

COLO R A D O

Division of Youth Services

Office of Children, Youth & Families



The Colorado Division of Youth Services Sexual Abuse and Sexual Harassment Prevention PREA Data Report January 1, 2020 - December 31, 2020



*~Achieving youth success and safer
Colorado communities.*

The Prison Rape Elimination Act (PREA) of 2003 was enacted to address sexual abuse, sexual assault, and sexual harassment in confinement youth centers. The goal of PREA is to prevent, detect and respond to sexual abuse and sexual harassment in confinement facilities.

On August 20, 2012, the U.S. Department of Justice (DOJ) published mandatory standards for the detection, prevention, and punishment of sexual abuse and sexual harassment. The four sets of standards correspond to different types of confinement facilities: 1) Adult prisons and jails, 2) Lockups, 3) Community confinement facilities, and 4) Juvenile facilities. Prior to the finalization of the DOJ's PREA standards, the Division of Youth Services (DYS) made efforts to comply with the PREA Act beginning in 2008 by implementing policies and procedures, training employee, contractors, and volunteers, and educating youth.

The Colorado Department of Human Services, Division of Youth Services provides for the care and supervision of youth between the ages of 10-21 who are pre-adjudicated or committed by the District Court. From January 1, 2020, through June 30, 2020, DYS was comprised of 10 state-owned and operated secure youth centers and contracts with private providers who offer a variety of services to youth in programs throughout the state. On July 1, 2020, DYS further built upon its trauma informed care model through the evolution of the Lookout Mountain Youth Services Center into three Youth Centers on the Campus at Lookout Mountain, creating a total of 12 Youth Centers.

- ❖ A total of five Youth Centers serve(d) exclusively committed male youth:
 - The Lookout Mountain Youth Services Center in Golden (January 1 through June 30, 2020)
 - The Campus at Lookout Mountain is comprised of three Youth Centers (July 1, 2020, through December 31, 2020)
 - Aspire Youth Services Center
 - Golden Peak Youth Services Center
 - Summit Youth Services Center
 - Zebulon Pike Youth Services Center in Colorado Springs

- ❖ Five State-owned and operated youth centers serve only detention youth:
 - Gilliam Youth Services Center in Denver
 - Marvin W. Foote Youth Services Center in Englewood
 - Adams Youth Services Center in Brighton
 - Pueblo Youth Services Center in Pueblo
 - Spring Creek Youth Services Center in Colorado Springs

- ❖ Three secure State-operated youth centers serve both detained and committed youth:
 - Platte Valley Youth Services Center in Greeley
 - Grand Mesa Youth Services Center in Grand Junction
 - Mount View Youth Services Center in Denver

The Division of Youth Services is committed to providing a safe environment for all youth in the care and custody of DYS. DYS also supports efforts to prevent, detect, report on and participate in PREA investigations including offering victim support services and will advocate for the prosecution of any perpetrator of sexual abuse or sexual harassment that occurs in a DYS youth center. As a result, all ten of the state-owned and operated secure youth centers are required to demonstrate their zero tolerance of sexual abuse and sexual harassment through an audit process. This audit shall include a review of the youth center's policies and practices and involves speaking with employees and community organizations working in collaboration with the youth center in their efforts to prevent, detect, and respond to sexual abuse, and sexual

harassment. Over a three-year audit cycle, all the state operated youth centers and contracted residential youth centers must be audited by a Department of Justice Certified PREA Auditor.

BJS Reporting Data:

PREA standard §115.387 requires data be collected and aggregated on sexual abuse and sexual harassment incidents in DYS and its contracted residential youth centers. PREA standard §115.388 requires the Division to review data collected and produce an annual report. In addition, the U.S. Bureau of Justice Statistics (BJS) requires confinement facilities to collect, and report detailed information regarding the sexual victimization of residents. This report contains information provided to BJS through the Survey of Sexual Victimization for 2020. This report also includes comparisons from 2013 to 2020. There is no personally identifying information included in this report.

