

Michigan Department of Health and Human Services

Michigan Department of Health and Human Services
(MDHHS)

Prison Rape Elimination Act (PREA)

Annual Report

2020

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 2017-2020 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 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 2020, 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.

2020 Sexual Abuse and Sexual Harassment Data

Aggregated data for the 2020 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 Justice Residential Treatment Facilities 2020 Demographic Data

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

Number of youth on December 31, 2020:		
Male: 52	Female: 16	Total: 68
Age:		
17 or younger: 43	18-20: 25	21 or older: 0
Number of youth admitted and discharged:		
Admitted: 45	Discharged: 40	

Contracted Juvenile Justice Residential Treatment Facilities 2020 Demographic Data

The following aggregated data was self-reported from Bethany Christian Services, Calumet Center, Crossroads for Youth, Detroit Behavioral Institute, Great Lakes Recovery Centers, Highfields, Inc., Lakes Area Teaching Family Homes, Lincoln Center, Martin Luther King House, Pineview Homes, St. Vincent-Matthew Hall, Vista Maria, Wolverine Human Services (WHS)-Clarence Fischer Center, WHS-Pioneer Work and Learn Center, WHS-Vassar House, WHS-Wolverine Secure Treatment Center, WHS-Wolverine Growth and Recovery Center, Muskegon River Youth Home (doing business as Evert Youth Center – Treatment Center and Evert Youth Center - Staff Secure Male and Evert Youth Center - Staff Secure Female). Lakeside Academy and Starr Commonwealth are not included in this report due to contract termination with MDHHS.

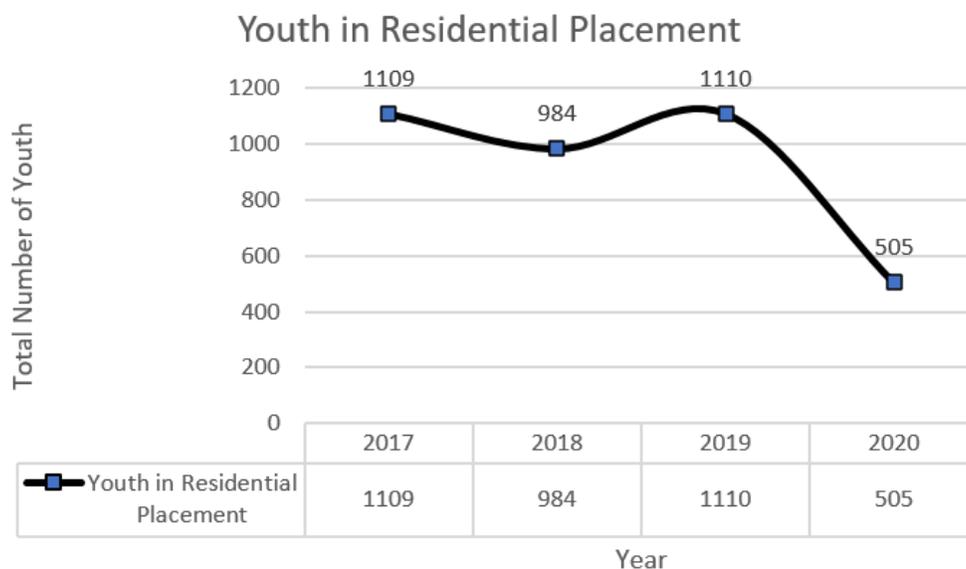
Number of youth on December 31, 2020:		
Male: 324	Female: 113	Total: 437
Age:		
17 or younger: 392	18-20: 45	21 or older: 0
Number of youth admitted and discharged:		
Admitted: 627	Discharged: 755	

The following graph reflect facilities self-reported data for 2020 related to youth in residence:

