

JUVENILE PROBATION | SUPERVISION OFFICER BASIC COURSE
**The Prison Rape Elimination Act |
Purpose and Goals**



PARTICIPANT GUIDE

Juvenile Justice Training Academy

Texas Juvenile Justice Department

11209 Metric Blvd | Building H

Austin, Texas 78758

512.490.7913

www.tjjd.texas.gov

juvenilejusticetrainingacademy@tjjd.texas.gov



JUVENILE PROBATION | SUPERVISION OFFICER BASIC COURSE

THE PRISON RAPE ELIMINATION ACT | PURPOSE AND GOALS

February 1, 2018

Developed by Juvenile Justice Training Academy
Texas Juvenile Justice Department
11209 Metric Blvd | Building H
Austin, Texas 78758
Phone ♦ 512.490.7600 | Fax ♦ 512.490.7601

TABLE OF CONTENTS

INTRODUCTION 5

SECTION I: WHAT IS PREA? 5

SECTION II: FOSTERING A SEXUALLY SAFE CULTURE..... 7

SECTION III: ACTIVITY | TYING IT TOGETHER..... 9

FINAL THOUGHTS 12

This page intentionally left blank.

INTRODUCTION

This course will provide an overview of the federal laws and policies regarding PREA. It will also identify what juvenile justice professionals must do to remain in compliance regarding the standards.

OBJECTIVES

1. Explain the purpose of the Prison Rape Elimination Act.
2. Identify key concepts associated with PREA, including policies related to sexual abuse in the workplace.
3. Determine the role of juvenile justice professionals in reference to PREA standards.

NOTES

SECTION I: WHAT IS PREA?

- Supports the elimination, reduction, and prevention of sexual abuse, sexual assault, and sexual harassment within correctional system
- Prevention | Zero tolerance top priority
- Protects 8th amendment rights of juveniles

Applies to *all* federal and state prisons, state juvenile facilities, jails, police lock-ups, private facilities, and community correctional settings such as residential, parole and halfway houses

Key facts

- **81%** | Sexual abuse reported in facilities committed by staff members.
- **1: 10** | Juveniles who reported being sexually abused in a facility.
- **92%** | Juveniles who reported being sexually victimized, were victimized by female staff members.
- **70%** | Number of juveniles who reported being sexually victimized more than once.

Impact of Sexual Abuse

- Stress | Trauma
- Diminished public | legislative support
- Liability
- Hostile work environment
- Mistrust among employees
- Lawsuits

Common terms related to PREA

| Sexual Harassment

Repeated and unwelcome sexual advances, such as fliting, inappropriate compliments

| Boundary Violations

Behavior which does not maintain proper or respectful verbal | physical boundaries with juveniles

| Staff Sexual Abuse | Juveniles

Behavior | act of a sexual nature directed toward a juvenile by an employee

| Staff | Juvenile Sexual Harassment

All occurrences of sexually abusive verbal statements directed toward juveniles

| Juvenile Nonconsensual Sexual Acts

Sexual contact of a juvenile without consent, by another juvenile

| Abusive Sexual Contact between Juveniles

Juvenile coerced into sexual contact by another juvenile, by the use of threats or violence

| Vicarious Liability

Having knowledge of illegal | harmful activity and failing to resolve | report it

| Cross-Gender Pat Down Searches

A search performed on a juvenile by a staff member of the opposite sex

NOTES

SECTION II: FOSTERING A SEXUALLY SAFE CULTURE

Departments must enforce PREA policies in critical areas, such as:

- Safety | Security
- Classification assessments
- Investigations
- Programming
- Cross-Gender Supervision | Monitoring
- First responder training

- Sexual contact between juveniles and staff members is **never consensual**, even if juveniles consent, initiate, or pursue the contact.
- Inherent differences in power and/or age between staff members and juveniles makes any consensual relationship **impossible**.

Your Role

- Adhere to zero tolerance policy
- Maintain respectful communication
- Accept reports without prejudice
- Identify vulnerabilities in your department
- Hold yourself and others accountable
- Cooperate with any investigation
- Challenge inappropriate sexual terms, gestures
- Avoid sexually inappropriate discussions

Red Flags

| Staff Red Flags

- Personal relationship difficulties
- Death of a loved one
- Personal values vs. professional expectations
- Financial difficulties
- Emotional | Physical fatigue
- Substance abuse
- Coworker conflict

| Red Flag Behavior

- Showing favoritism to a specific juvenile
- Horse playing with juveniles
- Granting special favors or requests
- Spending time at work when not scheduled
- Sharing food | snacks with juveniles
- Having sexual conversations with juveniles
- Any physical contact with juveniles
- Spending time with juveniles in isolated areas

| Juvenile Red Flags which could signal victimization

- Withdrawal | Isolation
- Depression
- Lashing out
- Nightmares
- Suicidal thoughts | feelings
- Increased anxiety

Reporting

– **Failing to report** an inappropriate situation could lead to disciplinary action, or civil | criminal liability.

