

Section I- YOUTH-on-YOUTH Sexual Victimization

DEFINITIONS

The survey utilizes the definition of "sexual abuse: as provided by 28 C.F.R §115.6 in the National Standards to Prevent, Detect and Respond to Prison Rape (under the Prison Rape Elimination Act of 2003). For purposes of SSV, sexual abuse is disaggregated into three categories of inmate-on-inmate sexual victimization. These categories are:

NONCONSENSUAL SEXUAL ACTS

Sexual contact of any person without his or her consent, or of a person who is unable to consent and or refuse:

AND

- 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.

ABUSIVE SEXUAL CONTACT

Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse:

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.

SEXUAL HARASSMENT

Repeated and unwanted sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another.

1. Does your Agency record allegations of inmate-on-inmate **NONCONSENSUAL SEXUAL ACTS**?

Yes → a.

Do you record all reported occurrences, or only substantiated ones?

- ☒ All
☐ Substantiated only

- b. **Do you record attempted NONCONSENSUAL SEXUAL ACTS or only completed ones?**

- ☒ Both
Attempted/completed
☐ Completed only

No → Please provide an explanation in the space below and then Skip to Item 4.

2. Between January 1, 2022, and December 31, 2022, how many allegations of inmate-on-inmate **NONCONSENSUAL ACTS** were reported?

Number reported _____ 0 _____

- If an allegation involved multiple victimizations, count only once.
- Exclude any allegations that were reported as consensual.

3. Of the allegations reported in Item 2, how many were. . . .

a. **Substantiated** _____ 0 _____

- The event was investigated and determined to have occurred, based on a preponderance of the evidence (28 C. F. R. 115.72)

b. **Unsubstantiated** _____ 0 _____

- The investigation concluded that evidence was insufficient to determine whether or not the event occurred.

c. **Unfounded** _____ 0 _____

- The investigation determined that the event did NOT occur.

d. **Investigation ongoing** _____ 0 _____

- Evidence is still being gathered, processed or evaluated, and a final determination has not yet been made.

e. **TOTAL (sum of 3a-3d)** _____ 0 _____

- The total should equal the number reported in Item 2.

4. Does your Agency record allegations of inmate-on-inmate **ABUSIVE SEXUAL CONTACT** (See definitions on page 1)

Yes → Can these be counted separately from allegations of **NON CONSENSUAL SEXUAL ACTS**?

- ☒ Yes
☐ No → Skip to Item 7

No → Please provide an explanation in the space below and then skip to Item 7.

Yes → Do you record all reported allegations or only substantiated ones

- ☒ All
☐ Substantiated only

No → Please provide an explanation in the space below and then skip to Section II.

5. Between January 1, 2022 and December 31, 2022, how many allegations of inmate-on-inmate **ABUSIVE SEXUAL CONTACT** were reported?

Number reported _____ 0 _____

- If an allegation involved multiple victimizations, count only once.
- Exclude any allegations that were reported as consensual.

6. Of the allegations reported in Item 5, how many were. . . .

- a. **Substantiated** _____ 0 _____
- The event was investigated and determined to have occurred, based on a preponderance of the evidence (28 C. F. R. 115.72)
- b. **Unsubstantiated** _____ 0 _____
- The investigation concluded that evidence was insufficient to determine whether or not the event occurred.
- c. **Unfounded** _____ 0 _____
- The investigation determined that the event did NOT occur.
- d. **Investigation ongoing** _____ 0 _____
- Evidence is still being gathered, processed or evaluated, and a final determination has not yet been made.
- e. **TOTAL (sum of 6a-6d)** _____ 0 _____
- The total should equal the number reported in Item 5.

8. Between January 1, 2022 and December 31, 2022, how many allegations of inmate-on-inmate **SEXUAL HARASSMENT** were reported?

Number reported _____ 0 _____

- If an allegation involved multiple victims or inmate perpetrators, count only once.
- Exclude any allegations that were reported as consensual.

