Sexual Violence Reported by Correctional Authorities, 2004

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BJS Statisticians

On September 4, 2003, President George W. Bush signed into law the Prison Rape Elimination Act of 2003 (P.L. 108-79). The legislation requires the Bureau of Justice Statistics (BJS) to develop new national data collections on the incidence and prevalence of sexual violence within correctional facilities. This report fulfills the requirement under Sec. 4 (c)(1) of the act for submission of an annual report on the activities of the Bureau with respect to prison rape.

As an initial step in a multiphase implementation strategy, BJS completed the first-ever national survey of administrative records on sexual violence in adult and juvenile correctional facilities. Although data are limited to incidents reported to correctional authorities during 2004, the survey provides an understanding of how administrators respond to sexual violence. The survey also collects basic counts of substantiated incidents, characteristics of victims and perpetrators, and sanctions imposed.

Survey results should not be used to rank systems or facilities. Future data collections, including victim reports of sexual violence in surveys of current and former inmates, are being developed to permit reliable comparisons.

### Highlights

- The survey met the requirement that BJS draw a random sample, or other scientifically appropriate sample, of not less than 10 percent of facilities.
- Entire systems were selected to maximize reporting coverage. Local and private facilities were selected with probabilities proportionate to the number of adults or juveniles held.

#### 8,210 allegations of sexual violence reported Nationwide in 2004

<table>
<thead>
<tr>
<th></th>
<th>Reported in survey</th>
<th>National estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>5,528</td>
<td>8,210</td>
</tr>
<tr>
<td>Prison systems</td>
<td>3,456</td>
<td>3,456</td>
</tr>
<tr>
<td>Local jails</td>
<td>699</td>
<td>1,700</td>
</tr>
<tr>
<td>State juvenile systems</td>
<td>931</td>
<td>931</td>
</tr>
<tr>
<td>Local/private juvenile facilities</td>
<td>359</td>
<td>1,890</td>
</tr>
<tr>
<td>Other facilities</td>
<td>16</td>
<td>20</td>
</tr>
</tbody>
</table>

- 42% of allegations involved staff sexual misconduct; 37%, inmate-on-inmate nonconsensual sexual acts; 11%, staff sexual harassment; and 10%, abusive sexual contact.

- Correctional authorities reported 3.15 allegations of sexual violence per 1,000 inmates held in 2004.

#### Correctional authorities substantiated nearly 2,100 incidents of sexual violence, 30% of completed investigations

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Rate per 1,000 inmates</th>
</tr>
</thead>
<tbody>
<tr>
<td>National estimate</td>
<td>2,090</td>
<td>0.94</td>
</tr>
<tr>
<td>Total reported</td>
<td>1,213</td>
<td>0.69</td>
</tr>
<tr>
<td>Prisons - Federal</td>
<td>47</td>
<td>0.31</td>
</tr>
<tr>
<td>Prisons - State</td>
<td>611</td>
<td>0.52</td>
</tr>
<tr>
<td>Local jails</td>
<td>210</td>
<td>0.63</td>
</tr>
<tr>
<td>Prison systems</td>
<td>17</td>
<td>0.55</td>
</tr>
<tr>
<td>State juvenile systems</td>
<td>212</td>
<td>5.15</td>
</tr>
<tr>
<td>Local/private juvenile facilities</td>
<td>108</td>
<td>4.97</td>
</tr>
<tr>
<td>Other facilities</td>
<td>8</td>
<td>0.82</td>
</tr>
</tbody>
</table>

- Males comprised 90% of victims and perpetrators of inmate-on-inmate nonconsensual sexual acts in prison and jail.
- In State prisons 69% of victims of staff sexual misconduct were male, while 67% of perpetrators were female.
- In local jails 70% of victims of staff sexual misconduct were female; 65% of perpetrators, male.
BJS conducts the first annual administrative records collection

Between January 1 and June 15, 2005, BJS completed the first national survey of the incidence and prevalence of sexual violence in correctional facilities. The Governments Division of the U.S. Census Bureau was the data collection agent for the survey. The survey was conducted to provide information on occurrences of sexual violence based on allegations brought to the attention of correctional authorities. Although the results are limited to incidents reported during 2004, the survey provides an understanding of what officials know, how many allegations were reported, how many were substantiated, basic characteristics of victims and perpetrators, and sanctions imposed on perpetrators.

Administrative records alone cannot provide reliable estimates of sexual violence. Due to fear of reprisal from perpetrators, a code of silence among inmates, personal embarrassment, and lack of trust in staff, victims are often reluctant to report incidents to correctional authorities. At present there are no reliable estimates of the extent of unreported sexual victimization among prison and jail inmates and youth held in residential facilities.

BJS is developing and testing methods for more fully measuring the incidence of sexual violence in correctional facilities. The methods will rely on self-administered surveys to provide anonymity to victims when reporting their experiences. At the same time, computer-assisted technologies will ensure uniform conditions under which inmates complete the survey, and sampling techniques and supplemental data collections will reduce potential biases. (See box below for an update of these activities.)