Findings after Investigation:

Allegations of sexual abuse are reported to the local department of human services. If there is suspicion that a crime was committed, the local law enforcement agency is also notified. The youth center where an allegation is made will complete an internal inquiry that does not duplicate or interfere with the human services or law enforcement investigation. The internal inquiry results in a finding that may include evidence/information discovered by an external agency.

Scope of Assessment:

This report provides a review of program specific and aggregate data collected for the year beginning January 1, 2020, and ending December 31, 2020. Factors such as race, ethnicity, sexual orientation, gender identity, gang affiliation, group dynamics and other possible contributing elements are reported when available. The 2013 Annual Comparison Statistics do not include contract program data.

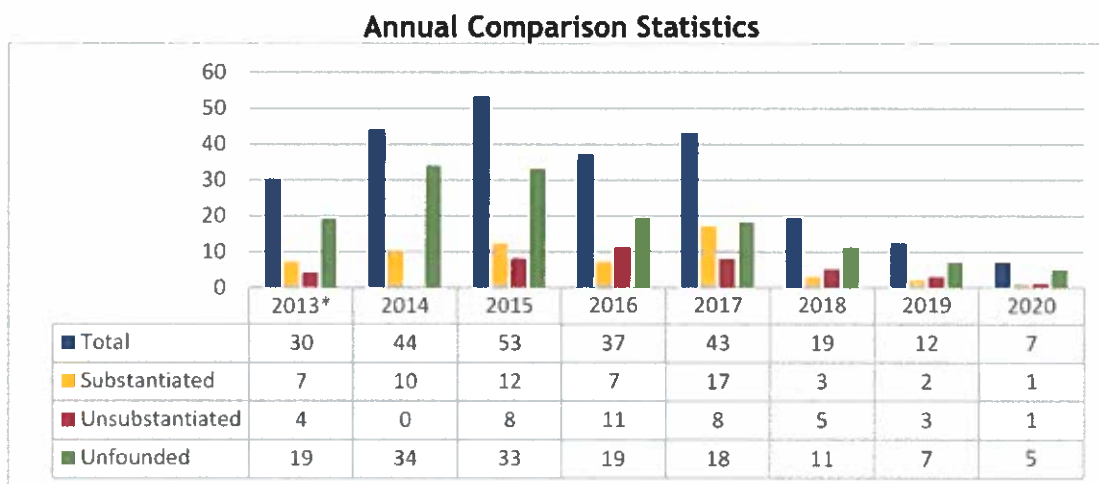
Definitions:

- ***Abusive Sexual Contacts:*** Sexual contact of any person without consent, or of a person who is unable to consent or refuse; and intentional touching, directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks. EXCLUDES contact that was incidental to a physical altercation.
- ***Youth-on-Youth Sexual Harassment:*** Repeated and unwelcome sexual advances, requests for sexual favors, verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one youth directed toward another.
- ***Nonconsensual Sexual Acts:*** Sexual contact of any person without consent, or of a person who is unable to consent or refuse; and contact between penis and the vulva or the penis and the anus including penetration, however slight; or contact between the mouth and the penis, vagina, or anus; or penetration of the anal or genital opening of another person by a hand, finger, or other object.
- ***Employee Sexual Harassment:*** Includes repeated verbal statements or comments of a sexual nature to a resident by an employee, volunteer, contractor, official visitor, or other agency representative (exclude residents' family, friends, or other visitors). Includes demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing; or repeated profane or obscene language or gestures.
- ***Employee Sexual Abuse:*** Behavior or act of a sexual nature directed toward a youth by an employee, volunteer, contractor, official visitor, or other agency representative. Sexual relationships of a romantic nature between employees 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 requested sexual acts; or occurrences of indecent

exposure, invasion of privacy, or employee voyeurism for reasons unrelated to official duties or for sexual gratification.

