

**COLORADO**

**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, 2021 - December 31, 2021



*~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 distinct youth centers on the Campus at Lookout Mountain, creating a total of twelve Youth Centers. In May 2022, the Mount View Youth Services Center followed the Campus at Lookout Mountain model and is now operating as three individual smaller facilities on the Campus at Mount View. This has evolved into DYS having fifteen distinct state operated facilities across Colorado.

- ❖ Seven State operated youth centers serve committed youth:
  - Aspire Youth Services Center in Golden
  - Clear Creek Youth Services Center in Golden
  - Golden Peak Youth Services Center in Golden
  - Summit Youth Services Center in Golden
  - Betty Marler Youth Services Center in Lakewood
  - Willow Point Youth Services Center in Lakewood
  - Spring Creek Youth Service Center in Colorado Springs
  
- ❖ Six State operated youth centers serve only detention youth:
  - Gilliam Youth Services Center in Denver
  - Marvin W. Foote Youth Services Center in Englewood
  - Prairie Vista Youth Services Center in Brighton
  - Pueblo Youth Services Center in Pueblo
  - Rocky Mountain Youth Services Center in Lakewood
  - Zebulon Youth Services Center in Colorado Springs
  
- ❖ Two 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

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 fifteen 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 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. Factors such as race, ethnicity, sexual orientation, gender identity, gang affiliation, group dynamics and other possible contributing elements are reported when available. This report contains information provided to BJS through the Survey of Sexual Victimization for 2021. This report also includes comparisons from 2013 to 2021. 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 Report:**

This report provides a review of program specific and aggregate data collected for the year beginning January 1, 2021, and ending December 31, 2021.

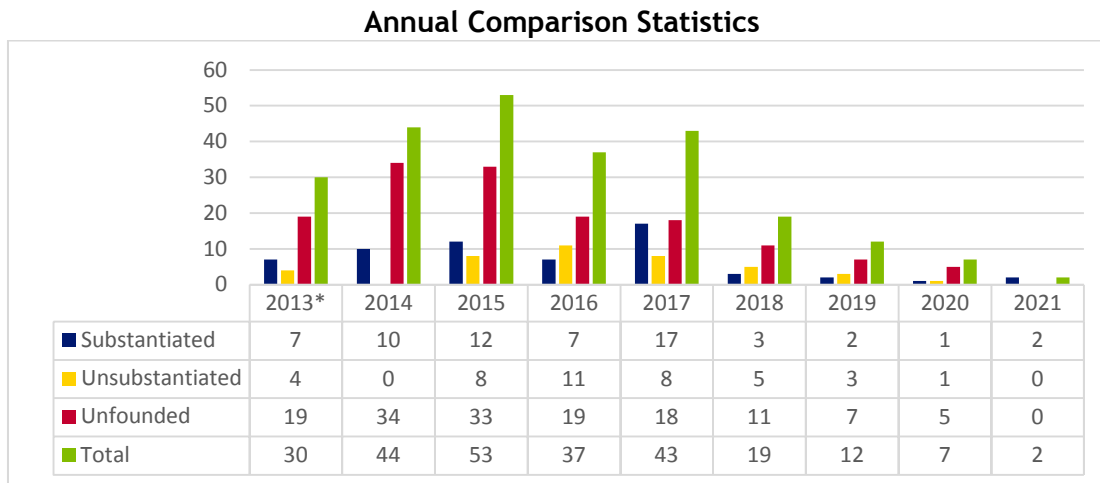
#### **Definitions:**

- ***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 2021, two (2) of the fifteen (15) state operated youth centers reported youth on youth sexual harassment allegations. There was two (2) substantiated allegations.

DYS contract programs reported zero (0) allegations of youth-on-youth sexual harassment in 2021.

