



Office On Youth

Chaplin Youth Center

Annual PREA Report 2021

Background:

The Prison Rape Elimination Act (PREA) was passed by Congress and signed into law by President George W. Bush in 2003. The act is a national effort to prevent, detect and respond to sexual abuse and sexual harassment that occurs in confinement settings. During this session, The National Prison Rape Elimination Commission was established and charged with drafting national standards which apply to adult prisons and jails, juvenile facilities, lockups, and community confinement facilities. In June 2009, the standards were published and submitted to the Department of Justice for final passage. The final ruling of the standards became effective in August 2012.

Purpose:

The Prison Rape Elimination Act (PREA) requires that each agency shall collect accurate and uniform data of every allegation of sexual abuse or harassment for each facility under its direct control using a standardized instrument and set of definitions and shall aggregate the incident based sexual abuse data at least annually as written in the §115.387.

The overview is intended to:

- Identify areas of concerns on an ongoing basis of the agency and facility
- Identify corrective actions taken on an ongoing basis
- Compare and contrast the current year's corrective actions and preventions with previous years
- Assess the agency's and facility's progress of addressing sexual abuse and harassment

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Office on Youth PREA Policy

The Office on Youth – Chaplin Youth Center has a **zero-tolerance** policy toward any incident involving the sexual assault, sexual harassment, or rape of a resident. The purpose of this policy is to ensure residents are protected from sexual assault and sexual harassment and to outline the agency's approach to preventing, detecting, and responding to such conduct. This policy applies to all residents, OoY employees, contractors, volunteers, visitors, and all persons who conduct business with the agency. Sexual contact between residents and sexual contact between residents and employees, contractors, volunteers, and visitors is prohibited by Code of Virginia §18.2-64.2 and §18.2-67.4.

Agency Mission:

The Rappahannock Area Office on Youth has been serving the Greater Fredericksburg Region since 1989 by providing programs that promote healthy and responsible behavior in youth and young adults, encourage positive development, and support families.

Our Services:

The Office on Youth's Residential Services Division operates one facility – the Chaplin Youth Center, located at 125 Hot Top Rd, Fredericksburg, Virginia 22405. The Chaplin Youth Center is a 12 bed, community-based, residential facility serving male and female youth ages 12-17. Licensed by the Virginia Department of Juvenile Justice, the Center provides 24-hour supervision in a safe and structured environment, where residents are supported and encouraged to develop healthy, responsible behaviors, in order to return home and be successful in the community. Youth may be referred to two main programs as outlined below.

Shelter Care Services

- Youth must be court ordered or ordered via a shelter care order by a Court Services Unit (CSU) intake officer.
- A return court date must be set for discharge of the youth, or the CSU must request for release authority when the youth is initially ordered into shelter care.

Post-Dispositional Group Home

- A 6–12-month program for court-involved youth who require intensive behavior modification
- Program is designed to promote positive changes in decision-making skills while also developing coping skills, anger management, and life skills.
- A referral from a regional agency or community partner is required, and involves a pre-placement application and interview process to determine the appropriateness of placement.

PREA AUDIT 2021

Summary of Audit Findings:

The summary should include the number of standards exceeded, number of standards met, and number of standards not met, along with a list of each of the standards in each category. If relevant, provide a summarized description of the corrective action plan, including deficiencies observed, recommendations made, actions taken by the agency, relevant timelines, and methods used by the auditor to reassess compliance.

Number of standards exceeded: 0

Number of standards met: 43

Number of standards not met: 0

“Chaplin Youth Center was observed as being a highly structured program designed to meet specific needs for youth either requiring shelter care services or post-dispositional services for youth who require a less restrictive placement than secure detention. After a thorough review of the policy, observations during the site visit, and interviews conducted, the Auditor was able to affirm that Chaplin Youth Services proffers a “Zero Tolerance” culture toward all forms of sexual abuse and sexual harassment. The zero-tolerance policy is also visible on the facility’s website, on facility handouts, and posted throughout the building. While conducting the facility inspection, the Auditor verified that written information is visible and readily accessible to residents. The information was presented in multiple languages. The Auditor also observed signage on how to access language assistance services. Throughout the facility inspection, it was observed that staff make a concerted effort and take measures to prevent, detect, and respond to any form of sexual abuse/harassment; and that the residents interviewed feel safe and comfortable housed within the facility. During the onsite audit, the Auditor observed the presence of the appropriate ratio; a video surveillance system to include cameras that are strategically located to supplement staffing and to enhance supervision of residents; and the practice of administrators being present and visible.”

