

The Colorado Division of Youth Services

Sexual Abuse and Sexual Harassment Prevention

PREA Data Report

January 1, 2022 - December 31, 2022



"~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, 2022, through December 31, 2022, DYS was comprised of 13 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.

Five State operated youth centers serve committed youth:

- 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, 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 thirteen 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 2022. This report also includes comparisons from 2013 to 2022. 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.

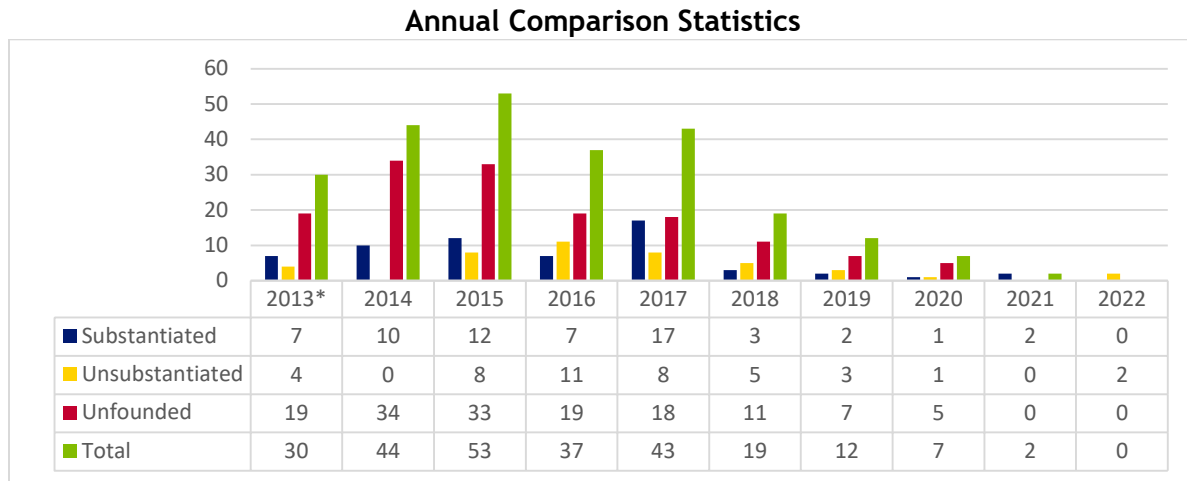
Scope of Report:

This report provides a review of program specific and aggregate data collected for the year beginning January 1, 2022, and ending December 31, 2022.

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 2022, two (2) of the thirteen (13) state operated youth centers reported youth on youth sexual harassment allegations. There were two (2) unsubstantiated allegations.

DYS contract programs reported zero (0) allegations of youth on youth sexual harassment in 2022.

Youth on Youth Sexual Harassment Allegations by Youth Center January 1 - December 31, 2022

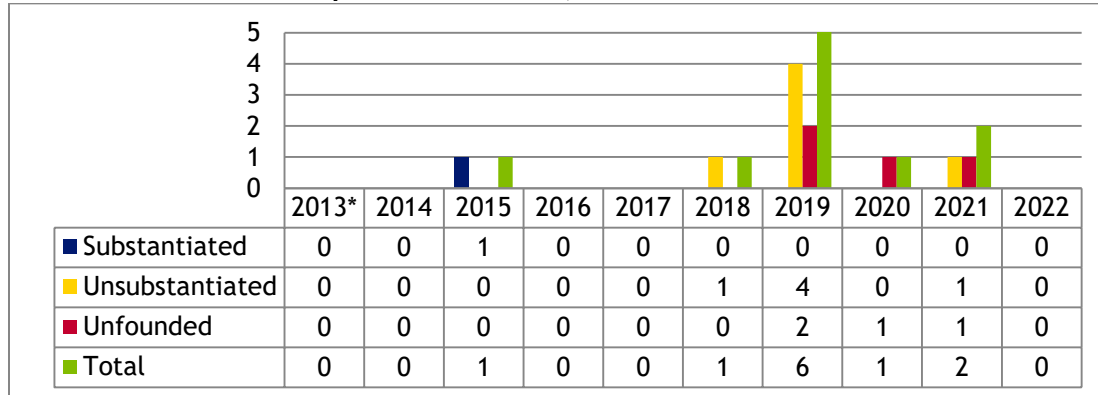
YOUTH CENTER	SUBSTANTIATED	UNFOUNDED	UNSUBSTANTIATED	TOTAL
Betty Marler YSC	0	0	0	0
Foote YSC	0	0	1	1
Gilliam YSC	0	0	0	0
Golden Peak YSC	0	0	0	0
Grand Mesa YSC	0	0	0	0
Platte Valley YSC	0	0	0	0
Prairie Vista YSC	0	0	0	0
Pueblo YSC	0	0	0	0
Rocky Mountain YSC	0	0	1	1
Spring Creek YSC	0	0	0	0
Summit YSC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