### **Youth on Youth Sexual Harassment Allegations by Youth Center January 1 - December 31, 2021**

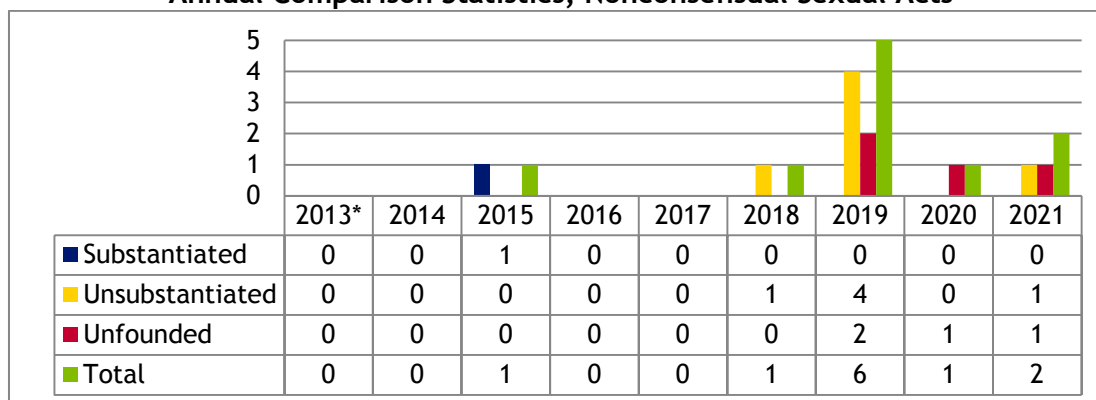
| YOUTH CENTER       | SUBSTANTIATED | UNFOUNDED | UNSUBSTANTIATED | TOTAL    |
|--------------------|---------------|-----------|-----------------|----------|
| Aspire YSC         | 1             | 0         | 0               | 1        |
| Betty Marler YSC   | 0             | 0         | 0               | 0        |
| Clear Creek YSC    | 0             | 0         | 0               | 0        |
| Foote YSC          | 0             | 0         | 0               | 0        |
| Gilliam YSC        | 0             | 0         | 0               | 0        |
| Golden Peak YSC    | 0             | 0         | 0               | 0        |
| Grand Mesa YSC     | 1             | 0         | 0               | 1        |
| Platte Valley YSC  | 0             | 0         | 0               | 0        |
| Prairie Vista YSC  | 0             | 0         | 0               | 0        |
| Pueblo YSC         | 0             | 0         | 0               | 0        |
| Rocky Mountain YSC | 0             | 0         | 0               | 0        |
| Spring Creek YSC   | 0             | 0         | 0               | 0        |
| Summit YSC         | 0             | 0         | 0               | 0        |
| Zebulon Pike YSC   | 0             | 0         | 0               | 0        |
| Willow Point YSC   | 0             | 0         | 0               | 0        |
| <b>TOTALS</b>      | <b>2</b>      | <b>0</b>  | <b>0</b>        | <b>2</b> |

## Youth on Youth Sexual Harassment Allegation Data Summary

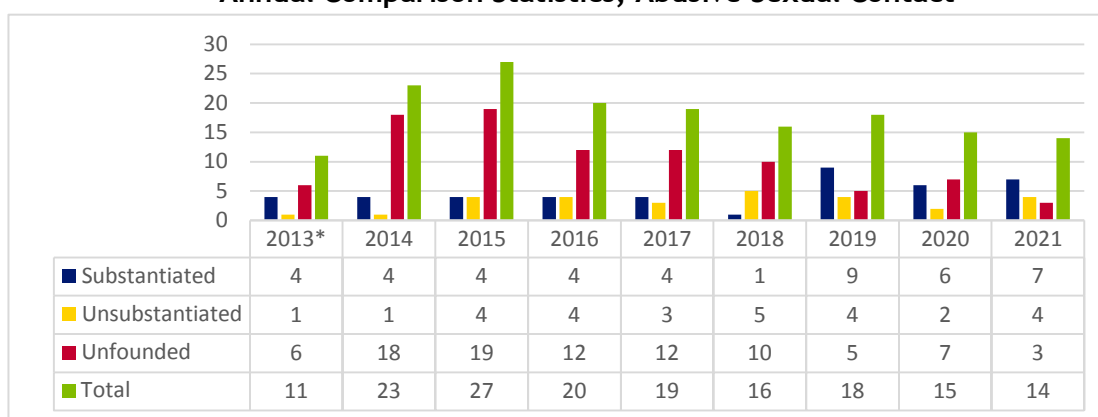
There was a total of two (2) allegations of youth-on-youth sexual harassment in state-operated youth centers. All allegations were formally investigated. Individual trauma-informed/trauma-responsive interventions were administered in response to the two (2) substantiated youth on youth sexual harassment 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**



