



VICTORIA REGIONAL JUVENILE JUSTICE/DETENTION FACILITY
JUVENILE SERVICES
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2023 PREA Annual Report CY 2022

This document serves as an annual review to assess and improve the effectiveness of the sexual abuse prevention, detection and response policies, practices, and training in the Victoria County Juvenile Justice Center (VRJJC) pursuant to 115.387 and 115.388 of the National PREA standards.

Final audit reports of the VRJJC conducted by the Department of Justice are posted on the Victoria County website under Juvenile Detention Services. The PREA facility audit was conducted and completed 8/12/23. The facility met all PREA standards.

Accurate, uniform data will be collected on every allegation of sexual abuse and sexual harassment using a standardized instrument Survey of Sexual Victimization (SSV) from the Department of Justice and a set of definitions as defined in PREA standards (115.6). All allegations of sexual abuse and sexual harassment, verbal or written, are collected from agency reports, investigations, and sexual abuse incident reviews.

Definitions Related to Sexual Abuse:

Nonconsensual Sexual Acts – Sexual contact of any person without his/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/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. Excluding incidents in which the contact was incidental to a physical altercation.

Sexual Misconduct:

Grooming behavior or inappropriate sexual behavior that does not reach the level of sexual harassment or Sexual Abuse.

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 Sexual Misconduct – Any behavior or act of a sexual nature directed toward a youth 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 youth are included in this definition. Consensual or nonconsensual sexual acts include – Intentional touching, either directly or through the clothing of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with the intent to abuse, arouse, or gratify sexual desire; or Completed, attempted, threatened, or reasons unrelated to official duties or for sexual gratification.

Staff Sexual Harassment – Repeated verbal statements, comments or gestures of a sexual nature to a youth by an employee, volunteer, contractor, official visitor, or other agency representative, (exclude family, friend, or other visitors). Include – Demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing; or Repeated profane or obscene language or gestures.

Investigation Findings are determined based on the preponderance of the evidence standard:

Substantiated – the investigation determined the event to have occurred based on a preponderance of evidence.

Unsubstantiated – the investigation concluded the evidence was insufficient to determine if the event did or did not occur.

Unfounded – the investigation determined the event did not occur.

Data will be analyzed at least annually. The review of the sexual abuse and sexual harassment allegations for the period of January 1, 2022 – December 31, 2022 is included. The data in this section contains aggregate data as well as comparison data from previous assessments for CY2014, CY2015, CY2016, CY2017, CY2018, CY 2019, CY2020, CY2021 and CY2022.

All data collected from the previous year will be provided to the Department of Justice no later than June 30th when requested.

VRJJC PREA YEAR-OVER-YEAR ANALYSIS

| YOUTH ON YOUTH NONCONSENSUAL SEXUAL ABUSE | | | | | | | |
|---|------------------|----------------|-------|---------|-----------|-------|-----------------------|
| Year | # of Allegations | # Investigated | # SUB | # UNSUB | # Unfound | Total | Trend from Prior Year |
| 2022 | 0 | 0 | 0 | 0 | 0 | 0 | Same |
| 2021 | 0 | 0 | 0 | 0 | 0 | 0 | Same |
| 2020 | 0 | 0 | 0 | 0 | 0 | 0 | Same |
| 2019 | 0 | 0 | 0 | 0 | 0 | 0 | Same |
| 2018 | 0 | 0 | 0 | 0 | 0 | 0 | Same |
| 2017 | 0 | 0 | 0 | 0 | 0 | 0 | Same |
| 2016 | 0 | 0 | 0 | 0 | 0 | 0 | Same |
| 2015 | 0 | 0 | 0 | 0 | 0 | 0 | Decreased |
| 2014 | 2 | 2 | 2 | 0 | 0 | 2 | |

| YOUTH ON YOUTH ABUSIVE SEXUAL CONTACT | | | | | | | |
|---------------------------------------|------------------|----------------|-------|---------|-----------|-------|-----------------------|
| Year | # of Allegations | # Investigated | # SUB | # UNSUB | # Unfound | Total | Trend from Prior Year |
| 2022 | 0 | 0 | 0 | 0 | 0 | 0 | Same |
| 2021 | 0 | 0 | 0 | 0 | 0 | 0 | Same |
| 2020 | 0 | 0 | 0 | 0 | 0 | 0 | Decreased |
| 2019 | 2 | 2 | 1 | 0 | 1 | 2 | Decreased |
| 2018 | 1 | 1 | 0 | 1 | 0 | 1 | Increased |
| 2017 | 0 | 0 | 0 | 0 | 0 | 0 | Decreased |
| 2016 | 2 | 2 | 2 | 0 | 0 | 2 | Increased |
| 2015 | 5 | 5 | 3 | 2 | 0 | 5 | Increased |
| 2014 | 0 | 0 | 0 | 0 | 0 | 0 | |

