



MISSISSIPPI DEPARTMENT OF HUMAN SERVICES

PREA ANNUAL REPORT

2020

Oakley Youth Development Center
2375 Oakley Road
Raymond, MS 39154

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HISTORY OF PREA

The Prison Rape Elimination Act (PREA) was passed unanimously by both parties in Congress in 2003. The purpose of the act is to “provide for the analysis of the incidence and effects of prison rape in federal, state, and local institutions and to provide information, resources, recommendations and funding to protect individuals from prison rape.” (Prison Rape Elimination Act, 2003.) The Prison Rape Elimination Act created a mandate for research from the Bureau of Justice Statistics and the National Institute of Justice, PREA funding through the Bureau of Justice Assistance and the National Institute of Corrections. These agencies have supported major efforts in various state correctional, juvenile detention, community corrections, lockups, and jail systems.

Furthermore, the act created the National Prison Rape Elimination Commission and charged it with drafting standards for eliminating prison rape. Those standards were published in June 2009 and turned over to the Department of Justice for review and passage as a final rule. The Department of Justice published the final PREA Standards in the Federal Register on June 20, 2012, and they became effective August 20, 2012 (PREA Resource Center).

OAKLEY YOUTH DEVELOPMENT PREA POLICY

The Mississippi Department of Human Services (MDHS), Division of Youth Services (DYS), Oakley Youth Development Center (OYDC) has zero tolerance relating to nonconsensual sexual acts on youth, youth on youth, youth on youth sexual abuse, sexual misconduct, and staff on youth sexual harassment in accordance with the standards set forth in the Prison Rape Elimination Act of 2003 (PREA) in compliance with §115.311 and §115.322. The state shall employ or designate an agency-wide PREA coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards.

OYDC reviews data collected and aggregated pursuant to §115.387 to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training. OYDC conducts a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. Corrective action is taken on an on an ongoing basis.

Corrective Action

- One-on-One Supervision
- Programming Adjustments
- School Schedule Adjustments
- Staff Refresher Training
- Youth Refresher Education

U.S. DEPARTMENT OF JUSTICE

DEFINITIONS

The 2019 Survey of Sexual Victimization used the terms and definitions listed below related to youth and victimization.

JUVENILES and YOUTHFUL OFFENDERS

- Any person under the jurisdiction of your State's juvenile system or youthful offender authority, regardless of age or reason for placement.

FACILITIES

INCLUDE all State-operated facilities used to house juveniles or youthful offenders charged with or court-adjudicated for:

- Any offense that is illegal for both adults and juveniles;

OR

- An offense that is ILLEGAL in your State for juveniles, but not for adults (running away, truancy, incorrigibility, curfew violations, and liquor violations).

EXCLUDE State-operated facilities used ONLY to house juveniles for:

- Non-criminal purposes (neglect, abuse, abandonment, or dependency);

OR

- Being Persons in Need of Services (PINS) or Children in Need of Services (CHINS) who have assigned beds for reasons other than offenses.

YOUTH-ON-YOUTH SEXUAL VICTIMIZATION

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 youth-on-youth 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 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 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 ABUSE

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 SSV, sexual abuse is disaggregated into two categories of staff-on-youth sexual abuse. These categories are:

STAFF SEXUAL MISCONDUCT

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 SEXUAL HARASSMENT

Repeated verbal 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.

BACKGROUND INFORMATION

The Bureau of Justice Statistics has been authorized to conduct data collection under 34 U.S.C. § 10132 and the Prison Rape Elimination Act of 2003 (PREA; P.L. 108-79). The Act requires The Bureau of Justice Assistance to “carry out, for each calendar year, a comprehensive statistical review and analysis of the incidence and effects of prison rape.” Information obtained from this collection is used for statistical or research purposes pursuant to 34 U.S.C. § 10134, and for purposes required under PREA. Personally identifiable information data are protected under the confidentiality provisions of 34 U.S.C. § 10231 and 34 U.S.C. § 30303.

Reporting Period: January 1, 2019 to December 31, 2019

FACILITY DEMOGRAPHICS	
On December 31, 2019, number of males:	46
On December 31, 2019, number of females:	4
Total Number Admitted	91
Total Number Discharged	87

INCIDENTS		
Allegations of youth-on-youth nonconsensual sexual acts reported	1	Substantiated
Allegations of youth-on-youth abusive sexual contact reported	4	Unsubstantiated
Allegations of youth-on-youth sexual harassment reported	0	None
Allegations of staff sexual misconduct reported	0	None
Allegations of staff sexual harassment reported	0	None

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12/11/2020

Date

Reviewed and Approved by:



Dr. Dennis Daniels, OYDC Facility Administrator

12-11-2020

Date

Submitted to for final approval:



Toni Y. Kersh, Director of Division of Youth Services

12-11-2020

Date