

# Michigan Department of Health and Human Services

Michigan Department of Health and Human Services  
(MDHHS)

Prison Rape Elimination Act (PREA)

Annual Report

2022

## Purpose:

This report is prepared in accordance with the Prison Rape Elimination Act (PREA) (28 CFR 115.388). PREA passed in 2003 with unanimous support from both parties in Congress. The Act applies to sexual abuse and harassment in all custodial corrections settings including juvenile justice facilities. Standard 115.388 requires agencies to review aggregated data that has been collected during the year to assess and improve the effectiveness of its sexual abuse and harassment prevention, detection, response, policies, and training.

This report includes data from calendar year 2019, 2020, 2021, and 2022 from Bay Pines Center and Shawono Center, the two state-operated juvenile justice residential treatment facilities. The department also contracts with private juvenile justice residential treatment facilities that prepare PREA annual reports and publish them via their websites. The Michigan Department of Health and Human Services (MDHHS) collects the data from the state-operated and contracted facilities via self-reporting methods and aggregates the data pursuant to PREA standards 115.387 and 115.388.

## Overview:

Michigan's juvenile residential facilities provide secure and non-secure housing, programming, mental health services, health care services and education for juveniles in care. These state-operated and private, contracted juvenile justice facilities are required to adopt and comply with PREA and related MDHHS juvenile justice policy mandating zero tolerance for sexual abuse and harassment.

MDHHS reviews the aggregated data to assess and improve PREA prevention and response strategies. This process assists facilities in continued development of required PREA preventive plans. Should allegations regarding sexual abuse or sexual harassment be made, all personnel must be appropriately trained to act to rapidly restore safety, attend to and support the victim, and promptly initiate a thorough investigative process.

Required PREA audits are robust and completed by U.S. Department of Justice certified auditors. The auditors review facility compliance with the PREA juvenile standards at least once every three years. By the end of 2022, the required one-third of all state-operated and contracted facilities were audited, and the remaining two-thirds were provided on-site monitoring and technical assistance through MDHHS to support facilities in audit preparedness and achieving compliance.

## 2022 Sexual Abuse and Sexual Harassment Data

Aggregated data for the 2022 calendar year on sexual abuse and sexual harassment allegations was self-reported by each state-operated and contracted facility via the Bureau of Justice Statistics' Survey of Sexual Victimization (SSV) report. The information below is a summary:

## State-operated Juvenile Residential Treatment Facilities 2022 Demographic Data

The following data was reported via SSV from Bay Pines Center and Shawono Center.

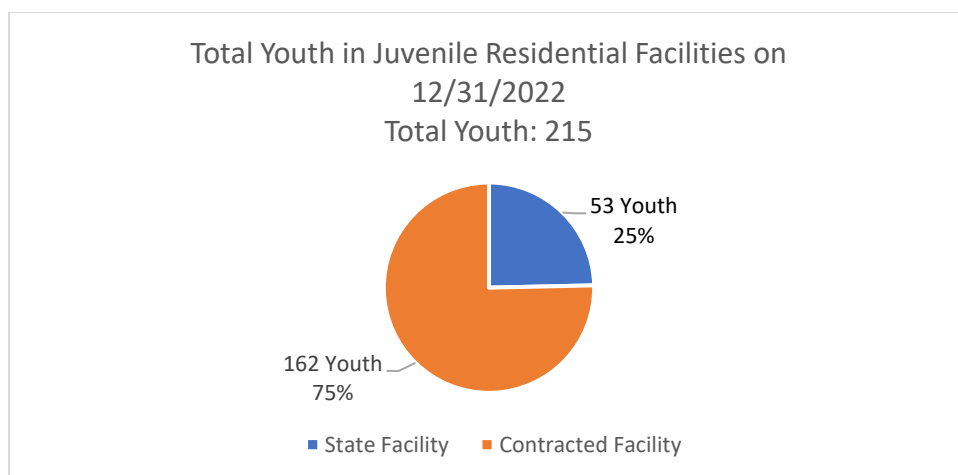
Number of youth on December 31, 2022:		
Male: 33	Female: 20	Total: 53
Age:		
17 or younger: 25	18-20: 28	21 or older: 0
Number of youth admitted and discharged:		
Admitted: 63	Discharged: 71	

## Contracted Juvenile Residential Treatment Facilities 2022 Demographic Data

The following aggregated data was self-reported from Bethany Christian Services, Calumet Center, Highfields, Inc., Lakes Area Teaching Family Homes, Lincoln Center, Pineview Homes, St. Vincent-Matthew Hall, Vista Maria, Wolverine Human Services (WHS)-Pioneer Work and Learn Center, and WHS-Vassar House.