| YOUTH ON YOUTH SEXUAL HARASSMENT | | | | | | | |
|----------------------------------|------------------|----------------|-------|---------|-----------|-------|-----------------------|
| Year | # of Allegations | # Investigated | # SUB | # UNSUB | # Unfound | Total | Trend from Prior Year |
| 2022 | 12 | 12 | 8 | 4 | 0 | 12 | Increased |
| 2021 | 4 | 4 | 4 | 0 | 0 | 4 | Increased |
| 2020 | 3 | 3 | 2 | 1 | 0 | 3 | Increased |
| 2019 | 9 | 9 | 5 | 3 | 1 | 9 | Increased |
| 2018 | 2 | 2 | 0 | 1 | 1 | 2 | Decreased |
| 2017 | 7 | 7 | 5 | 1 | 1 | 7 | Decreased |
| 2016 | 5 | 5 | 3 | 2 | 0 | 5 | Increased |
| 2015 | 5 | 5 | 3 | 0 | 2 | 5 | Increased |
| 2014 | 3 | 3 | 1 | 0 | 2 | 3 | |

| STAFF SEXUAL MISCONDUCT | | | | | | | |
|-------------------------|------------------|----------------|-------|---------|-----------|-------|-----------------------|
| Year | # of Allegations | # Investigated | # SUB | # UNSUB | # Unfound | Total | Trend from Prior Year |
| 2022 | 1 | 1 | 0 | 0 | 1 | 1 | Same |
| 2021 | 2 | 2 | 0 | 0 | 2 | 2 | Increased |
| 2020 | 1 | 1 | 0 | 0 | 1 | 1 | Same |
| 2019 | 1 | 1 | 0 | 0 | 1 | 1 | Same |
| 2018 | 1 | 1 | 0 | 0 | 1 | 1 | Same |
| 2017 | 1 | 1 | 0 | 0 | 1 | 1 | Same |
| 2016 | 1 | 1 | 0 | 0 | 1 | 1 | Same |
| 2015 | 1 | 1 | 0 | 0 | 1 | 1 | Increased |
| 2014 | 0 | 0 | 0 | 0 | 0 | 0 | |

| STAFF SEXUAL HARASSMENT | | | | | | | |
|-------------------------|------------------|----------------|-------|---------|-----------|-------|-----------------------|
| Year | # of Allegations | # Investigated | # SUB | # UNSUB | # Unfound | Total | Trend from Prior Year |
| 2022 | 0 | 0 | 0 | 0 | 0 | 0 | Same |
| 2021 | 0 | 0 | 0 | 0 | 0 | 0 | Same |
| 2020 | 0 | 0 | 0 | 0 | 0 | 0 | Decreased |
| 2019 | 1 | 1 | 0 | 1 | 0 | 1 | Same |
| 2018 | 1 | 1 | 1 | 0 | 0 | 1 | Increased |
| 2017 | 1 | 1 | 0 | 0 | 1 | 1 | Same |
| 2016 | 1 | 1 | 1 | 0 | 0 | 1 | Increased |
| 2015 | 0 | 0 | 0 | 0 | 0 | 0 | Same |
| 2014 | 0 | 0 | 0 | 0 | 0 | 0 | |

Population

| | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 |
|---------------|------|------|------|------|------|------|
| Male | 449 | 394 | 499 | 340 | 332 | 312 |
| Female | 193 | 161 | 213 | 147 | 135 | 119 |
| Total | 642 | 555 | 712 | 487 | 467 | 431 |

Admissions & Discharges

| | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 |
|------------|------|------|------|------|------|------|------|
| Admitted | 656 | 595 | 515 | 667 | 438 | 437 | 431 |
| Discharged | 646 | 605 | 513 | 661 | 457 | 430 | 425 |

CY 2022 Allegations

| Allegations | Youth/Youth Sexual Harassment | Youth/Youth Abusive Sexual Contact | Staff/Youth Sexual Misconduct | Staff/Youth Sexual Harassment |
|--------------------------|-------------------------------|------------------------------------|-------------------------------|-------------------------------|
| Substantiated | 8 | 0 | 0 | 0 |
| Unsubstantiated | 4 | 0 | 0 | 0 |
| Unfounded | 0 | 0 | 1 | 0 |
| Total Allegations | 12 | 0 | 1 | 0 |

All alleged victims were separated from the perpetrator until the conclusion of the investigation. There were no instances of retaliation reported regarding these incidents.

