

**PREA
ANNUAL
REPORT
2024**



MISSISSIPPI DEPARTMENT OF HUMAN SERVICES

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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

It is the policy of the Mississippi Department of Human Services (MDHS), Division of Youth Services (DYS), that Oakley Youth Development Center (OYDC) maintains a zero-tolerance policy against the sexual abuse and harassment of youth and custodial misconduct in accordance with the standards set forth in the Prison Rape Elimination Act of 2003 (PREA) in compliance with §115.311 and §115.322. Any sexual contact, be it youth-on-youth or staff-on-youth, is strictly prohibited regardless of whether any of the parties involved consider it to be consensual or forced. 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 2023 Survey of Sexual Victimization used the terms and definitions listed below related to youth and victimization.

JUVENILES AND YOUTHFUL OFFENDERS

- Any person under the custody or care of a juvenile residential facility owned or operated by a local government or private agency.

FACILITIES

INCLUDE all juvenile residential placement facilities operated or administered by a local government and all privately owned or operated facilities that are used to house juveniles and 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 PREA standard definitions for types of sexual victimization. These categories are:

SEXUAL ABUSE

Sexual abuse of a youth, detainee, or resident by another youth, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse

- 1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- 2) Contact between the mouth and the penis, vulva, or anus;

- 3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- 4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact 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, detainee, or resident directed toward another.

STAFF-ON-YOUTH SEXUAL VICTIMIZATION

STAFF SEXUAL ABUSE

Sexual abuse of a youth, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the youth, detainee, or resident:

- 1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- 2) Contact between the mouth and the penis, vulva, or anus;
- 3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- 4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- 5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- 6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)–(5) of this section;
- 7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of a youth, detainee, or resident, and
- 8) Voyeurism by a staff member, contractor, or volunteer.

STAFF SEXUAL HARASSMENT

Repeated verbal comments or gestures of a sexual nature to a youth, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Background Information

In accordance with the Prison Rape Elimination Act (PREA; P.L. 108-79) the Bureau of Justice Statistics is responsible for annual data collection from facilities nationally. The PREA requires the Bureau of Justice Statistics to “carry out, for each calendar year, a comprehensive statistical review and analysis of the incidence and effects of prison rape.” The Bureau of Justice Statistics collects information related to these incidents to assist correctional administrators in addressing the prevention, reporting, investigation, and prosecution of such incidents. The Prison Rape Elimination Act requires adult and juvenile justice administrators to participate in the survey.

In addition to authorization under the Prison Rape Elimination Act (PREA; P.L. 108-79), 34 U.S.C. § 10132 authorizes the Bureau of Justice Statistics to conduct data collection. The U. S. Census Bureau is the data collection agent for this national survey.

Information obtained by the Bureau of Justice Statistics and the U.S. Census Bureau is for research only pursuant to 34 U.S.C § 10134 and purposes required under PREA.

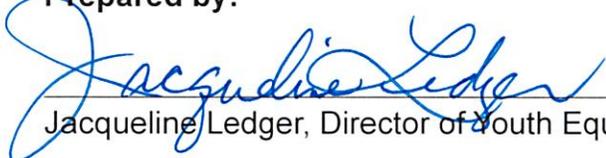
Personally identifiable data collected under the Bureau of Justice Statistics authority for this purpose are protected under the confidentiality provisions of 34 U.S.C § 10231 and 34 U.S.C § 30303.

Reporting Period: January 1, 2023 to December 31, 2023

FACILITY DEMOGRAPHICS	
On December 31, 2023, number of males:	29
On December 31, 2023, number of females:	3
Total Number Admitted	48
Total Number Discharged	46

INCIDENTS	
Allegations of youth-on-youth sexual abuse	0
Allegations of youth-on-youth sexual harassment	0
Allegations of staff sexual abuse	0
Allegations of staff sexual harassment	0

Prepared by:



 Jacqueline Ledger, Director of Youth Equity

12/20/2024

 Date

Reviewed by:



 Janet Self, DYS Staff Attorney

12/20/2024

 Date

Approved by:

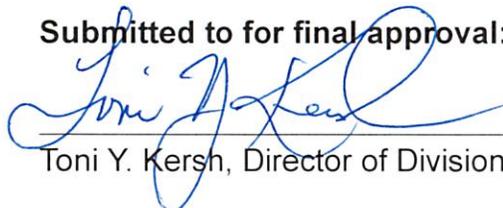


 Dr. Dennis Daniels, OYDC Facility Administrator

12-20-2024

 Date

Submitted to for final approval:



 Toni Y. Kersh, Director of Division of Youth Services

12/20/2024

 Date