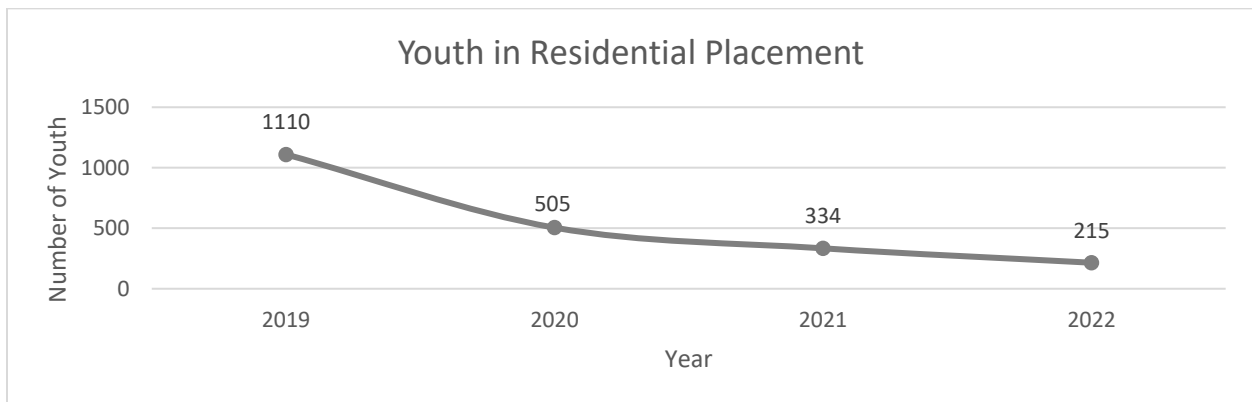
Number of youth on December 31, 2022:		
Male: 110	Female: 52	Total: 162
Age:		
17 or younger: 144	18-20: 18	21 or older: 0
Number of youth admitted and discharged:		
Admitted: 266	Discharged: 229	

**2022 Demographic Data:** There were 215 youth on December 31, 2022 in state operated and contracted juvenile residential treatment facilities in Michigan:

