

WINNEBAGO COUNTY
JUVENILE DETENTION CENTER
PRISON RAPE ELIMINATION ACT (PREA)
2023 Annual Report

February 23, 2024
WINNEBAGO COUNTY JUVENILE DETENTION CENTER
5350 Northrock Dr. Rockford, IL 61103

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Definitions

The Prison Rape Elimination Act (28 C.F.R. Part 115):

In 2003, the Prison Rape Elimination Act (PREA) was signed into law with unanimous support. After the law's passage, the Department of Justice (DOJ) began the steps to create a set of national Standards, with input from the National Prison Rape Elimination Commission created by the Act, the public, and federal, state, and local correctional organizations, and private organizations. The purpose of these Standards was to provide comprehensive guidelines for 1) preventing, 2) detecting, and 3) responding to sexual abuse and sexual harassment involving both youth and adults in federal, state, and local institutions, including state and community correctional facilities, juvenile detention centers, and jail systems. The DOJ published the resulting Final PREA Standards on August 20, 2012. The Division of Child and Family Services (DCFS) began implementation activities of the PREA Standards in early 2014. DCFS has since fully implemented the Standards at the agency and facility levels.

Resident-on-Resident Sexual Abuse:

Sexual abuse of an inmate, detainee, or resident by another inmate, 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

Staff-on-Resident Sexual Abuse:

Sexual abuse of a resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, 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 (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 an inmate, detainee, or resident, and
- (8) Voyeurism by a staff member, contractor, or volunteer.

Voyeurism:

An invasion of privacy of a resident unrelated to official duties, such as peering at a resident using a toilet or requiring a resident to expose their genitals.

Sexual Harassment:

- (1) Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and
- (2) Repeated verbal comments or gestures of a sexual nature to an inmate, 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.

Possible Outcomes of Investigation: The agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. (115.372)

Substantiated:

When an investigation is found to have a substantiated allegation, it means the allegation was investigated and determined to have occurred, based on preponderance of evidence (50.1% or higher).

Unsubstantiated:

When an investigation is found to have an unsubstantiated allegation, it means the allegation was investigated and the investigation produced insufficient evidence to make a determination as to whether or not the event occurred (49.9 % or lower)

Unfounded:

When an investigation is found to have an Unfounded allegation, it means the allegation was investigated and determined that the allegation did not occur.

Investigated but not PREA Related:

When an investigation is found to have an allegation that was investigated but not PREA Related, it means the allegation was investigated but found to not be PREA Related.

This document details the Winnebago County Juvenile Detention Center annual report for the 2023 calendar year. This document has been prepared in accordance with the Prison Rape Elimination Act (PREA) Standard §115.388 “in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies and training” and in accordance to PREA Standard §115.387(a) “The agency shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.” The Winnebago County Juvenile Detention Center makes its best efforts to maintain a strong PREA environment.

Facility

The Winnebago County Juvenile Detention has operated as a Juvenile Detention since the 1950’s. In 1992 the present building was opened and now has an Illinois Department of Corrections rated capacity of 48. Located at 5350 Northrock Drive on the Northern edge of the City of Rockford, the center provides a variety of programming which is designed to meet both the statutory mandates and the County’s commitment to helping youth. The facility is staffed on a continual basis and is open every day of the year.

Facility Mission Statement

“To provide care, custody, and discipline for minors being held for the Juvenile Court....”

The Winnebago County Juvenile Detention Center is a Division of the Court Services Department and an integral part of the County’s Juvenile Justice System. State Statute charges the Detention Center with the responsibility of providing care, custody, and discipline for minors pending disposition on disposition on delinquent charges by the Juvenile Court.

Each staff function is undertaken to address the purpose of the facility. In the area of “Care”, the Detention Center is responsible for providing the primary material needs of the minors who are dependent on staff while in custody. In this regard, the Detention Officers serve as house parents of sorts, providing detainees with food, good hygiene practices, and other comforts associated with a home. “Custody” duties require the Detention Officer to act as correctional officer or guard who must be constantly cognizant of security concerns. The facility is designed to ensure the safety of the community by securely holding those individuals who, at the time they are detained, cannot be trusted to exercise their freedoms appropriately. “Discipline” is both the most abstract and the most rewarding area of work the Detention Officer must undertake. In the detention setting, discipline is interpreted to mean teaching and role modeling for minors in custody. It is also in this area where staff are called upon to exercise their skills as counselors both on a formal and informal basis.

The constantly changing detention population and the differences in individual staff at times makes it difficult to maintain equilibrium between “Custody” and “Discipline”. From the management perspective, programs and practices are evaluated bearing in mind the delicate balance between all three statutory components and always with an eye towards consistency and fair treatment of the minors in our care. Detention Officers will bring a variety of approaches to meeting the mandate of “Care, Custody, and Discipline” but each must operate within the constraints of the programs, procedures, and practices set forth in this manual, Illinois Department of Juvenile Justice, and the laws which govern the operation of the facility.

