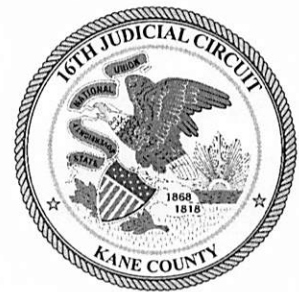


JUVENILE JUSTICE CENTER

16TH JUDICIAL CIRCUIT

DETENTION PROGRAM

OFFICE OF THE PREA COORDINATOR/PROGRAM MANAGER



Prison Rape Elimination Act (PREA) Annual Report 2016 / 2017 / 2018/ 2019 / 2020 / 2021

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Facility

The Kane County Juvenile Justice Center (JJC) is a detention facility for juveniles between the ages of 10 through 20. The facility was opened in 1997 and has a rated capacity of 80 beds. The facility was constructed to allow for a future expansion of 80 additional beds. The Kane County JJC is a regional detention facility and currently has intergovernmental agreements with the seven counties of DeKalb, DuPage, Kendall, McHenry, Ogle, Lee and Stephenson. The facility is composed of four living units, educational classrooms, a medical unit, indoor and outdoor physical recreation, intake and administration areas. The facility provides secure detention services for both male and female juveniles who have been accused of serious crimes or who have been sentenced to the facility for a period of time.

The function of the JJC is to provide safe, humane and secure temporary custody for juveniles pending court proceedings or those who have been adjudicated on delinquent charges. Juveniles are detained through court orders, warrants and at the request of local police departments if deemed appropriate via a screening tool.

JJC Youth Counselors are court-appointed officers with a minimum of a bachelor's degree. They are responsible for maintaining the security of the facility and ensuring the safe and secure custody of each resident. Youth Counselors also monitor the behavior of residents and provide for their physical and emotional well-being.

The JJC is run on a Cognitive Behavioral Training (CBT) program which is an evidence-based model for describing, understanding and changing behavior. It operates on the fundamental assumption that thinking and attitudes influence our behavior and therefore, we can change behavior by changing thought patterns and attitudes.

Facility Mission

The mission of the Kane County JJC is to provide an educationally conducive environment, which is secure, based on legal standards and community values.

Facility PREA Mission

The Prison Rape Elimination Act of September 4, 2003, requires all confinement institutions to create safer environments for all persons in confinement. The final National Standards to

prevent, detect, and respond to prison rape were released by the United States Department of Justice on May 17, 2012.

The Kane County JJC has a zero tolerance policy for sexual misconduct involving residents and seeks to provide a safe, humane, secure environment, free from sexual violence, misconduct harassment or retaliation. The JJC is committed to responding to all allegations of sexual abuse and sexual harassment. Newly admitted residents are provided with information about PREA, including several different ways to report abuse and harassment. Sexual misconduct is prohibited and subject to administrative discipline and/or criminal sanctions. The JJC's policy is intended to prevent, detect and respond to allegations in a thorough and timely manner. The JJC will protect all residents, employees and third parties who report sexual abuse or harassment from retaliation by other inmates or employees.

Purpose

The Prison Rape Elimination Act (PREA) is a federal law that prohibits sexual misconduct within correctional settings, including juvenile detention centers. PREA promotes best practices for prevention, detection and response to sexual misconduct within the facility. The PREA Act requires that our facility collect and analyzes data in order to assess and improve the effectiveness of its sexual abuse prevention, detection and response policies, practices and training. (Standard 115.388)

This report is completed in order to identify problem areas in order to take corrective action, compare data with preceeding years and to assess our facility's progress in addressing sexual misconduct. (Standard 115.388)

Resident Reporting

Residents may report sexual abuse or sexual harassment in several ways while in the JJC's custody:

1. Tell any staff member, contractor or volunteer.
2. Submit a grievance or emergency grievance to management.
3. Use the PREA phone to call the Community Crisis Center.
4. Tell a parent, guardian, attorney, caseworker or Probation Officer.

Third-Party Reporting (note: All contact numbers are posted in all housing units)

- 1. Call the DCFS hotline at 1-800-25ABUSE.**
- 2. Call the Kane County Sheriff – dial 911 or call 630-232-6840.**
- 3. Call the Community Crisis Center at 847-697-2380.**
- 4. Submit a report through the Kane County Court Services website.**

The Kane County Sheriff's Office investigates all allegations of sexual abuse.

