

Abraxas Youth & Family Services (AYFS)

2022 Annual PREA Report



REPORTING PERIOD

As required by the Prison Rape Elimination Act (PREA), Pub. L. No. 108-79 (2003), AYFS has collected and reviewed data on allegations reported from January 1, 2022 through December 31, 2022. AYFS produced this report in compliance with 28 C.F.R. Part §§115.87-89.

In 2022, 25 allegations met the definitions of sexual abuse or sexual harassment. This report reflects the status of 2022 allegations.

POLICY SUMMARY

AYFS mandates zero tolerance towards all forms of sexual abuse and sexual harassment in all of its facilities. AYFS has a policy that outlines how sexual conduct between employees, volunteers, or contractors and detainees/residents, regardless of consensual status, is prohibited and subject to administrative, criminal, and disciplinary sanctions. Personal identifiers were omitted from this report to ensure the safety and security of staff and individuals placed in our facilities.

2022 PREA RECERTIFICATION AUDITS

Three (3) facilities completed a PREA recertification audit in 2022: Abraxas Academy, Abraxas Youth Center, and the Leadership Development Program. The facilities were in full compliance with all PREA standards and “exceeded” several standards. The following **facilities “exceeded” the following standards:**

Abraxas Academy – PREA Recertification Audit conducted March 31 – April 5, 2022

1. 115.313: Supervision and monitoring
2. 115.318: Upgrades to facilities and technologies
3. 115.331: Employee training
4. 115.335: Specialized training: Medical and mental health care
5. 115.341: Screening for risk of victimization and abusiveness
6. 115.361: Staff and agency reporting duties
7. 115.365: Coordinated response

Abraxas Youth Center – PREA Recertification Audit conducted April 28-29, 2022

1. 115.311: Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
2. 115.313: Supervision and monitoring
3. 115.321: Evidence protocol and forensic medical examinations
4. 115.331: Employee training
5. 115.335: Specialized training: Medical and mental health care
6. 115.341: Screening for risk of victimization and abusiveness
7. 115.361: Staff and agency reporting duties
8. 115.365: Coordinated response

Leadership Development Program – PREA Recertification Audit conducted April 30-31, 2022

1. 115.321: Evidence protocol and forensic medical examinations
2. 115.341: Screening for risk of victimization and abusiveness
3. 115.351: Resident reporting
4. 115.361: Staff and agency reporting duties
5. 115.365: Coordinated response

AYFS FACILITIES COVERED IN THIS REPORT (7 FACILITIES)

This report contains PREA data collected from all AYFS facilities covered by DOJ PREA Standards. This report includes a comparison of 2021 and 2022 data as required by PREA Standard §115.88. The seven (7) facilities are Abraxas-I (PA), Abraxas Academy (PA), Abraxas Youth Center (PA), Leadership Development Program (PA), Abraxas Ohio (OH), Camp Aspen (SC), and Southern Peaks Regional Treatment Center (CO).

GENERAL DEFINITIONS

- **Contractor:** a person who provides services on a recurring basis pursuant to a contractual agreement with the agency.
- **Detainee:** any person detained in a lockup, regardless of adjudication status.
- **Employee:** a person who works directly for the agency or facility.
- **On-going (OG):** investigation has not been completed.
- **Inmate, Detainee, or Resident:** any person confined or detained in a juvenile facility or in a community confinement facility.
- **Staff:** employees.
- **Substantiated (SUB):** an allegation that was investigated and determined to have occurred.
- **Unfounded (UF):** an allegation that was investigated and determined not to have occurred.
- **Unsubstantiated (UNSUB):** an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.
- **Volunteer:** an individual who donates time and effort on a recurring basis to enhance the activities and programs of the agency.

DEFINITIONS RELATED TO SEXUAL ABUSE & SEXUAL HARASSMENT

Sexual Abuse

1. Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
2. Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.

Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
2. Contact between the mouth and the penis, vulva, or anus;
3. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and

4. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight; Contact between the mouth and the penis, vulva, or anus;
2. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
3. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
4. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
5. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)-(5) of this section;
6. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
7. Voyeurism by a staff member, contractor, or volunteer.

Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

Sexual Harassment

1. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and
2. Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

INCIDENT TYPE ACRONYMS

The following acronyms are used by AYFS to track reported allegations of sexual abuse and sexual harassment:

- RRSA – Resident-on-Resident Sexual Abuse
- RRSB – Resident-on-Resident Sexual Harassment
- SRSA – Staff-on-Resident Sexual Abuse
- SRSB – Staff-on-Resident Sexual Harassment

EVIDENTIARY STANDARD

The agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

2022 PREA Allegations by Type for All Seven (7) Facilities

PREA Allegation by Type					
Type	OG	SUB	UNSUB	UN	Total
RRSA	13	0	4	2	19
RRSH	2	0	0	0	2
SRSA	3	0	0	1	4
SRSH	0	0	0	0	0
Total	18	0	4	3	25

In 2022, there were 25 PREA allegations in three of the four incident types (none in SRSH). There were no substantiated PREA cases for the ones that were closed. For calendar year 2022, 18 of 25 investigations remain on-going.

Comparison of Total PREA Allegations for All Seven (7) Facilities

Total PREA Allegations 2021 vs 2022		
Year	Total	% Change
2021	37	32% Decrease
2022	25	

Total PREA allegations decreased from 37 in 2021 to 25 in 2022 (32% decrease).