Pertinent Questions during an Investigation

- Did you know what was happening?
- Did you see it coming?
- Were there red flags?
- Did you follow agency policy regarding reporting protocols?
- Were you current with PREA training?

– **Two types of sexual abuse**

Juvenile | Juvenile

- Sexual abuse
- Sexual harassment
- Indecent Exposure

Staff | Juvenile

- Sexual abuse
- Sexual harassment

– **Two types of reporting responders**

First Responder

- Knowledge of an incident
- Follow department timelines
- You are NOT an investigator

Third-Party Responder

- Reporter of incident, but not the victim or abuser
- Do not have to disclose name
- Departments must educate staff | juveniles of this option

– Where to report

Allegations occurring at facilities governed by TJJJ

- 1.877.786.7263
- abuseneglect@tjjd.texas.gov

All other allegations | Home, school, or other setting

- TDFPS | CPS 1.800.252.5400
- txabusehotline.org

NOTES

ACTIVITY: TYING IT TOGETHER

Instructions: Working in groups, read the assigned scenario and then answer the questions. We will discuss the scenarios and answers when everyone is finished.

Scenario 1 | JSO Springer and Juvenile Paul

JSO Springer has worked as a juvenile justice professional for the past 12 years. She is highly respected by her peers, supervisors, and juveniles and has not had any disciplinary issues during her tenure. Over the past few months, JSO Springer has been spending a lot of time talking with 17-year-old Paul, while she is on duty. During her shift, she often pulls Paul to the side of the housing unit to have private conversations. These conversations typically last 15-20 minutes and occur 4-5 times throughout JSO Springer’s shift.

Over time, JSO Springer and Paul begin to sit further away from the large group and eventually, their backs are turned toward the group when they have their private conversations. They often lean in towards each other when they are talk and it has become obvious to everyone there is a relationship between the two.

Last evening, JSO Springer entered the housing unit Paul was assigned to. Paul was in the cleaning closet retrieving cleaning supplies. The housing unit leader did not see JSO Springer enter the cleaning closet with Paul and close the door behind her. JSO Springer kissed Paul and allowed him to digitally penetrate her vagina. The two were in the closet for about 2 minutes. JSO Springer emerged from the closet and left the housing unit.

During a routine search of the housing unit, pictures of JSO Springer were found in Paul’s possession. A sheet of paper with her home phone number, cell phone, home address, email address, and birthdate were also found. Paul was immediately questioned and admitted he and JSO Springer were involved in a sexual relationship.

Video footage was reviewed and corroborated the sexual abuse of JSO Springer.

Did the environment reflect zero tolerance against sexual victimization of juveniles and/or staff?

Were there any “red flags” the staff should have seen? If yes, identify them.

Why would juveniles and staff be reluctant to report the situation?

What are the possible ramifications JSO Springer and Paul will suffer from?

Scenario 2 | Juvenile Karen

Karen, a fifteen-year-old, is currently on probation and lives with her mother. Her father has been out of her life since she was two years old and she and her mother have a volatile relationship. At about age twelve, Karen began associating with local gang members in the neighborhood. She particularly related to one of the older gang leaders, who took Karen under her wing.

Karen began skipping school and stealing small items from gas stations and grocery stores. She was arrested a few times, taken to juvenile detention, but was always released to her mother’s care. Eventually she was placed on probation for a theft charge. Over time, Karen moved up the ranks in the gang and began to get involved in more serious crimes, like being a look-out during drug deals, burglaries, robberies, and assaults on rival gang members.

Karen was arrested again and was placed on intensive supervision. She was warned that if she appeared in court again, she would be looking at residential placement. Karen was expected to continue her education and was placed at the Juvenile Justice Alternative Education Program or JJAEP, due to her being expelled from school. When she enrolled at the school, no one informed officials Karen belonged to a gang and rival gang members happened to be enrolled at the school as well.

Within a few days of attending the JJAEP, several of the rival gang members cornered Karen in the gym restroom and forced her to perform fellatio on some boys at the school. The supervising community activities officer, unbeknownst to her was being distracted by other students, who happened to be members of the rival gang. Karen was threatened with physical harm if she ever told anyone what happened. Karen continued to be sexually abused, with one of the boys forcing her to have intercourse. Karen finally told her JPO what was being done to her.

Did this environment reflect a zero tolerance policy against sexual victimization of juveniles and staff members?

Why would juveniles and staff be reluctant to report the situation?

Were there any “red flags” the staff should have been aware of?

What are the ramifications the school and Karen will suffer from because of this incident?

FINAL THOUGHTS

- PREA advocates a zero tolerance policy against any form of sexual abuse or harassment.
- Always be aware of your local policies, procedures, and your responsibilities.
- Remain professional at all times, with juveniles and fellow staff members.