The 2004 administrative survey provides the basis for the annual statistical review, as required under the act. Though limited to basic counts, these survey data will be used by the Review Panel on Prison Rape within the Department of Justice for purposes of conducting public hearings concerning

<table>
<thead>
<tr>
<th>National implementation of victim self reports to begin in 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>BJS works toward full implementation of the Prison Rape Elimination Act. Since January 2004 BJS has entered into cooperative agreements with –</td>
</tr>
<tr>
<td>1. RTI International (Raleigh, NC) to develop and test the adult prison and jail collection methodologies</td>
</tr>
<tr>
<td>2. Westat, Inc. (Rockville, MD) to develop and test methodologies for measuring sexual violence in State and local juvenile facilities</td>
</tr>
<tr>
<td>3. National Opinion Research Center (NORC) (Chicago, IL) to develop and test methods of collecting data from soon-to-be-released and former prisoners.</td>
</tr>
</tbody>
</table>

Though underlying survey methodology and logistical procedures differ with each of the data collection efforts, the measurement strategies will be consistent. The surveys will consist of an Audio Computer-Assisted Self-Interview (ACASI) in which respondents interact with a computer-administered questionnaire using a touch-screen and follow audio instructions delivered via headphones. The use of ACASI is expected to overcome many limitations of previous research. (See Data Collections for the Prison Rape Elimination Act of 2003, June 2004, NCJ 206109.)

As of June 30, 2005, the following work had been completed or was underway:

**Prison and jail inmates**
- An ACASI questionnaire for adult inmates had been developed and reviewed by over 40 prison and jail administrators, prisoner rights advocates, and researchers.
- Paper-and-pencil interview (PAPI) forms were under development, including forms translated into the five most frequent foreign languages (in addition to Spanish) spoken by inmates; forms for inmates considered too dangerous for interaction with survey staff; and forms to gather administrative data on all inmates.
- Survey materials and methods had been submitted to the Office and Management and Budget (OMB) and to an Institutional Review Board (IRB) for approval to conduct tests.
- Procedures for selection of prison and jail facilities and for sampling inmates within selected facilities had been developed.
- A formal pretest in 10 State prisons, 5 Federal prisons, and 10 local jails is planned for October 2005.

**Youth in residential placement facilities**
- A draft ACASI questionnaire for juveniles had been developed and will be reviewed in a national workshop of stakeholders in September 2005.
- Survey procedures and draft questionnaires have been submitted to an IRB for approval to begin conducting cognitive testing.
- A formal pretest of collection methods in up to 20 juvenile facilities is planned for November 2005.

**Former and soon-to-be-released prisoners**
- An ACASI questionnaire and administrative records form were being developed to survey former inmates under active parole or post-custody supervision.
- Activities were expanded to include the development of methods to survey soon-to-be-released prisoners in community-based facilities.
- Cognitive testing is planned for September 2005.

National implementation of data collections is scheduled to begin with a 10% sample of prisons and jails in June 2006, and a sample of juvenile facilities in December 2006.
the operation of correctional facilities with the highest and lowest incidence of sexual violence. The number of allegations and substantiated incidents for each system and sampled facility in the survey is provided. (See Appendix tables.)

Survey covers more than 2,700 adult and juvenile correctional facilities

The 2004 survey included all Federal and State prison systems, State-operated juvenile facilities, and facilities in the United States operated by the U.S. military (table 1). In addition, a representative sample was drawn of local jails, jails in Indian country, facilities operated by the Bureau of Immigration and Customs Enforcement (ICE), privately operated adult prisons and jails, and privately or locally operated juvenile facilities. Altogether, the administrative survey covered 2,730 of the 8,663 facilities specified by the act. These facilities housed more than 1.7 million inmates, or 79% of all adults and juveniles held at midyear 2004.

The survey was based on 11 separate samples corresponding to the different types of facilities covered under the act. (See Methodology, page 10.) Each sample was designed in accordance with the requirement that BJS draw a random sample, or other scientifically appropriate sample, of not less than 10% of facilities. Entire systems were selected, when possible, to maximize reporting coverage. Local and private facilities were sampled to insure at least one in each State and with selection probabilities proportionate to the number of adults or juveniles held at the time of the last facility census.

How sexual violence was measured

The definition of “rape” as required under the Prison Rape Elimination Act of 2003 was operationalized by disaggregating sexual violence into two categories of inmate-on-inmate sexual acts and two categories of staff sexual misconduct. The inmate-on-inmate categories reflected uniform definitions formulated by the National Center for Injury Prevention and Control, in “Sexual Violence Surveillance: Uniform Definitions and Recommended Data Elements,” Center for Disease Control and Prevention. The categories were –

<table>
<thead>
<tr>
<th>Nonconsensual sexual acts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact of any person without his or her consent, or of a person who is unable to consent or refuse; and</td>
</tr>
<tr>
<td>• Contact between the penis and the vagina or the penis and the anus including penetration, however slight; or</td>
</tr>
<tr>
<td>• Contact between the mouth and the penis, vagina, or anus; or</td>
</tr>
<tr>
<td>• Penetration of the anal or genital opening of another person by a hand, finger, or other object.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Abusive sexual contacts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact of any person without his or her consent, or of a person who is unable to consent or refuse; and</td>
</tr>
<tr>
<td>• Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.</td>
</tr>
</tbody>
</table>

Definitions of staff sexual misconduct and staff sexual harassment were based on “Training for Investigators of Staff Sexual Misconduct,” prepared by the National Institute of Corrections.

