



Office of Children and Family Services

ANDREW M. CUOMO
Governor

SHEILA J. POOLE
Commissioner

Division of Juvenile Justice and Opportunities for Youth (DJJOY) Prison Rape Elimination Act (PREA) Annual Report Findings and Corrective Actions 2018

The New York State Office of Children and Family Services (OCFS), in its continuing effort to provide quality, therapeutic treatment to juveniles entrusted to the agency's care, has fully embraced the federal Prison Rape Elimination Act (PREA) principles. Prior to PREA, OCFS has had a long history of proactive policies and procedures, training for employees and youth on measures to keep youth safe, and methods to report sexual misconduct and abuse and harassment. OCFS employs an agency-level PREA coordinator to develop, implement and oversee agency compliance with PREA standards. Additionally, each OCFS Division of Juvenile Justice and Opportunity for Youth (DJJOY) facility has a designated and trained PREA compliance manager who oversees individual facility efforts to comply with PREA standards.

OCFS has implemented several changes within facilities to further comply with PREA standards. OCFS created and utilizes a risk assessment tool to identify youth who may be vulnerable to victimization as well as those youth who may exhibit predatory behaviors. OCFS has also enhanced training for all staff, youth and volunteers to promote our goal of optimal safety for youth.

OCFS operates 13 state juvenile facilities that provide services to more than 300 youth. In a continuing effort to provide a safe and therapeutic environment, OCFS is committed to improvement in the PREA standards, training and compliance. Below is a summary of reported incidents along with our findings and corrective action(s) taken pursuant to section 115.387, which shall be considered our Annual Report and posted for the public on the OCFS/PREA website at <http://ocfs.ny.gov/main/rehab/prea.asp>.

Summary and Findings:

In 2018, the New York State Office of Children and Family Services (OCFS) had the following Prison Rape Elimination Act (PREA) reports within its 13 facilities operated by the Division of Juvenile Justice and Opportunities for Youth (DJJOY):

Youth on Youth Non-Consensual Sexual Acts	=	1 Report -	(0 Substantiated, 1 Unsubstantiated, 0 Unfounded 0 pending)
Staff Sexual Misconduct with Youth	=	20 Reports -	(0 Substantiated, 6 Unsubstantiated, 14 Unfounded, 0 pending)
Youth on Youth Abusive Sexual Contact	=	17 Reports -	(0 Substantiated, 10 Unsubstantiated, 7 Unfounded 0 pending)
Youth on Youth Sexual Harassment	=	8 Reports -	(3 Substantiated, 2 Unsubstantiated, 3 Unfounded 0 pending)
Staff Sexual Harassment of Youth	=	11 Reports -	(1 Substantiated, 3 Unsubstantiated 7 Unfounded 0 pending)

Corrective Actions:

The following corrective actions were taken regarding substantiated reports:

Regarding Staff Sexual Harassment of Youth, an investigation was initiated and the report was substantiated, and the staff member involved was terminated from state employment.

Administrative disciplinary action was taken, and education and appropriate counseling were provided to each youth involved in the three substantiated reports of youth on youth sexual harassment.

New York State observed an increase in the total number of PREA allegations for 2018, but an overall decrease in the number of substantiated cases from the previous year. New York State will continue providing education and treatment to the youth placed within and staff working in our facilities.

Additionally, facilities have continued to receive upgrades to their individual video surveillance systems. The majority of all the above reports were captured on video.

PREA Compliance Audits:

Twelve (12) of the thirteen (13) OCFS/DJJOY-operated facilities were successfully audited in previous years. In 2018, OCFS began Year 2 of Cycle 2 of its PREA audits and four facilities' audits were successfully completed. All four of the facilities audited in 2018 (Finger Lakes Residential Center, Youth Leadership Academy, Brookwood Secure Center and Red Hook Residential Center) were in full compliance. OCFS will continue audits with Year 3 of Cycle 2 in 2019. Additionally, the Harriet Tubman Residential Center, which was opened in October of 2018, will be scheduled for its initial PREA audit. Training for all employees, youth and volunteers will continue.