

Eliminating Sexual Abuse & Sexual Harassment of Vermont Youth in Custody

Compliance with the 2003 National
Prison Rape Elimination Act (PREA)



**Vermont Agency of Human Services
Department for Children and Families
Family Services Division**

January – December 2016

PURPOSE

The Agency of Human Services, Department for Children and Families, Family Services Division (FSD) is Vermont's child welfare and youth justice agency. FSD is responsible for making sure children and youth are safe, their basic needs are met, they abide by the law, and families are supported to achieve these goals. FSD is committed to meeting the requirements of the 2003 [Prison Rape Elimination Act \(PREA\)](#) and ensuring that all youth are safe and free from sexual abuse and harassment. This report outlines how FSD is responding to the PREA requirements and promoting safety for all youth.

FACILITIES

Vermont has one state-operated locked/secure juvenile rehabilitation center and three contracted community-based staff-secure residential treatment programs that are considered confinement facilities under the PREA standards.

	2015 total admissions	# of youth with pending charges or adjudicated delinquents	% of youth with pending charges or adjudicated delinquents	2016 total admissions	# of youth with pending charges or adjudicated delinquents	% of youth with pending charges or adjudicated delinquents
Woodside Juvenile Rehabilitation Center	152	152 *	100%	115	115 *	100%

	2015 total admissions	# adjudicated delinquents	% adjudicated delinquents	2016 total admissions	# adjudicated delinquents	% adjudicated delinquents
Howard Center Park Street	18	9	50%	13	8	61.5%
Howard Center Transition House	9	8	88.9%	4	1	25%
Seall, Inc. (204 Depot Street Program)	118	56	47.5%	114	43	38%

Woodside Juvenile Rehabilitation Center is a state-operated locked/secure juvenile rehabilitation center with the capacity to serve thirty (30) youth, males and females, ages 10–18. The purpose of the program is to provide short-term and long-term trauma-informed services within a safe and secure environment. The program serves youth who are in the custody of the Vermont DCF Commissioner with a delinquency charge or adjudication¹, and exhibiting self or other harming behavior(s).

Howard Center Park Street Program is a contracted community-based residential treatment program with the capacity to serve ten (10) adolescent males ages 12–18 with sexually harming behaviors. The components offered are 90-day assessments, long-term treatment (12-18 months) and short-term stabilization for clients who have previously received treatment – with the goal of safe community reintegration.

Howard Center Transition House is a contracted community-based residential treatment program with the capacity to serve four (4) adolescent males, ages 16–22. This program acts as a step-down program for youth transitioning out of the locked/secure juvenile rehabilitation center. The primary goal of this program is to promote and support successful transitions for youth back into their communities.

¹ * Per Vermont Statute [§5801](#), the Woodside Juvenile Rehabilitation Center can only admit youth who have been adjudicated or charged with a delinquency or criminal act. Data pertaining to placements of youth with adjudications vs. pending charges have not been tracked for 2013 and 2014.

Seall, Inc. (204 Depot Street Program) is a contracted 10-day stabilization program with the capacity to serve eight (8) adolescent males ages 13–18. The primary goal of the program is to help residents recognize the behaviors that contributed to their need for this placement and to provide skills that will prepare them for their next placement.

PREA COMPLIANCE ACTIVITIES

Statewide PREA compliance activities that occurred during 2016 include:

- FSD contracted with Sharon Pette of Effective System Innovations (ESI), a certified Department of Justice (DOJ) PREA auditor to conduct PREA audits of Vermont’s juvenile facilities.
- Howard Center’s Park Street Program, Transition House, and 204 Depot Program’s PREA audits occurred. Following the 180-day corrective action period they were found to be in PREA compliance.

Woodside Juvenile Rehabilitation Center

Woodside Juvenile Rehabilitation Center’s PREA 180-day corrective action period ended in May 2015 at which time they achieved 100% compliance.

Howard Center Park Street Program

The onsite PREA audit of Howard Center Park Street Program was conducted on July 8th, 9th, and 10th, 2015. At the close of the onsite portion of the audit, it was determined that twenty-three standards were met, sixteen were not met, and two standards were not applicable. Howard Center and Park Street staff worked very diligently to make the necessary policy and practice changes to become PREA compliant. Park Street’s compliance activities focused on formalizing procedures and thoroughly documenting existing practices. The corrective action period for Park Street ended on February 11, 2016 at which time they achieved 100% compliance.