<table>
<thead>
<tr>
<th>Staff sexual misconduct</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any behavior or act of a sexual nature directed toward an inmate by an employee, volunteer, official visitor, or agency representative. Romantic relationships between staff and inmates are included. Consensual or nonconsensual sexual acts include:</td>
</tr>
<tr>
<td>• Intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, arouse, or gratify sexual desire; or</td>
</tr>
<tr>
<td>• Completed, attempted, threatened, or requested sexual acts; or</td>
</tr>
<tr>
<td>• Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for sexual gratification.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff sexual harassment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Repeated verbal statements or comments of a sexual nature to an inmate by employee, volunteer, official visitor, or agency representative, including:</td>
</tr>
<tr>
<td>• Demeaning references to gender or derogatory comments about body or clothing; or</td>
</tr>
<tr>
<td>• Profane or obscene language or gestures.</td>
</tr>
</tbody>
</table>

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### Table 1. Facilities selected for the Survey of Sexual Violence, 2004

<table>
<thead>
<tr>
<th>Facility type</th>
<th>Number of facilities</th>
<th>Selected in 2004 survey</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>8,663</td>
<td>2,730</td>
</tr>
<tr>
<td>Prisons</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public - Federal</td>
<td>84</td>
<td>All*</td>
</tr>
<tr>
<td>Public - State</td>
<td>1,320</td>
<td>All*</td>
</tr>
<tr>
<td>Private</td>
<td>264</td>
<td>27</td>
</tr>
<tr>
<td>Local jails</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public</td>
<td>3,318</td>
<td>404</td>
</tr>
<tr>
<td>Private</td>
<td>47</td>
<td>5</td>
</tr>
<tr>
<td>Juvenile facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public - State</td>
<td>510</td>
<td>All*</td>
</tr>
<tr>
<td>Public - Local</td>
<td>685</td>
<td>69</td>
</tr>
<tr>
<td>Private</td>
<td>2,275</td>
<td>228</td>
</tr>
<tr>
<td>Other facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indian country jails</td>
<td>70</td>
<td>10</td>
</tr>
<tr>
<td>Military-operated</td>
<td>59</td>
<td>All*</td>
</tr>
<tr>
<td>ICE-operated*</td>
<td>31</td>
<td>14</td>
</tr>
</tbody>
</table>

*aThe 2004 survey included all State prison and juvenile systems, all Federal facilities, and all facilities operated by the U.S. military.

*bIncludes facilities operated by or exclusively by the Bureau of Immigration and Customs Enforcement.
Two-thirds or more of systems and facilities able to fully report the most serious forms of sexual violence

After consulting with experts in sexual victimization, prison rape researchers, and corrections administrators, BJS developed uniform definitions of sexual violence. (See box on page 3.) Incidents of inmate-on-inmate sexual violence were classified as nonconsensual sexual acts and abusive sexual contacts. Incidents of staff-on-inmate sexual violence were separated into staff sexual misconduct and staff sexual harassment. Incidents varied in seriousness, ranging from the least serious, harassment, to the most serious, rape. For purposes of this report, all such incidents are considered sexual violence.

The most serious forms of sexual violence (inmate-on-inmate nonconsensual sexual acts and staff sexual misconduct) were the most widely reported using survey definitions and reporting rules (table 2).

Correctional authorities in two-thirds of prison systems and more than three-quarters of sampled jails were able to report incidents of nonconsensual acts as defined in the survey. Fewer were able to report data fully on abusive sexual contacts, with 25% of prison systems and 14% of jails including the lesser forms of sexual violence among counts of nonconsensual sexual acts.

Compared to prison and jail authorities, juvenile authorities had a greater capacity to adopt the survey’s uniform definitions and reporting rules for youth-on-youth sexual violence. More than 80% of authorities responsible for local and privately operated juvenile facilities were able to report data using the categories provided.

Most prison administrators (35) were able to report data on staff sexual misconduct using survey definitions; 9 were unable to separate sexual harassment from misconduct; 3 could report data on some but not all of the occurrences during the year; 4 could not report any data. Jail authorities had similar reporting capabilities, with 88% using the survey definitions.

Fewer prison administrators were able to report comparable data on staff sexual harassment. Among prison administrators, 9 were unable to separate harassment from other forms of staff sexual misconduct, and 13 did not have any data on staff sexual harassment.

Variations in the reporting capacities of State juvenile systems and local or private juvenile facilities were similar. Some administrators of State systems were unable to separate staff sexual misconduct from sexual harassment (6) or unable to report any data on sexual harassment (4). Operators of local and private juvenile facilities, which typically house small numbers of youth, had the greatest capacity to report data using survey definitions. Nearly 90% of these facilities reported data on staff misconduct and harassment.

Table 2. Reporting capabilities of adult and juvenile correctional authorities to provide data on sexual violence, 2004

<table>
<thead>
<tr>
<th>Type of sexual violence</th>
<th>Federal and State prison systems</th>
<th>Local jails</th>
<th>State juvenile systems*</th>
<th>Local/private juvenile facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>51</td>
<td>404</td>
<td>50</td>
<td>270</td>
</tr>
<tr>
<td>Nonconsensual sexual acts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full reporting</td>
<td>34</td>
<td>315</td>
<td>37</td>
<td>221</td>
</tr>
<tr>
<td>Partiala</td>
<td>4</td>
<td>30</td>
<td>2</td>
<td>13</td>
</tr>
<tr>
<td>Includes abusive sexual contacts</td>
<td>13</td>
<td>55</td>
<td>10</td>
<td>30</td>
</tr>
<tr>
<td>Unable to report</td>
<td>0</td>
<td>4</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Abusive sexual contacts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full reporting</td>
<td>26</td>
<td>343</td>
<td>38</td>
<td>230</td>
</tr>
<tr>
<td>Partiala</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Combined with other sexual acts</td>
<td>13</td>
<td>55</td>
<td>10</td>
<td>30</td>
</tr>
<tr>
<td>Unable to report</td>
<td>9</td>
<td>6</td>
<td>2</td>
<td>8</td>
</tr>
<tr>
<td>Staff sexual misconduct</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full reporting</td>
<td>35</td>
<td>357</td>
<td>40</td>
<td>240</td>
</tr>
<tr>
<td>Partiala</td>
<td>3</td>
<td>10</td>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>Includes sexual harassment</td>
<td>9</td>
<td>32</td>
<td>6</td>
<td>14</td>
</tr>
<tr>
<td>Unable to report</td>
<td>4</td>
<td>5</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Staff sexual harassment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full reporting</td>
<td>27</td>
<td>365</td>
<td>37</td>
<td>252</td>
</tr>
<tr>
<td>Partiala</td>
<td>2</td>
<td>0</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Combined with staff sexual misconduct</td>
<td>9</td>
<td>32</td>
<td>6</td>
<td>14</td>
</tr>
<tr>
<td>Unable to report</td>
<td>13</td>
<td>7</td>
<td>4</td>
<td>4</td>
</tr>
</tbody>
</table>