Youth on Youth Sexual Harassment Allegation Data Summary

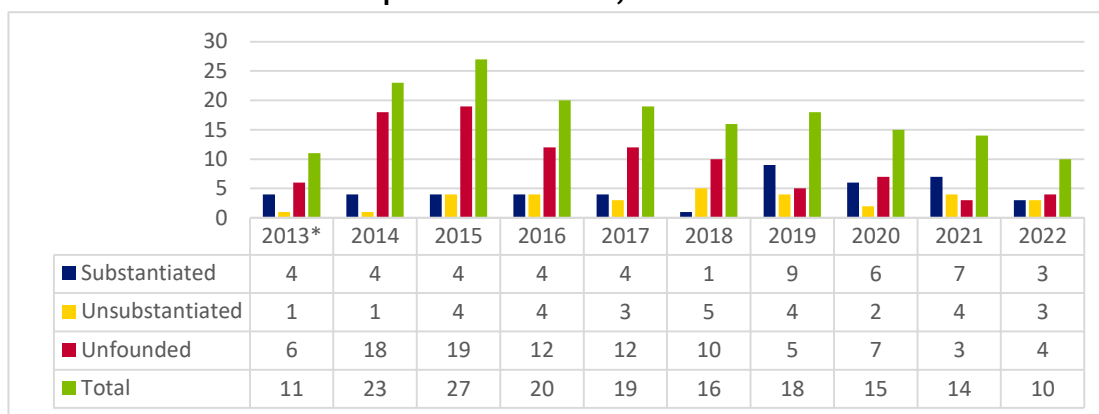
There was a total of two (2) allegations of youth on youth sexual harassment in state-operated youth centers. Both allegations were formally investigated. DYS contract programs reported zero (0) youth on youth sexual harassment allegations.

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 2022, there were zero (0) allegations of youth on youth nonconsensual sexual acts in state-operated youth centers.

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.

**Youth on Youth Sexual Abuse Allegations by Youth Center
January 1 - December 31, 2022**

YOUTH CENTER	ALLEGATION TYPE	SUBSTANTIATED	UNFOUNDED	UNSUBSTANTIATED	TOTAL
Betty Marler	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	0	0	0	0
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	1	0	0	1
Grand Mesa	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	1	1	2
Platte	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	1	1	1	3
Prairie Vista	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	1	0	1
Pueblo	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	0	0	0
Rocky Mountain	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	1	0	1
Spring Creek	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	0	0	0
Summit	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	0	0	0	0
Willow Point	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	1	0	1	2
TOTALS	Nonconsensual Sexual Act	0	0	0	0
	Abusive Sexual Contact	3	4	3	10

At the state-operated youth centers, preliminary inquiry into the ten (10) youth on youth sexual abuse allegations resulted in ten (10) reports to local law enforcement, and ten (10) 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 zero (0) criminal charges in state operated youth centers.

