



BERNALILLO COUNTY YOUTH SERVICES CENTER

PRISON RAPE ELIMINATION ACT:

2014 ANNUAL REPORT

INTRODUCTION

March 2015

In accordance with the Prison Rape Elimination Act (PREA) of 2003, the Bernalillo County Youth Services Center (BCYSC) has established a zero tolerance standard regarding the incidence of sexual misconduct. By providing training, education and reviewing our policy and procedures on an ongoing basis we are confident that we are providing the Residents (detained youth), staff, contractors and volunteers with a facility environment that is in compliance with PREA mandates. We are also confident that all of our staff, contractors and volunteers have a thorough knowledge and understanding of the PREA mandates and the Bernalillo County Youth Services Center policy and procedures in order to effectively ensure prevention strategies are in place, detection mechanisms are utilized, and responses/investigations to any allegations of sexual abuse or harassment are thorough, timely and objective. The purpose of PREA is the ultimate elimination of sexual misconduct within detention facilities, including the Bernalillo County Youth Services Center.



POLICY DEVELOPMENT

The BCYSC Director has adopted, and the BCYSC has enacted policies, specifically related to PREA. In 2012 the BCYSC applied for and was awarded a Department of Justice (DOJ) grant that was designed to support the facility in the development of policies, training programs, detection strategies, and investigation techniques that are compliant with the PREA standards. BCYSC partnered with the New Mexico Association of Counties, the Center for Children’s Law and Policy, and three other county juvenile detention centers (Chaves, San Juan, Taos) to create PREA compliant policies and practices not only for the BCYSC, but for all juvenile detention centers in the state of New Mexico. The BCYSC created a PREA implementation team that included representation from all disciplines within the facility.

A summary of the extensive efforts by the Bernalillo County Youth Services Center to achieve compliance with The Prison Rape Elimination Act.



YSC PREA Posters

Youth developed PREA posters as part of the implementation of PREA

The following is a list of BCYSC staff that made up our PREA implementation team:

Eleanor Molina	Training Manager	Daniel Provencio	Nurse
Marco Ortega	Youth Program Officer II (Unit)	Cookie Norris	Program Manager (Unit)
Daniel Skelton	Youth Program Officer II (Intake)	Jason Salazar	Program Manager (Unit)
Benton Chavez	Youth Program Officer II (Intake)	Stanley Gray	Program Manager (Unit)
Miguel Gonzales	Youth Program Officer II (Unit)	Mark Portillos	Program Manager (Intake)
Joe Moore	Youth Program Officer II (Detention Alternatives)	Gerri Bachicha	JDAI Administrator
Ernesto Valdez	Youth Program Officer II (Detention Alternatives)	Jason Ellis	PREA Coordinator
Bert Lopez	Youth Program Officer I (Detention Alternatives)	Tom Hall	Clinical Director
Erica Martinez	Youth Program Officer I (Unit)	Gabriella Meese	Case Manager
Pamela Swafford	Youth Program Officer I (Transport)	Manetta Chase	Substance Abuse Counselor

Based on the work of the PREA Implementation Team, in August 2013, the BCYSC began to phase in the first of many PREA compliant policies, procedures, and training programs.

GRIEVANCE AND PROCESS REVISIONS

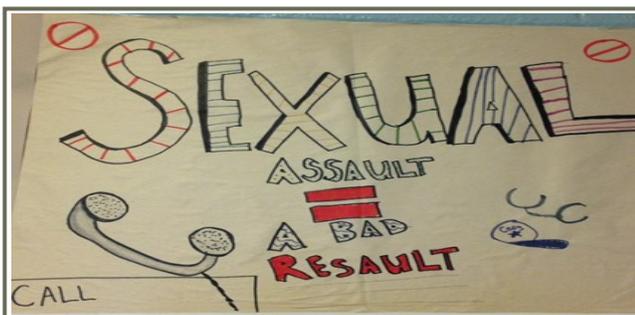
Part of the BCYSC’s PREA implementation team’s responsibilities was to review the grievance policy, review the grievance process, encourage and receive feedback from BCYSC youth on their perception/understanding of the grievance process, and use the findings to make improvements.

