

# **Abraxas Youth & Family Services (AYFS)**

## **2023 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, 2023 through December 31, 2023. AYFS produced this report in compliance with 28 C.F.R. Part §§115.87-89.

In 2023, 45 allegations met the definitions of sexual abuse or sexual harassment. This report reflects the status of 2023 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 2023: Abraxas-I, Abraxas Ohio, and Camp Aspen. The facilities were in full compliance with all PREA standards and “exceeded” several standards. The following **facilities “exceeded” the following standards:**

#### **Abraxas-I: PREA Recertification Audit conducted August 7-8, 2023**

1. 115.311 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
2. 115.313 - Supervision and monitoring
3. 115.331 - Employee training
4. 115.341 - Obtaining information from residents
5. 115.342 - Placement of residents
6. 115.381 - Medical and mental health screenings; history of sexual abuse
7. 115.383 - Ongoing medical and mental health care for sexual abuse victims and abusers

#### **Abraxas Ohio: PREA Recertification Audit conducted August 9-10, 2023**

1. 115.311 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
2. 115.313 - Supervision and monitoring
3. 115.317 - Hiring and promotion decisions
4. 115.331 - Employee training
5. 115.333 - Resident education
6. 115.341 - Obtaining information from residents
7. 15.342 - Placement of residents
8. 115.378 - Interventions and disciplinary sanctions for residents
9. 115.381 - Medical and mental health screenings; history of sexual abuse
10. 115.383 - Ongoing medical and mental health care for sexual abuse victims and abusers

11. 115.386 - Sexual abuse incident reviews

### **Camp Aspen: PREA Recertification Audit conducted August 14-15, 2023**

1. 115.311 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
2. 115.333 - Resident education
3. 115.341 - Obtaining information from residents
4. 115.378 - Interventions and disciplinary sanctions for residents

### **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 2022 and 2023 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.

**2023 PREA Allegations by Type for All Seven (7) Facilities**

<b>PREA Allegation by Type</b>					
<b>Type</b>	<b>OG</b>	<b>SUB</b>	<b>UNSUB</b>	<b>UN</b>	<b>Total</b>
RRSA	9	2	18	8	19
RRSH	1	0	1	0	2
SRSA	1	0	2	3	4
SRSH	0	0	0	0	0
<b>Total</b>	11	2	21	11	<b>45</b>

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

<b>Total PREA Allegations 2022 vs 2023</b>		
<b>Year</b>	<b>Total</b>	<b>% Change</b>
2022	25	80% Increase
2023	45	

Total PREA allegations increased from 25 in 2022 to 45 in 2023 (80% increase).

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

<b>Substantiated PREA Allegations 2022 vs 2023</b>		
<b>Year</b>	<b>Total</b>	<b>% Change</b>
2022	0	100% Increase
2023	2	

For closed PREA cases, substantiated PREA allegations increase from 0 in 2022 to 2 in 2023 (100% increase).

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

<b>RRSA PREA Allegations 2022 vs 2023</b>		
<b>Year</b>	<b>Total</b>	<b>% Change</b>
2022	19	42% Increase
2023	27	

RRSA PREA allegations increased from 19 in 2022 to 28 in 2023 (42% increase).

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

<b>RRSH PREA Allegations 2022 vs 2023</b>		
<b>Year</b>	<b>Total</b>	<b>% Change</b>
2022	2	50% Increase
2023	3	

RRSH PREA allegations increase from 2 in 2022 to 3 in 2023 (50% increase).

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

<b>SRSA PREA Allegations 2022 vs 2023</b>		
<b>Year</b>	<b>Total</b>	<b>% Change</b>
2022	4	200% Increase
2023	12	

SRSA PREA allegations increased from 4 in 2022 to 12 in 2023 (200% increase).

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

<b>SRSH PREA Allegations 2022 vs 2023</b>		
<b>Year</b>	<b>Total</b>	<b>% Change</b>
2022	0	150% Increase
2023	3	

The number of SRSH PREA allegations increased from 0 in 2022 to 3 in 2023 (150% increase).