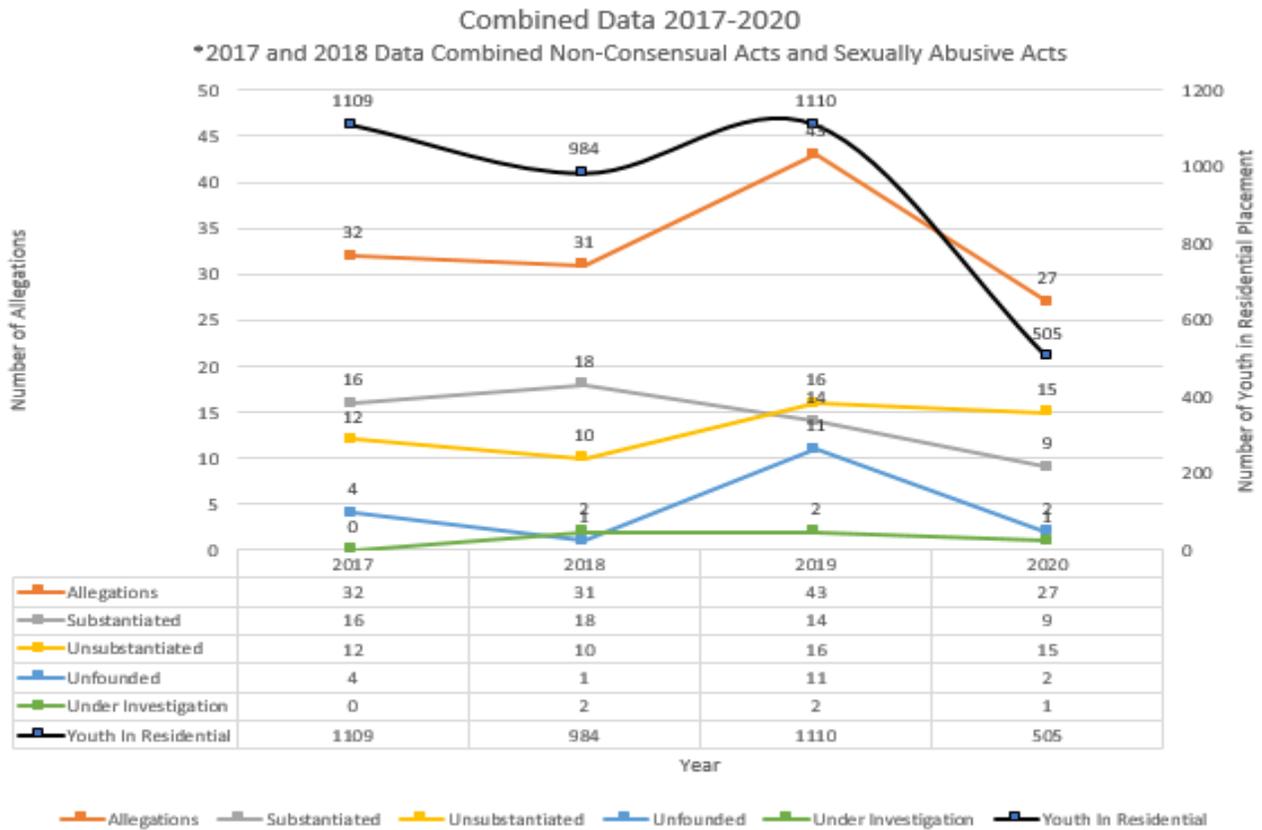


Reporting & Allegation Statistics 2020 including previous years

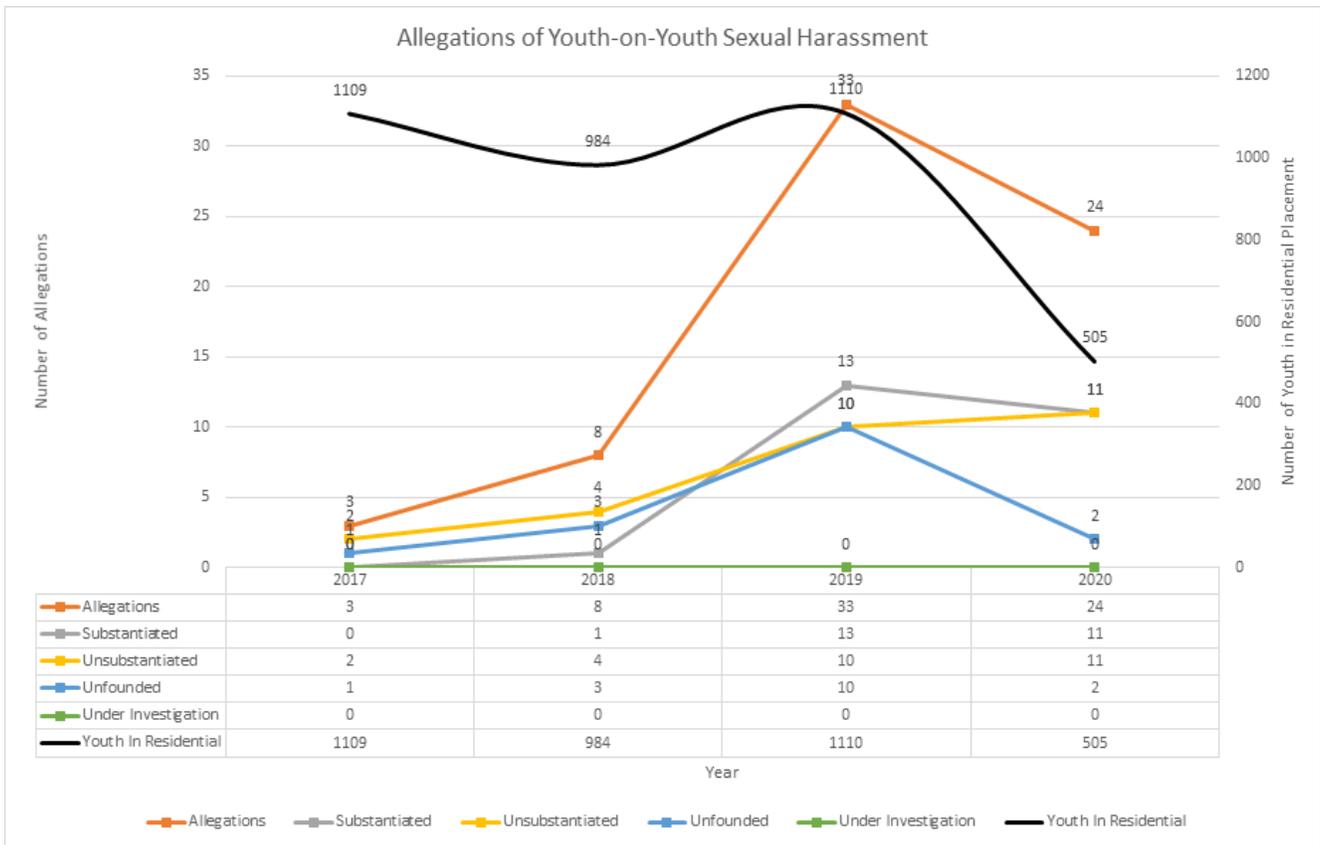
Juvenile justice residential treatment facilities reported keeping record of all allegations, whether substantiated or not, of the following: youth-on-youth non-consensual sexual acts, youth-on-youth abusive sexual contact, youth-on-youth sexual harassment, staff-on-youth sexual misconduct and staff-on-youth 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 2017-2020.



