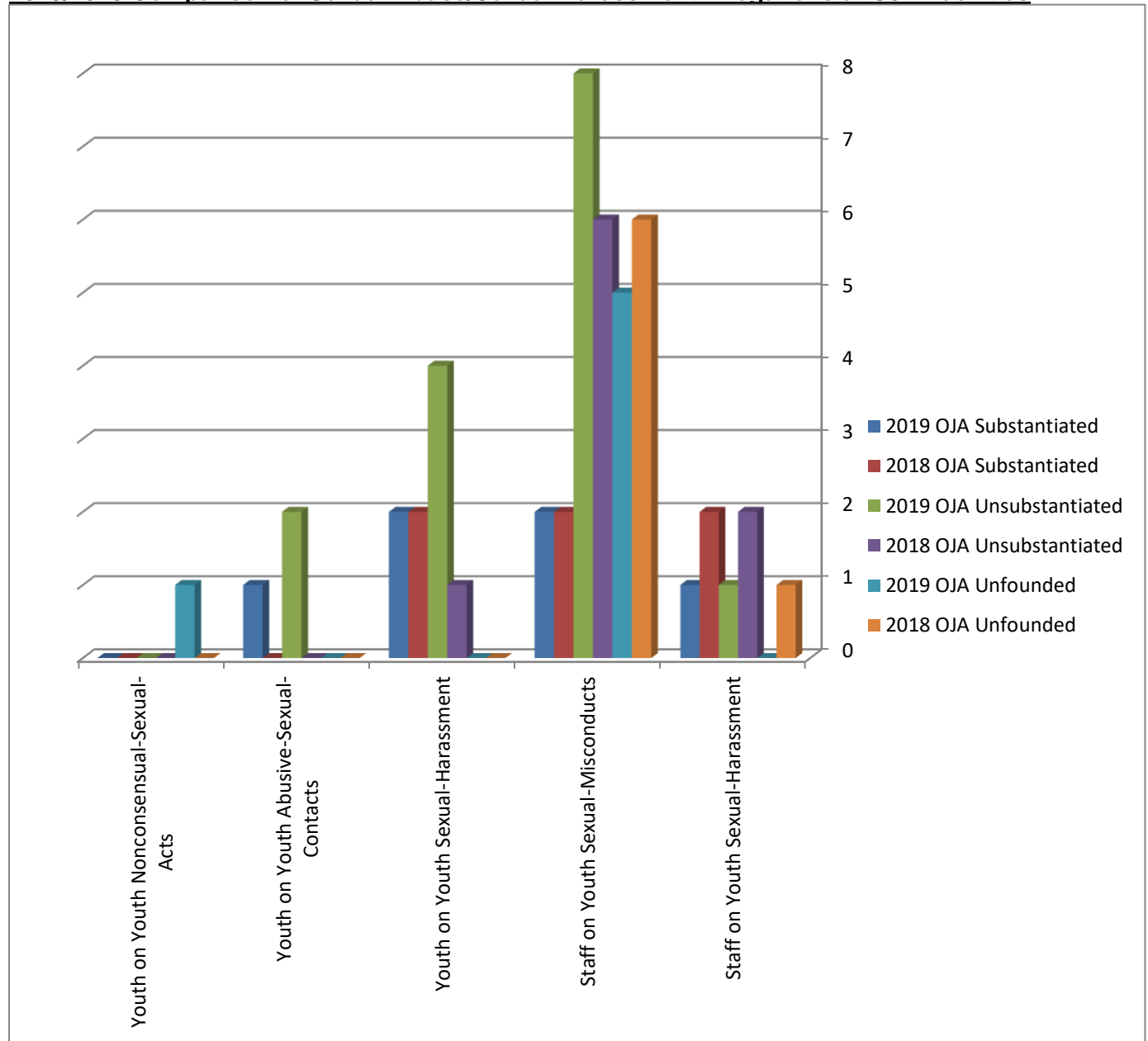
PREA training is continuous throughout the year to ensure that staff and residents understand that OJA has ZERO TOLERANCE towards any form of sexual misconduct or sexual harassment.

To maintain compliance with the PREA standards, OJA put in place the following preventative actions:

Preventative Actions:

- Three secure OJA facilities have successfully passed a PREA Compliance Audit with no corrective actions needed in 2017.
- Mock Audit evaluations were conducted at each facility to ensure PREA Compliance is maintained at all times.
- Continuous PREA training of all staff, juveniles, volunteers, and contractors at OJA facilities.

2019/2018 Comparison of Sexual Abuse/Sexual Harassment Allegations at OJA Facilities



(Definitions are listed on last page.)

DEFINITIONS:

Youth-On-Youth Sexual Victimization Definitions

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).

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

- Sexual 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.

Staff-On-Youth Sexual Abuse Definitions

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).

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, friend, 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.