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

In 2021, there were two (2) allegations of youth-on-youth nonconsensual sexual acts in state-operated youth centers. One (1) allegation was determined through a preponderance of evidence to be unfounded and one (1) unsubstantiated. Five (5) state-operated youth centers had reports of youth-on-youth abusive sexual contact allegations for a total of fourteen (14) allegations. Of those, seven (7) were substantiated, four (4) were unsubstantiated and three (3) were unfounded. DYS contract programs reported zero (0) youth on youth sexual abuse allegations.

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, 2021**

| YOUTH CENTER     | ALLEGATION TYPE          | SUBSTANTIATED | UNFOUNDED | UNSUBSTANTIATED | TOTAL |
|------------------|--------------------------|---------------|-----------|-----------------|-------|
| Prairie Vista    | 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   | 4             | 2         | 0               | 6     |
| Foote            | Nonconsensual Sexual Act | 0             | 0         | 0               | 0     |
|                  | Abusive Sexual Contact   | 0             | 0         | 0               | 0     |
| Gilliam          | Nonconsensual Sexual Act | 0             | 0         | 0               | 0     |
|                  | Abusive Sexual Contact   | 0             | 1         | 0               | 1     |
| Golden Peak      | Nonconsensual Sexual Act | 0             | 0         | 0               | 0     |
|                  | Abusive Sexual Contact   | 0             | 0         | 0               | 0     |
| Grand Mesa       | Nonconsensual Sexual Act | 0             | 0         | 0               | 0     |
|                  | Abusive Sexual Contact   | 1             | 0         | 0               | 1     |
| Lookout Mountain | Nonconsensual Sexual Act | 0             | 0         | 0               | 0     |
|                  | Abusive Sexual Contact   | 0             | 0         | 0               | 0     |
| Mount View       | Nonconsensual Sexual Act | 0             | 0         | 1               | 1     |
|                  | Abusive Sexual Contact   | 0             | 0         | 1               | 1     |
| 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             | 0         | 0               | 0     |
| Spring Creek     | Nonconsensual Sexual Act | 0             | 1         | 0               | 1     |
|                  | Abusive Sexual Contact   | 2             | 0         | 3               | 5     |
| 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             | 0         | 0               | 0     |
| TOTALS           | Nonconsensual Sexual Act | 0             | 1         | 1               | 2     |
|                  | Abusive Sexual Contact   | 7             | 3         | 4               | 14    |

At the state-operated youth centers, preliminary inquiry into the fourteen (14) youth on youth sexual abuse allegations resulted in fourteen (14) reports to local law enforcement, and fourteen (14) 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 no (0) criminal charges in state operated youth centers.