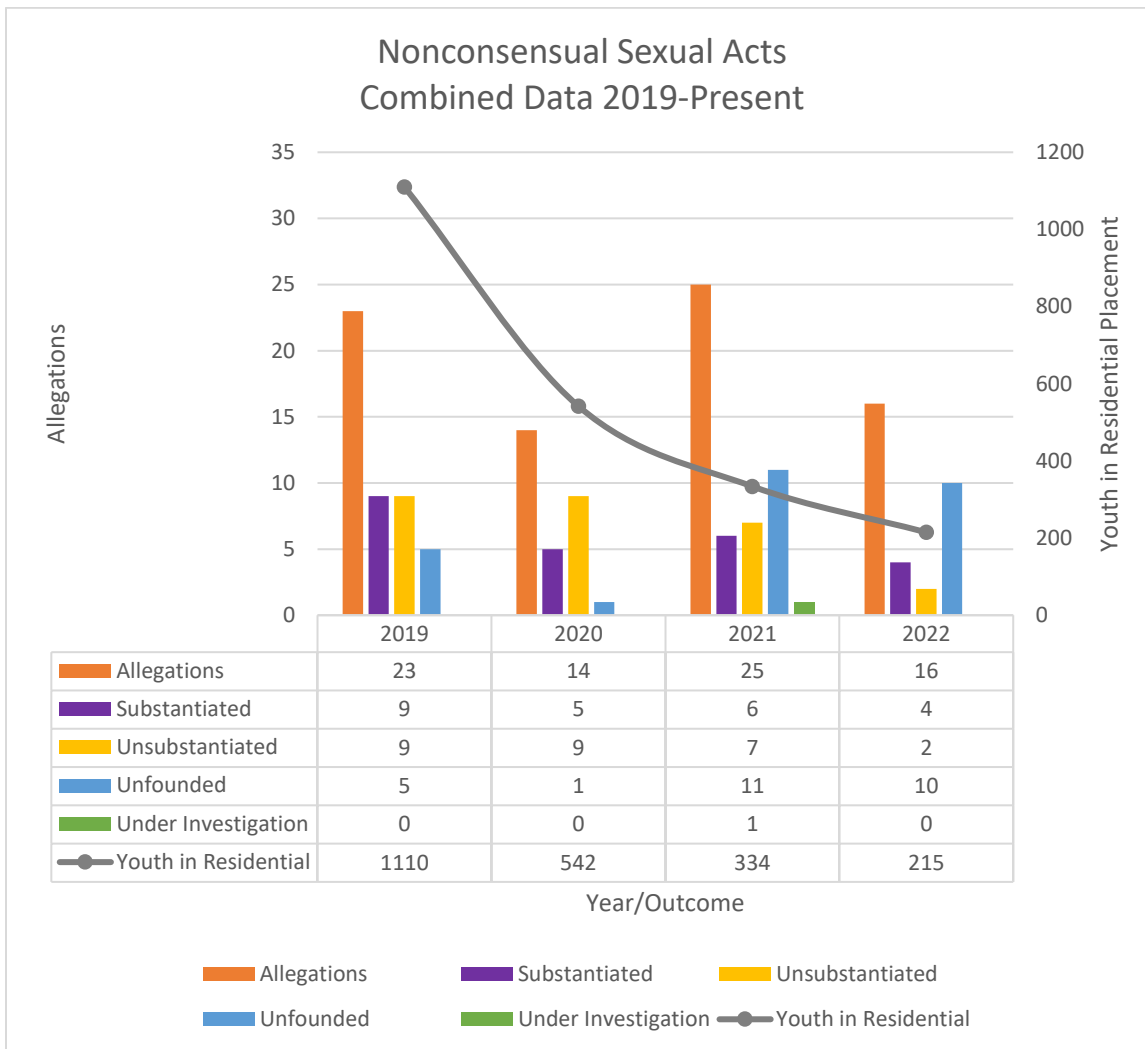


## Reporting & Allegation Statistics 2022 including previous years

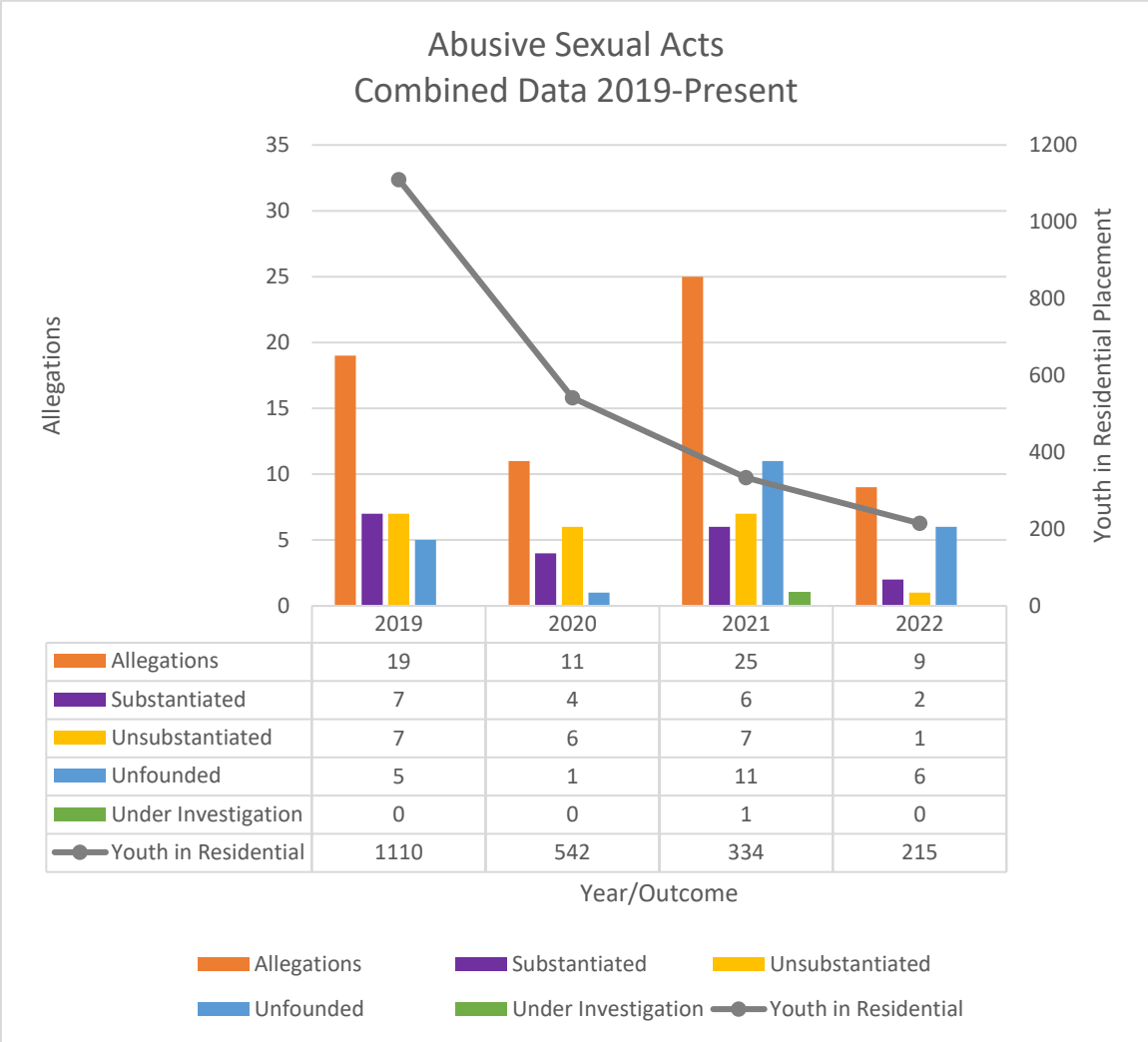
Juvenile justice residential treatment facilities reported keeping record of all allegations, whether substantiated or not, of the following: youth-on-youth non-consensual sexual acts, youth-on-youth abusive sexual contact, youth-on-youth sexual harassment, staff-on-youth sexual misconduct and staff-on-youth sexual harassment. All allegations are investigated and determined to be substantiated, unsubstantiated, unfounded or have an investigation ongoing. Substantiated allegations are determined to have occurred based on a preponderance of evidence. Unsubstantiated allegations are defined as having insufficient evidence to make a final determination the event occurred. Unfounded allegations are determined not to have occurred. An allegation that is still under investigation at end of the reporting year are noted as under investigation. The graphs below reflect the reporting and allegation statistics for 2019-2022.



The graph above reflects the total number of **youth in state operated and contracted juvenile residential facilities** from 2019 – 2022. There were 215 youth in residential placement in 2022, a significant decrease from prior years.