Youth focus groups conducted by a community agency, the New Mexico Forum for Youth in the Community, were utilized to provide feedback on revisions to our resident grievance process in an effort to increase youth voice and confidence in the process. BCYSC residents also created numerous posters that are displayed throughout the facility with messaging on how to report sexual misconduct, and posters that encourage youth to speak up as well as posters that promote anti-bullying themes. The BCYSC Grievance policy was completely overhauled and implemented in 2014 to comply with PREA and to incorporate feedback from the youth. Below are before and after statistics for the BCYSC’s grievances filed in the calendar years of 2013 and 2014.

According to a report from the Office on Juvenile Justice and Delinquency Prevention on juvenile detention facility Conditions of Confinement:
“Youth who wish to file a grievance about staff should have access to an adequate grievance process that is readily available, easy to use, and impartial (Roush, 1996). However, the findings reveal that one-third of youth in custody (33 percent) have some type of problem with the grievance process; either they do not know how to file a complaint (19 percent) or are concerned about retribution if they do so (20 percent).”

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
2013 Before	1	4	3	1	4	4	0	4	8	1	0	0	30
2014 After	27	10	28	28	53	44	36	36	33	26	16	21	353

This dramatic increase in grievances is viewed as a very positive outcome. Changes that were implemented have resulted in a process in which residents at the BCYSC have more confidence in the grievance system than they had in the past.



Report Sexual Assault

Youth designed Poster for PREA Implementation Project

EDUCATING YOUTH ABOUT PREA

PREA standard **115.333** requires juvenile facilities to provide comprehensive age-appropriate education to residents either in person or through video regarding their rights to be free from sexual abuse and sexual harassment to include residents being free from retaliation for reporting such incidents. Additionally, policies and procedures were adopted which mandated responding to such incidents within 10 days of intake.

BCYSC PREA Educational Video

In collaboration with New Mexico Association of Counties, the Center for Children’s Law and Policy, and three other county juvenile detention centers (Chaves, San Juan, Taos), the BCYSC created an educational PREA video. Albuquerque’s first Poet Laureate, Hakim Bellamy, was contracted to create a video resulting from an immersive hip hop poetry & storytelling performance art creation for the purpose of developing video instruction to youth and staff on sexual misconduct. Hakim Bellamy’s biography and impressive work with youth is highlighted below.



Hakim Bellamy became the inaugural Poet Laureate of Albuquerque in 2012, at age 33. He is the son of a preacher man (and a praying woman). His mother gave him his first book of poetry as a teen, a volume by Khalil Gibran. Many poems later, Bellamy has been on two national champion poetry slam teams, a national and regional Poetry Slam Champion, and holds three consecutive collegiate poetry slam titles at the University of New Mexico. He has been published in numerous anthologies and on inner-city buses. An educator, musician, actor, journalist, playwright and community organizer, Bellamy has acquired many awards and accolades, including the Tillie Olsen Award for Creative Writing from the Working Class Studies Association and honorable mention for the Paul Bartlett R  Peace Prize at the University of New Mexico. Bellamy is the founder and president of Beyond Poetry LLC. For more information on the author, please visit www.hakimbe.com.

The summary of Hakim’s work with youth in detention is as follows:

- *Historically, hip hop culture has acted as a bridge between youth from different backgrounds, alliances and experiences. Even as the glorification of urban violence became conflated with hip hop culture in the late 80s, early 90s, the vast majority of grassroots community work done in underserved communities around the country was done through a hip hop aesthetic. Today, hip hop is a popular fixture in the emergent paradigms of arts integration (education) and social practice art.*
- *By creating a Rap/Poetry work that taps into this population’s interest in hip hop and popular culture (the outside world), the youth will be guided through a process in which they construct and demonstrate understanding through an interdisciplinary art form. By nature, social practice art refers to creations that use social engagement as the primary medium. The artist will explore educational mediums to create a product that will reach and engage the detention population of youth through video.*
- *Sexual misconduct does not happen alone, it involves two or more people so it is a social problem that requires a social solution. We have to be each other’s eyes, ears and mouths. It is the vigilance of bystanders and the bravery of those offended that create an environment where sexual misconduct is not tolerated.*

Hakim did an amazing job of engaging youth throughout the entire process. As part of a DOJ grant, youth from three juvenile detention facilities (Bernalillo County, Chaves County, and Taos County) participated in workshops led by Hakim. Feedback from the youth through poetry and creative writing activities were then utilized by Hakim during his rap/poetry sections of the BCYSC’s PREA educational video.