**Corrective Action:**

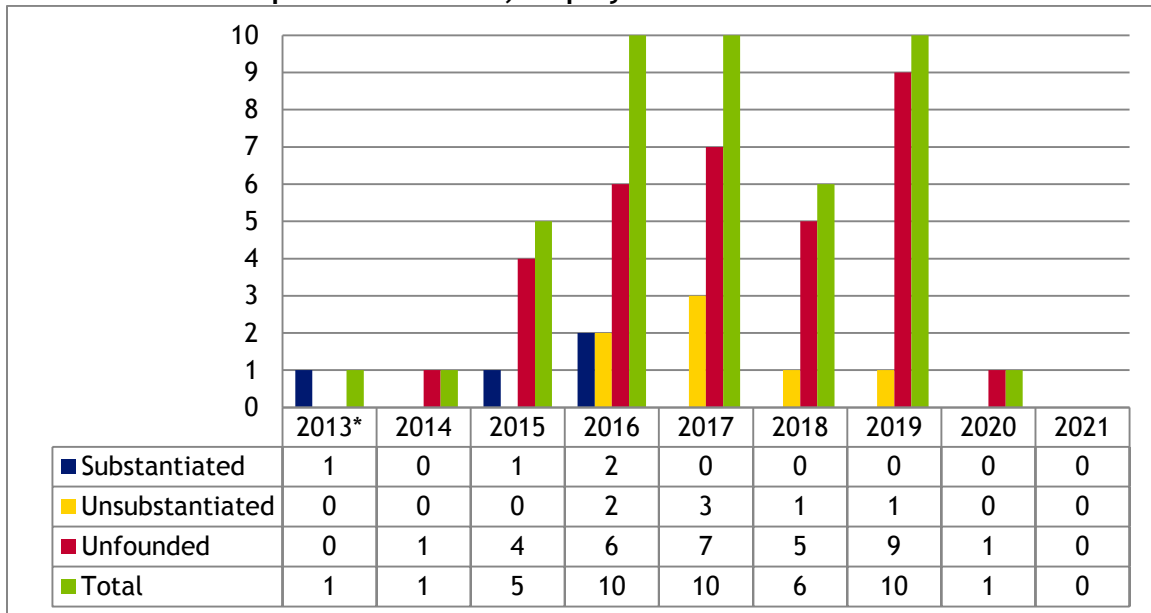
DYS has a professional quality youth education video that all youth are required by policy to watch upon their admission to any DYS youth center and is always available to them. The video is intended to educate and reinforce the youth's rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents. They are 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

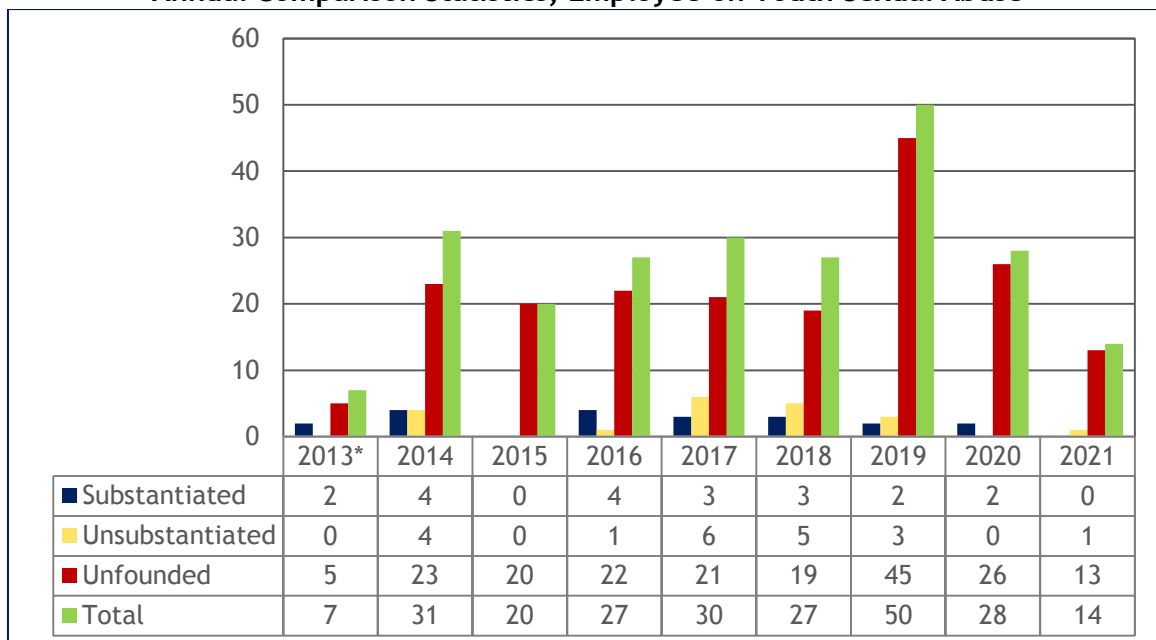
to add another dynamic when problem-solving the prevention of sexual abuse and sexual harassment within all DYS Youth Centers.

