

# **Eliminating Sexual Abuse & Sexual Harassment of Vermont Youth in Custody**

Compliance with the 2003 National  
Prison Rape Elimination Act (PREA)



**Vermont Agency of Human Services  
Department for Children and Families  
Family Services Division**

*January – December 2015*

---

## PURPOSE

---

The Agency of Human Services, Department for Children and Families, Family Services Division (FSD) is Vermont's child welfare and youth justice agency. FSD is responsible for making sure children and youth are safe, their basic needs are met, they abide by the law, and families are supported to achieve these goals. FSD is committed to meeting the requirements of the 2003 **Prison Rape Elimination Act (PREA)** and ensuring that all youth are safe and free from sexual abuse and harassment. This report outlines how FSD is responding to the PREA requirements and promoting safety for all youth.

---

## FACILITIES

---

Vermont has one state-operated locked/secure juvenile rehabilitation center and three contracted community-based staff-secure residential treatment programs that are considered confinement facilities under the PREA standards.

	2014 total admissions	# of youth with pending charges or adjudicated delinquents	% of youth with pending charges or adjudicated delinquents	2015 total admissions	# of youth with pending charges or adjudicated delinquents	% of youth with pending charges or adjudicated delinquents
Woodside Juvenile Rehabilitation Center	152	152 *	100%	152	152 *	100%

	2014 total admissions	# adjudicated delinquents	% adjudicated delinquents	2015 total admissions	# adjudicated delinquents	% adjudicated delinquents
Howard Center Park Street	15	10	66.7%	18	9	50%
Howard Center Transition House	6	5	83.3%	9	8	88.9%
Seall, Inc. (204 Depot Street Program)	117	58	49.6%	118	56	47.5%

**Woodside Juvenile Rehabilitation Center** is a state-operated locked/secure juvenile rehabilitation center with the capacity to serve thirty (30) youth, males and females, ages 10–18. The purpose of the program is to provide short-term and long-term trauma-informed services within a safe and secure environment. The program serves youth who are in the custody of the Vermont DCF Commissioner with a delinquency charge or adjudication<sup>1</sup>, and exhibiting self or other harming behavior(s).

**Howard Center Park Street Program** is a contracted community-based residential treatment program with the capacity to serve ten (10) adolescent males ages 12–18 with sexually harming behaviors. The components offered are 90-day assessments, long-term treatment (12-18 months) and short-term stabilization for clients who have previously received treatment – with the goal of safe community reintegration.

**Howard Center Transition House** is a contracted community-based residential treatment program with the capacity to serve four (4) adolescent males, ages 16–22. This program acts as a step-down program for youth transitioning out of the locked/secure juvenile rehabilitation center. The primary goal of this program is to promote and support successful transitions for youth back into their communities.

---

<sup>1</sup> \* Per Vermont Statute **§5801**, the Woodside Juvenile Rehabilitation Center can only admit youth who have been adjudicated or charged with a delinquency or criminal act. Data pertaining to placements of youth with adjudications vs. pending charges have not been tracked for 2013 and 2014.

**Seall, Inc.** (204 Depot Street Program) is a contracted 10-day stabilization program with the capacity to serve eight (8) adolescent males ages 13–18. The primary goal of the program is to help residents recognize the behaviors that contributed to their need for this placement and to provide skills that will prepare them for their next placement.

---

## PREA COMPLIANCE ACTIVITIES

---

Statewide PREA compliance activities that occurred during 2015 include:

- FSD contracted with Sharon Pette of Effective System Innovations (ESI), a certified Department of Justice (DOJ) PREA auditor to conduct PREA audits of Vermont’s juvenile facilities.
- FSD’s Residential Licensing and Special Investigations Unit partnered with the contractor to ensure the alignment of the **Licensing Regulations for Residential Treatment Programs** with the PREA standards.
- Woodside Juvenile Rehabilitation Center’s PREA audit occurred. Following the 180-day corrective action period they were found to be in PREA compliance in June 2015.
- Audits began for Howard Center’s Park Street Program, Transition House, and 204 Depot Program.
- The PREA 180 day corrective action period began for all three residential programs.