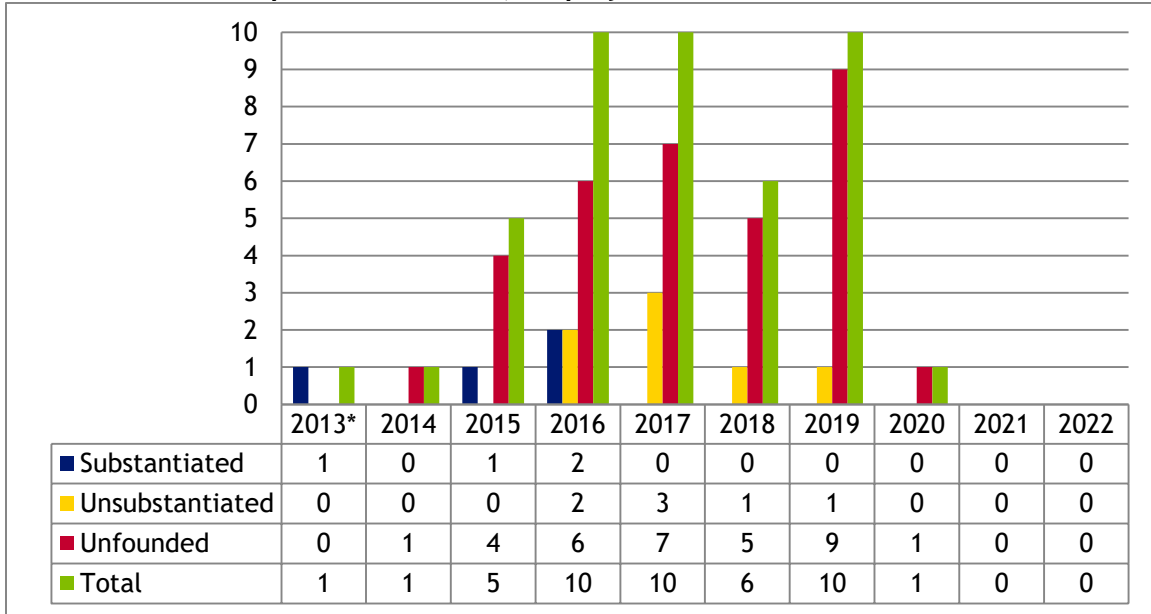
Corrective Action:

DYS PREA coordinator has been working with youth center directors on how to categorize normal adolescent behavior that is horseplay but meets sexual contact definitions. DYS completes a full investigation into all matters that are sexual in nature and document when the incident does not meet “sexually abusive” behavior or ‘victimization.” DYS holds youth accountable for the horseplay through our incident reports and takes the opportunity to teach and educate youth on appropriate boundaries and healthy relationships through these incidents.

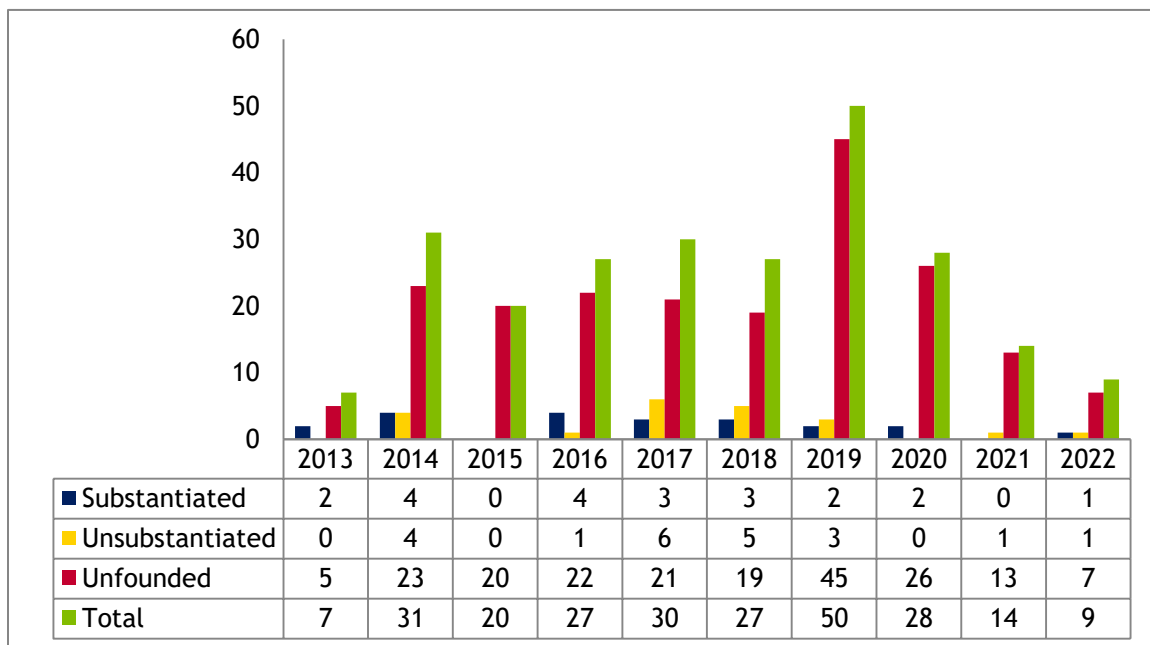
DYS youth center administrators continue to participate in a Sexual Abuse Incident Review process that includes recommendations of improvement and awareness. The PREA Compliance Managers and the PREA Coordinator meet monthly for updates and refreshers regarding different standards to further education and improve systems.

