

JJ&RA - JUVENILE REHABILITATION
 Achieving PREA Compliance



2015-17 BIENNIAL BUDGET

ML Request	FY16	FY17	15-17
FTE	6.0	6.0	6.0
GF-State	\$627,000	\$523,000	\$1,150,000
Total	\$627,000	\$523,000	\$1,150,000

DECISION PACKAGE SUMMARY

The Juvenile Justice and Rehabilitation Administration (JJRA) requests \$1,150,000 GF-State and 6.5 FTEs in order to contract for a staffing analysis, complete one-time information technology (IT) infrastructure enhancements, fund increased background checks and provide educational materials. By funding this request, JJRA expects to achieve compliance with the federal Prison Rape Elimination Act (PREA) and increase the prevention of and improve the response to incidents of youth sexual abuse in Juvenile Rehabilitation (JR) residential facilities.

PROBLEM STATEMENT

PREA was passed in 2003 and in June 2012, the federal Department of Justice (DOJ) published a final rule adopting national PREA standards. Implementation requirements for PREA have been released incrementally by the DOJ. The state of Washington is fully committed to the elimination of sexual abuse in state correctional facilities through compliance with PREA standards and requirements.

JJRA requested and received funding in the 2013-15 Biennial Budget for costs associated with achieving compliance with PREA. This funding supported a two-year PREA Administrator FTE, audit costs and training backfill. At the time this funding was appropriated, these costs were assumed to be one-time and the funding was not carried forward into the 2015-17 Biennium. Since then, the DOJ trained auditors have developed audit tools and provided states with further clarification regarding the application of the standards and what is expected in order to achieve compliance. Juvenile Rehabilitation (JR) has discovered that the costs funded in the 2013-15 Biennial Budget are ongoing and there are additional resources needed to sustain compliance efforts and meet the increased requirements imposed by the DOJ.

As of fiscal year 2015, Washington has been penalized for non-compliance. The penalty includes a 5% reduction of the Title II B Formula Grant which is managed by the Washington State Office of Juvenile Justice (OJJ). In addition to this financial penalty, Washington state juvenile justice programs risk losing other non-PREA related federal grant opportunities, as PREA compliance will be a requirement for award consideration.

PROPOSED SOLUTION

JJRA requests continued funding for a PREA Administrator, as required per PREA standard 115.311(b), one PREA Compliance Manager per institution (3 FTEs) and one to represent Community Facilities, per PREA standard 115.311(c). JJRA also requests ongoing funding for a JR data analyst FTE to develop reports, analyze data and statistics and respond



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to various data requests from across the Administration, Department of Social and Health Services (DSHS) leadership, legislature and other external stakeholders. Funding is also requested for one year of IT programming to develop automated forms and tracking modules to support PREA activities and PREA audits. Funding this proposal will also provide for a contractor to conduct a staffing analysis to respond to PREA standard 115.313(11c), which requires specific staffing ratios by October 2017. Finally, funding this proposal will provide ongoing support for PREA related training and education materials and the increased cost in employee, volunteer and contractor background re-checks.

EXPECTED RESULTS

In 2012, the Bureau of Justice Statistics study found that nationwide, 9.5 percent of incarcerated youth reported being sexually victimized. Not only is victimization linked to recidivism, but when youth are victimized, they suffer physical, psychological, and emotional injuries that may take considerable time to heal. The repercussions of youth victimization also affect their families and communities.

This budget request supports DSHS Goal 2: Safety – Each individual and each community will be safe and is essential to implementing the JJ&RA's Strategic Objective 2.1: Decrease rearrests by effectively preparing juvenile justice-involved youth for their futures.

This request supports the Results Washington Measure 2.3.b to release rehabilitated and healthy youth to the community by increasing the percentage of youth released from JR who do not return in 12 months. Similar to the DSHS goal, by reducing incidents of sexual abuse and harassment in juvenile facilities, youth transition to the community free of the psychological and physical effects of sexual victimization improving their ability to integrate into the community and maintain a crime free life.

By funding this request, JJRA is expected to achieve compliance with PREA standards for policy development, screening and supervision standards, incident response, reporting and investigation, youth and staff training and data collection.

STAKEHOLDER IMPACT

Stakeholder support for this proposal is two-fold. First, youth and family are key stakeholders in the services provided by JR. It is our duty to keep youth safe and provide an environment free of victimization and conducive to treatment. JR has already received positive responses from youth, families and staff as a result of the initial PREA training and education provided. Furthermore, in order to achieve compliance, JR is required to publish an annual report in a location visible to our stakeholders. This report will include our PREA related work, youth and staff training compliance, incident statistics, and certification status.

Second, community members are also a stakeholder for this proposal as it relates to JR's obligation to provide effective treatment for youth by increasing protective factors and decreasing risk factors so they can safely return home. Releasing youths to the community who have been sexually victimized at any level or who have witnessed any form of victimization perpetrates negative perceptions of state institutions, increases youth risk factors, and ultimately results in a higher likelihood for recidivism.



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