Comparison of Substantiated PREA Allegations for All Seven (7) Facilities

Substantiated PREA Allegations 2021 vs 2022		
Year	Total	% Change
2021	2	100% Decrease
2022	0	

For closed PREA cases, substantiated PREA allegations decreased from 2 in 2021 to 0 in 2022 (100% decrease).

Comparison of Resident-on-Resident Sexual Abuse PREA Allegations for All Seven (7) Facilities

RRSA PREA Allegations 2021 vs 2022		
Year	Total	% Change
2021	16	19% Increase
2022	19	

RRSA PREA allegations increased from 16 in 2021 to 19 in 2022 (19% increase).

Comparison of Resident-on-Resident Sexual Harassment PREA Allegations for All Seven (7) Facilities

RRSH PREA Allegations 2021 vs 2022		
Year	Total	% Change
2021	8	75% Decrease
2022	2	

RRSH PREA allegations decreased from 8 in 2021 to 2 in 2022 (75% decrease).

Comparison of Staff-on-Resident Sexual Abuse PREA Allegations for All Seven (7) Facilities

SRSA PREA Allegations 2021 vs 2022		
Year	Total	% Change
2021	10	60% Decrease
2022	4	

SRSA PREA allegations decreased from 10 in 2021 to 4 in 2022 (60% decrease).

Comparison of Staff-on-Resident Sexual Harassment PREA Allegations for All Seven (7) Facilities

SRSH PREA Allegations 2021 vs 2022		
Year	Total	% Change
2021	3	100% Decrease
2022	0	

The number of SRSH PREA allegations decreased from 3 in 2021 to 0 in 2022 (100% decrease).

Facility 2022 PREA Allegations by Type

Facility	Type of PREA Allegation				
	OG	SUB	UNSUB	UN	Total
Abraxas Academy, PA	6	0	0	0	6
Abraxas-I, PA	1		3	1	5
Abraxas Youth Center, PA	0	0	1	0	1
Leadership Development Program, PA	0	0	0	1	1
Abraxas Ohio, OH	5	0	0	0	5
Camp Aspen, SC	0	0	0	1	1
Southern Peaks Regional Treatment Center, CO	6	0	0	0	6

Facility 2022 PREA Allegations for Resident-on-Resident Sexual Abuse

Facility	RRSA PREA Allegation				
	OG	SUB	UNSUB	UN	Total
Abraxas Academy, PA	3	0	0	0	3
Abraxas-I, PA	0	0	3	0	3
Abraxas Youth Center, PA	0	0	1	0	1
Leadership Development Program, PA	0	0	0	1	1
Abraxas Ohio, OH	4	0	0	0	4
Camp Aspen, SC	0	0	0	1	1
Southern Peaks Regional Treatment Center, CO	6	0	0	0	6

Facility 2022 PREA Allegations for Resident-on-Resident Sexual Harassment

Facility	RRSH PREA Allegation				
	OG	SUB	UNSUB	UN	Total
Abraxas Academy, PA	2	0	0	0	2
Abraxas-I, PA	0	0	0	0	0
Abraxas Youth Center, PA	0	0	0	0	0
Leadership Development Program, PA	0	0	0	0	0
Abraxas Ohio, OH	0	0	0	0	0
Camp Aspen, SC	0	0	0	0	0
Southern Peaks Regional Treatment Center, CO	0	0	0	0	0

Facility 2022 PREA Allegations for Staff-on-Resident Sexual Abuse

Facility	SRSA PREA Allegation				
	OG	SUB	UNSUB	UN	Total
Abraxas Academy, PA	1	0	0	0	1
Abraxas-I, PA	1	0	0	1	2
Abraxas Youth Center, PA	0	0	0	0	0
Leadership Development Program, PA	0	0	0	0	0
Abraxas Ohio, OH	1	0	0	0	1
Camp Aspen, SC	0	0	0	0	0
Southern Peaks Regional Treatment Center, CO	0	0	0	0	0

Facility 2022 PREA Allegations for Staff-on-Resident Sexual Harassment

Facility	SRSH PREA Allegation				
	OG	SUB	UNSUB	UN	Total
Abraxas Academy, PA	0	0	0	0	0
Abraxas-I, PA	0	0	0	0	0
Abraxas Youth Center, PA	0	0	0	0	0
Leadership Development Program, PA	0	0	0	0	0
Abraxas Ohio, OH	0	0	0	0	0
Camp Aspen, SC	0	0	0	0	0
Southern Peaks Regional Treatment Center, CO	0	0	0	0	0

Actions to Enhance the PREA Program Across All Facilities

PREA Policies

- All PREA policies were reviewed in 2022. No revisions were necessary.

Annual PREA Facility Assessments

- Annual PREA Facility Assessments were completed at all facilities. Some of the facilities identified the following to enhance the physical plant: add windows to internal doors (e.g., therapist/counselors offices), remove doors (e.g., room where the barber cuts hair), additional internal and external cameras, replace older cameras, ensure PREA shower curtains are being used, and add convex mirrors to reduce blind spots.

PREA Investigations

- To help facilitate more timely closing of PREA investigations, a quarterly call with each PREA Compliance Manager and investigators will be conducted.