Comparison

A comparison between the 2021 and 2022 statistics in each reporting category has been completed to ascertain what progression and/or regression VRJJF has made towards the prevention and eventual elimination of sexual abuse and sexual harassment in the facility is as follows:

Youth on youth sexual harassment allegations ratio increased (4:12). The increase may be due to the population (youth remaining for longer periods of time in detention due to TJJD intakes), the continued education of the youth regarding PREA, and what constitutes a PREA violation.

Youth on youth abusive sexual contact allegation ratio has remained the same (0:0).

Staff sexual misconduct allegation ratio decreased (2:1).

Staff sexual harassment allegation ratio has remained the same (0:0).

Contracts for Services

VRJJC monitors all agencies and organizations that have contracts to provide residential services for VRJJC youth. The agency ensures that each agency and organization is required to report incidents and that the agency or organization aggregates data and submits this information to VRJJC for review. Currently, the Victoria Regional Juvenile probation department contracts with Rite of Passage (ROP, www.riteofpassage.com) and Pegasus's for the confinement of youth. ROP has provided an annual report with the required data, comparisons and corrective actions and agency staff actively monitor this agency on a quarterly basis. It is recommended to continue to contract with these facilities for the confinement of youth.

Corrective Actions

Identified Problem Areas:

VRJJC continues to explore and implement best practices and the requirements of PREA standards to address allegations of sexual abuse and sexual harassment. The facility is committed to maintaining zero tolerance to provide a safe environment where the residents and staff are free from sexual abuse and sexual harassment. The leadership is dedicated to on-going monitoring and corrective action to reach full PREA compliance by assessing policies, procedures, data, audits, and training and education. Vulnerability assessments will be conducted at least annually to detect areas of concern. The most recent vulnerability assessment, completed 08/07/2023, identified the following:

1. Blind spots throughout the facility, which will continue to be monitored. No corrective action was required.

The agency and facility completed the following corrective actions in the past 12 months.

- Staff ratio non-compliance documented by the deviation reports due to open supervision officer positions.
- Potential staff have continually been interviewed to fill the vacant positions. Staff have been hired and trained on an ongoing basis in an effort to meet the PREA ratio 1:8 during waking hours.
- Supervision officers' salary increases were approved based a salary study conducted.
- Staff were paid overtime rather than compensated with comp time.
- On call staff were continuously utilized to work and schedules were adjusted based on population and staff available.
- The youth population was limited. 1-2 units were closed, out of county youth were limited to those with only violent offenses and for a short duration and limited Victoria County to only violent felony offenses.
- Units were limited when possible to 8 youth.
- **8/1/2022-8/1/2023**
 - **A total of 33 staff were hired and trained. 27 staff separated employment. Therefore, vacant positions remain.**
 - **Reasons for separating employment were: Personal (5), Moved-resigned (3), No show (5), New job (5), Pay (1), Retired (1), Assaulted by youth-resigned (1), Did not like job (2), Did not pass training (1), Started new business (1), Child Support (1), Investigation (1).**
- **9/06/23 - 32 of the 32 full-time positions are currently filled.**
- 2 part-time rover positions are available.
- PRN positions to work a minimum of up to 48 hours per month. There is no set number of positions available. 4 positions are currently filled.

Ongoing Administrative corrective actions:

- Since the COVID 19 pandemic, minimal new applicants applied for positions and it has been difficult to maintain new staff that were hired. Open positions are posted immediately when positions become vacant and interviews scheduled.
- There has been a continual struggle to meet staffing ratios due to the applicant pool and staff turnover. Administration continues to prioritize and interview for new staff to ensure all staff positions are filled to provide for the safety of the staff and youth.
- The staff ratio was addressed with commissioners' court regarding the continued struggle to hire and retain staff to meet the ratio requirements. An increase in salaries was approved June 1, 2023.
- The state also approved a supplement for the JSO staff effective Sept. 1, 2023.
- Research innovative ways to retain the current security staff.