*Includes the District of Columbia and all States, except Arkansas which did not operate any juvenile facilities.

Caution needed when interpreting the 2004 survey results

In completing the 2004 survey, correctional administrators frequently expressed concern about the absence of uniform definitions and differential reporting capabilities. Many indicated a commitment to improving their offender-based information systems and grievance tracking systems to conform to future survey requirements. During 2005 BJS expects to work with administrators to improve reporting, especially those with systems too large for manual searches of paper files.

The absence of uniform reporting and tracking procedures necessitates caution when interpreting the 2004 survey results. The data should not be used to rank systems or facilities. Higher or lower counts may reflect variations in definitions, reporting capacities, and procedures for recording allegations and not differences in the underlying incidence of sexual violence.
More than 5,500 allegations of sexual violence reported in survey

All selected correctional systems and facilities responded except four:
• Navajo Department of Corrections, Window Rock, AZ
• Colorado Boys Ranch, La Junta, CO
• Home Youth Family Program, Wittenberg, WI
• Residential Treatment Center, Yonkers, NY

Reports of sexual violence varied across systems and sampled facilities, with every State prison system except New Hampshire reporting at least one allegation of sexual violence. Among the 404 sampled local jails, 166 (41%) reported an allegation. Among State-operated juvenile systems, 46 reported at least one allegation. (Iowa, Montana, South Dakota, and Wyoming were the exceptions.) About a third of sampled local and privately operated juvenile facilities (96) reported at least one allegation.

Combined, the 2004 survey recorded 5,528 allegations of sexual violence. Taking into account weights for sampled facilities, the estimated total number of allegations for the Nation was 8,210. Prison systems reported 42% of all allegations; local or private juvenile facilities, 23%; local jails, 21%; and State juvenile systems, 11%.

Nearly 42% of the reported allegations of sexual violence involved staff sexual misconduct, 37% involved inmate-on-inmate nonconsensual sexual acts; 11% staff sexual harassment; and 10% inmate-on-inmate abusive sexual contact.

Expressed in terms of rates, there were 3.15 allegations of sexual violence per 1,000 inmates held in 2004 (table 3). Rates of staff sexual misconduct were the highest with 1.31 allegations per 1,000 inmates, followed by inmate-on-inmate nonconsensual sexual acts, (1.05 per 1,000). Rates of alleged abusive sexual contacts (0.33) and staff sexual harassment (0.36) were the lowest.

Juvenile facilities reported the highest rates of alleged sexual violence

State-operated juvenile facilities, often required by law to record all allegations and report them to State and local law enforcement authorities and child protective services, had the highest rates of alleged staff sexual misconduct (11.34 allegations per 1,000 youth). Local and privately operated juvenile facilities reported 3.22 allegations of staff sexual misconduct per 1,000 youth, nearly 3 times the rate in State prison systems (1.12 per 1,000 inmates) and Federal prisons (1.33).

Because many States have laws specifying that all sexual acts involving youth below certain ages are nonconsensual, rates of alleged nonconsensual sexual acts were high in juvenile correctional facilities. In 2004 there were an estimated 7.31 allegations of youth-on-youth nonconsensual sexual acts per 1,000 youth in local or private juvenile facilities and 6.75 allegations per 1,000 in State juvenile facilities. These rates were more than 6 times the inmate-on-inmate rate in State prison systems (1.05 per 1,000) and nearly 7 times the rate in local jails (.97 per 1,000). Only jails in Indian country had a higher rate (10.48); but, due to the small number of reported allegations, the rate is unstable. (See Methodology, page 10.)

### Table 3. Allegations of sexual violence per 1,000 inmates, by type of facility, 2004

<table>
<thead>
<tr>
<th>Type of facility</th>
<th>Number of inmates covered</th>
<th>Nonconsensual sexual acts</th>
<th>Abusive sexual contacts</th>
<th>Staff sexual misconduct</th>
<th>Staff sexual harassment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number of allegations</td>
<td>Rate per 1,000 inmates</td>
<td>Number of allegations</td>
<td>Rate per 1,000 inmates</td>
<td>Number of allegations</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>1,754,092</td>
<td>2,027</td>
<td>1.16</td>
<td>579</td>
<td>0.33</td>
</tr>
<tr>
<td>Prisons</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public - Federal</td>
<td>151,650</td>
<td>17</td>
<td>0.11</td>
<td>66</td>
<td>0.44</td>
</tr>
<tr>
<td>Public - State</td>
<td>1,166,966</td>
<td>1,229</td>
<td>1.05</td>
<td>221</td>
<td>0.19</td>
</tr>
<tr>
<td>Private</td>
<td>27,682</td>
<td>12</td>
<td>0.43</td>
<td>14</td>
<td>0.51</td>
</tr>
<tr>
<td>Local jails</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public</td>
<td>331,768</td>
<td>322</td>
<td>0.97</td>
<td>65</td>
<td>0.20</td>
</tr>
<tr>
<td>Private</td>
<td>3,386</td>
<td>0</td>
<td>/</td>
<td>0</td>
<td>/</td>
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<tr>
<td>Juvenile facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State-operated</td>
<td>41,196</td>
<td>278</td>
<td>6.75</td>
<td>131</td>
<td>3.18</td>
</tr>
<tr>
<td>Local or private</td>
<td>21,739</td>
<td>159</td>
<td>7.31</td>
<td>82</td>
<td>3.77</td>
</tr>
<tr>
<td>Other facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indian country jails</td>
<td>477</td>
<td>5</td>
<td>10.48</td>
<td>0</td>
<td>/</td>
</tr>
<tr>
<td>Military-operated</td>
<td>2,355</td>
<td>3</td>
<td>1.27</td>
<td>0</td>
<td>/</td>
</tr>
<tr>
<td>ICE-operated</td>
<td>6,873</td>
<td>2</td>
<td>0.29</td>
<td>0</td>
<td>/</td>
</tr>
</tbody>
</table>