“In the past twelve (12) months, the facility has received zero (0) allegations of sexual abuse and two (2) sexual harassment. Both allegations of sexual harassment were investigated and resulted in unsubstantiated and unfounded dispositions. One of the two (2) investigations was referred to SCSO; the other was handled at the facility level. Upon review of the investigative files, the Auditor found that in both cases, interviews were conducted, written statements were taken, and proper notifications were made. The investigative reports, at a minimum, consisted of the allegation, statements, and an investigation summary. As both allegations involved resident-on-resident accusations, it was unnecessary to contact child protective services. In both cases, the responding staff performed first responder duties, created an incident report, and an administrator was notified who determined the need to refer the allegation to law enforcement and to further instruct any needed protective measures. Interviews with the facility investigators revealed that they were aware of their responsibilities and in the past have taken care to promptly and objectively handle all allegations.”

Data Collection

Resident-on-Resident Sexual Victimization

Non-Consensual Acts	2019	2020	2021
Allegations of Non-Consensual Acts	0	0	0
Allegations of Non-Consensual Acts Reported	0	0	0
Substantiated	0	0	0
Unsubstantiated	0	0	0
Unfounded	0	0	0
Ongoing Investigation	0	0	0
Abusive Sexual Contact	2019	2020	2021
Allegations of Abusive Sexual Contact	0	0	0
Allegations of Abusive Sexual Contact Reported	0	0	0
Substantiated	0	0	0
Unsubstantiated	0	0	0
Unfounded	0	0	0
Ongoing Investigation	0	0	0
Sexual Harassment	2019	2020	2021
Allegations of Sexual Harassment	0	2	0
Allegations of Sexual Harassment Reported	0	2	0
Substantiated	0	0	0
Unsubstantiated	0	2	0
Unfounded	0	0	0
Ongoing Investigation	0	0	0

Staff-on-Resident Sexual Victimization

Staff Misconduct	2019	2020	2021
Allegations of Staff Misconduct	0	0	0
Allegations of Staff Misconduct Reported	0	0	0
Substantiated	0	0	0
Unsubstantiated	0	0	0
Unfounded	0	0	0
Ongoing Investigation	0	0	0
Staff Sexual Harassment	2019	2020	2021
Allegations of Staff Sexual Harassment	0	0	0
Allegations of Staff Sexual Harassment Reported	0	0	0
Substantiated	0	0	0
Unsubstantiated	0	0	0
Unfounded	0	0	0
Ongoing Investigation	0	0	0

Definitions

Allegations and Investigations

All allegations are taken seriously and investigated. Administrative investigations are conducted using a preponderance of the evidence standard. The Department of Justice has issued, and OOH uses, the following definitions for investigative findings:

- **Substantiated:** The investigation concludes there is a greater than 50% chance the incident occurred; OOH administrative investigations impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.
- **Unsubstantiated:** The investigation concludes there is a less than 50% chance the incident occurred; there is insufficient evidence to make a final determination as to whether or not the event occurred.
- **Unfounded:** The investigation concludes there is no evidence the incident occurred.

Definitions

OOH uses the PREA federal definitions for all categories of sexual victimization.

Resident-on-Resident Sexual Victimization

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**
- 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.

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.
- **EXCLUDE** incidents in which the contact was incidental to a physical altercation.

Sexual Harassment

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

Staff-on-Resident Sexual Victimization

Staff Sexual Misconduct

Any behavior or act of a sexual nature directed toward a resident by an employee, volunteer, contractor, official visitor, or other agency representative (excludes family, friend, or other visitors).

Sexual relationships of a romantic nature between staff and residents are included in this definition.

Consensual or non-consensual acts include:

- Intentional touching, either directly or through the clothing of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to the 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 gratifications.

Staff Sexual Harassment

- 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; **OR**
- Repeated profane or obscene language or gestures.

Comparative Data Analysis

Resident-on-Resident Incidents

There were no allegations of sexual abuse during the period 2019-2021. Allegations of sexual harassment increased in 2020 as there were no previous allegations. Both allegations were unsubstantiated. There were no allegations in 2021. There were no allegations of non-consensual sexual acts during the period 2019-2021.

Staff-on-Resident Incidents

There were no allegations of staff sexual misconduct or staff sexual harassment during the period 2019-2021.

Agency Actions

Resident bedrooms and bathrooms are an identified area of concern as no cameras are in place to preserve resident privacy. Policies and practices are in place to mitigate these concerns and signs are in place on all bathroom doors as visual reminders to residents of these policies. In response to the two allegations from 2020, and as an added layer of prevention, the agency has added chimes to the bathroom doors to alert staff whenever a resident enters the bathroom in the event the resident does not alert staff according to policy.

OOY is committed to maintaining a zero-tolerance facility that provides a safe, healthy, non-sexualized environment where residents are free from sexual abuse and sexual harassment. OOY fulfills this commitment by constantly reassessing policies, procedures, data collection, audits, training, and education.



Jessica Wince
Assistant Residential Services Director
Chaplin Youth Center

06/15/2022

Date



Davy Fearon Jr.
Executive Director
Chaplin Youth Center

06/15/2022

Date