- Continue to provide training required by PREA standards to qualify staff, teachers and counselors as “security staff” that will count toward the staff ratio. All teachers have been trained to meet standards to count in the ratio for the PREA standards.
- If additional staff are not available, a maximum of 8 youth will be housed in a unit.

Continued Facility Corrective Actions:

- Ensure that the Zero Tolerance and Break the Silence posters are consistently displayed visibly throughout the facility.
- Conduct a Behavior screening on each youth upon intake into the facility to identify vulnerable population taking into account their age, stature, history, LGBT status, etc. to ensure appropriate facility placement.
- Provide medical and mental health follow up services within 14 days of intake to those youth who report a prior sexual abuse that may have occurred in another facility or in a community setting.
- Ensure the reassessment screening is updated per policy within 90 days thereafter or sooner if policy criteria i.e. sexual or physical misbehavior requires it.
- Ensure every youth views the comprehensive PREA orientation video and is informed on how to report any sexual misconduct allegation via the hotline, staff, volunteers, grievance, parent, third party, etc.
- Ensure all youth are afforded the same opportunities to benefit from the facility reporting mechanisms by compensating for youth with cognitive and physical abilities and youth that are limited English proficient.
- Ensure upon watching the PREA video the staff allows youth time to ask questions and to further explain PREA.
- Continue to shower two youth at a time in the individual showers with the remaining youth in their rooms with the exception that two youth may be in the day area cutting nails sitting at the front of the table in the unit.
- Monitor vulnerable and or predatory youth’s behavior.
- Ensure that each youth is in their appropriate assigned room.
- Ensure that there is no cross gender supervision occurring when a youth showers, changes clothing or during restroom routines.
- Continue to increase the youth’s willingness to report abuse by supporting a positive reporting environment with multiple internal and external reporting methods and prompts, including conducting thorough investigations.
- Ensure victims who allege any sexual misconduct allegation will continue to be monitored for 90 days to ensure that retaliation does not occur.
- Ensure victims of sexual abuse are provided with appropriate medical treatment, testing, and resources as needed.
- Victims of sexual abuse will be offered and/or provided trauma-counseling services by the facility’s mental health professionals, a local Rape Crisis Center, or Advocacy agency.
- Ensure staff and youth are educated regarding resources available through the local rape crisis centers for victims of sexual abuse.

- Continue to make efforts to hire and train new staff to meet the 1 to 8 ratio. Review youth population daily and schedule accordingly to meet 1:8 ratio. Ensure deviations from 1:8/1:16 ratio are documented with appropriate justifications.
- Continue to conduct Criminal Records Check and Child Abuse Registry checks on new employees, volunteers and contractors annually.
- Ensure all new staff are trained on PREA protocols prior to individual supervision of youth.
- Ensure that the training coordinator train facility staff/volunteers/contractors on PREA protocols and facility policies and procedures annually.
- Ensure medical and mental health specialist complete the required PREA specialized training.
- Have continued discussion on PREA-related topics during staff meetings as a standing agenda item.
- Train staff on possible blind spots and the procedures to follow for supervision/checks of those areas.
- Ensure that the Face to Name headcounts are conducted twice daily consistently or during every major movement.
- Ensure that the JSO's announce their entry in a unit of the opposite gender.
- Ensure that the JSO staff maintains a line of sight supervision of the youth.
- Conduct unannounced facility visits within all areas of the facility by the shift supervisors on day and night shifts monthly.
- Continue to conduct Facility Vulnerability Assessments no less than once each year or when necessary and implement recommendations.
- Continue to conduct Sexual Abuse Review Boards (SARB) on all unsubstantiated or substantiated incidence of sexual abuse monthly or as applicable. All recommendations made to the facility leadership from this Board will be taken into consideration to further prevent these incidents from reoccurring.

VRJC is committed to a culture that protects the youth we serve and continues to invest resources to educate youth, select and train staff, improve procedures, and upgrade our physical plants to support the prevention, detection, reporting and investigating all forms of sexual abuse and sexual harassment.

Pama Hencerling, Chief Probation Officer Date

Kelly Arnecke, Assistant Chief Officer Date

Lynette Acuna, Facility Administrator Date

Ross Rosalez, Assistant FA Date

Regina Perez, PREA Compliance Officer Date