TRAINING

All employees of the BCYSC have received extensive training specific to PREA. Training included:

- PREA standards and zero tolerance for sexual abuse and harassment, Youth Program Officers' responsibilities and resident rights;
- Appropriate staff/resident relationships;
- The Dynamics of Sexual Abuse and Harassment in Confinement;
- GLBTQ sensitivity Training;
- Transgender 101 training;
- Ongoing PREA refresher training; and
- Youth Program Officer Development Program



In addition to the training delineated above, all staff members, volunteers and contractors have also received PREA training specific to their responsibilities based on their level of contact with detained youth.

SUPERVISION AND MONITORING

The Bernalillo County Youth Services Center is committed to providing a safe and healthy environment for residents and staff. The BCYSC has zero tolerance for sexual misconduct of any kind and will impose discipline for such misconduct, up to and including dismissal of staff and discipline for serious infractions by residents who victimize other residents. Incidents of sexual misconduct will be investigated and residents who perpetrate acts of sexual misconduct will be prosecuted when applicable. The BCYSC policies regarding sexual misconduct apply to all residents. They also apply to employees, contractors, and volunteers.

The organizational chart was changed to reflect increased direct supervision of operational staff.

A requirement to conduct and document Supervisor and Program Managers unannounced rounds in the housing units has been implemented. The Director and Assistant Director of Operations provide additional oversight by conducting unannounced facility reviews which are documented and provided to the PREA coordinator on a monthly basis.

PHYSICAL PLANT

Construction of the original housing units at the BCYSC dates back to 1962. The physical layout of the BCYSC facility presents numerous challenges with respect to supervision and monitoring. A Physical Security Comprehensive PREA review was conducted of the facility's internal structure for any potential "blind spots" or Video/Camera surveillance issues or any other concerns. This review identified areas that could enhance our PREA strategy and, as a result, BCYSC increased CCTV coverage and placed additional security mirrors in areas throughout the facility.

The following PREA related security enhancements are as follows:

- Installed resident **shower stall separators**;
- Changed the analog cameras to **Color HD Cameras**;
- Installed **additional cameras** throughout the facility — 21 cameras;
- Increased **recording capabilities of our camera monitoring system** whereby "blind spots" and "dead spots" were identified and corrected; and
- Added **security mirrors** in the medical and housing units decreasing dead spots and limited visibility areas for staff.

DATA

- The BCYSC collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.
- The BCYSC aggregates the incident-based sexual abuse data at least annually.
- The incident-based data collected includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.
- The BCYSC maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, resident grievances, and sexual abuse incident reviews.
- Upon request, the BCYSC shall provide all such data from the previous calendar year to the Department of Justice.

VICTIM SUPPORT

YSC has longstanding and established relations with The University of New Mexico's Medical Center, one of the best in the region. For this, UNM provides BCYSC with board certified medical doctors to administer both primary care and psychiatric services for our residents. This team of UNM doctors is supported by BCYSC licensed clinicians and registered nurses, whom together ensure that all essential medical and behavioral health needs of residents are met. This partnership with UNM also allows residents a robust array of additional services upon a medical necessity referral from our contracted medical doctors. These services include but are not limited to emergency care and management; acute care and assessment; crisis stabilization; an award-winning Child Abuse Response Team (CART); orthopedics; neurology; developmental delay evaluations; and many more. To learn more about the comprehensive medical services available to Residents while in our care: <http://hospitals.unm.edu/childrens/index.shtml>.