- **Substantiated:** an allegation that was investigated and determined to have occurred.
- **Unfounded:** an allegation was investigated and determined not to have occurred.
- **Unsubstantiated:** an allegation that was investigated and produced insufficient evidence to make a final determination as to whether the event occurred.

Category I: Youth on Youth Sexual Harassment Allegations



In 2020, six (6) of the thirteen (13) state operated youth centers reported youth on youth sexual harassment allegations. There was one (1) substantiated allegation, one (1) unsubstantiated, and five (5) unfounded allegations.

DYS contract programs reported zero (0) allegations of youth on youth sexual harassment in 2020.

Youth on Youth Sexual Harassment Allegations by Youth Center January 1 - December 31, 2020

YOUTH CENTER	SUBSTANTIATED	UNFOUNDED	UNSUBSTANTIATED	TOTAL
**Adams YSC	0	0	0	0
†Aspire YSC	0	0	0	0
*Foote YSC	0	1	0	1
*Gilliam YSC	0	0	0	0
†Golden Peak YSC	0	0	0	0
*Grand Mesa YSC	0	0	1	1
††Lookout Mountain YSC	1	0	0	1
*Mount View YSC	0	0	0	0
**Platte Valley YSC	0	2	0	2
**Pueblo YSC	0	0	0	0
**Spring Creek YSC	0	1	0	1
†Summit YSC	0	0	0	0
**Zebulon Pike YSC	0	1	0	1
TOTALS	1	5	1	7

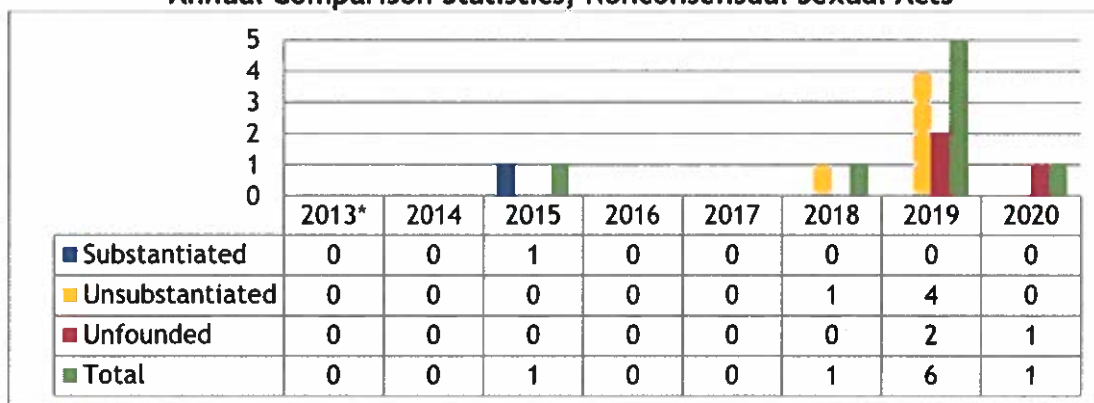
Youth center is all male, *Youth center has both male and female residents, **Youth center has co-ed programming (pods, school, meals, etc.) ††Lookout Mountain YSC closed on June 30, 2020. †Aspire, Golden Peak and Summit YSC's opened on July 1, 2020.

