

2012

OREGON YOUTH AUTHORITY PROFESSIONAL STANDARDS OFFICE (PSO)

Investigation of Offender Sexual Abuse



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Oregon Youth Authority

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INTRODUCTION

- ⦿ Establish a zero tolerance to abuse
 - Which includes sexual abuse
 - ⦿ Agency Standards incorporating Federal PREA Standard
- ⦿ Establish a highly effective investigative process
- ⦿ Utilize an accurate database
- ⦿ Provide Training
- ⦿ Data Compilation, Analysis and Review
- ⦿ Performance Management
- ⦿ Differences between Review, Investigation and BJS Reportability

TALKING ABOUT PREA



NO! Let's talk about investigations.

Establish a process where all allegations are reviewed and investigated.

- OYA Close Custody Facilities and Transition Programs
- Field Offices (Parole and Probation)
- Residential Programs and Foster Care

If you focus solely on PREA, you lose sight of the goal which is protecting the youth from abuse.

ESTABLISHING ZERO TOLERANCE TO ABUSE

- ◉ Establish an independent office of investigations.
 - The Oregon Youth Authority (OYA) established the Professional Standards Office (PSO) in July 2006 following serious sexual abuse committed by a parole/probation officer to the youth on his caseload.
- ◉ Be Proactive - review and update or create state statute, administrative rules, policy and procedures confirming your stance.
- ◉ Notify youth offenders, families, staff and stakeholders that abuse will not be tolerated

ZERO TOLERANCE

- Investigate everything related to any type of abuse.
 - Assumptions in reporting
 - Don't assume the youth is a liar
 - Don't assume the staff would never do it
 - Don't assume because it's against policy it couldn't happen
- Educate all employees, contractors, and volunteers on the importance of reporting and monitoring youth for red flag behaviors of abuse, mandatory reporting and PREA related issues
- Never assume it was already reported - always cross report to law enforcement or children's services divisions
 - OYA employees are mandatory child abuse reporters and are required by Oregon law to report any suspected child abuse.
- Establish notification systems
 - Confidential Hotline, Surveys, Youth Incident Reports, Offender Grievance Process
- Let people know - Posters, Youth Safety Guide, Contact Cards, Surveys, Parent Guides, and Internet
- Identify and provide community resources for reporting abuse or sexual behavior to youth for transparency

NOTIFICATION SYSTEMS

- ◉ Follow process, look for areas and avoid missed opportunities to learn of an allegation.
- ◉ Youth Incident Reports (YIR) are input in JJIS (Juvenile Justice Information System) utilized for all levels of youth justice in Oregon. All YIR's involving sexual activity, not just abuse, are reviewed in JJIS and tracked.
 - To eliminates human error when they forget to notify PSO, we receive automatic e-mail notifications from JJIS involving any sexual activity. Multiple buttons to notify PSO automatically (Sexual Behavior added, Child Abuse Report Component added, Notify PREA Coordinator, PSO or Director's Office checked). Pull a case when it meets determined criteria.
- ◉ Review (or establish) surveys - PbS (semi-annual), Termination, SubCare (semi-annual), OYA PREA survey to determine vulnerability
- ◉ Establish Youth Safety Guide and document distribution. In OYA staff are required to personally explain and go over the Youth Safety Guide with the youth and document in JJIS.

MAINTAIN ACCURATE INVESTIGATIVE DATABASE

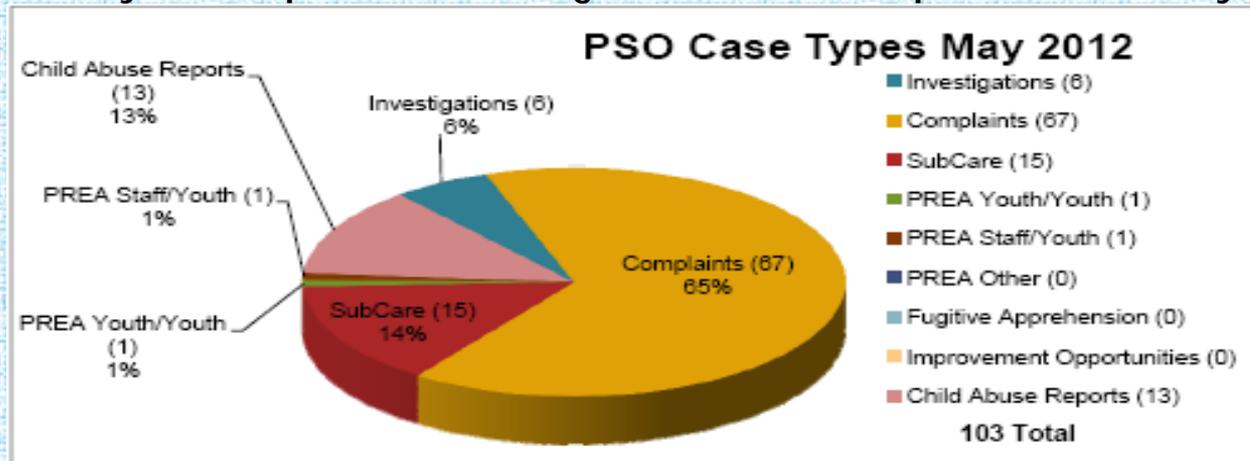
- Create data tracking system for all reports of abuse.
 - Create capabilities to ensure all cases are easily searchable
 - Create relevant categories
 - Establish data field to track all PREA related reports separately and provide data analysis on each allegation in finding
 - Track additional information for BJS reportable cases separately or with additional information in your case.
 - Not all cases reviewed for PREA are BJS reportable.
 - Not all sexual abuse is BJS reportable (eg: abuse by parole/probation officers)
 - Dispositions - Unfounded, Unable to substantiate and Substantiated
 - Investigative reports requiring supervisor approval and for sexual behavior to include the PREA Coordinator's review
 - Utilize early intervention strategies and tools created by database