9. Of the allegations reported in Item 8, how many were. . . .

- a. **Substantiated** _____ 0 _____
- The event was investigated and determined to have occurred, based on a preponderance of the evidence (28 C. F. R. 115.72)
- b. **Unsubstantiated** _____ 0 _____
- The investigation concluded that evidence was insufficient to determine whether or not the event occurred.
- c. **Unfounded** _____ 0 _____
- The investigation determined that the event did NOT occur.
- d. **Investigation ongoing** _____ 0 _____
- Evidence is still being gathered, processed or evaluated, and a final determination has not yet been made.
- e. **TOTAL (sum of 9a-9d)** _____ 0 _____
- The total should equal the number reported in Item 8.

7. Does your Agency record allegations of inmate-on-inmate **SEXUAL HARASSMENT** (See definitions on page 1)

Section II- Staff-on-Inmate Sexual Victimization

DEFINITIONS

The survey utilizes the definition of “sexual abuse: by a staff member, contractor or volunteer as provided by 28 C.F.R. §115.6 in the National Standards to Prevent, Detect and Respond to Prison Rape (under the Prison Rape Elimination Act of 2003). For purposes of SSA, sexual abuse is disaggregated into two categories of staff-on-inmate sexual abuse. These categories are:

STAFF SEXUAL MISCONDUCT

Any behavior or act of sexual nature directed toward an inmate by an employee, volunteer, contractor, official visitor or other agency representative (exclude family, friends or other visitors).

Sexual relationships of a romantic nature between staff and inmates 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 SEXUAL HARASSMENT

Repeated verbal statements, comments or gestures of a sexual nature to an inmate 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.

10. Does your Agency record allegations **STAFF SEXUAL MISCONDUCT**?

Yes → Do you record all reported occurrences or only substantiated ones

☒ All

☐ Substantiated only

No → Please provide an explanation in the space below and then skip to Item 13.

11. Between January 1, 2022 and December 31, 2022, how many allegations of **STAFF SEXUAL MISCONDUCT** were reported?

Number reported _____ 0 _____

- If an allegation involved multiple victimizations, count only once.

12. Of the allegations reported in Item 11, how many were. . . .

a. Substantiated _____ 0 _____

- The event was investigated and determined to have occurred, based on a preponderance of the evidence (28 C. F. R. 115.72)

b. Unsubstantiated _____ 0 _____

- The investigation concluded that evidence was insufficient to determine whether or not the event occurred.

c. Unfounded _____ 0 _____

- The investigation determined that the event did NOT occur.

d. Investigation ongoing _____ 0 _____

- Evidence is still being gathered, processed or evaluated, and a final determination has not yet been made.

e. TOTAL (sum of 12a-12d) _____ 0 _____

- The total should equal the number reported in Item 11.

13. Does your Agency record allegations of **STAFF SEXUAL HARASSMENT** (See definitions on page 3)

Yes → Can these allegations be counted separately from allegations of **STAFF SEXUAL MISCONDUCT**?

☒ Yes

☐ No → Skip to Item 16

No → Please provide an explanation in the space below and then skip to Item 16.

14. Between January 1, 2022 and December 31, 2022, how many allegations of **STAFF SEXUAL HARASSMENT** were reported?

Number reported _____ 0 _____

- If an allegation involved multiple victims or staff, count only once.

15. Of the allegations reported in Item 14, how many were.

a. **Substantiated** _____ 0 _____

- The event was investigated and determined to have occurred, based on a preponderance of the evidence (28 C. F. R. 115.72)

b. **Unsubstantiated** _____ 0 _____

- The investigation concluded that evidence was insufficient to determine whether or not the event occurred.

c. **Unfounded** _____ 0 _____

- The investigation determined that the event did NOT occur.

d. **Investigation ongoing** _____ 0 _____

- Evidence is still being gathered, processed or evaluated, and a final determination has not yet been made.

e. **TOTAL (sum of 15a-15d)** _____ 0 _____

- The total should equal the number reported in Item 14.

Section III—PRIVATE AND LOCAL ALLEGATIONS

16. Did any of the allegations reported in Items 2, 5, 8, 11, or 14 occur in a privately operated facility?

☐ Yes

☐ No

17. Did any of the allegations reported in Items 2, 5, 8, 11, or 14 occur in a facility operated and administered by local governments?

☐ Yes

☐ No

Section IV—TOTAL SUBSTANTIATED INCIDENTS OF SEXUAL VICTIMIZATION

18. What is the total number of substantiated incidents reported in Items 3a, 6a, 9a, 12a, and 15a?

Total Substantiated

Incidents..... _____ 0 _____