Youth on Youth Sexual Harassment Allegation Data Summary

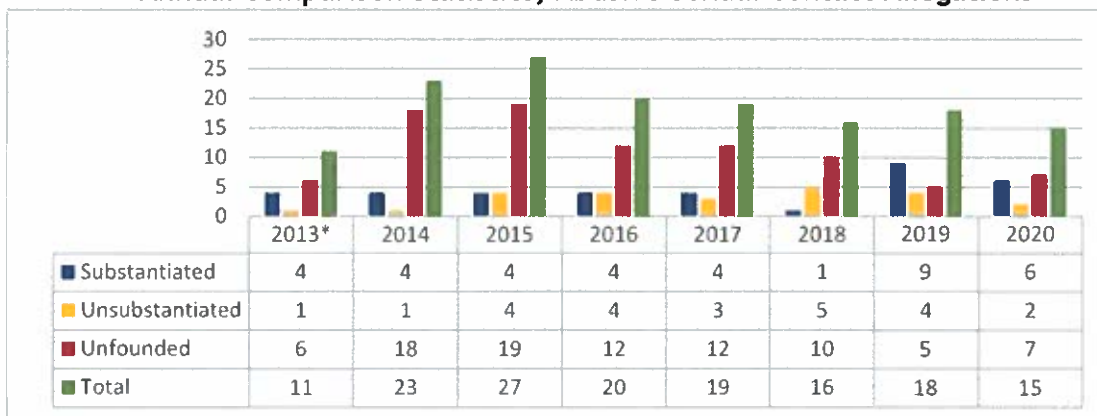
There were a total of seven (7) allegations of youth on youth sexual harassment in state-operated youth centers, which represents a 41.67% decrease of the data collected in 2019. All allegations were formally investigated. Individual trauma-informed/trauma-responsive interventions were administered in response to the one (1) substantiated youth on youth sexual harassment allegation. DYS contract programs reported zero (0) youth on youth sexual harassment allegations.

Category II: Youth on Youth Sexual Abuse Allegations

Annual Comparison Statistics, Nonconsensual Sexual Acts



Annual Comparison Statistics, Abusive Sexual Contact Allegations



Youth on Youth Nonconsensual Sexual Acts/Abusive Sexual Contact Data Summary

In 2020, there was one (1) allegation of youth on youth nonconsensual sexual acts in state-operated youth centers, and that allegation was determined through a preponderance of evidence to be unfounded. Seven (7) state-operated youth centers had reports of youth on youth abusive sexual contact allegations for a total of fifteen (15) allegations. Of those, six (6) were substantiated, two (2) were unsubstantiated and seven (7) were unfounded. DYS contract programs reported zero (0) youth on youth sexual abuse allegations.

The reports of substantiated abusive sexual contact decreased 33% from 2019. In March of 2020 DYS released an updated youth education video specific to DYS policies and procedures, and

age appropriate for DYS youth. The PREA Coordinator continues to partner with the youth centers and contract programs to provide consultation and additional youth education as needed to address sexual abuse and sexual harassment. Additionally, DYS has contracted with a Nationally Certified PREA auditor to provide technical assistance to improve the Division's efforts at the prevention, detection and response to sexual abuse and sexual harassment.

**Youth on Youth Sexual Abuse Allegations by Youth Center
January 1 - December 31, 2020**

YOUTH CENTER	ALLEGATION TYPE	SUBSTANTIATED	UNFOUNDED	UNSUBSTANTIATED	TOTAL
**Adams	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	0	0	0
†Aspire	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	0	0	0
*Foote	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	2	1	0	3
*Gilliam	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	0	0	0
†Golden Peak	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	0	1	1
*Grand Mesa	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	1	0	1
††Lookout Mountain	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	0	0	0
*Mount View	Nonconsensual Sexual Act	0	1	0	1
	Abusive Sexual Contact	1	2	0	3
**Platte Valley	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	0	0	0
**Pueblo	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	1	1	2
**Spring Creek	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	3	1	0	4
†Summit	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	0	0	0
**Zebulon Pike	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	1	0	1
TOTALS	Nonconsensual Sexual Act	0	1	0	1
	Abusive Sexual Contact	6	7	1	15

Youth center is all male, *Youth center has both male and female residents, **Youth center has co-ed programming (pods, school, meals, etc.)
†Aspire, Golden Peak and Summit YSC's opened on July 1, 2020. ††Lookout Mountain YSC closed on June 30, 2020.

