



## JUSTICE AND PUBLIC SAFETY CABINET

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### **Department of Juvenile Justice**

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**J. Michael Brown**  
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January 9, 2013

Mr. Michael L. Alston  
Attorney Advisor  
U.S. Department of Justice  
950 Pennsylvania Avenue  
Washington, D.C. 20530

Dear Mr. Alston and Distinguished Members of the Review Panel on Prison Rape:

My name is Hasan Davis. It has been my honor to serve as Commissioner of the Kentucky Department of Juvenile Justice for two years. Prior to that, I served the Commonwealth for three years as Deputy Commissioner of Residential Operations and for ten years as Chair of the Kentucky Juvenile Justice Advisory Board. During that time, I also served for three years as Vice Chair of the Federal Advisory Committee on Juvenile Justice.

Joining me today is Mr. Tim Corder. Mr. Corder has been with the Kentucky Department of Juvenile Justice for twenty years. He started as a front line youth worker and served in multiple capacities within residential operations. Under his leadership as Superintendent, Owensboro Treatment Center was identified by the United State Department of Justice as one of the facilities with the lowest prevalence of sexual victimization nationwide (*Sexual Victimization in Juvenile Facility Reported by Youth, 2012*). Mr. Corder currently serves as Facilities Regional Administrator for the Western Region of Kentucky.

It is a distinct honor for the Kentucky Department of Juvenile Justice and a point of personal privilege for me as Commissioner of this outstanding agency to appear before the Review Panel on Prison Rape. Thank you for inviting us to share what Kentucky Department of Juvenile Justice has done and continues to do to ensure alignment with the PREA standards and to share specifically the excellent practices of Owensboro Treatment Center.

The Kentucky Department of Juvenile Justice is one of five departments under the Kentucky Justice and Public Safety Cabinet. Established in 1996, Kentucky Department of Juvenile Justice has 33 facilities: 10 residential treatment centers; 8 detention facilities; 10 group homes; and 6 day treatment facilities. The mission of the Kentucky Department of Juvenile Justice is to improve public safety by providing balanced and

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comprehensive services that hold youth accountable, and to provide the opportunity for youth to develop into productive, responsible citizens.

The Kentucky Department of Juvenile Justice is charged with the legislative authority and responsibility of providing treatment for youth committed to the agency through the courts. For youth either committed or probated to us, we have a range of in-home as well as out-of-home service options, including but not limited to: residential youth development and youth treatment centers, supervised community probation, aftercare and reintegration programs.

The Department of Juvenile Justice has zero tolerance in regard to the sexual assault, sexual abuse, and sexual harassment of youth in our care custody and supervision. Since the Prison Rape Elimination Act (PREA) was established in 2003, Department leadership has worked with various groups and organizations to develop and integrate a safe system of care for youth within the Kentucky Department of Juvenile Justice. The following is a timeline of PREA milestones:

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2005	<ul style="list-style-type: none"><li>• National Institute of Corrections (NIC) conducted research through Dr. James Wells mapping staff perspectives on sexual violence in the workplace, participants included juvenile Justice staff from Kentucky, West Virginia and Indiana</li><li>• NIC provided Technical Training on PREA to all DJJ facility superintendents</li><li>• American University, Washington School of Law conducted Management and Operational Practices Training on Addressing Staff Sexual Misconduct with Youth in Custody</li></ul>
2006	<ul style="list-style-type: none"><li>• NIC Sponsored a symposium for all Kentucky DJJ private providers (the <b>first PREA specific training for private juvenile care providers in the nation</b>)</li><li>• Members of DJJ's Executive Leadership attended first National PREA training in Washington, D.C.</li><li>• DJJ began consultation with the Ohio Department of Youth Services as they were recognized as the most proactive state juvenile justice agency in the U.S. in regard to PREA implementation.</li></ul>
2010	<ul style="list-style-type: none"><li>• American University, Washington College of Law's <i>Building Staff and Youth Capacity to Address Sexual Violence against Youth in Custody</i> Project conducted training for Kentucky DJJ, they also developed a "train-the-trainers" curriculum focused on building the capacity of DJJ trainers to prepare staff to appropriately identify and to address sexual abuse agency wide</li></ul>
2011	<ul style="list-style-type: none"><li>• American University Washington School of Law's <i>Addressing Prison Rape</i> Project facilitated an Organization wide Cultural Assessment</li></ul>

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- PREA *Staff Sexual Misconduct* training conducted by Andie Moss
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- 2012
- Training was conducted for DJJ leadership, mental health professionals and contractors regarding the PREA Standards
  - DJJ Executive Staff began discussing the need for an agency pre-employment Screening Tool capable of identifying individual applicants who may have difficulty establishing clear professional relationships and appropriate boundaries with youth in our custody and care.
  - DJJ conducted inaugural Juvenile PREA Coordinators' Statewide Conference (with support from the Bureau of Justice Assistance, and the PREA Resource Center (PRC))
  - Provided PREA training for all DJJ Executive Staff
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- 2013
- DJJ sponsored a PREA Symposium providing education regarding all areas of agency operations potentially affected by PREA
  - DJJ Conducted three intensive trainings for PREA coordinators in residential and non residential programs and offices
  - Established a comprehensive ongoing training process for staff and youth committed to DJJ
  - Developed and implemented a vulnerability assessment now administered to every youth entering DJJ residential out of home placement
  - Members of DJJ executive leadership attended two Leadership Summits in New Orleans, funded by Louisiana Office of Juvenile Justice's PREA Demonstration Grant. The purpose of the Summit was to bring together executives from four state Juvenile Justice agencies (Louisiana, Kentucky, Texas and Georgia) to discuss and explore their opportunities and challenges with culture change, implementation and sustainability, particularly through the lens of PREA, among other initiatives.
  - DJJ developed and produced a series of PREA brochures, posters and comic books for display, and distribution to all DJJ facilities and offices
  - DJJ received a grant and contracted with the Moss Group to conduct a sexual assessment of DJJ. The assessment will yield a strategic plan for additional PREA integration and curriculum for specialized PREA training for the Department.