Victim Services

Any resident who has been a victim of sexual abuse or sexual harassment may use the PREA phone located in the Medical Unit, or they may notify any staff member to receive crisis counseling services from a therapist at the Community Crisis Center. We also have weekly visits from the Hands of Hope Grief Counselors who run a once per week group for the JJC as well as individual sessions as needed.

In addition, there are two full time mental health clinicians at the JJC.

PREA Achievements prior to 2016

Note: Assistant Superintendent Amy Sierra began researching and implementing the PREA law and standards for the JJC in 2013. Although a PREA Coordinator was not hired until April 2016, the JJC was well underway to implementing the PREA requirements for Juvenile Facilities. This includes the following:

- Established PREA compliant resident-to-staff ratios of 8:1 during waking hours and 16:1 during sleeping hours.**
- Approximately \$90,000 worth of cameras were installed in the JJC to help monitor the facility for PREA compliance.**
- Established a Memorandum of Understanding (MOU) with the Community Crisis Center in Elgin, IL, to provide emotional support services for any resident reporting a history of abuse.**
- Established an MOU with Edward-Elmhurst Hospital to provide Sexual Assault Nurse Examiner (SANE) exams for residents reporting a sexual assault within the past 7 days.**

- The JJC contracts with the Community Crisis Center to provide residents with outside access to victim advocates to make third-party reporting and/or receive emotional support services.
- Developed a job description for a PREA Coordinator and obtained funding for this position.

Facility Achievements in 2016

- Hired a full-time PREA Coordinator in April 2016.
- Contracted and worked with Certified PREA Auditor Wayne Liddell to develop PREA policies for the JJC.
- Established and trained all staff, volunteers, contractors, medical and mental health staff on the facility's policies and procedures related to PREA in order to meet or exceed the Federal PREA standards.
- Established a Vulnerability Screening Assessment upon admission to the JJC for all residents. Included in this screening is language used to ascertain a resident's LGBTQI status and other questions used to assess the potential risk of sexual victimization or abusiveness, which helps to determine housing assignments.
- Ensured that all residents obtain PREA information upon intake.
- Established PREA policies and procedures specific to the JJC.
- Hired Certified PREA auditor Wayne Liddell to assist in the PREA compliance process.
- Added cameras in facility "blind spots" to ensure safety and security.
- Established and conducted "unannounced rounds" as required by PREA standards. This statute also dictates that staff are prohibited from alerting other staff about these rounds.
- Trained and implemented policy for staff to "announce their presence" when entering housing units.
- Provided ongoing PREA education to residents on a monthly basis.

Facility achievements in 2017

- Installed a PREA phone in the Medical office where residents are able to report abuse or harassment via a third party.
- Established MOU with the Community Crisis Center (CCC) to answer the PREA phone calls.
- Provided training for CCC volunteers who answer the Crisis Line calls.

- **Established an Emergency Grievance form, in addition to the regular Grievance form, that residents have access to so they may report abuse or harassment.**
- **Posted PREA information on the Court Services public website.**
- **Provided continued PREA training for all staff/ volunteers/ contractors.**
- **Provided PREA training for all new staff/volunteers/contractors.**
- **Provided training for staff on the LGBTQI population, vernacular, etc.**
- **Provided ongoing PREA education to residents on a monthly basis.**
- **Provided PREA language for the union's collective bargaining agreement.**
- **Provided TTY phone to assist residents/family members who may be hearing impaired. Later upgraded to the Purple Communication system for this same purpose.**
- **Revised Visual Scan (strip search) policy to reduce the number of residents undergoing this process. Reduced the number by 80%.**
- **Established an MOU with the YWCA to provide monthly education sessions for residents.**
- **Established an MOU with the Open Door Clinic to provide bi-monthly education sessions.**
- **Participated in a PREA audit from May 31 - June 2, 2017 by Certified PREA Auditor Charles Kehoe.**
- **Provided PREA education to the DuPage County Transport team.**
- **Installed window cling in the Special Observation Unit, Medical Unit, ATR and Court Holding cells for residents' privacy while toileting.**
- **"Bubble Mirror" was installed in the Laundry room for additional viewing capability in the area behind the washing machines.**
- **Alterations were made on all cameras for the Special Observation Unit, Medical Unit, ATR and Court Holding cells to obstruct staffs' viewing of residents while toileting.**
- **Signs were put on all areas where there is "No Resident Access."**
- **Signs were posted in all housing units reminding staff to "announce your presence."**