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 zero (0) allegations of employee on youth sexual harassment. Nine (9) employee on youth sexual abuse allegations were reported. One (1) substantiated, one (1) unsubstantiated, and seven (7) unfounded. Per DYS policy, there was a preliminary inquiry completed on all abuse allegations, and of the nine reports alleging employee on youth sexual abuse, nine (9) 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, 2022**

YOUTH CENTER	ALLEGATION TYPE	SUBSTANTIATED	UNFOUNDED	UNSUBSTANTIATED	TOTAL
Betty Marler	Sexual Harassment	0	0	0	0
	Sexual Abuse	1	1	0	2
Foote	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	0	0	0
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	0	0	0
Platte	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	3	0	3
Prairie Vista	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	0	0	0
Pueblo	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	0	0	0
Rocky Mountain	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	0	1	1
Spring Creek	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	1	0	1
Summit	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	1	0	1
Willow Point	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	1	0	1
Zebulon Pike	Sexual Harassment	0	0	0	0
	Sexual Abuse	0	0	0	0
TOTALS	Sexual Harassment	0	0	0	0
	Sexual Abuse	1	7	1	9

Corrective Action:

The PREA Coordinator collaborates with the youth center compliance managers and directors regarding areas of patterns and trends through our PREA audits. DYS does well with PREA implementation and is open to the feedback provided through the PREA audits. We use this feedback to analyze and update our current systems as we learn new areas of focus. Some areas this year included the following:

- How DYS utilizes screening information of youth with disabilities. Educating staff how these disabilities make these youth more vulnerable to victimization or understanding their rights to be free from sexual abuse.
- Fidelity and consistency of the applicant PREA reference check process to include completing them when we promote a staff within our agency.
- Victim Advocacy center contacts were programmed into the youth phones with posters of the services these agencies offer. This allows youth in our care confidential calls to seek support for any sexual abuse they have encountered in their lives.

- DYS provided communications to local law enforcement agencies in our jurisdictions regarding the rights of victims when conducting PREA investigations according to standard 115.322.

DYS continues to seek and gain grant funds along with State funds to deploy additional monitoring technology to investigate and deter inappropriate sexual behavior. The monitoring technology allows DYS the ability to confirm or deny allegations that are reported and result in a decrease of unsubstantiated allegations. Evidence can more frequently be observed through video review that allows for unfounded and substantiated findings.

Conclusion:

The Division of Youth Services continues to place a high priority on preventing sexual abuse and sexual harassment through training, and by holding both youth and staff accountable when found to be engaged in sexual abuse/harassment and/or not maintaining safe and healthy boundaries. The PREA Coordinator will continuously review data collected during the year to identify agency and youth center specific themes, and address them through corrective action, policy updates, and/or training. The PREA coordinator stays actively engaged with youth and staff providing resources and support to youth center culture and investigations. We continue to maintain our relationships with community stakeholders and will continue to share pertinent information with outside investigative entities.

_____, March 26, 2024
Anders Jacobson, Director

_____, March 26, 2024
Taylor Garza, PREA Coordinator