

Montgomery County Juvenile Court
Center for Adolescent Services
Prison Rape Elimination Act (PREA) Statistics

§ 115.389 (b) The agency shall make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one through other means.

Definitions:

1. **Prohibited Behavior:** Correspondence of, engaging in, or attempting to engage in a sexual act with any resident or the intentional touching of a resident/staff's genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, humiliate, harass, degrade, arouse, or gratify the sexual desire of any person.
 - A. Sexual acts or contacts between a resident and a staff member, even with no objections are raised, are always illegal.
 - B. Sexual acts or contacts between residents, even when no objections are raised, are prohibited acts.
2. **Sexual Abuse/Assault – Includes**
 - A. Sexual abuse/assault of an inmate, detainee, or resident by another inmate, detainee, or resident.
 - B. Sexual abuse/assault of an inmate, detainee, or resident by a staff member, contractor, volunteer or intern.
3. **Sexual Abuse/Assault by Another Inmate, Detainee, or Resident-** Includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:
 - A. Contact between the penis and the vulva, or the penis and the anus, including penetration however slight;
 - B. Contact between the mouth and the penis, vulva, or anus;
 - C. Contact between the mouth and any body part where the resident has the intent to abuse, arouse, or gratify sexual desire;
 - D. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
 - E. Any other intentional touching, either directly or through the clothing, of the genitalia, *anus, groin, breast, inner thigh, or the buttocks of any person, excluding contact incidental to a physical altercation.*
4. **Sexual Abuse/Assault by a Staff Member, Contractor, Volunteer, or Intern –** Includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:
 - A. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
 - B. Contact between the mouth and the penis, vulva, or anus;
 - C. Contact between the mouth and any other body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
 - D. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
 - E. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, volunteer or intern has the intent to abuse, arouse, or gratify sexual desire;
 - F. Any attempt, threat, or request by a staff member, contractor, volunteer or intern to engage in the activities described above in points (Ba) – (Be);
 - G. Any display by a staff member, contractor, volunteer, or intern of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident; and
 - H. Voyeurism by a staff member, contractor, volunteer, or intern.
 1. The invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties. This includes the following:
 2. Peering at a resident who is using the toilet in his or her cell to perform bodily functions;
 3. Requiring a resident to expose his or her buttocks, genitals;
 4. Taking images of parts of a resident's naked body; and

5. Taking images of a resident performing bodily function.

5. Sexual Harassment Includes the following:

- A. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate detainee, or resident directed toward another; and
- B. Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

6. Substantiated Allegation – An allegation that was investigated and determined to have occurred.

7. Unfounded Allegation – An allegation that was investigated and determined not to have occurred.

8. Unsubstantiated Allegation – An allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

2012

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| 20 Males were in the facility on 12/31/2012 8 Females were in the facility on 12/31/2012 |
| 158 Males were admitted during 2012 37 Females were admitted during 2012 |
| 20.33 Males was the average daily population for 2012 9.40 Females was the average daily population for 2012 |

| <u>Sexual Harassment</u> | | <u>Sexual Abuse</u> | | <u>Sexual Assault</u> | |
|--------------------------|---|---------------------|---|-----------------------|---|
| Total Referrals | 0 | Total Referrals | 0 | Total Referrals | 0 |
| Substantiated | 0 | Substantiated | 0 | Substantiated | 0 |
| Unsubstantiated | 0 | Unsubstantiated | 0 | Unsubstantiated | 0 |
| Unfounded | 0 | Unfounded | 0 | Unfounded | 0 |

2013

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| 18 Males were in the facility on 12/31/2013 8 Females were in the facility on 12/31/2013 |
| 37 Males were admitted during 2013 13 Females were admitted during 2013 |
| 13.95 Males was the average daily population for 2013 7.66 Females was the average daily population for 2013 |

| Sexual Harassment | | Sexual Abuse | | Sexual Assault | |
|--------------------------|---|---------------------|---|-----------------------|---|
| Total Referrals | 4 | Total Referrals | 1 | Total Referrals | 0 |
| Substantiated | 2 | Substantiated | 0 | Substantiated | 0 |
| Unsubstantiated | 2 | Unsubstantiated | 1 | Unsubstantiated | 0 |
| Unfounded | 0 | Unfounded | 0 | Unfounded | 0 |

2014

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| 18 Males were in the facility on 12/31/2014 |
| 20 Females were in the facility on 12/31/2014 |
| 38 Males were admitted during 2014 |
| 53 Females were admitted during 2014 |
| 18.77 Males was the average daily population for 2014 |
| 10.88 Females was the average daily population for 2014 |

| Sexual Harassment | | Sexual Abuse | | Sexual Assault | |
|--------------------------|----|---------------------|----|-----------------------|---|
| Total Referrals | 24 | Total Referrals | 20 | Total Referrals | 0 |
| Substantiated | 8 | Substantiated | 3 | Substantiated | 0 |
| Unsubstantiated | 11 | Unsubstantiated | 11 | Unsubstantiated | 0 |
| Unfounded | 5 | Unfounded | 6 | Unfounded | 0 |

2015

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| 24 Males were in the facility on 12/31/2015 |
| 13 Females were in the facility on 12/31/2015 |
| 52 Males were admitted during 2015 |
| 53 Females were admitted during 2015 |
| 20.51 Males was the average daily population for 2015 |
| 16.96 Females was the average daily population for 2015 |

| Sexual Harassment | | Sexual Abuse | | Sexual Assault | |
|--------------------------|----|---------------------|----|-----------------------|---|
| Total Referrals | 11 | Total Referrals | 11 | Total Referrals | 0 |
| Substantiated | 1 | Substantiated | 3 | Substantiated | 0 |
| Unsubstantiated | 3 | Unsubstantiated | 2 | Unsubstantiated | 0 |
| Unfounded | 7 | Unfounded | 6 | Unfounded | 0 |