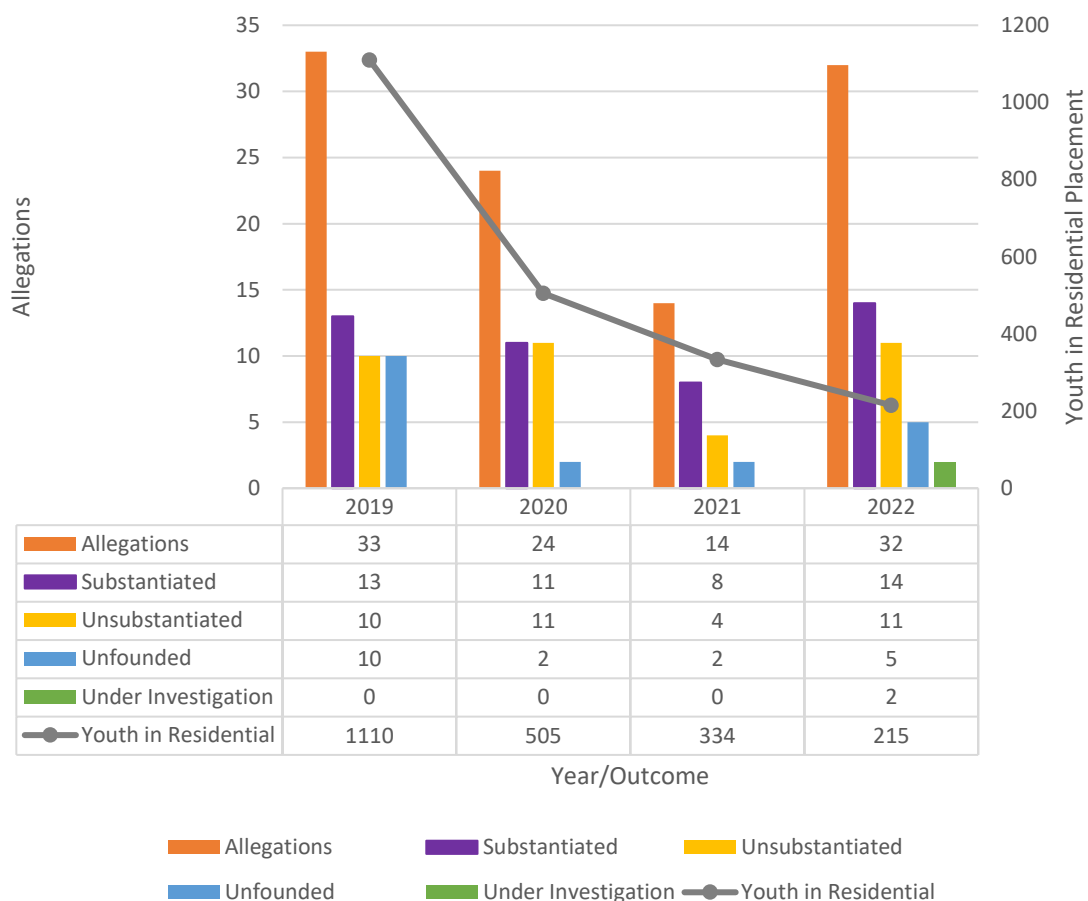


The graph above reflects the total numbers for **youth-on-youth nonconsensual sexual acts** including the total number of youth in state operated and contracted juvenile residential facilities, total allegations, and the totals for investigation outcomes from 2019-2022. The total number of allegations in 2022 was 16. The type and total of investigation outcomes are as follows: substantiated 4, unsubstantiated 2, unfounded 10, and under investigation 0.