Facility achievements in 2018

- **PREA trained new staff**
- **PREA trained existing staff**
- **PREA trained all new volunteers, contractors and interns**
- **PREA Coordinator continues to meet with other PREA Coordinators from Juvenile detention centers in the state to increase knowledge and share resources.**
- **Ensured all residents complete a VSAB assessment at intake.**

- Ensured all residents received PREA orientation and education session.

Facility achievements in 2019

- Obtained new cameras and security system
- Eliminated blind spots
- PREA trained new staff
- PREA trained existing staff
- PREA trained all new volunteers, contractors and interns
- PREA Coordinator continues to meet with other PREA Coordinators from Juvenile detention centers in the state to increase knowledge and share resources.
- Ensured all residents complete a VSAB assessment at intake.
- Ensured all residents received a PREA orientation and education session.

2016 Facility Sexual Abuse Data				
Category	Substantiated	Unsubstantiated	Unfounded	Pending
Resident-Resident Sexual Abuse	0	0	0	0
Staff-Resident Sexual Abuse	0	0	0	0
Resident-Resident Sexual Harassment	0	0	0	0
Staff-Resident Sexual Harassment	1	0	2	0
Total	1	0	2	0

2017 Facility Sexual Abuse Data				
Category	Substantiate	Unsubstantiated	Unfounded	Pending
Resident-Resident Sexual Abuse	0	0	0	0
Staff-Resident Sexual Abuse	0	0	0	0
Resident-Resident Sexual Harassment	0	0	9	0
Staff-Resident Sexual Harassment	0	0	2	0
Total	0	0	11	0

2018 Facility Sexual Abuse Data				
Category	Substantiate	Unsubstantiated	Unfounded	Pending
Resident-Resident Sexual Abuse	0	0	0	0
Staff-Resident Sexual Abuse	0	0	0	0
Resident-Resident Sexual Harassment	0	0	7	0
Staff-Resident Sexual Harassment	0	0	1	0
Total	0	0	8	0

2019 Facility Sexual Abuse Data				
Category	Substantiate	Unsubstantiated	Unfounded	Pending
Resident-Resident Sexual Abuse	0	0	0	0
Staff-Resident Sexual Abuse	0	0	0	0
Resident-Resident Sexual Harassment	0	0	10	0
Staff-Resident Sexual Harassment	0	0	0	0
Total	0	0	10	0

2020 Facility Sexual Abuse Data				
Category	Substantiate	Unsubstantiated	Unfounded	Pending
Resident-Resident Sexual Abuse	0	0	0	0
Staff-Resident Sexual Abuse	0	0	0	0
Resident-Resident Sexual Harassment	0	0	1	0
Staff-Resident Sexual Harassment	0	0	0	0
Total	0	0	0	0

2021 Facility Sexual Abuse Data				
Category	Substantiate	Unsubstantiated	Unfounded	Pending
Resident-Resident Sexual Abuse	0	0	0	0
Staff-Resident Sexual Abuse	0	0	0	0
Resident-Resident Sexual Harassment	0	0	0	1
Staff-Resident Sexual Harassment	0	0	0	0
Total	0	0	0	0

Definition of Findings

Substantiated: Allegation was investigated and the result indicated that the alleged event DID occur.

Unsubstantiated: Allegation was investigated and the result indicated there was insufficient evidence to make a determination as to whether or not the event occurred.

Unfounded: Allegation was investigated and the result indicated that the alleged event DID NOT occur.

