



JDRDC 2022 PREA Annual Report of Sexual Abuse Incidents

Reporting period: January 1, 2022 to December 31, 2022

Introduction

The data reflected in this report encompasses survey responses from four juvenile facilities regarding reports of sexual victimization during 2020, 2021, and 2022. Facilities surveyed include: Juvenile Detention Center (JDC), Foundations (female residential facility), Stepping Stones (male residential facility), and Shelter Care (SC). A full list of definitions can be found at the end of the document.

100% of facilities are owned and operated by the county for all three years:		On December 31, 2022, there were 10 females (34%) and 19 males (66%) being held across facilities.																
<table border="1"> <thead> <tr> <th>County</th> <th>100%</th> </tr> </thead> <tbody> <tr> <td>State</td> <td>0%</td> </tr> <tr> <td>Local or Municipal Government</td> <td>0%</td> </tr> <tr> <td>Private Agency</td> <td>0%</td> </tr> <tr> <td>Native American Tribal Government</td> <td>0%</td> </tr> </tbody> </table>	County	100%	State	0%	Local or Municipal Government	0%	Private Agency	0%	Native American Tribal Government	0%	<table border="1"> <thead> <tr> <th>Gender</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Male</td> <td>66%</td> </tr> <tr> <td>Female</td> <td>34%</td> </tr> </tbody> </table>		Gender	Percentage	Male	66%	Female	34%
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- On December 31, 2022:
 - 93% (n=27) of juveniles being held were age 17 or younger
 - 7% (n=2) were age 18 to 20
 - 0% (n=0) were age 21 or older
- For calendar year 2022, 497 juveniles were admitted across the four facilities.
- 100% of facilities record all reported allegations of youth-on-youth nonconsensual sexual acts, youth-on-youth abusive sexual contact and youth-on-youth sexual harassment.
- 100% of facilities report all incidents of staff sexual misconduct and staff sexual harassment.

Below is a breakdown of reported allegations for youth-on-youth nonconsensual sexual acts, youth-on-youth abusive sexual contact, youth-on-youth sexual harassment, staff sexual misconduct, and staff sexual harassment by facility.

Juvenile Detention Center

Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Table 3: JDC Reports of Youth-on-Youth Sexual Harassment		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	1	1
2022	4	1

There were four reported allegations at the Juvenile Detention Center in 2022. One of the reported cases was found to be **substantiated**. This case involved a youth making inappropriate sexual comments toward another youth in the cafeteria:

- Youth denied making comments; however, based on interviews of residents and staff who were nearby during the alleged incident, it was determined that the incident did occur.
- Youth was counseled about making inappropriate sexual comments and moved to another unit.
- As a precautionary measure, the youth’s Red Flags were updated to shower last and alone and to be kept separate from the resident involved.

The three remaining reported allegations at JDC were either unfounded or unsubstantiated. The **unfounded** allegation involved inappropriate sexual comments made in the cafeteria by a resident threatening to rape another resident:

- Based on interviews of residents and staff who were nearby during the alleged incident, it was determined that the investigated allegation was unfounded.
- There was no definitive evidence that the resident said he was going to rape the other resident.
- While unfounded, the Red Flags were updated for both residents to keep them separated and for the complainant to always sit by staff to help ensure his safety.

The **unsubstantiated** allegation involved a resident reporting that another resident (same youth as in the allegation below) made sexually inappropriate comments toward him and other residents:

- Based on resident and staff interviews it was determined that the investigated allegation was unsubstantiated.
- There was no clear evidence that the comments were made.
- The resident was moved to another facility to ensure his safety.
- Red Flags were updated for both residents to keep them separate and to monitor youth’s interactions with other residents.

The other **unsubstantiated** allegation involved a resident reporting that another resident (same youth as in the allegation above) had been making inappropriate sexual comments for some time, and they feel unsafe:

- Based on resident and staff interviews it was determined that the investigated allegations were unsubstantiated.
- There was no clear evidence that the comments were made.
- The resident was moved to another facility to ensure his safety.
- Red Flags were updated for both residents to keep them separate and to monitor youth’s interactions with other residents.

None of the four reported allegations required referral for criminal investigation or follow-up for potential retaliation. After review, the incidents did not indicate a need to change policy or practice to better prevent, detect, or respond to sexual abuse. Upon administrative review, the incidents were deemed NOT to be motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, intersex identification, perceived status, or gang affiliation. Group dynamics at the facility did not motivate or otherwise cause the alleged incident and no physical barriers in the areas contributed to the alleged incident. Staffing levels were deemed to be adequate, and it was determined there was no need for monitoring technology to be augmented to supplement supervision. **No necessary recommendations for improvement were identified.**

Table 4: JDC Reports of Staff Sexual Misconduct		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	1	0
2022	1	0

There was one **unfounded** allegation of staff sexual misconduct at JDC in 2022 that involved an alleged sexual assault:

- Youth alleged that he had been sexually assaulted during the intake process. The incident was determined to move forward with a criminal investigation.
- The youth would not speak or provide any information to staff. He also would not give any identifying information. Police were called to investigate allegations. When they arrived, the youth refused to speak.
- Based on multiple unsuccessful attempts to speak with the youth to obtain details, review of surveillance videos, staff interviews, police follow up, and the internal PREA investigation, this case was determined to be unfounded.