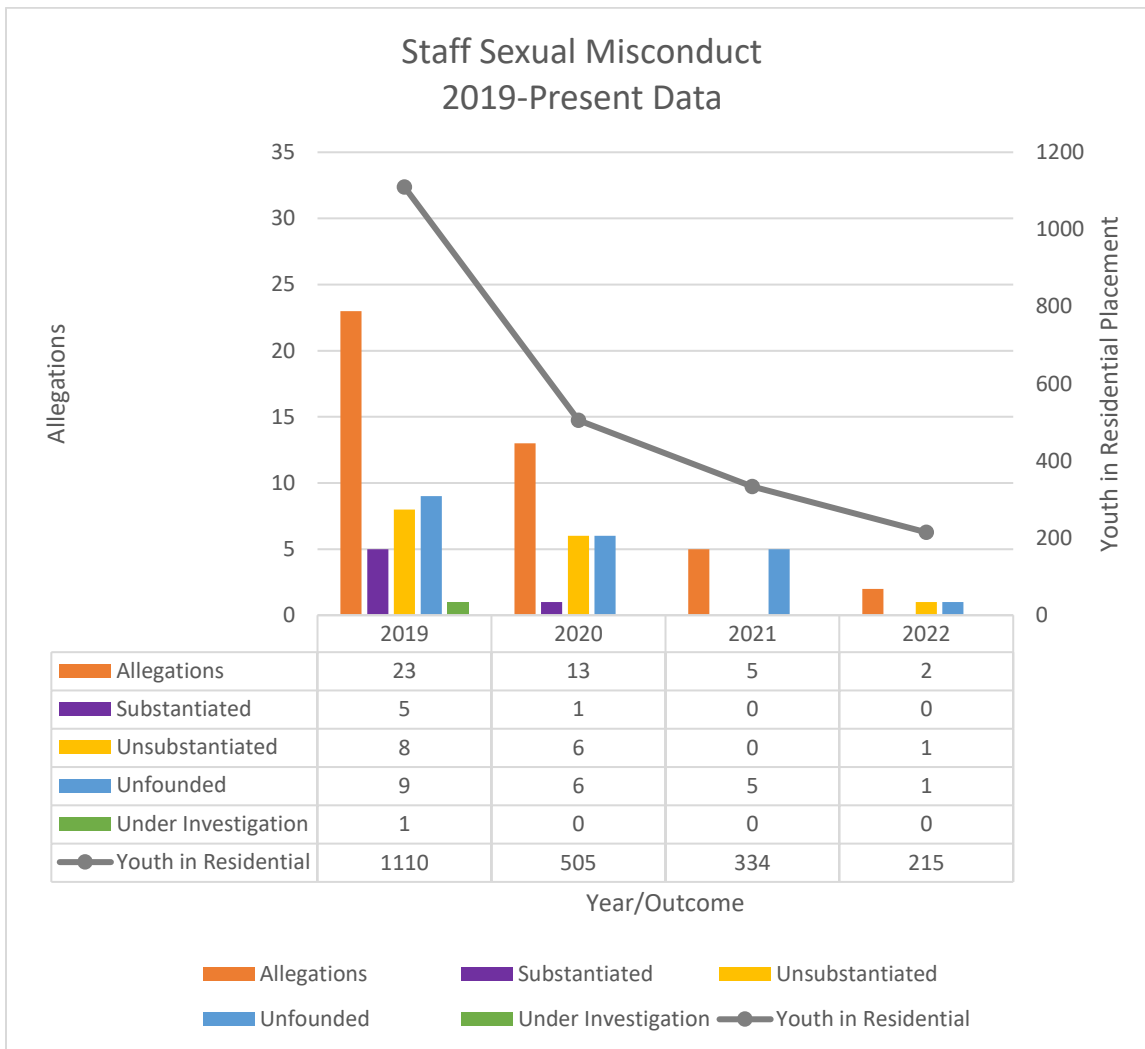


The graph above reflects the total numbers for **youth-on-youth abusive sexual acts** including the total number of youths in state operated and contracted juvenile residential facilities, total allegations, and the totals for investigation outcomes from 2019-2022. The total number of allegations in 2022 was 9. The type and total of investigation outcomes are as follows: substantiated 2, unsubstantiated 1, unfounded 6, and under investigation 0.