The aforementioned milestones illustrate the proactive commitment that the Kentucky Department of Juvenile Justice has to integrating strategies that yield a safe system of care and maintaining a zero tolerance policy against sexual violence. As a result of the deliberate and systematic integration of PREA education and training, the Kentucky Department of Juvenile Justice has yielded a low incidence of sexual victimization as exemplified by the Owensboro Treatment Center.

The Kentucky Department of Juvenile Justice is committed to establishing a zero tolerance environment against the sexual assault, sexual abuse, and sexual harassment of youth. DJJ has worked with the American University Washington School of Law Project on Addressing Prison Rape since 2009. This collaborative relationship was instrumental in the education and training of executive leadership, management staff, and the DJJ Training Branch regarding the Prison Rape Elimination Act and the standards.

On August 20 of 2012, when the United States Department of Justice issued the final rule and standards for Juvenile Facilities, DJJ immediately went into action to train staff throughout the Department regarding the expectations of the standards.

DJJ has worked diligently to incorporate and implement all of the federal standards within the business operations of the Department. DJJ developed and hosted a PREA Symposium for staff that examined the multi-faceted topics that the PREA standards address. DJJ has developed and executed specialized PREA trainings for external contractors; medical and mental health staff; and the facility PREA coordinators who educate frontline workers across the state. In addition to training staff, DJJ has developed and executed a comprehensive youth PREA education program and created literature and material geared specifically toward youth in care.

DJJ has also instituted the use of tools and resources to protect youth. For example, the vulnerability assessment tool that was developed by the Department has been vital in providing guidance for the housing and placement of youth in the custody insuring that more vulnerable and more predatory youth can be treated in the treatment environment that will provide the most appropriate support and supervision necessary to allow for successful completion of their individualized treatment plan. The utilization of this tool and other resources has created the synergistic impact that contributed to the overall low prevalence of sexual victimization.

Owensboro Treatment Center (OTC) attributes the low incidence of sexual victimization to an experienced management staff that has received PREA training and education; to consistent messaging on the zero tolerance policy and to low staff to youth ratios with active supervision.

First, Owensboro Treatment Center has experienced management staff that has received training and education in PREA. High caliber management staff is instrumental in creating and cultivating a professional environment. The management staff provides the leadership, guidance, and accountability that is fundamental in creating a PREA compliant environment. Our experienced educated staff has been integral to the creation of an ethical workplace that protects all youth.

Second, the zero tolerance policy of the Department of Juvenile Justice is consistently reinforced through communications and messaging. All staff and youth are introduced to and continuously reminded of the zero tolerance policy. DJJ has developed an integrated system of communication where the Department's zero tolerance policy is continuously iterated during intake for all youth, in regular staff meetings, during weekly individual counseling sessions for youth, during weekly group counseling sessions for

youth, in monthly treatment team meetings with all professionals and youth, and through a series of posters placed strategically around the facility. The regular and consistent messaging of the Department's zero tolerance policy is a daily reminder to staff and youth of the high importance placed on safety.

Third, a low staff to youth ratio combined with active supervision is a major contributor to the low incidence of sexual victimization at OTC. Having a low staff to youth ratio makes it easier for staff to engage in active-critical supervision.

Technology, specifically the video monitoring equipment at OTC, has provided a critical support for the three component listed above. Video monitoring ensures that youth and staff movement and all activities throughout the facility can be reviewed and any minor problems can be observed and responded to before they evolve into potentially greater problems for youth, staff and the department.

As evidences by the previous timeline of events and activities, the implementation of the Prison Rape Elimination Act national standards has been a calculated and deliberate process for the Kentucky Department of Juvenile Justice. DJJ has worked diligently and with intention to set a high standard of expectations with regard to PREA, incorporating and integrating the federal standards into a comprehensive series of agency policy and staff practice.

Within all DJJ facilities, the facility leadership has established principles of excellence and executes zero tolerance against sexual victimization. Leadership actively promotes the expectation of safety for all youth in the custody and care of DJJ. Any actions or behaviors that fall short of this expectation are neither acceptable nor tolerated.

A key component of facility management and leadership training revolves around how to assist front line staff in establishing appropriate boundaries with youth. As part of the training, management and leadership are provided guidance on how to identify and address staff that may struggle with maintaining professional relationships and appropriate boundaries. National statistics and our own agency's experiences related specifically to female staff misconduct are emphasized.

DJJ executive leadership and facility leadership have instituted practices of accountability for all staff. Integrated video monitoring within all DJJ facilities provides a mechanism to ensure staff accountability. These practices provide a heightened awareness of staff movement within a facility, staff interactions with youth, and staff behavior with and around youth. The intent of DJJ is to sustain and maintain high integrity and ethical environments for staff and youth.

Once again, I would like to thank the Panel for inviting Mr. Corder and I to share the Commonwealth's commitment to creating an environment that ensures the safety of every child that touches our system.

Sincerely,

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Mr. Michael L. Alston  
U.S. Department of Justice  
Review Panel on Prison Rape  
November 15, 2013

A. Hasan Davis, J.D.  
Commissioner  
Kentucky Department of Juvenile Justice