



FY17 PREA Annual Report Sequel Youth and Family Service Mingus Mountain Academy

BACKGROUND

The Prison Rape Elimination Act (PREA) was passed by Congress and signed into law by President George W. Bush in 2003 to prevent, detect and respond to sexual abuse that occurs in confinement settings. The National Prison Rape Elimination Commission developed national standards for reducing prison rape, which became final on June 20, 2012, when they were published by the Department of Justice (DOJ) in the Federal Register. PREA applies to adult prisons and jails, juvenile confinement facilities, lockups and community confinement facilities.

Implementation of the PREA standards in combating sexual abuse in confinement facilities will be contingent upon effective agency and facility leadership, and the development of an agency's principles prioritizing efforts to combat sexual abuse. The prevention of rape, sexual assault, or sexual misconduct is a top priority for Sequel Youth and Family Service. We have a zero tolerance for any incidence of rape, sexual assault or sexual misconduct; and make every effort to comply with applicable components of the Prison Rape Elimination Act (PREA) of 2003.

Pursuant to § 115.387 of the PREA standards

- (a) The agency shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.
- (b) The agency shall aggregate the incident-based sexual abuse data at least annually.
- (c) The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.
- (d) The agency shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.
- (e) The agency also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its residents.
- (f) Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.

Subsequently, these statistics are published in an annual report made public via the Sequel Youth and Family Services website, the annual report covers the reporting period from July 1, 2016 to June 30, 2017 and will provide the following:

- Sequel Youth and Family Services definitions;
- Findings of reported incidents of sexual abuse; and
- Corrective actions (if needed)



DEFINITIONS

Once a report of sexual abuse has been accepted and investigated, the incident will be classified using one of the following findings:

SUBSTANTIATED - allegation is supported by sufficient evidence to justify a reasonable conclusion of guilt.

UNSUBSTANTIATED - insufficient evidence to either prove or disprove the allegation.

UNFOUNDED - allegation is false or the agency that completes the investigation states that the allegation is unfounded.

Student on student sexually abusive penetration: Any sexual penetration by a student of another student. The sexual acts included are; contact between the penis and the vagina or the anus; contact between the mouth and the penis, vagina or anus; or, penetration of the anal or genital opening of another person by hand, finger or other object.

Student on student sexually abusive contact: Non-penetrating touching (either directly or through the clothing) of the genitalia, anus, groin, breast, inner thigh or buttocks without penetration by a student of another student, with or without the latter's consent, or of a student who is coerced into sexual contact by threats of violence, or of a student who is unable to refuse.

Student on student sexual harassment: Repeated and unwelcome sexual advances, requests for sexual favors, verbal comments, or gestures or actions of a derogatory or offensive sexual nature by one student directed towards another.

Staff on student sexually abusive penetration: Sexual penetration by a staff member of a student, including contact between the penis and vagina or anus; contact between the mouth and the penis, vagina or anus, or, penetration of the anal or genital opening of a student by a hand, finger or other object.

Staff on student sexually abusive contact: Includes non-penetrating touching (either directly or through the clothing) of the genitalia, anus, groin, breast, inner thigh or buttocks by a staff member of a student that is unrelated to official duties.

Staff on student sexual harassment: Repeated verbal comments or gestures of a sexual nature to a student by a staff member. Such statements include demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or profane or obscene language or gestures.



Staff on student indecent exposure: The display by a staff member of his or her uncovered genitalia, buttocks, or breast in the presence of a student.

Staff on student voyeurism: An invasion of a student’s privacy by staff for reasons unrelated to official duties or when otherwise not necessary for safety and security reasons.

Staff sexual misconduct: Includes any behavior or act of a sexual nature directed toward a student by an employee, volunteer, contractor, official visitor, or other agency representative. Sexual relationships of a romantic nature between staff and student(s) are included in this definition.

Sexual Exploitation: Includes allowing, permitting, or engaging a child to engage in prostitution, or allowing, permitting, encouraging, or engaging in the photographing, filming, or depicting of a child engaged in a sexual act.

When Mingus Mountain Academy first became aware that the Prison Rape Elimination Act of 2003 (PREA) would begin to apply to Juvenile Justice Facilities, Mingus Mountain Academy began to prepare for a PREA audit. In 2014, two staff member completed on-line training as well as participated in the Statewide PREA training to become a PREA trainer for campus. All staff members since then have been trained in PREA standards. Newly hired staff continues to be trained in PREA standards and yearly refresher training for PREA standards is instituted.

As of September 26, 2017, as determined through a compliance audit, Jett Corrections Consulting, LLC determined that Mingus Mountain Academy had met all PREA regulations for PREA Certification.

Sexual Abuse Allegations 2016-2017 Data

During FY17, there were no instances of substantiated incidents of youth on youth sexual violence. Mingus Mountain Academy reports instances of suspected child abuse to Arizona Department of Child Protective Services as well as to The Arizona Department of Health Services Inspections & Appeals, Health Facilities Surveyor. This chart indicates instances of staff on youth sexual violence or harassment.

	Substantiated	Unsubstantiated	Unfounded	Still Under Investigation
2015	0	0	0	0



2016	1	2	1	0
2017	0	4	4	0
Total	1	6	5	0

*As reported to PREA Coordinator for Sequel Youth and Family Services

PREA Compliance Activities and Investigations of Allegations

Sequel Youth and Family Services has a zero-tolerance policy relating to sexual assault/rape of a student and will cooperate in the investigation and prosecution of anyone involved in a sexual assault/rape of a Sequel Youth and Family Services student. The primary responsibility of all Sequel Youth and Family Services employees is student safety. This policy shall be followed in conjunction with all Federal and State mandatory reporting requirements.

Mingus Mountain Academy continues to teach and train its staff and students on our zero-tolerance policy for abuse, harassment and retaliation. Mingus Mountain Academy works hard to provide a safe environment for all youth on campus which starts at pre-admission screening, continues to admission process, nursing and clinical assessments, reviews and discussions with Group Living Department wherein all pertinent information is communicated with all departments on campus. Mingus Mountain Academy will continue to review and make adjustments necessary to ensure compliance at all times.

All sexual abuse allegations are reported to the proper authorities for investigation. Sequel cooperates with the investigative agency and follows up with any findings or recommendations from the investigation.

Sequel PREA Coordinator conducts internal Critical Incident Reviews on reported sexual abuse allegations. The review consists of environmental factors, human factors, system factors as well as any corrective actions items that need to be follow up on. If system issues are identified, these are shared with other Sequel programs to ensure that each program has an effective process in place for the safety of our residents.