At the state-operated youth centers, preliminary inquiry into the fifteen (15) youth on youth sexual abuse allegations resulted in fifteen (15) reports to local law enforcement, and fifteen (15) reports to the local department of human services. None of the cases resulted in physical injuries requiring medical attention, and all were referred to a youth center behavioral health employee for victim support services. Reports to law enforcement resulted in two (2) criminal charges in state operated youth centers.

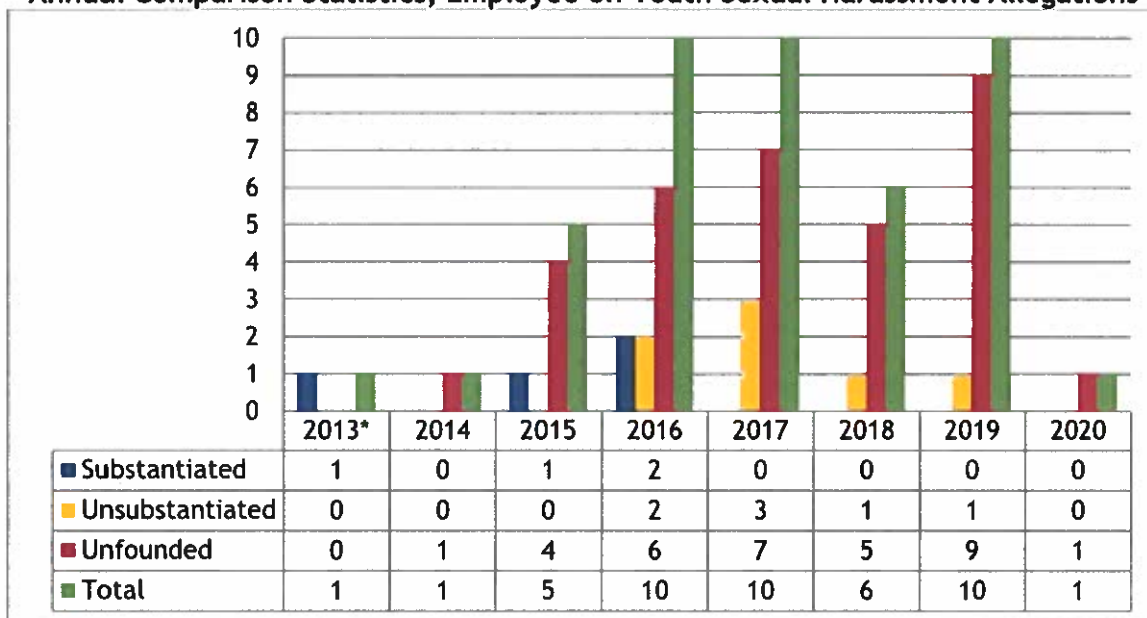
Corrective Action:

In March of 2020 DYS released a new, professional quality youth education video that all youth are required by policy to watch upon their admission to any DYS youth center and is always available to them. The video is intended to educate and reinforce the youth's rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents. They will be educated about DYS policies and youth center procedures for responding to allegations. The video includes versions in English, Spanish and American Sign Language.