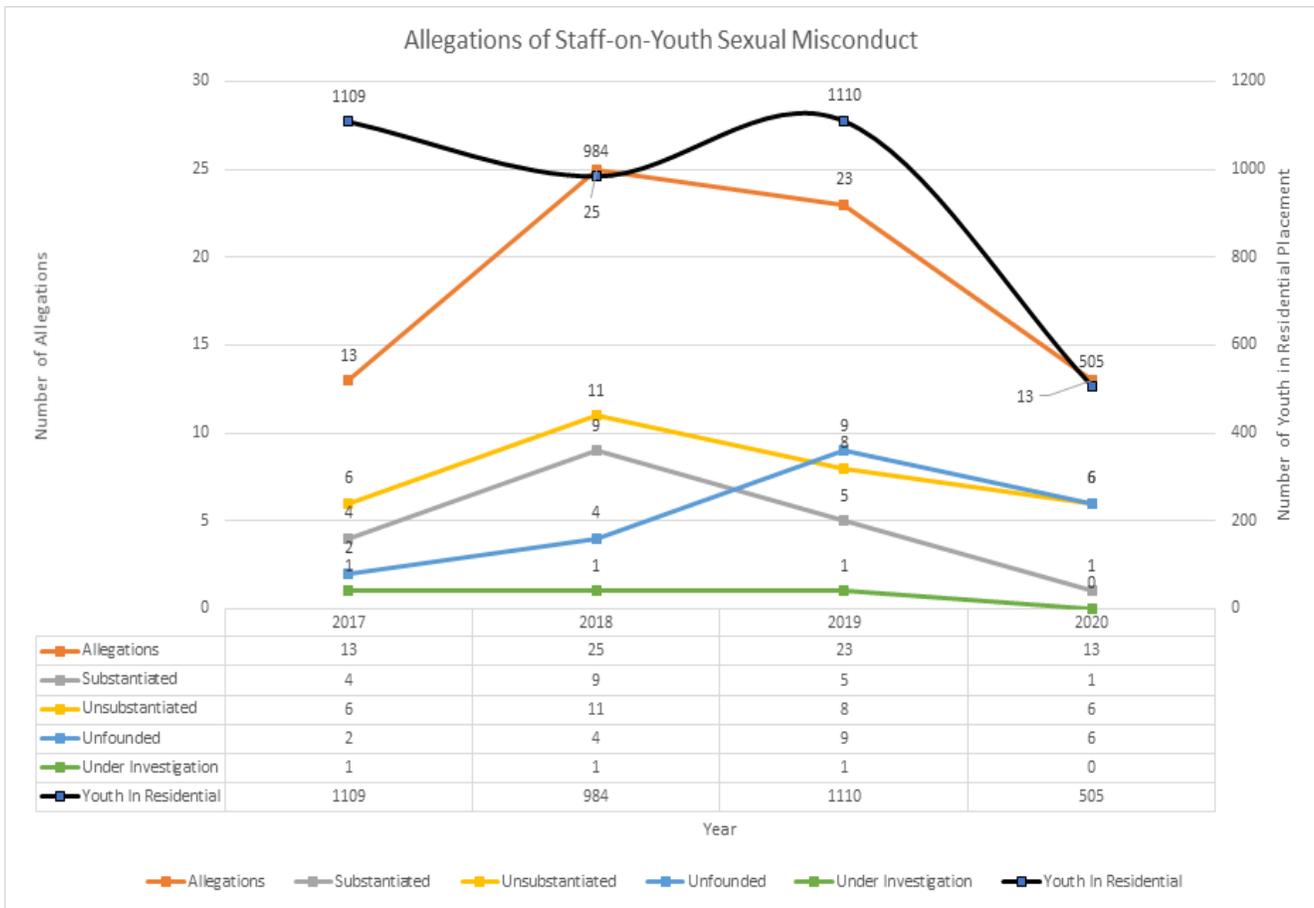
The graph above reflects the total number of **youth in placement** from 2017 – 2020. There were 505 youth in residential placement in 2020, a significant decrease from prior years.



The graph above reflects the total numbers of **youth-on-youth non-consensual sexual acts and sexual abuse** including the total number of youth in residential facilities, total allegations and the totals for investigation outcomes from 2017 until 2020. The total number of allegations in 2020 was 27. The type and total of investigation outcomes are as follows: 9 substantiated, 15 unsubstantiated, 2 unfounded and one under investigation.