The incident did require a criminal investigation follow-up. Additionally, after review, the incident did not indicate a need to change policy or practice to better prevent, detect, or respond to sexual abuse. Via administrative review, the incident was deemed NOT to be motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, intersex identification, perceived status, or gang affiliation. Group dynamics at the facility did not motivate or otherwise cause the alleged incident and no physical barriers in the areas contributed to the alleged incident. Staffing levels were deemed to be adequate, and it was determined that there was no need for monitoring technology to be augmented to supplement supervision. **No necessary recommendations for improvement were made.**

Table 5: JDC Reports of Staff Sexual Harassment		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Foundations

Table 6: Foundations Reports of Youth-to-Youth Nonconsensual Sexual Acts		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Table 7: Foundations Reports of Youth-on-Youth Abusive Sexual Contact		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Table 8: Foundations Reports of Youth-on-Youth Sexual Harassment		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Table 9: Foundations Reports of Staff Sexual Misconduct		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Table 10: Foundations Reports of Staff Sexual Harassment		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Stepping Stones (SS)

Table 11: Stepping Stones Reports of Youth-to-Youth Nonconsensual Sexual Acts		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Table 12: Stepping Stones Reports of Youth-on-Youth Abusive Sexual Contact		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Table 13: Stepping Stones Reports of Youth-on-Youth Sexual Harassment		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Table 14: Stepping Stones Reports of Staff Sexual Misconduct		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Table 15: Stepping Stones Reports of Staff Sexual Harassment		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Shelter Care

Table 16: Shelter Care Reports of Youth-to-Youth Nonconsensual Sexual Acts		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Table 17: Shelter Care Reports of Youth-on-Youth Abusive Sexual Contact		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Table 18: Shelter Care Reports of Youth-on-Youth Sexual Harassment		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Table 19: Shelter Care Reports of Staff Sexual Misconduct		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Table 20: Shelter Care Reports of Staff Sexual Harassment		
Year	# of Reported Allegations	# of Substantiated Allegations
2020	0	0
2021	0	0
2022	0	0

Summary

From 2020 to 2022, there have been **seven total** reported allegations regarding sexual victimization.

- Across the four reporting facilities, there have been five total allegations of **youth-on-youth sexual harassment** during this period.
 - Two allegations (one in 2021 and one in 2022) were deemed substantiated, both occurring at JDC.
- Across the four reporting facilities, there have been two total allegations of **staff sexual misconduct** during this period.
 - Both allegations of staff sexual misconduct (one in 2021 and one in 2022) were deemed unsubstantiated, both occurring at JDC.
- Across the four reporting facilities, there have been **no allegations of youth-on-youth nonconsensual acts, youth-on-youth abusive sexual contact, or staff sexual harassment.**

The agency continues to address sexual abuse by conducting ongoing incident reviews, staffing pattern reviews, ongoing vulnerability assessments, and regular training of existing and new staff.

DocuSigned by:

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R. Matt Thompson, Director, Court Service Unit

Date

DEFINITIONS:

SEXUAL ABUSE includes:

- a. Sexual abuse of a resident by another resident; and
- b. Sexual abuse of a resident by a staff member, contractor, or volunteer.

RESIDENT ON RESIDENT SEXUAL VICTIMIZATION

Nonconsensual Sexual Acts and Abusive Sexual Contact of a Resident by another Resident includes sexual contact of any person without his or her consent or of a person who is unable to consent or refuse, and:

- a. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- b. Contact between the mouth and the penis, vulva, or anus;
- c. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- d. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

STAFF ON RESIDENT SEXUAL ABUSE (Including Abuse of a Resident by a Staff Member, Contractor, or Volunteer) includes any of the following acts, with or without consent of the resident:

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 (exclude family, friends or other visitors).


Sexual relationships of a romantic nature between staff and residents are included in this definition. Consensual or nonconsensual sexual acts include:

- a. Any intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- b. Completed, attempted, threatened, or requested sexual acts;
- c. Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for reasons unrelated to official duties or for sexual gratification.

Voyeurism by a Staff Member, Contractor, or Volunteer – An invasion of privacy of a resident by staff for reasons unrelated to official duties; requiring a resident to expose his or her buttocks, genitals, or breasts; or taking images of all or part of a resident’s naked body or of a resident performing bodily functions.

STAFF SEXUAL HARRASSMENT

- a. Repeated verbal comments or gestures of a sexual nature to a 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.

 Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities. Reasonable accommodations will be provided upon request. For information, call Juvenile Court Administration, 703-246-3343, TTY: 711.

April 2023

<https://www.fairfaxcounty.gov/juveniledomesticrelations/residential-services/prea>