PERPETRATOR / VICTIM TRACKING AND TRAINING

- ⦿ Identify and track all perpetrators and victims for placement considerations.
- ⦿ Ensure mental health treatment is provided for victims and perpetrators, including those reporting historical abuse.
- ⦿ With Youth on Youth or Staff on Youth major criminal investigation there is a tendency to back off, but mental health treatment should not wait.
 - SARRT - Sexual Assault Response and Resource Team

GRAPHS

PREA is only one aspect of Investigations. OYA sample of cases May 2012



The **2010** BJS Report indicates 12.1% of youth nationally reported having been sexually victimized by staff or offenders while in a facility with the last year.

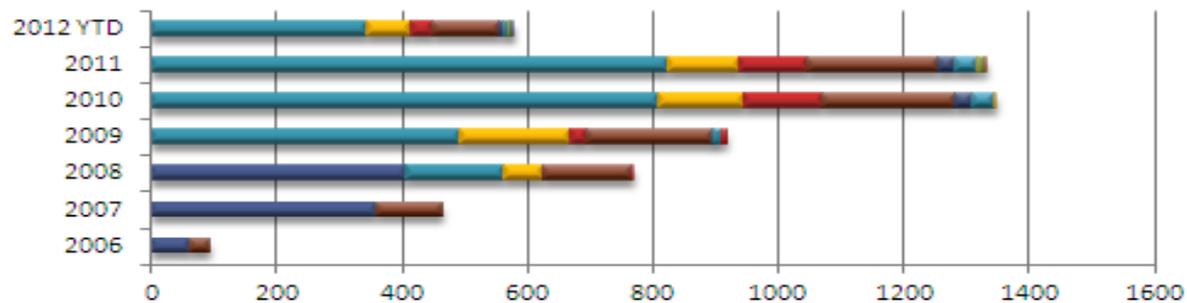
Staff-involved incidents:	10.3%
Youth-on-youth incidents:	2.6%

For the same timeframe Oregon Youth Authority had 834 youth in our 11 facilities/camps and reported a total of 5.87%

Staff-involved incidents (26):	3.11%
Youth-on-youth incidents (23):	2.76%

GRAPHS CONTINUED

PSO Yearly Case Totals



	2006	2007	2008	2009	2010	2011	2012 YTD
FileMaker 2006 – Oct	62	361	407				
Complaints			157	495	812	825	346
SubCare			64	174	133	116	70
Investigations				28	127	108	35
Child Abuse Report	33	105	141	199	210	208	106
PREA Staff				1	28	26	7
PREA Youth				13	35	37	7
Fugitive Apprehension					1	2	1
Staff Commendation			1	11			
PREA Other Types						8	3
Improvement Opportunitis						3	
Other Agency Assist							1

TOTALS	95	466	770	921	1346	1333	576
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COMPARISONS

- Utilize the information provided through BJS as a comparison to agency established surveys specifically identifying youth on youth or staff on youth abuse.
 - OYA utilizes - PbS surveys, Termination surveys provided to youth and their parents the month following custody termination. Semi Annual Community Provider Surveys for youth in Residential Programs and Foster Care
 - OYA he has found utilizing these resources have allowed us to determine areas in need of additional prevention or monitoring.
 - Are your reporting mechanisms accurate?

