

ARIZONA DEPARTMENT OF JUVENILE CORRECTIONS REPORT

*Based on the United States Department of Justice - Annual Survey of Sexual Violence
This report is provided per PREA Standard § 115.387 Data Collection*

2009 – 2014

The Arizona Department of Juvenile Corrections (ADJC) is committed to creating a safe environment and protecting juveniles against sexual victimization. ADJC has zero tolerance for sexual contact of any kind with juveniles, including sexual conduct, assault, and/or harassment, by juveniles, staff, contractors, volunteers or others. Our efforts include effective, reliable offender grievance systems, comprehensive prevention and awareness training for staff and juveniles on preventing and reporting sexual abuse and sexual harassment, and extensive quality assurance reviews and vulnerability assessments. ADJC also screens juveniles to identify potential victims and perpetrators, ensures services are provided for the victims of such abuse, educates employees and juveniles, and assesses potential environmental factors.

ADJC follows the child abuse reporting requirements in accordance with Arizona Revised Statutes (A.R.S.) § 13-3620, and is committed to the safety and security of every juvenile in its care. Every allegation that a juvenile has been physically, sexually, or emotionally abused while in ADJC custody is thoroughly investigated. These allegations can come to the attention of ADJC investigators in a variety of ways: report by a juvenile, juvenile grievance, report by a parent or guardian, report by an employee, or through Project Zero Tolerance, which provides additional reporting mechanisms for parents, guardians, and members of the public.

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TARGET YEAR	2009	2010	2011	2012	2013	2014
On December 31 st of the target year, how many males were held in the facility?	435	334	339	229	311	289
On December 31 st of the target year, how many females were held in the facility?	47	38	47	51	35	26
On December 31 st of the target year, how many total juveniles were held in the facility?	480	372	386	350	346	315

Between January 1 st and December 31 st of the target year, how many juveniles were admitted to the facility?	637	517	506	461	353	341
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Between January 1 st and December 31 st of the target year, how many non-consensual youth-on-youth sexual acts were reported?	1	5	1	1	4	1
Of those acts, how many were substantiated?	1	4	1	0	0	0
Of those acts, how many were unsubstantiated?	1	0	0	1	3	1
Of those acts, how many were unfounded?	0	4	0	0	1	0
Of those acts, how many are still under investigation?	0	0	0	0	0	0

Between January 1 st and December 31 st of the target year, how many allegations of youth-on-youth abusive sexual contacts were reported?	5	6	2	1	3	10 ¹
Of those acts, how many were substantiated?	4	2	2	0	0	2
Of those acts, how many were unsubstantiated?	0	0	0	1	1	7
Of those acts, how many were unfounded?	0	1	0	0	2	1
Of those acts, how many are still under investigation?	0	0	0	0	0	0

¹ ADJC counts all allegations that meet the definition, regardless of whether or not any sexual intent or motivation is identified.

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TARGET YEAR	2009	2010	2011	2012	2013	2014
Between January 1 st and December 31 st of the target year, how many allegations of youth-on-youth sexual harassment were reported?	N/A	N/A	N/A	N/A	N/A	9 ²
Of those acts, how many were substantiated?	N/A	N/A	N/A	N/A	N/A	5
Of those acts, how many were unsubstantiated?	N/A	N/A	N/A	N/A	N/A	4
Of those acts, how many were unfounded?	N/A	N/A	N/A	N/A	N/A	0
Of those acts, how many are still under investigation?	N/A	N/A	N/A	N/A	N/A	0

Between January 1 st and December 31 st of the target year, how many allegations of staff sexual misconduct were reported?	0	0	0	4	5	7
Of those acts, how many were substantiated?	0	0	0	0	0	1 ³
Of those acts, how many were unsubstantiated?	0	0	0	2	0	2
Of those acts, how many were unfounded?	0	0	0	2	5	4
Of those acts, how many are still under investigation?	0	0	0	0	0	0

Between January 1 st and December 31 st of the target year, how many allegations of staff sexual harassment were reported?	0	0	0	2	1	0
Of those acts, how many were substantiated?	0	0	0	0	1	0
Of those acts, how many were unsubstantiated?	0	0	0	1	0	0
Of those acts, how many were unfounded?	0	0	0	1	0	0
Of those acts, how many are still under investigation?	0	0	0	0	0	0

² Staff responded to all reported allegations in prior years; however, this reporting category was added during calendar year 2013; therefore, 2014 is the first year ADJC is reporting sexual harassment. ADJC records all allegations and substantiates all cases that meet the definition, including cases involving verbal comments, gestures, or actions of a derogatory or offensive sexual nature.

³ A male Youth Corrections Officer who admittedly engaged in three (3) or four (4) face to face, chest to chest, embracing hugs with an incarcerated female minor was terminated and arrested by ADJC and convicted of Unlawful Sexual Conduct within a Correctional Facility.

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DEFINITIONS:

YOUTH ON YOUTH ABUSIVE SEXUAL ACTS: Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse (*children under the age of 15 cannot legally consent to any sexual activity*);

- **AND** Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.
- **EXCLUDE** incidents in which the contact was incidental to a physical altercation.

YOUTH ON YOUTH NON-CONSENSUAL SEXUAL ACTS: Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse (*children under the age of 15 cannot legally consent to any sexual activity*);

- **AND** Sexual contact between the penis and the vulva or the penis and the anus including penetration, however slight;
- **OR** Contact between the mouth and the penis, vulva, or anus;
- **OR** Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.

YOUTH ON YOUTH SEXUAL HARASSMENT: Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one youth directed toward another.

STAFF ON YOUTH SEXUAL ASSAULT: Any behavior or act of a sexual nature directed toward a youth by an employee, volunteer, contractor, official visitor or other agency representative (*exclude family, friend or other visitors*). Sexual relationships of a romantic nature between staff and youths 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 staff voyeurism for reasons unrelated to official duties or for sexual gratification.

STAFF ON YOUTH SEXUAL HARASSMENT: Repeated verbal statements, comments or gestures of a sexual nature to a youth by an employee, volunteer, contractor, official visitor, or other agency representative (*exclude family, friends, or other visitors*). Include:

- Demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing;
- **OR** Repeated profane or obscene language or gestures.