Facility PREA Mission Statement

To achieve compliance with the Prison Rape Elimination Act (PREA) by developing guidelines and policies for preventing, detecting, responding, monitoring and eliminating all sexual abuse and harassment within the Winnebago County Juvenile Detention Center. The Winnebago County Juvenile Detention Center is committed to providing a zero-tolerance atmosphere for sexual abuse and sexual harassment towards residents, either by staff or other residents.

Purpose

The Prison Rape Elimination Act (PREA) is a federal law that prohibits sexual misconduct within correctional settings, including juvenile detention centers. PREA promotes best practice for prevention, detection and response to sexual misconduct within the facility. The Prison Rape Elimination Act (PREA) requires that our facility collects and analyzes data... “in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices and training.” (Standard 115.388)

This report is completed in order to identify problem areas in order to take corrective action, compare data with proceeding years and to assess our facility’s progress in addressing sexual misconduct. (Standard 115.388)

This report is intended to provide information for calendar year 2023.

Facility Achievements in 2023

- WCJDC achieved full compliance with Illinois Department of Juvenile Justice (IDJJ) during the annual inspection.
- WCJDC achieved full compliance with the Administrative Office of the Illinois Courts (AOIC) during the audit.
- WCJDC collaborated with Freedom Behavioral Health to complete risk assessment follow-ups.
- WCJDC PREA Coordinator meets with other PREA Coordinators to share resources and increase skills.
- WCJDC PREA Investigators received National Institute of Corrections PREA Investigator Training.
- WCJDC Nursing Staff received National Institute of Corrections PREA Training.
- WCJDC Behavioral Health Staff received National Institute of Corrections PREA Training.
- WCJDC enhanced security measures through adding cameras, shower curtains and electronic privacy blots.
- WCJDC added third-party reporting to the G.T.L. phones in the pod.
- WCJDC staff received a full PREA Comprehensive Training
- WCJDC ensures all residents complete a Risk assessment at intake, in addition to every 30 days thereafter.
- WCJDC ensures all residents receive PREA Orientation information and a book mark during the intake process.
- WCJDC Ensures that residents receive PREA Education weekly.
- WCJDC is preparing to receive a PREA Audit by July of 2024.

General Information

During 2023, there were 402 new admissions into the Winnebago County Juvenile Detention Center. 327 Males and 75 females with an Average Daily Population of 36.9.

2023 WCJDC Sexual Abuse and Sexual Harassment Data

YEAR: 2023	Substantiated	Unsubstantiated	Unfounded	Ongoing	Investigated But not PREA Related
Incident Type					
Resident on Resident Abusive Sexual Abuse	0	0	0	0	0
Resident on Resident Sexual Harassment	3	16	2	0	1
Staff on Resident Sexual Abuse	0	0	0	0	0
Staff on Resident Sexual Harassment	1	4	1	0	3
Total	4	20	3	0	4

2023 PREA Corrective Actions

During 2023, there was a total of 31 PREA allegations of sexual abuse or sexual harassment at the Winnebago County Juvenile Detention Center. Of the 31 allegations reported, there were 3 unfounded, 20 unsubstantiated, 4 substantiated, and 4 Investigated but not related to PREA. There was a total of 9 staff-on-resident sexual harassment allegations. Of the 9 staff-on-staff sexual harassment allegations, 1 was substantiated, 4 were unsubstantiated, 1 was unfounded and 3 were investigated but found to be not PREA related. There were 22 resident-on-resident sexual harassment allegations. Of the 22 resident-on-resident allegations, 3 were substantiated, 16 were unsubstantiated, 2 were unfounded and 1 was investigated but found to be not PREA related. As a result of the investigations, there were 5 violations handed out to residents, 3 warnings, 2 residents had to redo PREA Education and 2 sets of residents were placed on split recreational time. In addition, 3 Staff members received additional policy and procedure training and coaching.

PREA Training is continuous throughout the year to ensure that all who enter the Winnebago County Juvenile Detention center understand that the facility has a zero tolerance towards any form of sexual abuse or sexual harassment.

To maintain compliance with the PREA standards, WCJDC put in place the following preventative actions:

Preventative Actions:

- Additional Cameras installed to eliminate blind spots.
- Upgrades for shower curtains on shower doors in the resident's Pods.
- Continuous PREA training of all staff, residents, visitors, volunteers, and contractors.
- Updated PREA Reporting access and signage throughout the facility. (ie. Grievance boxes, confidential phones, 3rd party reporting boxes on site and online and developed PREA email for reporting.)
- Entered into contact with Freedom Behavioral Health to provide crisis intervention counsel with residents.