INVESTIGATIVE PROCESS

- ◉ Establish a Sexual Assault Resource and Response Team (SARRT)
- ◉ Identify SANE nurses outside of facility within local hospitals for forensics examinations
 - protocol must ensure youth is taken off site into the community for this examination
- ◉ Oregon State Police and Department of Human Services cross reporting
- ◉ Notify all licensing agents for follow-up investigations
 - Teachers Standards and Practices, nursing board, mental health boards, law enforcement certifications as well as other license issuing agencies when misconduct is alleged.

TRAINING

- ⦿ All investigators provided training on sexual abuse
- ⦿ NIC PREA training for all investigators
- ⦿ Mandatory Child Abuse Reporter training
- ⦿ Sexual abuse investigations training for juveniles
- ⦿ Develop closure following each abuse incident - Critical Incident Reviews
- ⦿ New Employee Orientation PREA training for not only investigators, but all new employees
- ⦿ Ethics training for all new employees

INVESTIGATIVE DATABASE ANALYSIS

- Provide monthly, quarterly, and annual statistical data reports to identify and eliminate periods of opportunity for abuse to occur
- Evaluate and identify current trends across the country or within your own facilities or agency
- When completing audits always consider known environmental impacts learned during investigations (ie - Sweat Lodge)

STATUTE, RULE AND POLICY

- ◉ Relate Federal PREA Standards to OYA Statute, Rule, Policy and Practice
- ◉ Established PSO as a means for investigation external to the facilities themselves
- ◉ Determine law enforcement jurisdiction. All OYA facilities are considered state property and fall under Oregon State Police jurisdiction. Local law enforcement or Child Services for incidents outside our facilities.

INVESTIGATIONS

- ◉ Investigate everything related to sexual abuse, well actually any type of abuse.
- ◉ Document everything in investigative Database for follow-up and reference
- ◉ Include all info in 1 spot if possible. OYA has an investigation database though some information is in JJIS.
- ◉ Never assume - always cross report (Mandatory Child Abuse Reporters)
- ◉ OYA covers 12 - 24yo youth. Don't stop if they're older than minor
 - ◉ Administrative piece picks up the rest

HOW DO YOU MEASURE SUCCESS

- ⦿ Now that we've established this great process, how do you measure success.
- ⦿ Establish a mechanism for monitoring success, timeliness, and measurements. Create a dashboard of effectiveness to measure your success utilizing all of the above information
 - OYA utilizes a Performance Management System with a Fundamentals Map to target goals and indicate responsibilities
 - Quarterly Target Reviews are completed and data is reviewed with the entire group. Data falling below designated benchmarks (in the red) requires an explanation and action plan
 - How do you correct a problem. OYA uses a 7 Step Problem Solving method.

PSO DASHBOARD

Investigatory Effectiveness composite measure comprising

- a) Timely PSO cases
 - Percent of PSO cases completed in timeframe. Average of a)percent of investigations completed with 60 days of opening the case and b) percent of incidents completed within 30 days of opening the case.
- b) Investigation disposition outcome
 - Percent of investigative cases that have a determinable outcome either substantiating or unsubstantiating the case. (Cases unable to be determined will lower the measure.)
- C) PSO issue analysis and reporting
 - Issue analysis and reports completed within 30 days of the end of each quarter.
- d) Timely response to Hotline
 - Percent of Hotline calls that are returned by the end of the next business day following retrieval of the message.

PREA Compliance

- Percentage of PREA policy standards (40) with which OYA is compliant.

ID	Measure	Definition	Unit of Measure	Red	Yellow	Green	Current Period Result	Current Period Target	Target Met	Next Target	Owner	QTR report out
06 1 1	PREA compliance	Percentage of PREA policy standards (40) with which OYA is compliant.	Percent	< 80	80 - 90	> 90	82	100			Skaneateles	1/18

CLOSING

- We've covered a lot of ground and it all comes down to this
 - Zero Tolerance for abuse incorporating PREA
 - Training - Youth, Families, Staff
 - Report, Review, Investigate, Track
 - Compile, Analyze and Review Data
 - Measure your success
 - If it is not working - change it

RESOURCES

Oregon Youth Authority (OYA)

Professional Standards Office (PSO)

530 Center Street NE, Suite 200

Salem, OR 97301-3765

Office 503-378-5313

Fax 503-373-1460

E-mail professionalstandards.office@oya.state.or.us

Web www.oregon.gov/oya

National PREA Resource Workgroup hosted by OYA

Web <http://www.oregon.gov/OYA/prea/prea.shtml>

E-mail prea.coordinator@oya.state.or.us



National PREA Resource Workgroup

Working together to share, develop and collaborate
on resources, requirements and zero tolerance
toward sexual abuse



If you have questions about the National PREA Resource Workgroup, contact
Kila Jager, PREA Coordinator, Oregon Youth Authority Professional Standards Office (503-373-7203).