**Facility 2023 PREA Allegations by Type**

<b>Facility</b>	<b>Type of PREA Allegation</b>				<b>Total</b>
	<b>OG</b>	<b>SUB</b>	<b>UNSUB</b>	<b>UN</b>	
<b>Abraxas Academy, PA</b>	0	0	8	1	<b>9</b>
<b>Abraxas-I, PA</b>	6	0	7	0	<b>13</b>
<b>Abraxas Youth Center, PA</b>	0	0	0	0	<b>0</b>
<b>Leadership Development Program, PA</b>	0	0	2	0	<b>2</b>
<b>Abraxas Ohio, OH</b>	5	0	1	0	<b>6</b>

<b>Camp Aspen, SC</b>	0	0	0	0	<b>0</b>
<b>Southern Peaks Regional Treatment Center, CO</b>	0	2	3	10	<b>15</b>

**Facility 2023 PREA Allegations for Resident-on-Resident Sexual Abuse**

Facility	RRSA PREA Allegation				
	OG	SUB	UNSUB	UN	Total
<b>Abraxas Academy, PA</b>	0	0	1	1	<b>2</b>
<b>Abraxas-I, PA</b>	4	0	3	0	<b>7</b>
<b>Abraxas Youth Center, PA</b>	0	0	0	0	<b>0</b>
<b>Leadership Development Program, PA</b>	0	0	2	0	<b>0</b>
<b>Abraxas Ohio, OH</b>	4	0	1	0	<b>5</b>
<b>Camp Aspen, SC</b>	0	0	0	0	<b>0</b>
<b>Southern Peaks Regional Treatment Center, CO</b>	0	2	3	7	<b>12</b>

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

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

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

Facility	SRSA PREA Allegation				
	OG	SUB	UNSUB	UN	Total
<b>Abraxas Academy, PA</b>	0	0	6	0	<b>6</b>
<b>Abraxas-I, PA</b>	0	0	2	1	<b>3</b>
<b>Abraxas Youth Center, PA</b>	0	0	0	0	<b>0</b>
<b>Leadership Development Program, PA</b>	0	0	0	0	<b>0</b>
<b>Abraxas Ohio, OH</b>	1	0	0	0	<b>1</b>
<b>Camp Aspen, SC</b>	0	0	0	0	<b>0</b>
<b>Southern Peaks Regional Treatment Center, CO</b>	0	0	0	4	<b>4</b>

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

	SRSH PREA Allegation

<b>Facility</b>	<b>OG</b>	<b>SUB</b>	<b>UNSUB</b>	<b>UN</b>	<b>Total</b>
<b>Abraxas Academy, PA</b>	0	0	0	0	<b>0</b>
<b>Abraxas-I, PA</b>	1	0	2	0	<b>3</b>
<b>Abraxas Youth Center, PA</b>	0	0	0	0	<b>0</b>
<b>Leadership Development Program, PA</b>	0	0	0	0	<b>0</b>
<b>Abraxas Ohio, OH</b>	0	0	0	0	<b>0</b>
<b>Camp Aspen, SC</b>	0	0	0	0	<b>0</b>
<b>Southern Peaks Regional Treatment Center, CO</b>	0	0	0	0	<b>0</b>

**Actions to Enhance the PREA Program Across All Facilities**

PREA Policies

- In 2023, all of the PREA policies were reviewed. No revisions to the policies were needed.

PREA Training

- In 2023, all PREA trainings were reviewed. No revisions to the trainings were needed.

Annual PREA Facility Assessments

- All facilities completed the Annual PREA Facility Assessments. Some of the facilities identified physical plant areas to enhance (e.g., add cameras, add windows to internal doors replace older cameras, ensure PREA shower curtains are being used).

PREA Investigations

- To help facilitates close of PREA investigations in a timely manner, a quarterly call with each PREA Compliance Manager will be completed.