



2014 Prison Rape Elimination Act (PREA) Annual Report Lancaster County Youth Intervention Center

Introduction

The Prison Rape Elimination Act (PREA) was enacted in 2003 to eliminate sexual abuse and harassment in confinement settings. PREA's implementing regulations, the "Final National Standards to Prevent, Detect and Respond to Prison Rape," were published by the Department of Justice and became effective on June 20, 2012.

The County of Lancaster owns and operates the Lancaster County Youth Intervention Center. The director of the Youth Intervention Center is appointed by the Lancaster County Board of Commissioners. The Center provides both detention and shelter care services for males and females from the ages of 10 to 18. The Detention program has a 60 bed capacity, the Shelter program has a 24 bed capacity, and P.U.L.S.E. Weekend Program has a 12 bed capacity. The Center provides temporary safe and secure care for alleged delinquent juveniles and dependent juveniles. The Center also operates a treatment-based weekend program. The Youth Intervention Center is licensed by the Pennsylvania Department of Human Services and abides by their regulations. The County of Lancaster has zero tolerance toward all forms of sexual abuse and sexual harassment of all residents at the Lancaster County Youth Intervention Center. Residents of the Youth Intervention Center cannot give consent to engage in any sexual activity, regardless of age. Accordingly, it is the Youth Intervention Center's policy to ensure that any form of sexual activity between residents or between residents and staff, volunteers, or contract employees, regardless of consent, is strictly prohibited. Such conduct is subject to administrative disciplinary sanctions and may result in criminal prosecution.

In order to demonstrate compliance with PREA, juvenile facilities such as the Youth Intervention Center must be audited every three years. The Youth Intervention Center was audited by a U.S. Department of Justice-certified PREA auditor on October 28, 29, and 30, 2014. This audit revealed that the Youth Intervention Center met all the standards to prevent, detect and respond to prison rape, and exceeded the standards in resident reporting requirements. The next PREA audit scheduled to occur at the Youth Intervention Center will take place in October 2016.

The Youth Intervention Center collects data on every allegation of attempted and/or completed sexual abuse and sexual harassment at the facility, regardless of the ultimate outcome of the investigation. Each allegation is reported to ChildLine and the Lancaster County Detectives Unit or the Lancaster City Bureau of Police. Upon completion of the investigation by the appropriate law enforcement agency, the entire incident is reviewed by the Youth Intervention Center's administration. The purpose of the review is to determine if any changes to policy or practice at the Youth Intervention Center are needed to prevent future incidents. At the conclusion of the review, the review team prepares a report with its findings and recommendations.

Definitions

Youth on youth non-consensual 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.

Youth on youth 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. (This excludes any incidents in which the contact was incidental to a physical altercation).

Youth on youth sexual harassment – Repeated and unwelcome sexual advances and requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one youth directed toward another.

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 (excluding family, friends or other visitors). Sexual relationships of a romantic nature between staff and youths are included in this definition. Consensual or non-consensual 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 (excluding family, friends, or other visitors). This includes:

- Demeaning references to gender, or sexually suggestive or derogatory comments about body or clothing; or
- Repeated profane or obscene language or gestures.

Substantiated allegation – An allegation that was investigated and determined to have occurred.

Unsubstantiated allegation – An allegation that was investigated and produced insufficient evidence to make a final determination as to whether or not the event occurred.

Unfounded allegation – An allegation that was investigated and determined not to have occurred.

Facility Statistics

| Number of Persons Held in Facility on December 31, 2014 | 2014 |
|--|-------------|
| Total | 43 |
| Males | 30 |
| Females | 13 |

| Ages of Persons Held in Facility on December 31, 2014 | 2014 |
|--|-------------|
| Age 17 or younger | 40 |
| Age 18 to 20 | 3 |
| Age 21 or older | 0 |

| Number of Persons Admitted to or Discharged From Facility between January 1, 2014 and December 31, 2014 | 2014 |
|--|-------------|
| Total Number Admitted | 545 |
| Total Number Discharged | 571 |

Youth on Youth Sexual Victimization

In 2014, there were zero (0) reports of youth on youth sexual victimization.

| Youth on Youth Nonconsensual Sexual Acts | 2014 |
|---|-------------|
| Total Allegations | 0 |
| Substantiated | 0 |
| Unsubstantiated | 0 |
| Unfounded | 0 |
| Investigation Ongoing | 0 |

| Youth on Youth Abusive Sexual Contact | 2014 |
|--|-------------|
| Total Allegations | 0 |
| Substantiated | 0 |
| Unsubstantiated | 0 |
| Unfounded | 0 |
| Investigation Ongoing | 0 |

| Youth on Youth Sexual Harassment | 2014 |
|---|-------------|
| Total Allegations | 0 |
| Substantiated | 0 |
| Unsubstantiated | 0 |
| Unfounded | 0 |
| Investigation Ongoing | 0 |

Staff Sexual Misconduct

In 2014, there was one (1) allegation of staff sexual misconduct which was investigated and unfounded.

| Staff on Youth Sexual Misconduct | 2014 |
|---|-------------|
| Total Allegations | 1 |
| Substantiated | 0 |
| Unsubstantiated | 0 |
| Unfounded | 1 |
| Investigation Ongoing | 0 |

In 2014, there were zero (0) reports of staff sexual harassment.

| Staff on Youth Sexual Harassment | 2014 |
|---|-------------|
| Total Allegations | 0 |
| Substantiated | 0 |
| Unsubstantiated | 0 |
| Unfounded | 0 |
| Investigation Ongoing | 0 |

Total Substantiated Incidents for 2014: 0

Conclusion

The Lancaster County Youth Intervention Center strives to ensure the sexual safety of all residents and continues to thoroughly investigate any allegations or incidents of sexual abuse or harassment.

Anyone who suspects a resident of the Youth Intervention Center is being sexually abused or sexually harassed is urged to contact one of the following entities:

ChildLine

1-800-932-0313

www.compass.state.pa.us/cwis/public/home

YWCA of Lancaster

110 N. Lime Street

Lancaster, PA 17602

24-Hour Sexual Assault Hotline

717-392-7273

Lancaster City Bureau of Police

717-735-3300

Lancaster County Detectives

717-299-8100

Director of the Youth Intervention Center

717-299-7821

Any questions or concerns regarding the implementation of the Prison Rape Elimination Act (PREA) at the Lancaster County Youth Intervention Center should be directed to the Lancaster County PREA Coordinator at 717-735-1584.