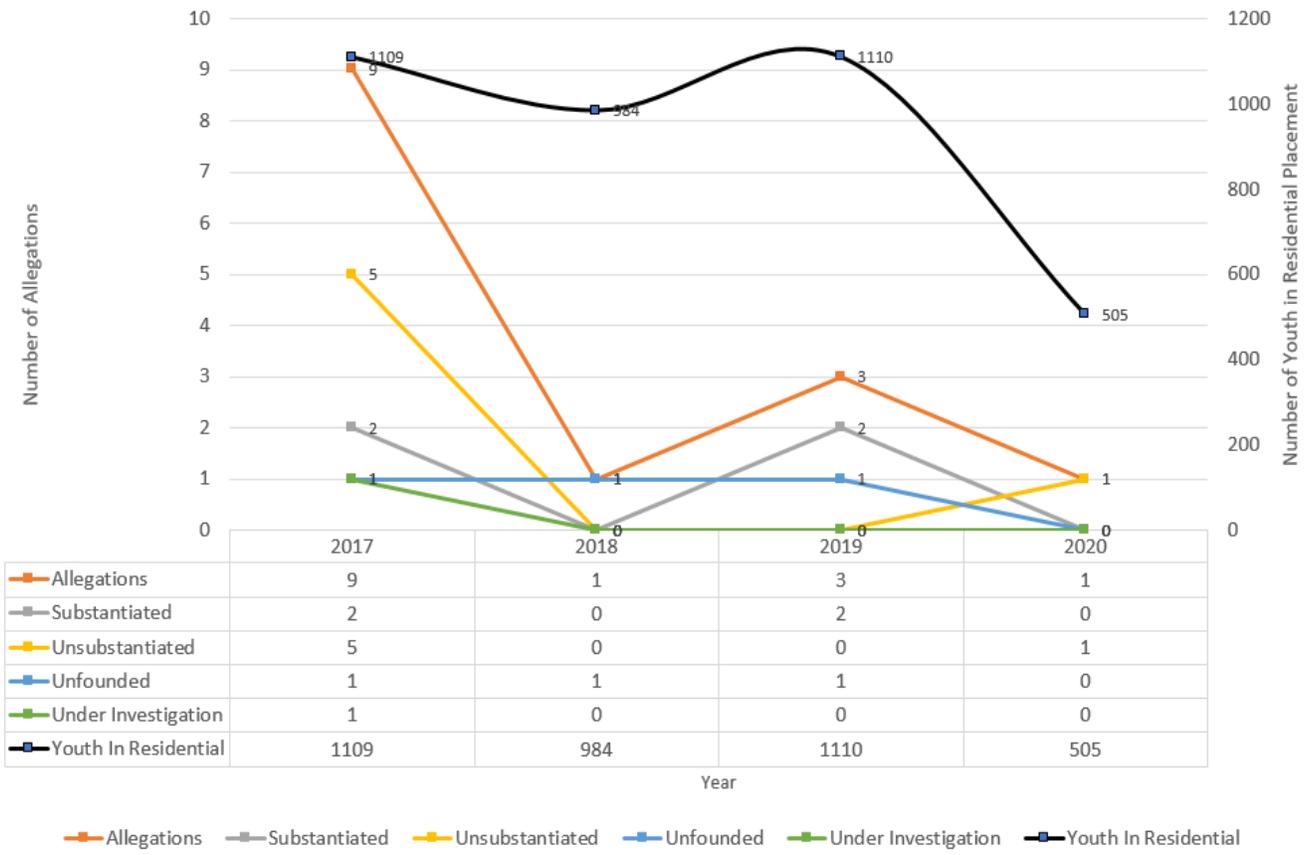


The graph above reflects the total numbers for **youth-on-youth sexual harassment** including the total number of youth in residential facilities, total allegations and the total for investigation outcomes from 2017 until 2020. The total number of allegations in 2020 was 24. The type and total for investigation outcomes are as follows: 11 substantiated, 11 unsubstantiated, 2 unfounded and 0 under investigation.