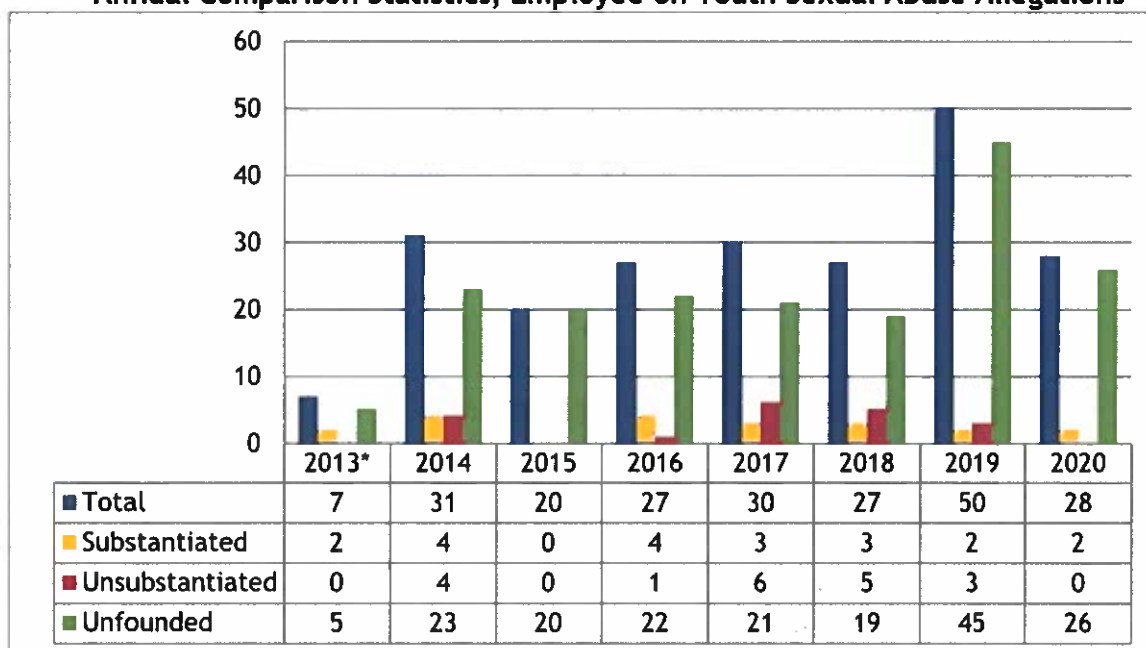
DYS youth center administrators continue to participate in a Sexual Abuse Incident Review process that includes recommendations using the SELF model. The SELF model is a trauma responsive tool for assessing the implications of Safety, Emotions, Loss and Future as factors of any given event. During the review, youth center administrators will summarize their recommendations to prevent future incidents/allegations as it relates to the SELF. This addition was made to further improve consistency within the Division's trauma informed environments and to add another dynamic when problem-solving the prevention of sexual abuse and sexual harassment within all DYS Youth Centers.

Category III: Employee on Youth Sexual Abuse & Harassment Allegations

Annual Comparison Statistics, Employee on Youth Sexual Harassment Allegations



Annual Comparison Statistics, Employee on Youth Sexual Abuse Allegations



Employee on Youth Sexual Abuse and Sexual Harassment Allegation Data Summary

In state-operated youth centers, there was one (1) allegation of employee on youth sexual harassment which was determined to be unfounded. Twenty-eight (28) employee on youth sexual abuse allegations were reported, which is a 44% decrease from the previous year. Per DYS policy, there was a preliminary inquiry completed on all abuse allegations, and of the twenty-eight reports alleging employee on youth sexual abuse, eleven (11) were reported to local law enforcement. The Department of Human Services was notified of all employee on youth sexual harassment and sexual abuse allegations. The Colorado Department of Human Services maintains the authority to contact law enforcement in each case if there is suspicion that a crime has been committed. Two (2) employee sexual abuse allegations were substantiated. One was at the Lookout Mountain Youth Services center, and the other was at the Mount View Youth Services Center. Neither resulted in criminal charges and both employees resigned during the investigations. The DYS contract facility Rites of Passage (ROP) reported four (4) total employee sexual abuse allegations, three (3) were unfounded and one (1) was unsubstantiated. They investigated 2 employee on youth sexual harassment allegations, both of which were substantiated and both employees were terminated. The below table represents the DYS allegations by state-operated youth center.