* - Not reported. / Not calculated.
External authorities often involved in investigating allegations

Allegations involving youth in State, local or private facilities are typically investigated by external authorities, such as the State police, sheriff’s department/local police, office of inspector general, division of social services, child protective services, and other agencies serving youth. Nearly 80% of local/private juvenile agencies and 64% of State juvenile systems indicated that external authorities had sole or shared responsibility for investigating allegations of youth-on-youth sexual violence (table 4). In contrast, in 21 of the 51 prison systems (41%) and 195 of 404 sampled jails (48%) external authorities had a responsibility for investigating allegations of inmate-on-inmate sexual violence.

Responsibility for investigating allegations of staff sexual misconduct was left to the prison authorities in 22 systems (43%), jail authorities in 166 local jails (41%), State juvenile authorities in 14 State systems (28%), and local/private juvenile authorities in 69 facilities (26%). In other systems and facilities, allegations were either referred to external authorities or were jointly investigated.

Responsibility for investigating allegations of nonconsensual sexual acts was left to the prison authorities in 22 systems (43%), jail authorities in 166 local jails (41%), State juvenile authorities in 14 State systems (28%), and local/private juvenile authorities in 69 facilities (26%). In other systems and facilities, allegations were either referred to external authorities or were jointly investigated.

In State prisons fewer than 20% of allegations of nonconsensual sexual acts were substantiated

Allegations reported in 2004 were classified as:
- **substantiated**, if they were determined to have occurred
- **unsubstantiated**, if the evidence was insufficient to make a final determination that they occurred
- **unfounded**, if they were determined not to have occurred
- **investigation ongoing**, if a final determination had not been made at time of data collection.

Overall, inmate-on-inmate allegations of sexual violence were less likely to be substantiated than allegations of staff sexual misconduct. Based on allegations in State prisons for which investigations had been completed, 18% of nonconsensual sexual acts were substantiated, compared to 30% of allegations of staff sexual misconduct (table 5). In jails 27% of completed investigations of nonconsensual sexual acts were substantiated, compared to 46% of the allegations of staff sexual misconduct.

The most common outcome of investigations of sexual violence was a determination of lack of evidence. Nearly 55% of allegations of staff sexual misconduct in prison and 45% of allegations of inmate-on-inmate nonconsensual sexual acts were unsubstantiated. More than a third (37%) of completed investigations of nonconsensual sexual acts in State prison and 29% in local jails were determined to be unfounded.
In juvenile facilities a third of the alleged nonconsensual sexual acts were substantiated

Based on allegations in State-operated juvenile facilities for which investigations had been completed, 33% of youth-on-youth nonconsensual sexual acts were substantiated, compared to 15% of allegations of staff sexual misconduct (table 6). In local or private juvenile facilities, 33% of completed investigations of nonconsensual sexual acts were substantiated, compared to 17% of the allegations of staff sexual misconduct.

About half of all allegations of nonconsensual sexual acts were determined to be unsubstantiated: 53% in State juvenile facilities; 49% in local/private facilities. More than a third of alleged incidents of staff sexual misconduct in State juvenile facilities were determined to be unfounded (39%); nearly 30% in local/private facilities.

State juvenile authorities reported 212 substantiated incidents of sexual violence, 24% of allegations for which investigations had been completed. Local and private juvenile authorities reported 108 substantiated incidents, 31% of completed investigations. State prison officials reported 611 substantiated incidents (24%); and jail administrators 210 (35% of completed investigations). Federal prison authorities, reporting data only for staff sexual misconduct and harassment, indicated that 11 of the allegations had been substantiated and another 6 disposed of administratively through termination or resignation. As a percentage of completed investigations, 14% of allegations were substantiated or administratively resolved.