Specific to sexual assault services, this partnership also provides BCYSC residents with full and complete access to UNM's Child Sexual Abuse Services, considered one of the best in the southwest (see http://hospitals.unm.edu/children/pss/los_ninos.shtml). While we believe that we have implemented advanced protective measures to prevent any PREA-related facility assaults, should one ever occur, our in-house clinical team would administer the immediate crisis response and then work in conjunction with UNM for the administration of all subject-specific services to include victim advocacy, emotional support, and ongoing aftercare at no cost to the client.

In addition, BCYSC's clinical supervisor, Tom Hall/LISW, has completed all state-endorsed best practice standards on Teen Sexual Health (see *National Sexual Violence Resource Center* and also *Resources for Resolving Violence*). Mr. Hall also co-authored standards for the Association for the Prevention of Sexual Harm by Youth as endorsed by the former statewide entity (Optum Health New Mexico), the Sex Offender Management Board, and the New Mexico Sentencing Commission.

PREA AUDIT

PREA Standard 115.401 focuses on audit frequency, timeframes, and specifies, and requires that the agency shall ensure that each facility operated by the agency is audited at least once during each three-year period. The BCYSC is scheduled for a PREA audit of **April 14th and 15th, 2015**. Results of the audit will be posted on the BCYSC public website.



PREA

Youth Posters

Youth Encourage Other Youth to Speak
Up and End Bullying

DEPARTMENT OF JUSTICE NATIONAL DATA 2012

.About 67.7% of youth victimized by another youth reported experiencing physical force or threat of force, 25.2% were offered favors or protection, and 18.1% were given drugs or alcohol to engage in sexual contact.

. Most youth-on-youth victims reported more than one incident (69.6%). An estimated 37.2% reported more than one perpetrator.

. Most youth victimized by another youth reported no physical injury (82.1%).

. Most victims of staff sexual misconduct reported more than one incident (85.9%). Nearly 1 in 5 (20.4%) of these, reported 11 or more incidents.

<http://www.bjs.gov/content/pub/pdf/svifry12.pdf>

.89.1% were males reporting sexual activity with female staff and 3.0% were males reporting sexual activity with both male and female staff.

. About 1 in 5 (20.3%) victims of staff sexual misconduct reported experiencing physical force or threat of force, 12.3% were offered protection, and 21.5% were given drugs or alcohol to engage in sexual contact.

. When youth were asked who initiated sexual contact, 36.4% reported that the facility staff always made the first move, 17.4% reported that they always made the first move, and 46.3% said that sometimes the facility staff made the first move and sometimes they did.

**Bernalillo County Youth Services Center
Data Submitted to the U.S. Department of Justice
Survey of Sexual Violence ***

	Survey Question	2012	2013
1	On December 31, how many males were held in the BCYSC?	38	26
2	On December 31, how many females were held in the BCYSC?	16	19
3	On December 31, how many total youth were held in the BCYSC?	54	45
4	Between January 1 and December 31, how many youth were admitted to the BCYSC?	2,172	1,768
5	Between January 1 and December 31, how many youth were discharged to the BCYSC?	2,182	1,782
6	Between January 1 and December 31, how many allegations of youth-on-youth NONCONSENSUAL SEXUAL ACTS were reported?	0	2
7	Of the allegations reported in Item 6, how many were Substantiated ?	0	0
8	Of the allegations reported in Item 6, how many were Unsubstantiated ?	0	0
9	Of the allegations reported in Item 6, how many were Unfounded ?	0	2
10	Of the allegations reported in Item 6, how many are still under investigation?	0	0
11	Between January 1 and December 31, how many allegations of youth-on-youth ABUSIVE SEXUAL CONTACT were reported?	0	0
12	Between January 1 and December 31, how many allegations of youth-on-youth SEXUAL HARASSMENT were reported?	0	0
13	Between January 1 and December 31, how many allegations of staff-on-youth SEXUAL MISCONDUCT were reported?	2	1
14	Of the allegations reported in Item 13, how many were Substantiated ?	0	0
15	Of the allegations reported in Item 13, how many were Unsubstantiated ?	0	0
16	Of the allegations reported in Item 13, how many were Unfounded ?	0	1
17	Of the allegations reported in Item 13, how many investigations are still ongoing?	2	0

*Survey Request for 2014 has not yet been received from the Department of Justice. Survey for 2014 will be completed upon request.