Howard Center Transition House

The onsite PREA audit of Howard Center Transition House was conducted on July 13th and 14th, 2015 – immediately following Park Street’s PREA audit. At the close of the onsite portion of the audit, it was determined that twenty-two standards were met, eighteen were not met, and one standard was not applicable. Howard Center and Transition House staff worked very hard to make the necessary policy and practice changes to become PREA compliant. Transition House’s PREA compliance activities focused on improving documentation and developing policies reflective of practice. The corrective action period for Transition House ended on February 15, 2016 at which time they achieved 100% compliance.

Seall, Inc. (204 Depot Street Program)

The onsite PREA audit of Seall, Inc. (204 Depot Street Program) was conducted on August 10th, 11th, and 12th, 2015. At the close of the onsite portion of the audit, it was determined that six standards were met, thirty-four were not met, and one standard was not applicable. Seall, Inc. staff worked very hard to make the necessary changes to policy and practice to become PREA compliant. The auditor scheduled a second site visit with Seal, Inc. which occurred on February 21st and 22nd, 2016. The corrective action period for Seall, Inc., (204 Depot Street Program) ended on March 13, 2016 at which time they achieved 100% compliance.

Further activity outlined in the 204 Depot Street Program's annual PREA report includes:

Over the summer, we upgraded our video surveillance system by adding 5 more cameras to bring the total at 204 Depot St to 21.

In October, we divided up the responsibilities of PREA compliance by having our Agency PREA Coordinator add the role of staff and contractor training in addition to maintaining overall compliance. The Program and Case Manager at 204 Depot took over the role of the PREA Compliance Manager. Their duties include educating our youth to:

- ❖ Our "zero tolerance policy" and determining their risk to be a sexual predator or to be a victim
- ❖ What steps the youth can take to report an allegation of sexual assault or harassment
- ❖ How the program will handle the allegation
- ❖ The services available if they have been a victim

To help maintain PREA compliance, staff will be trained on their roles regarding a sexual assault or harassment allegation twice a year.

SEXUAL ABUSE DATA

Woodside Juvenile Rehabilitation Center

There were three sexual abuse/harassment incidents reported at Woodside during 2016. All the reports made during 2016 were reported and investigated/being investigated. One case involved alleged abuse that occurred in another facility. This was reported to Brattleboro Retreat and RLSI. The other case was an incident where two residents mutually touched each other. The behavior was detected by staff who intervened before the behavior could escalate. Woodside responded to the situation internally through a clinical restorative plan for both youth. The third incident alleged that staff allowed access for two residents to kiss and touch each other, and allowed access to Facebook to facilitate contact with prior residents. This incident is currently still being investigated with the AHS Investigative Unit. Additionally, it was subject to as regulatory investigation where it was found that the facility administration acted appropriately regarding personnel action.

Howard Center Park Street Program

There was one allegation of youth on youth sexual abuse that was reported, investigated and determined to be unfounded. The victim was separated from the alleged perpetrator and given previous allegations the perpetrator was removed from the program. Subsequently, it was determined that he needed a different program and did not return to Park Street.

There were six allegations of youth on youth sexual harassment reported and all of them were investigated. Five of the allegations were substantiated and the other was unsubstantiated. Upon receipt of each report, victims were separated from the alleged perpetrators and safety plans were put in place. Following the completion of the sexual harassment investigations, summaries of incidents with recommendations to ensure safety are distributed to all staff to ensure they are aware of the incident and ensure compliance with implementing strategies for safety. It was found that three of the incidents occurred in the common areas of the facility, one during a treatment group, one at school, and one of them while residents were in the agency van.

There was one resident involved in five of the seven incidents of sexual abuse and sexual harassment. Due to concerns about his behavior and safety of the other residents, the resident was discharged from the program. Park Street also hired additional staffing to help address the treatment needs of the residents and help prevent future incidents from happening.

There were no incidents of staff on youth sexual abuse or sexual harassment.

Howard Center Transition House

There were no incidents of youth on youth or staff on youth sexual abuse or sexual harassment in 2016.

Seall, Inc. (204 Depot Street Program)

There were no reports of sexual abuse or harassment in 2016.

CONCLUSION

There were numerous efforts made by Transition House, Park Street, and Seall, Inc., 204 Depot program staff in 2015/2016 to work toward completing the requirements outlined in their corrective action plans. Howard Center Park Street, Howard Center Transition House, and Seall, Inc., 204 Depot all achieved 100% compliance by the end of their respective correction action periods.