Table 6. Allegations of sexual violence in State juvenile systems and local or private juvenile facilities, 2004

<table>
<thead>
<tr>
<th></th>
<th>State-operated juvenile facilities</th>
<th>Local or private juvenile facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
</tr>
<tr>
<td>Youth-on-youth nonconsensual sexual acts</td>
<td>278</td>
<td>100%</td>
</tr>
<tr>
<td>Substantiated</td>
<td>85</td>
<td>32.7</td>
</tr>
<tr>
<td>Unsubstantiated</td>
<td>137</td>
<td>52.7</td>
</tr>
<tr>
<td>Unsubstantiated</td>
<td>38</td>
<td>14.6</td>
</tr>
<tr>
<td>Investigation ongoing</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Youth-on-youth abusive sexual contacts</td>
<td>131</td>
<td>100%</td>
</tr>
<tr>
<td>Substantiated</td>
<td>42</td>
<td>40.4</td>
</tr>
<tr>
<td>Unsubstantiated</td>
<td>49</td>
<td>47.1</td>
</tr>
<tr>
<td>Unsubstantiated</td>
<td>13</td>
<td>12.5</td>
</tr>
<tr>
<td>Investigation ongoing</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Staff sexual misconduct</td>
<td>467</td>
<td>100%</td>
</tr>
<tr>
<td>Substantiated</td>
<td>69</td>
<td>15.4</td>
</tr>
<tr>
<td>Unsubstantiated</td>
<td>204</td>
<td>45.5</td>
</tr>
<tr>
<td>Unsubstantiated</td>
<td>175</td>
<td>39.1</td>
</tr>
<tr>
<td>Investigation ongoing</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>Staff sexual harassment</td>
<td>55</td>
<td>100%</td>
</tr>
<tr>
<td>Substantiated</td>
<td>16</td>
<td>30.8</td>
</tr>
<tr>
<td>Unsubstantiated</td>
<td>27</td>
<td>51.9</td>
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<td>Unsubstantiated</td>
<td>9</td>
<td>17.3</td>
</tr>
<tr>
<td>Investigation ongoing</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

*Percent based on allegations for which investigations had been completed.

During 2004 correctional authorities substantiated nearly 2,100 incidents of sexual violence

The survey of administrative records recorded 1,213 substantiated incidents of sexual violence. Taking into account sampling of local jails, private prisons or jails, and local/private juvenile facilities, the estimated total for the Nation was 2,090. Relative to the number of inmates, there were 0.94 substantiated incidents of sexual violence per 1,000 inmates reported in 2004.

The rates of substantiated incidents of sexual violence were highest in juvenile facilities. State juvenile administrators reported 5.15 substantiated incidents per 1,000 youth; local and private administrators reported 4.97 per 1,000 youth. These victimization rates were nearly 10 times those reported in State prisons (0.52 substantiated incidents per 1,000 inmates) and 8 times those in local jails (0.63 per 1,000 inmates).
Males comprised 90% of victims and perpetrators of nonconsensual sexual acts in prison and jail

Characteristics of victims and perpetrators of inmate-on-inmate sexual violence generally reflected the overall composition of the adult inmate population. At midyear 2004 males represented 93% of State prisoners and 88% of local inmates. (See Prison and Jail Inmates at Midyear 2004, April 2005, NCJ 208801.)

Approximately, 90% of reported victims of inmate-on-inmate nonconsensual sexual acts in State prison were male; 87% of the reported victims in local jails (table 7).

Among victims of abusive sexual contacts, women were over represented compared with the general inmate population. Females comprised 46% of victims of abusive sexual contacts in State prison, and 28% of the victims in local jails.

Juvenile authorities reported that girls comprised 17% of the victims of youth-on-youth nonconsensual sexual acts in State-operated facilities, 28% of the victims in local/private facilities (table 8). Compared to their percentages among youth held in juvenile facilities nationwide, girls were over-represented among victims. In the Census of Juveniles in Residential Placement, conducted by the Office of Juvenile Justice and Delinquency Prevention in 2001, girls accounted for 11% of the youth in State facilities and 17% of the youth in local and private facilities.

Table 7. Characteristics of victims and perpetrators in substantiated incidents of sexual violence in adult correctional facilities, by type, 2004

<table>
<thead>
<tr>
<th>Type of incident</th>
<th>Number of substantiated incidents</th>
<th>Victims Male</th>
<th>Female</th>
<th>Perpetrators Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>838</td>
<td>567</td>
<td>342</td>
<td>558</td>
<td>341</td>
</tr>
<tr>
<td>Nonconsensual sexual acts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State prisons</td>
<td>152</td>
<td>133</td>
<td>15</td>
<td>145</td>
<td>14</td>
</tr>
<tr>
<td>Local jails</td>
<td>73</td>
<td>66</td>
<td>10</td>
<td>70</td>
<td>5</td>
</tr>
<tr>
<td>Private jails and prisons</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Abusive sexual contacts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State prisons</td>
<td>57</td>
<td>37</td>
<td>32</td>
<td>49</td>
<td>17</td>
</tr>
<tr>
<td>Local jails</td>
<td>22</td>
<td>28</td>
<td>11</td>
<td>31</td>
<td>7</td>
</tr>
<tr>
<td>Private jails and prisons</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Staff sexual misconduct</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State prisons</td>
<td>321</td>
<td>188</td>
<td>86</td>
<td>82</td>
<td>165</td>
</tr>
<tr>
<td>Local jails</td>
<td>81</td>
<td>41</td>
<td>96</td>
<td>73</td>
<td>40</td>
</tr>
<tr>
<td>Private jails and prisons</td>
<td>13</td>
<td>5</td>
<td>7</td>
<td>6</td>
<td>7</td>
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<tr>
<td>Staff sexual harassment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State prisons</td>
<td>81</td>
<td>52</td>
<td>39</td>
<td>53</td>
<td>50</td>
</tr>
<tr>
<td>Local jails</td>
<td>34</td>
<td>15</td>
<td>45</td>
<td>45</td>
<td>34</td>
</tr>
<tr>
<td>Private jails and prisons</td>
<td>2</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

Note: Details on victims and perpetrators were not provided for all substantiated incidents.