PREA Incident Reviews

A PREA Review Committee was established in 2016 and is tasked with reviewing substantiated or unsubstantiated allegations of sexual abuse as required by PREA standard 115.386. The committee is composed of the Superintendent, Assistant Superintendent, Supervisor, Mental Health Clinicians, PREA Coordinator and Nurse. The committee shall:

- a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse;
- b) Consider whether the incident or allegation was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, or intersex identification, status or

perceived status, or gang affiliation or was motivated or otherwise caused by other group dynamics at the facility;

- c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
- d) Assess the adequacy of staffing levels in that area during different shifts;
- e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
- f) Prepare a report of its findings, including but not necessarily limited to determinations of the above review criteria and any recommendations for improvements and submit such report to the facility head.

THERE WERE NO SUBSTANTIATED OR UNSUBSTANTIATED INCIDENTS OF SEXUAL ABUSE TO REVIEW DURING THIS PERIOD.

Analysis/ Corrective Action

In 2016, there was one substantiated report for Staff-to-Resident sexual harassment. That staff member was terminated from the JJC. There were 2 other unfounded resident to resident sexual harassment investigations.

Corrective actions included not allowing male and female residents to sit next to each other at the library tables.

In 2017, there were 9 investigations alleging resident to resident sexual harassment. All 9 were unfounded. There were 2 staff to resident investigations alleging sexual harassment which were also unfounded.

Corrective actions included posting "No Resident Access" signs in the building, purchasing window cling for additional resident privacy in showers, OB, Medical, ATR and Court Holding, now allowing male and female residents to play basketball with each other due to inappropriate touching, blurring the image over the toilets for privacy in OB and medical units, not placing residents in rooms directly across from each other if possible due to inappropriate gestures. We also discussed the issue of residents "talking under doors" and investigated several options which were not practical.

In 2018, there were 7 investigations alleging resident to resident sexual harassment. All 7 were unfounded. There was 1 investigation alleging sexual harassment to a resident by a staff member- this was also unfounded.

Corrective actions included separating the female residents into two units due to inappropriate behavior as well as not allowing girls to braid each others hair due to "grooming" behavior, residents only allowed to shower (individually) two at a time.

In 2019, there were 10 investigations alleging resident to resident sexual harassment that were unfounded.

Corrective actions included not allowing male and female residents to sit at the same table in the classrooms and living units, addressing the issue of note passing with all staff, trying not to allow male and female residents in OB or medical at the same time, discussing boundary issues with staff.

In 2020, there were 2 PREA concerns brought to our attention. In one, a developmentally delayed resident was being encouraged to make sexually inappropriate remarks to staff. This issue was addressed by moving the alleged offenders to another housing unit. PREA does not consider sexual harassment of staff members to this is not a PREA investigation. A second incident alleged that a male resident touched the shoulder of a female resident. Video was reviewed and this did not occur. This is not a sexual allegation so it is not a PREA matter. However, we did discuss this matter with supervisors and decided that there should always be a staff member directly present in the pod if a male and female resident are in the pod together.

In 2021, there were 7 PREA concerns brought to our attention. In the first alleged incident, one resident asked another if he was gay and if he would perform oral sex. This was not a repeated occurrence and therefore not a PREA matter. A second allegation alleged that residents were engaged in masturbating at the same time in their separate rooms. This was unfounded as no evidence was found that this was occurring. A third allegation was that one female resident told another female resident that they should have a "3-way" with her boyfriend. This was not a repeated occurrence and therefore not a PREA matter. A fourth allegation was that one resident made a masturbating motion toward another resident. This was also not a repeated occurrence. A fifth allegation stated that a male resident told a female resident that she was "fine" and he wanted to have sex with her. This was not a repeated occurrence and not a PREA matter. A sixth allegation alleged that one resident exposed himself while in his room to another resident in another room. The first resident was in his boxers in his own room. This was also not a repeated occurrence. A seventh allegation

was brought to the attention of the JJC that alleged that a resident in a residential program made allegations that he was sexually assaulted at the JJC. Despite repeated efforts to report this matter, have the victim report the matter and have the police investigate the incident, no action was taken as the alleged victim was uncooperative. This matter was referred to the Kane County Sheriff's Department who also attempted to follow up- to no avail.

The Kane County JJC routinely reviews and analyzes PREA incidents even when not classified under the PREA standards or when determined to be unfounded. These reviews lead to improvement in policy and procedure to ensure staff are using best practices in the Juvenile Justice field.