



# JDRDC 2019 PREA Annual Report of Sexual Abuse Incidents

Reporting period: January 1, 2017 to December 31, 2019

## Introduction

The data reflected in this report encompasses survey responses from four juvenile facilities regarding reports of sexual victimization during 2017, 2018, 2019. Facilities surveyed include: Juvenile Detention Center (JDC), Foundations (female residential facility), Stepping Stones (male residential facility), and Shelter Care (SC).

100% of facilities are owned and operated by the county for all three years:	On December 31, 2019, there were 13 (24%) females and 42 (76%) males 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>76%</td> </tr> <tr> <td>Female</td> <td>24%</td> </tr> </tbody> </table>	Gender	Percentage	Male	76%	Female	24%
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- On December 31, 2019, 95% (n=52) of juveniles being held were age 17 or younger, 5% (n=3) were 18 to 20, and 0% (n=0) were age 21 or older.
- Between January 1, 2019 and December 31, 2019, there were 708 total juveniles 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-to-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
2017	0	0
2018	0	0
2019	0	0

Year	# of Reported Allegations	# of Substantiated Allegations
2017	0	0
2018	0	0
2019	0	0

Year	# of Reported Allegations	# of Substantiated Allegations
2017	4	2
2018	0	0
2019	2	0

During 2017, there were four reported allegations of youth-on-youth harassment. Two allegations were substantiated, each involving two males. The first involved a youth reporting a second youth had made inappropriate sexual comments and acted inappropriate during a movie. The youth admitted to making comments, but stated he was just joking. Based on interviews and youth's acknowledgement of comments, the report was deemed substantiated. Resident was counseled about actions and had precautions updated in the case management system. The resident later received room restriction for inappropriately touching another resident but went to court and was released before a follow-up was conducted.

The second substantiated allegation involved two other male residents. A staff member overheard one youth yell an inappropriate comment to another youth. Due to the resident having a history of disrespectful/inappropriate comments and the staff member's report, resident was counseled about the incident and moved to a separate unit.

The other two allegations were deemed unsubstantiated. The first involved a resident reporting another resident made inappropriate comments to him. Staff addressed the comments and amended the youth's precautions. On a later date, the same youth made additional inappropriate comments, at which time the incident was referred for an investigation. Based on interviews with residents and staff, it was deemed there was not enough evidence to make a final determination.

Lastly, the final allegation involved a resident reporting that another resident stood on the toilet in his room and exposed his buttocks to him. After interviews and review of camera footage, the allegation was deemed unsubstantiated. Although unsubstantiated, both residents' precautions were raised to minimize contact with one another. The accused resident was advised of possible consequences for any future substantiated allegations, as there have been previous PREA allegations made against him.

Two unsubstantiated allegations occurred at the Juvenile Detention Center during 2019. The first involved alleged inappropriate comments containing sexual innuendos. While one teacher indicated they observed the interaction, an additional staff member had no first-hand knowledge. All residents involved denied any knowledge or involvement regarding the incident. While unsubstantiated, it was confirmed that the resident alleged to have made the comments had been terminated from a prior residential facility as a result of a PREA investigation (see below for 2019 incidents at Stepping Stones). As a precaution, Red Flags were updated to reflect potential negative actions/behaviors towards peers.

The second unsubstantiated allegation at the Juvenile Detention Center also involved alleged sexual comments made from two residents to a third resident (youth referenced in the above incident) while in line during transfer for dinner. Interviews were conducted with the three involved residents, staff members, and fellow residents who were nearby during the alleged incident. There was insufficient evidence to determine whether the incident occurred. As a precaution, Red Flags were updated and plans to monitor interactions between the residents, including keeping them separated when possible.

These unsubstantiated incidents at JDC did not require follow up for potential retaliation. Additionally, after review, the incident did not indicate a need to change policy or practice to better prevent, detect, or respond to sexual abuse. Upon administrative review, the incident was deemed NOT to be motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, intersex identification, or gang affiliation; however, both 2019 allegations were determined to be motivated by perceived status. 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.

<b>Table 4: JDC Reports of Staff Sexual Misconduct</b>		
<b>Year</b>	<b># of Reported Allegations</b>	<b># of Substantiated Allegations</b>
2017	0	0
2018	0	0
2019	0	0

<b>Table 5: JDC Reports of Staff Sexual Harassment</b>		
<b>Year</b>	<b># of Reported Allegations</b>	<b># of Substantiated Allegations</b>
2017	0	0
2018	0	0
2019	0	0

## Foundations

<b>Table 6: Foundations Reports of Youth-to-Youth Nonconsensual Sexual Acts</b>		
<b>Year</b>	<b># of Reported Allegations</b>	<b># of Substantiated Allegations</b>
2017	0	0
2018	0	0
2019	0	0

<b>Table 7: Foundations Reports of Youth-on-Youth Abusive Sexual Contact</b>		
<b>Year</b>	<b># of Reported Allegations</b>	<b># of Substantiated Allegations</b>
2017	0	0
2018	0	0
2019	0	0

<b>Table 8: Foundations Reports of Youth-on-Youth Sexual Harassment</b>		
<b>Year</b>	<b># of Reported Allegations</b>	<b># of Substantiated Allegations</b>
2017	0	0
2018	0	0
2019	0	0