Employee on Youth Sexual Abuse and Sexual Harassment Allegations January 1 - December 31, 2020

YOUTH CENTER	ALLEGATION TYPE	SUBSTANTIATED	UNFOUNDED	UNSUBSTANTIATED	TOTAL
**Adams	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	1	0	1
†Aspire	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	0	0	0
*Foote	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	2	0	2
*Gilliam	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	1	0	1
†Golden Peak	Sexual Harassment	0	1	0	1
	Sexual Abuse	0	0	0	0
*Grand Mesa	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	5	0	5
††Lookout Mountain	Sexual Harassment	0	0	0	0
	Sexual Abuse	1	5	0	6
*Mount View	Sexual Harassment	0	0	0	0
	Sexual Abuse	1	4	0	5
**Platte Valley	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	5	0	5
**Pueblo	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	0	0	0
**Spring Creek	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	1	0	1
†Summit	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	0	0	0
**Zebulon Pike	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	2	0	2
TOTALS	Sexual Harassment	0	1	0	1
	Sexual Abuse	2	26	0	28

Youth center is all male, *Youth center has both male and female residents, **Youth center has co-ed programming (pods, school, meals, etc.) †Aspire, Golden Peak and Summit YSC's opened on July 1, 2020. ††Lookout Mountain YSC closed on June 30, 2020.

Corrective Action:

As a result of the number of employee on youth sexual abuse allegations reported in 2019, DYS revised its employee training curriculum to include how to build professional relationships with youth, and how to avoid false allegations. In 2020 there were 26 unfounded allegations compared to 45 in 2019. The PREA Coordinator continues to collaborate with the DYS Office of Staff Development to update the Sexual

Abuse and Sexual Harassment Prevention training that is currently offered to new employees in the Academy, and annually to all employees. New employee training takes place over a full day and combines the Standard PREA training with Youth Center culture awareness and professional boundaries curriculum. In addition, the revised curriculum includes mandatory reporting requirements, accurate data entry/collection, scenario training, youth education and the potential personnel, legal consequences of violating PREA and an exam that must be passed with a score of 80%.

Policy 9.19, Sexual Abuse and Sexual Harassment Prevention was revised and released on October 1, 2020. The updated policy includes definitions that are aligned with the National PREA standards and intended to provide clarification to employees. A revised Coordinated Response Plan for responding to sexual abuse allegations is now more closely aligned with the National PREA Standard requirements for a coordinated response, with a presentation that is more efficient for first responders and administrators. The updated plan includes a companion document that is used if a PREA allegation results in evidence collection.

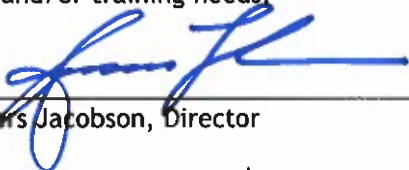
The DYS Office of Staff Development has released a web-based search training that is a requirement for all employees to provide consistency in search practices, decrease false allegations and decrease potential trauma-responses in youth. The training includes a step-by-step video of how to conduct a pat search.

DYS continues to deploy additional monitoring technology resulting in a decrease in unsubstantiated allegations. Evidence can more frequently be observed through video review that allows for unfounded and substantiated findings.

The Campus at Lookout Mountain took extraordinary step of separating its population into three separate Youth Centers thereby limiting the occurrences of potentially unsafe interactions through decreasing the population of each Youth Center. Youth from the smaller Youth Centers will not commingle unless they are presenting with safe behavior and approved for participation in career tech education. Since the opening of the three CALM Youth Centers, there has been a dramatic decrease in PREA allegations on campus. As the tables above show, there has been a substantial decrease in all PREA allegations division wide.

Conclusion:

The Division places a high priority on sexual abuse and sexual harassment prevention through training and holding employees accountable that engage in sexual abuse and unhealthy boundaries and will maintain relationships with community stakeholders to share pertinent information with outside investigation entities. Data collected during 2020 will continue to be reviewed by the PREA Coordinator throughout the year to identify agency and youth center specific themes requiring corrective action, policy updates and/or training needs.



Anders Jacobson, Director

November 1, 2021



Samantha Wilson, PREA Coordinator

November 1, 2021

