



2017 Prison Rape Elimination Act (PREA) Annual Report

EIHAB Human Services

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. This federal act became mandated upon juvenile programs and recognized August 20, 2012 as the start date for compliance.

EIHAB Human Services already reported and kept records of all abuse allegations and exercised much of the PREA practices prior to the inception and imposing of PREA as a federal mandate. This practice assisted in the gathering and assessment of data prescribed by PREA regulations.

Agency Description

EIHAB Human Services currently offers residential, shelter, and drug and alcohol inpatient and outpatient programs to youth in Pennsylvania. These programs serve youth in both the child welfare and juvenile justice systems; youth with mental health and substance abuse diagnoses; and families experiencing varying levels of dysfunction.

EIHAB Human Services collects data on every allegation of sexual abuse and sexual harassment at the facility, regardless of the resulting outcome of the investigation. Each allegation is reported to ChildLine and/or PA State Police who in some cases will notify the responsible local law enforcement agency.

PREA Annual Review

Upon completion of the investigation by Children, Youth and Family Services and/or the appropriate law enforcement agency, a review is conducted by EIHAB Human Services' trained investigator as well as senior level administration. The objective of this review is to identify, evaluate and direct any determined changes to policy or practice at that specific facility or agency wide that are needed to prevent future incidents. A report with its findings and recommendations is produced at the completion of the review and kept on file.



Definitions (As prescribed by PREA and the Survey for Sexual Victims)

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 2017

Date	Time	Program	Living Unit	Gender	Race	Age	Yth/Yth Nonconsensual Sexual Act			Yth/Yth Abusive Sexual Act		
							Subs	Unsub	Unfound	Subs	Unsubs	Unfound
5/16/2017	6:45 PM	Residential	Fatma	Female	White	16			x			
5/16/2017	7:50 PM	Residential	Aruba	Male	White	15	x					
6/13/2017	10:15 PM	Residential	Fatma	Female	White	18	x					
8/9/2017	9:30 PM	Residential	Aruba	Male	Hispanic	14		x				

**No allegations were received for Youth/Staff Non-Consensual Sexual Acts or Sexual Harassment.*

Administrative Incident Review Recommendations

Staff Supervision:

Administration revised and approved the Client Accountability Procedure in which increased monitoring of client activities is conducted. Continual hiring of staff is ongoing to ensure that we are well within compliance and provide rigorous prevention of abuse or harassment.

Administration Supervision:

Administration has increased in number of unannounced walkthroughs of the dorm, in particular the 2nd shift in which all four incidents were alleged to have occurred. A third shift supervisor has also been hired to conduct routine walkthroughs to monitor all activities overnight as well.

Electronic Monitoring:

Video Surveillance was reviewed and several new cameras will be installed in "blind spots" noted in incident reviews.

Staff Training:

Staff were trained in LGBTI population treatment and care while in residential facilities. This will be included in the training material upon new hire and annually thereafter.