<b>Table 9: Foundations Reports of Staff Sexual Misconduct</b>		
<b>Year</b>	<b># of Reported Allegations</b>	<b># of Substantiated Allegations</b>
2017	0	0
2018	0	0
2019	0	0

<b>Table 10: Foundations Reports of Staff Sexual Harassment</b>		
<b>Year</b>	<b># of Reported Allegations</b>	<b># of Substantiated Allegations</b>
2017	0	0
2018	0	0
2019	0	0

## Stepping Stones (SS)

Year	# of Reported Allegations	# of Substantiated Allegations
2017	0	0
2018	0	0
2019	0	0

Year	# of Reported Allegations	# of Substantiated Allegations
2017	0	0
2018	0	0
2019	0	0

Year	# of Reported Allegations	# of Substantiated Allegations
2017	2	2
2018	0	0
2019	2	2

SS had two substantiated allegations of youth-on-youth sexual harassment in 2017. These incidents occurred at two separate times involving the same two youth. The first incident involved one youth making inappropriate comments to another youth. The two youth frequently made jokes to one another, but one youth had recently become uncomfortable and asked that the comments stop. The second incident occurred eight days later. The youth who reported being uncomfortable reported he was hit with a pillow by the same youth who had made an inappropriate comment to him. This led to a verbal altercation. Due to the second youth receiving multiple redirections for aggressive behavior, sexual comments, and failure to follow direction, he was ultimately terminated from the program.

None of the incidents required criminal investigation or follow-up for potential retaliation. Additionally, 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 were believed to have contributed to the initial reported incident at SS. Staffing levels were deemed to be adequate for both facilities and it was determined there was no need for monitoring technology to be augmented to supplement supervision. No necessary recommendations for improvement were identified.

There were two substantiated allegations in 2019 that involved the same two residents. The first incident involved a resident calling a second resident derogatory names and making sexually harassing comments. The day following these comments, a third, uninvolved youth reported seeing the resident who had made the comments making sexual gestures towards the same resident who he had harassed the day prior. Resident in question was separated from the group, closely monitored by staff, and was to not be around other resident.

Three days following above incident, reporting resident again stated he was receiving inappropriate comments from the same resident. As this behavior seemed to be continuing, Director of the program was notified, and a detention order was filed to remove resident from Stepping Stones.

Neither of these substantiated allegations required referral for criminal investigation or follow up for potential retaliation. After review, the incident did not indicate a need to change policy or practice to better prevent, detect, or respond to sexual abuse. Upon 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 there was no need for monitoring technology to be augmented to supplement supervision. No necessary recommendations for improvement were identified.

Year	# of Reported Allegations	# of Substantiated Allegations
2017	0	0
2018	0	0
2019	0	0

Year	# of Reported Allegations	# of Substantiated Allegations
2017	0	0
2018	0	0
2019	0	0

## Shelter Care

Year	# of Reported Allegations	# of Substantiated Allegations
2017	0	0
2018	0	0
2019	0	0

Year	# of Reported Allegations	# of Substantiated Allegations
2017	0	0
2018	0	0
2019	0	0

Year	# of Reported Allegations	# of Substantiated Allegations
2017	0	0
2018	0	0
2019	0	0

Year	# of Reported Allegations	# of Substantiated Allegations
2017	0	0
2018	0	0
2019	1	0

There was one unsubstantiated allegation of staff sexual misconduct at Shelter Care during 2019. This allegation involved a resident reporting that they had experienced both sexual and physical assault during their stay at Shelter Care. During interviews with two Shelter Care staff members, resident would not provide additional information or specifics regarding the incidents. During interviews with SC staff, resident alleged an assault had occurred “as recently as last night” when staff entered their room. As such, bed check logs and CCV footage were reviewed. Both confirmed staff had conducted room checks every 15 minutes, resident had not left their room overnight, and no staff ever entered resident’s room. In addition to police, CPS and resident’s mother were promptly notified of the incident. Due to lack of evidence and no further cooperation from resident, incident was deemed unsubstantiated.

The incident did not require follow up for potential retaliation. Additionally, after review, the incident did not indicate a need to change policy or practice to better prevent, detect, or respond to sexual abuse. Upon 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 there was no need for monitoring technology to be augmented to supplement supervision. No necessary recommendations for improvement were identified.

Year	# of Reported Allegations	# of Substantiated Allegations
2017	0	0
2018	0	0
2019	0	0

## Summary

Over the last three years, there have been few reported allegations regarding sexual victimization. Across the four reporting facilities, there have been eight total allegations of youth-on-youth sexual harassment. Four of these have been confirmed: two at the Juvenile Detention Center in 2017 and two at Stepping Stones in 2019. There have been no allegations of youth-on-youth nonconsensual acts, youth-on-youth abusive sexual contact, staff sexual misconduct, 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.

*Lois Winters* *Bob Bermingham*

Robert A. Bermingham, Jr., Director, Court Service Unit

*2-10-20*  
Date



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.

February 2020

[www.fairfaxcounty.gov/courts/jdr](http://www.fairfaxcounty.gov/courts/jdr)