### *Woodside Juvenile Rehabilitation Center*

Woodside Juvenile Rehabilitation Center’s PREA 180 day corrective action period ended in May 2015. In the final audit findings report, dated June 15, 2015, Sharon Pette, PREA Auditor states:

*The ongoing commitment to the improvement process and achieving standard compliance was repeatedly demonstrated through frequent communication with the auditor, timely post-audit documentation submission, WJRC implementing all audit recommendations, and implementing the majority of “considerations for enhancement” put forth in the initial audit report. During the corrective action period, additional documents were submitted to and reviewed by the auditor. Feedback and guidance to WJRC leadership and the agency PREA Coordinator was provided to help remedy challenges. At the end of the six month corrective action period WJRC had implemented all auditor recommendations and provided ample documentation supporting compliance. WJRC achieved full compliance with federal PREA standards.*

### *Howard Center Park Street Program*

The onsite PREA audit of Howard Center Park Street Program was conducted on July 8<sup>th</sup>, 9<sup>th</sup>, and 10<sup>th</sup>, 2015. At the close of the onsite portion of the audit, it was determined that twenty three standards were met, sixteen were not met, and two standards were not applicable. Park Street is nearing the end of the 180 day corrective action period during which the auditor has been working with program staff and central office to remedy and verify remedial action for any deficiencies. Howard Center and Park Street staff have been working very diligently to make the necessary policy and practice changes to become PREA compliant. Park Street’s compliance activities are focused on formalizing procedures and thoroughly documenting existing practices. The corrective action period for Park Street ends on February 11, 2016.

*Howard Center Transition House*

The onsite PREA audit of Howard Center Transition House was conducted on July 13<sup>th</sup> and 14<sup>th</sup>, 2015 – immediately following Park Street’s PREA audit. At the close of the onsite portion of the audit, it was determined that twenty two standards were met, eighteen were not met, and one standard was not applicable. Transition House is also nearing the end of the 180 day corrective action period during which the auditor has been working with program staff and central office to remedy and verify remedial action for any deficiencies. Howard Center and Transition House staff have been working very hard to make the necessary policy and practice changes to become PREA compliant. Transition House’s PREA compliance activities are focused on improving documentation and developing policies reflective of practice. The corrective action period for Transition House ends on February 15, 2016.

*Seall, Inc. (204 Depot Street Program)*

The onsite PREA audit of Seall, Inc. (204 Depot Street Program) was conducted on August 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup>, 2015. At the close of the onsite portion of the audit, it was determined that six standards were met, thirty-four were not met, and one standard was not applicable. Park Street is in the 180 day corrective action period during which the auditor has been working with program staff and central office to remedy and verify remedial action for any deficiencies. Seall, Inc. staff have been working very hard to make the necessary changes to policy and practice to become PREA compliant. The auditor has scheduled a second site visit with Seal, Inc. to occur on February 21<sup>st</sup> and 22<sup>nd</sup>, 2016. The corrective action period for Seall, Inc., (204 Depot Street Program) ends on March 13, 2016.

---

**SEXUAL ABUSE DATA**

---

*Woodside Juvenile Rehabilitation Center*

There were eight sexual abuse/harassment incidents reported at Woodside during 2015. Three of these reports were of youth who alleged sexual harassment by other youth. All three reports were reviewed by Woodside staff and were found to have occurred. Woodside responded to the situation internally through a restorative plan with the affected youth, as well as in clinical sessions. Five of the reports were youth who alleged they were sexually abused by other youth. All five of the reports were investigated and deemed to be unsubstantiated.

*Howard Center Park Street Program*

There were two sexual harassment incidents reported at Park Street during 2015. These reports were of youth who alleged sexual harassment by other youth. Both reports were reviewed by program staff and were found to have occurred. Program staff separated the perpetrators from the victims and each victim developed a safety plan with staff.

*Howard Center Transition House*

There were no reports of sexual abuse or harassment at Howard Center Transition House during 2015.

*Seall, Inc. (204 Depot Street Program)*

There was one sexual abuse incident reported at 204 Depot during 2015. This report was a youth who alleged they were abused by 204 Depot staff. This report was investigated and deemed to be unsubstantiated.