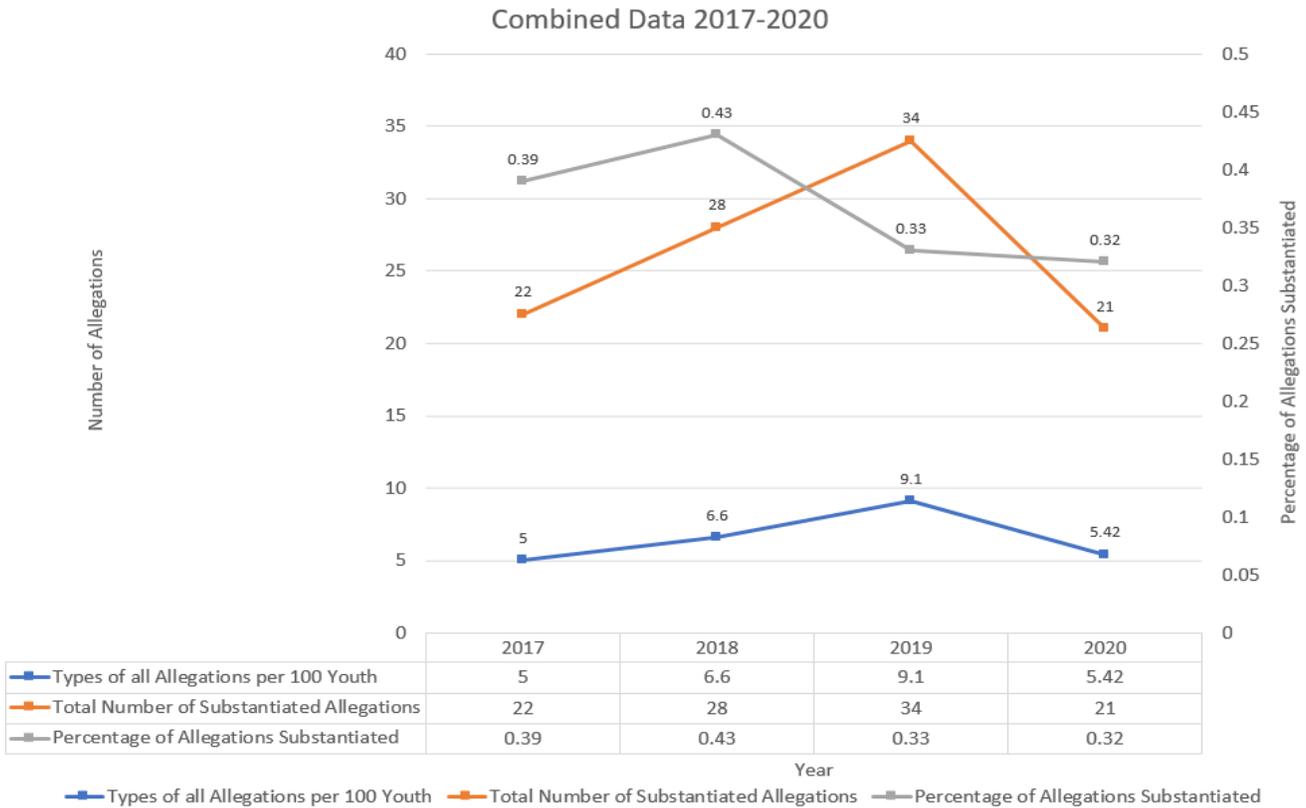


The graph above reflects the total numbers for **staff-on-youth sexual misconduct** including the total number of youth in residential facilities, total allegations and the total for investigation outcomes from 2017 until 2020. The total number of allegations in 2020 was 13. The type and total for investigation outcomes are as follows: 1 substantiated, 6 unsubstantiated, 6 unfounded and 0 under investigation.

Allegations of Staff-on-Youth Sexual Harassment



The graph above reflects the total numbers for **staff-on-youth sexual harassment** including the total number of youth residential facilities, total allegations and the total for investigation outcomes from 2017 until 2020. The total number of allegations in 2020 was 1. The type and total of investigation outcomes are as follows: 0 substantiated, one unsubstantiated, 0 unfounded and 0 under investigation.



In summary, the graph above reflects the **types of all allegations per 100 youth**, **total number of substantiated allegations** and **percentage of allegation substantiated** from 2017 until 2020. The percentage of all allegations per 100 youth for 2020 was 5.4%. The total number of substantiated allegations for 2020 was 21 which equates to 32% of allegations being substantiated.

Data Analysis

The goal of PREA is to eradicate sexual abuse and sexual harassment in juvenile facilities. Youth, staff or third parties can make allegations. There was a decrease in the number of allegations reported in 2020, possibly due to less contracted facilities and a significant decrease in population. There was also a decrease overall of substantiated incidents, and the percentage of allegations substantiated, likely due to reasons previously stated and an improved understanding related to investigation processes and incident outcomes. The decrease in instances may also be contributed to sexual harassment being properly trained, understood, reported and substantiated when it has occurred in child caring institutions. 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; staff 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.