### Youth-on-Youth Sexual Harassment 2019-Present Data

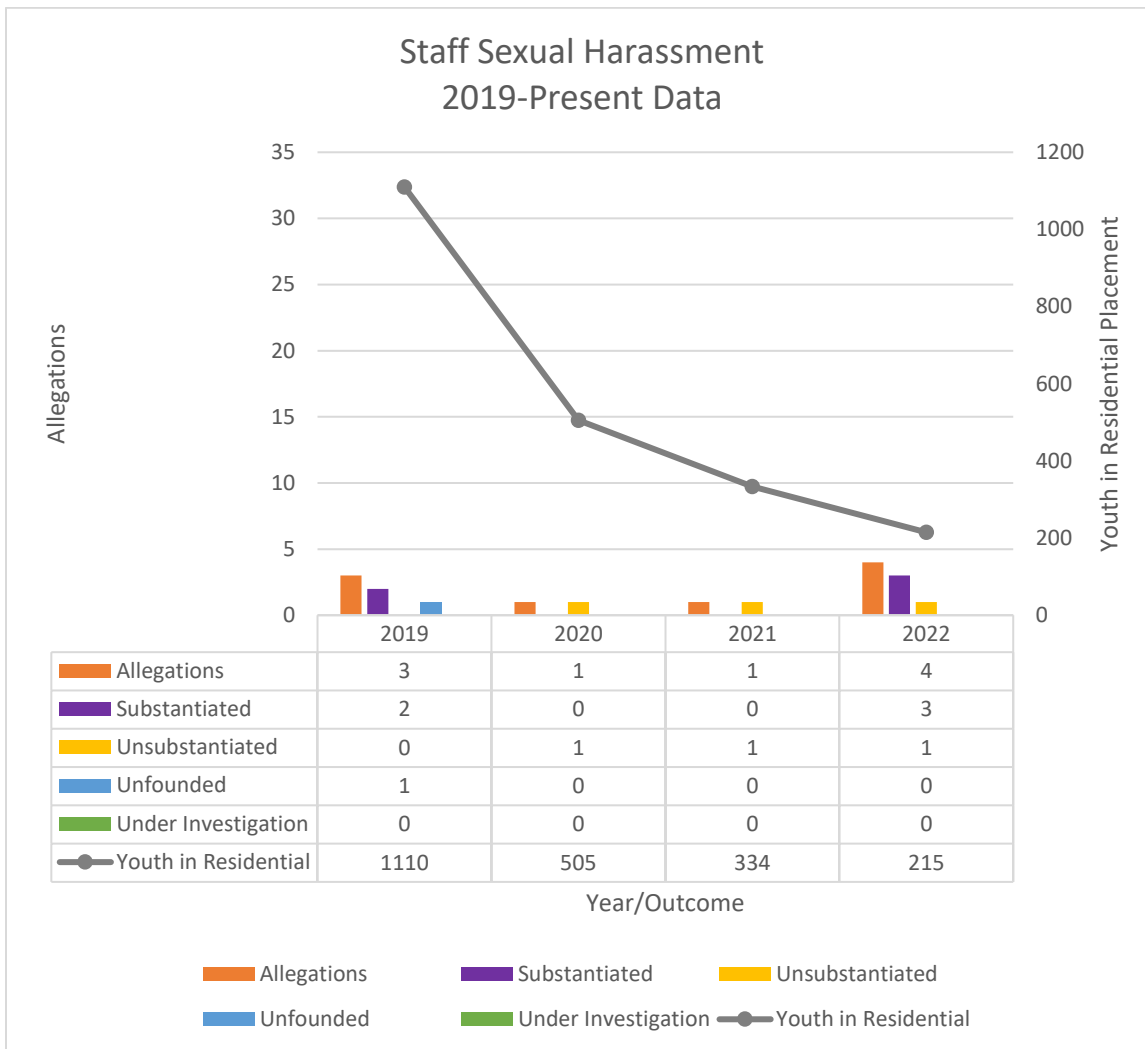


The graph above reflects the total numbers for **youth-on-youth sexual harassment** including the total number of youth in state operated and contracted juvenile residential facilities, total allegations and the total for investigation outcomes from 2019 until 2022. The total number of allegations in 2022 was 32. The type and total for investigation outcomes are as follows: substantiated 14, unsubstantiated 11, unfounded 5 and under investigation 2.