### **Category III: Employee on Youth Sexual Abuse & Harassment Allegations**

**Annual Comparison Statistics, Employee on Youth Sexual Harassment**



**Annual Comparison Statistics, Employee on Youth Sexual Abuse**



## Employee on Youth Sexual Abuse and Sexual Harassment Allegation Data Summary

In state-operated youth centers, there was no (0) allegations of employee on youth sexual harassment. Fourteen (14) employees on youth sexual abuse allegations were reported. Per DYS policy, there was a preliminary inquiry completed on all abuse allegations, and of the fourteen reports alleging employee on youth sexual abuse, fourteen (14) were reported to local law enforcement. The Department of Human Services was notified of all employees 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. The DYS contract facilities reported no incidents of staff on youth sexual abuse or harassment. 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, 2021

| YOUTH CENTER     | ALLEGATION TYPE   | SUBSTANTIATED | UNFOUNDED | UNSUBSTANTIATED | TOTAL |
|------------------|-------------------|---------------|-----------|-----------------|-------|
| Adams            | Sexual Harassment | 0             | 0         | 0               | 0     |
|                  | Sexual Abuse      | 0             | 0         | 0               | 0     |
| Aspire           | Sexual Harassment | 0             | 0         | 0               | 0     |
|                  | Sexual Abuse      | 0             | 0         | 0               | 0     |
| Foote            | Sexual Harassment | 0             | 0         | 0               | 0     |
|                  | Sexual Abuse      | 0             | 0         | 1               | 1     |
| Gilliam          | Sexual Harassment | 0             | 0         | 0               | 0     |
|                  | Sexual Abuse      | 0             | 0         | 0               | 0     |
| Golden Peak      | Sexual Harassment | 0             | 0         | 0               | 0     |
|                  | Sexual Abuse      | 0             | 0         | 0               | 0     |
| Grand Mesa       | Sexual Harassment | 0             | 0         | 0               | 0     |
|                  | Sexual Abuse      | 0             | 1         | 0               | 1     |
| Lookout Mountain | Sexual Harassment | 0             | 0         | 0               | 0     |
|                  | Sexual Abuse      | 0             | 0         | 0               | 0     |
| Mount View       | Sexual Harassment | 0             | 0         | 0               | 0     |
|                  | Sexual Abuse      | 0             | 4         | 0               | 4     |
| Platte Valley    | Sexual Harassment | 0             | 0         | 0               | 0     |
|                  | Sexual Abuse      | 0             | 3         | 0               | 3     |
| Pueblo           | Sexual Harassment | 0             | 0         | 0               | 0     |
|                  | Sexual Abuse      | 0             | 0         | 0               | 0     |
| Spring Creek     | Sexual Harassment | 0             | 0         | 0               | 0     |
|                  | Sexual Abuse      | 0             | 2         | 0               | 2     |
| Summit           | Sexual Harassment | 0             | 0         | 0               | 0     |
|                  | Sexual Abuse      | 0             | 0         | 0               | 0     |
| Zebulon Pike     | Sexual Harassment | 0             | 0         | 0               | 0     |
|                  | Sexual Abuse      | 0             | 3         | 0               | 3     |
| TOTALS           | Sexual Harassment | 0             | 0         | 0               | 0     |
|                  | Sexual Abuse      | 0             | 13        | 1               | 14    |

### Corrective Action:

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 in their assigned facilities. 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 curriculum includes mandatory reporting requirements, accurate data entry/collection, scenario training, youth education and the potential personnel, legal consequences of violating PREA.

Policy 9.19, Sexual Abuse and Sexual Harassment Prevention, 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 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 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 providing a deterrent to inappropriate sexual behavior and the ability to confirm/deny allegations that are reported" -- that they result in a decrease in unsubstantiated allegations doesn't seem like the accurate conclusion to draw regarding monitoring technology. Evidence can more frequently be observed through video review that allows for unfounded and substantiated findings.

### **Conclusion:**

The Division places a high priority on sexual abuse and sexual harassment prevention through training and holding youth and 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 2021 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 April 2023

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Taylor Garza, PREA Coordinator April 2023