---

## **STRENGTHS IDENTIFIED DURING THE PREA AUDITS**

---

Sharon Pette, PREA Auditor stated in her initial audit reports:

*With the dedication and commitment displayed by the Howard Center Park Street, Howard Center Transition House and 204 Depot programs leadership, the auditor is confident they will implement the changes necessary to address the specific provisions of the PREA standards and achieve 100% compliance by the end of the corrective action periods.*

---

## **AREAS FOR IMPROVEMENT IDENTIFIED DURING THE PREA AUDITS**

---

Howard Center Park Street Program's PREA audit illustrated the need for corrective action regarding the following PREA standards:

- §115.322 – Policies to ensure referrals of allegations for investigations
- §115.331 – Employee training
- §115.332 – Volunteer and contractor training
- §115.334 – Specialized training: Investigations
- §115.341 – Obtaining information from residents
- §115.342 – Placement of residents in housing, bed, program, education, and work assignments
- §115.354 – Third-party reporting
- §115.363 – Reporting to other confinement facilities
- §115.365 – Coordinated response
- §115.371 – Criminal and administrative agency investigations
- §115.372 – Evidentiary standards for administrative investigations
- §115.381 – Medical and mental health screenings; history of sexual abuse
- §115.386 – Sexual abuse incident reviews
- §115.387 – Data collection
- §115.388 – Data review for corrective action
- §115.389 – Data storage, publication, and destruction

Howard Center Transition House Program's PREA audit illustrated the need for corrective action regarding the following PREA standards:

- §115.313 – Supervision and monitoring
- §115.322 – Policies to ensure referrals of allegations for investigations

- §115.331 – Employee training
- §115.332 – Volunteer and contractor training
- §115.333 – Resident education
- §115.334 – Specialized training: Investigations
- §115.341 – Obtaining information from residents
- §115.342 – Placement of residents in housing, bed, program, education, and work assignments
- §115.354 – Third-party reporting
- §115.363 – Reporting to other confinement facilities
- §115.365 – Coordinated response
- §115.371 – Criminal and administrative agency investigations
- §115.372 – Evidentiary standards for administrative investigations
- §115.381 – Medical and mental health screenings; history of sexual abuse
- §115.386 – Sexual abuse incident reviews
- §115.387 – Data collection
- §115.388 – Data review for corrective action
- §115.389 – Data storage, publication, and destruction

Seall, Inc. 204 Depot Street Program's PREA audit illustrated the need for corrective action regarding the following PREA standards:

- §115.313 – Supervision and monitoring
- §115.315 – Limits to cross-gender viewing and searches
- §115.316 – Residents with disabilities and residents who are limited English proficient
- §115.317 – Hiring and promotion decisions
- §115.321 – Evidence protocol and forensic medical examinations
- §115.322 – Policies to ensure referrals of allegations for investigations
- §115.331 – Employee training
- §115.332 – Volunteer and contractor training
- §115.333 – Resident education
- §115.335 – Specialized training: Medical and mental health care
- §115.341 – Obtaining information from residents

- §115.342 – Placement of residents in housing, bed, program, education, and work assignments
- §115.351 – Resident reporting
- §115.352 – Exhaustion of administrative remedies
- §115.353 – Resident access to outside confidential support services
- §115.354 – Third-party reporting
- §115.361 – Staff and agency reporting duties
- §115.362 – Agency protection duties
- §115.363 – Reporting to other confinement facilities
- §115.364 – Staff first responder duties
- §115.365 – Coordinated response
- §115.367 – Agency protection against retaliation
- §115.368 – Post-allegation protective custody
- §115.371 – Criminal and administrative agency investigations
- §115.372 – Evidentiary standards for administrative investigations
- §115.373 – Reporting to residents
- §115.378 – Disciplinary sanctions for residents
- §115.381 – Medical and mental health screenings; history of sexual abuse
- §115.382 – Access to emergency medical and mental health services
- §115.383 – Ongoing medical and mental health care for sexual abuse victims and abusers
- §115.386 – Sexual abuse incident reviews
- §115.387 – Data collection
- §115.388 – Data review for corrective action
- §115.389 – Data storage, publication, and destruction

---

## **CONCLUSION**

---

There were numerous efforts made by Transition House, Park Street, and Seall, Inc., 204 Depot program staff in 2015 to work toward PREA compliance. All three programs are nearing the end of their corrective action periods. Howard Center Park Street, Howard Center Transition House, and Seall, Inc., 204 Depot will continue working towards PREA compliance until the end of their respective corrective action periods. It is hoped that all three programs will complete the necessary requirements to achieve PREA during 20165.