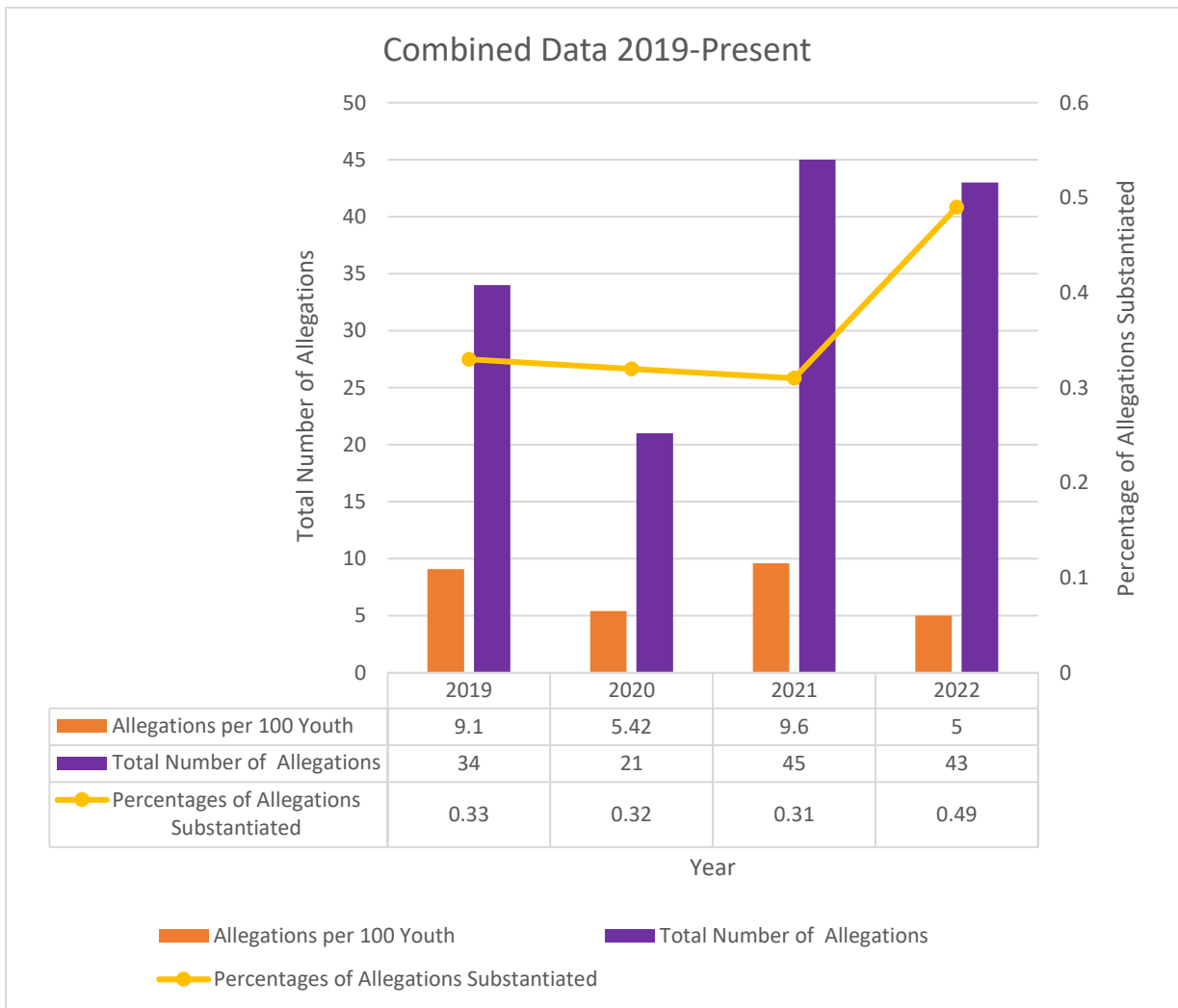


The graph above reflects the totals numbers for **staff-on-youth sexual misconduct** including the total number of youth in state operated and contracted juvenile residential facilities, total allegations and the total for investigation outcomes from 2019 until 2022. The total number of allegations in 2022 was 2. The type and total for investigation outcomes are as follows: substantiated 0, unsubstantiated 1, unfounded 1 and under investigation 0.





The graph above reflects the total numbers for **staff-on-youth sexual harassment** including the total number of youth in state operated and contracted juvenile residential facilities, total allegations and the total for investigation outcomes from 2019 until 2022. The total number of allegations in 2022 was 4. The type and total of investigation outcomes are as follows: substantiated 3, unsubstantiated 1, unfounded 0 and under investigation 0.



In summary, the graph above reflects the **types of all allegations per 100 youth, total number of substantiated allegations** and **percentage of allegations substantiated** from 2019 until 2022. The percentage of all allegations per 100 youth for 2020 was 5.0%. The total number of substantiated allegations for 2022 was 21 which resulted in 49% allegations substantiated.

## Data Analysis

The goal of PREA is to eradicate sexual abuse and sexual harassment in juvenile residential facilities. Youth, staff or third parties can make allegations. There was a slight decrease in the number of allegations reported in 2022, possibly due to less contracted facilities and a decrease in population. There was an increase overall of substantiated incidents, and the percentage of allegations substantiated, which may have several contributing factors. One potential contributing factor may be the current difficulties reported by juvenile residential facilities in recruiting qualified staff given labor shortages nationwide. It may also be due to an improved

understanding related to investigation processes and incident outcomes. The increase in instances may also be contributed to sexual harassment being properly trained, identified, reported and substantiated when it has occurred in juvenile residential facilities. This increased understanding has produced improvements in the accuracy of reporting and effective intervention.

In review of these cases, it appeared that facility staff were receiving training, screening employment applications, and enforcing the PREA juvenile standards. Recommendations for improving prevention include ensuring staff are following guidelines related to line of sight of youth; youth to youth boundaries; and monitoring for grooming behaviors. MDHHS continues to recommend that facility leadership practice vigorous supervision of staff and intervene quickly when it appears that a staff person is not maintaining professional boundaries.

## Conclusion

MDHHS is committed to working with our federal, state and local partners to reduce and eliminate sexual abuse and sexual harassment in our juvenile justice residential facilities. The agency works diligently to engage facilities, obtain and provide technical assistance. A full listing of the juvenile standards can be found online at the [National PREA Resource Center](#) website.