Table 8. Characteristics of victims and perpetrators in substantiated incidents of sexual violence in juvenile correctional facilities, by type, 2004

<table>
<thead>
<tr>
<th>Type of incident</th>
<th>Number of substantiated incidents</th>
<th>Victims Male</th>
<th>Female</th>
<th>Perpetrators Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>320</td>
<td>302</td>
<td>161</td>
<td>256</td>
<td>141</td>
</tr>
<tr>
<td>Nonconsensual sexual acts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State-operated</td>
<td>85</td>
<td>77</td>
<td>16</td>
<td>64</td>
<td>17</td>
</tr>
<tr>
<td>Local or private facilities</td>
<td>49</td>
<td>46</td>
<td>18</td>
<td>34</td>
<td>8</td>
</tr>
<tr>
<td>Abusive sexual contacts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State-operated</td>
<td>42</td>
<td>32</td>
<td>42</td>
<td>33</td>
<td>44</td>
</tr>
<tr>
<td>Local or private facilities</td>
<td>42</td>
<td>29</td>
<td>19</td>
<td>30</td>
<td>10</td>
</tr>
<tr>
<td>Staff sexual misconduct</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State-operated</td>
<td>69</td>
<td>80</td>
<td>36</td>
<td>55</td>
<td>49</td>
</tr>
<tr>
<td>Local or private facilities</td>
<td>11</td>
<td>17</td>
<td>10</td>
<td>14</td>
<td>8</td>
</tr>
<tr>
<td>Staff sexual harassment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State-operated</td>
<td>16</td>
<td>17</td>
<td>11</td>
<td>20</td>
<td>4</td>
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<tr>
<td>Local or private facilities</td>
<td>6</td>
<td>4</td>
<td>9</td>
<td>6</td>
<td>1</td>
</tr>
</tbody>
</table>

Note: Details on victims and perpetrators were not provided for all substantiated incidents.
Most prisons and jails imposed legal sanctions on perpetrators of inmate-on-inmate sexual violence

To better understand how correctional authorities respond to incidents of sexual violence, the survey included questions on sanctions imposed on perpetrators. Authorities who had reported at least one substantiated inmate-on-inmate nonconsensual sexual act or abusive sexual contact involving inmates or youth were asked to report all of the sanctions that had been imposed.

A legal sanction, including arrest, referral for prosecution, or new sentence, was imposed on perpetrators in –
- 86% of the 36 prison systems reporting a substantiated incident
- 76% of the 42 jail facilities
- 70% of the 27 State-operate juvenile systems
- 50% of the 40 local/private juvenile facilities (table 9).

A change in custody was also a frequently reported sanction. Authorities in 89% of State prison systems and 74% of local jails with a substantiated incident reported that perpetrators were moved to solitary confinement, changed to a higher custody level, or transferred to another facility as a result of sexual violence. A change in custody was imposed on perpetrators in 65% of the local/private juvenile facilities and 70% of State-operated juvenile systems.

In addition, authorities with substantiated incidents during 2004 reported use of other sanctions, including
- loss of good time in 58% of State prison systems and 44% of State-operated juvenile systems
- loss of privileges in 56% of State prisons, 48% of local jails, 74% of State juvenile systems; and 63% of local/private juvenile facilities
- confinement to cell or quarters in 56% of State juvenile systems and 30% of local/private juvenile facilities.

90% of perpetrators of staff sexual misconduct discharged or referred for prosecution

The survey collected data on 539 staff implicated in 508 substantiated incidents of staff sexual misconduct during 2004 (table 10). Correctional authorities indicated that 55% of the staff had been discharged, 36% referred for prosecution, and 9% disciplined but not discharged. An additional but unknown number of staff had resigned before investigations had been completed.

State adult and juvenile systems reported the largest numbers of staff referred for prosecution. In State prisons, 117 staff in substantiated incidents of sexual misconduct had been referred for prosecution (39%); in State-operated juvenile systems 44 staff (41%). In local jails staff involved in incidents of sexual misconduct were less likely to have been referred for prosecution (18%).

The most common sanction imposed on staff involved in sexual harassment of inmates was discipline but not discharge or prosecution. During 2004, 129 staff were implicated in the 140 reported incidents of staff sexual harassment. Of these staff, 60% were disciplined; 36% discharged; and 4 referred for prosecution.
Between January 1 and June 15, 2005, BJS, with the Government's Division of the U.S. Census Bureau as its collection agent, conducted the 2004 Survey of Sexual Violence. The survey was the first-ever survey of correctional systems and facilities, designed to measure the number of reported incidents of inmate-on-inmate sexual violence and staff-on-inmate sexual misconduct. Based on administrative records, the 2004 survey was designed to provide an understanding of what corrections officials know, what information is recorded, how allegations and substantiated incidents are handled, where incidents occur and how officials respond to allegations brought to their attention. It was not designed to rank systems or facilities.

Sampling design

The survey was based on 11 separate samples, corresponding to the different facilities covered under the act. Each sample was designed in accordance with the requirement that BJS draw a random sample, or other scientifically appropriate sample, of not less than 10 percent of all Federal, State, and county prisons, and a representative sample of municipal prisons.

The following samples were drawn:

1. The survey included all 50 State adult prison systems and the Federal Bureau of Prisons. Prison administrators were directed to report only on incidents of sexual violence that occurred within publicly operated adult facilities.

2. A sample of 27 privately operated prison facilities was drawn to represent a 10% sample of the 264 private prisons identified in the 2000 Census of State and Federal Adult Correctional Facilities. Facilities were sorted by region and average daily population and then sampled with probabilities proportionate to size. Each sampled facility was then weighted to provide a national sum reflecting the total average daily population of inmates held in private prisons in the 12-month period ending June 30, 2000.

3. Publicly operated jail facilities were selected based on data reported in the 2003 Deaths in Custody collection. Facilities were sorted systematically using a random start and a fixed sampling interval. Each facility was then weighted to provide a total sum of inmates corresponding to the number of inmates at risk to sexual violence in private jails in 2003.

Jurisdictions were sorted into 6 strata, based on size, and then sampled systematically, to provide a representative national sample. A total of 77 jurisdictions were sampled with certainty (corresponding to the largest jurisdiction in each State plus 31 jurisdictions selected due to their large size). An additional 327 jurisdictions were selected from 4 strata, with probabilities of selection proportionate to size. Jail administrators were directed to report on all publicly operated facilities within their jurisdiction. Each facility was then weighted to provide a national estimate for inmates held in local jails.

4. A sample of 5 privately operated jails was also elected based on the data reported in the 2003 Deaths in Custody collection. Facilities were sorted by region and size. The measure of size was the number of inmates held on December 31, 2002, plus the number of new admissions in 2003. Facilities were selected systematically using a random start and a fixed sampling interval. Each facility was then weighted to provide a total sum of inmates corresponding to the number of inmates at risk to sexual violence in private jails in 2003.
5. The survey included all State-operated juvenile correctional facilities in 49 States and the District of Columbia. (Arkansas was the only State that did not operate a juvenile facility.) Based on the 2003 Census of Juveniles in Residential Placement (CJRP), States operated a total of 510 juvenile correctional facilities.

6. A separate sample was drawn from the 685 locally operated juvenile facilities identified in the 2003 Census. In meeting the requirement under the act to select a 10% sample, with at least one facility in each State, the largest locally-operated facility in each State was selected (37). An additional 32 facilities were then sampled from among the remaining facilities. Facilities were first sorted by region and facility type (commitment and non-commitment) and then ordered by size (the number of youth with assigned beds on the day of the Census). Facilities were then selected with probabilities proportionate to size.

7. A separate sample was drawn from the 2,275 privately operated juvenile facilities also identified in the 2003 Census. At total of 57 facilities were selected with certainty, corresponding to the largest facility in each State (51), and 6 other large facilities. An additional 171 facilities were selected from the remaining 2,218 facilities by forming 8 strata (based on region and facility type). Within each stratum, facilities were sorted by size (total youth with assigned beds) and then sampled with probabilities proportionate to size.

8. Three additional samples of other correctional facilities were drawn to represent a) jails in Indian country (10 selected from a total 70 based on probabilities proportionate to size); b) military-operated facilities (all of the 59 facilities operated the Armed Services in the continental U.S.); and c) 14 facilities operated by the Bureau of Immigration and Customs Enforcement (excluding contract facilities holding inmates exclusively for ICE).

The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Lawrence A. Greenfeld is director.

Allen J. Beck and Timothy A. Hughes wrote this report. Paige M. Harrison provided statistical assistance. Lauren E. Glaze and Thomas P. Bonczar verified the report, and Tom Hester edited it.

Timothy A. Hughes and Paige M. Harrison, under the supervision of Allen J. Beck, designed the survey, developed the questionnaires, and monitored data collection and data processing.

Comparing systems and facilities

Data for each correctional system and sampled facility are displayed in the Appendix tables. (See pages 13 to 39.) In each table a measure of population size has been provided as a basis of comparison. These measures include:

- Custody population on June 30, 2004, for State and Federal prison systems (the most recent counts from the National Prisoners Statistics data series);
- Average daily population during 2004, for local jails, private jails and prisons, and other adult correctional facilities (collected specially for the survey);
- Number of youth held on December 31, 2004, for State juvenile systems and local or private juvenile facilities (collected specially for the survey).

These population counts still mask underlying differences in systems and facilities related to the total number of inmates or youth who were at risk to sexual victimization during 2004. Such differences result from variations in length of stay, and further complicate drawing reliable comparisons of systems and facilities.

The 2004 survey results should not be used to rank systems or facilities.

Pamela H. Butler, Lisa A. McNelis, Greta B. Clark, and Monica R. Hill, carried out data collection and processing, under the supervision of Charlene M. Sebold, Governments Division, Census Bureau, U.S. Department of Commerce. Arthur W. Ciampa, Regina M. Yates, Patricia D. Torreyson, and Pearl E. Chase assisted in data collection. Suzanne M. Dorinski drew the facility samples and provided sampling weights.

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Office of Justice Programs
Partnerships for Safer Communities
http://www.ojp.usdoj.gov

This report in portable document format and in ASCII, its tables, and related statistical data are available at the BJS World Wide Web Internet site:
http://www.ojp.usdoj.gov/bjs/

The 2004 Survey of Sexual Violence comprised six separate questionnaires corresponding to types of correctional systems and facilities. Copies of the questionnaires in Portable Document Format (pdf) are available on the BJS website. Click on Publications.

Variations in the number of allegations and substantiated incidents may reflect differences in definitions and reporting criteria, as well as variations in procedures for recording allegations and in the thoroughness of subsequent investigations. Nevertheless, the 2004 survey provides an understanding of what officials know and how they respond to incidents brought to their attention.

Future data collections, based on victim reports of sexual violence in surveys of current and former inmates, are being developed to permit reliable comparisons that overcome the limitations of administrative records.
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### Appendix table 1a. Allegations of inmate-on-inmate sexual violence reported by State or Federal prison authorities, by type, 2004

<table>
<thead>
<tr>
<th>Players in custody, 6/30/2004*</th>
<th>Reported inmate-on-inmate nonconsensual sexual acts</th>
<th>Reported inmate-on-inmate abusive sexual contacts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Substantiated</td>
<td>Unsubstantiated</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>---------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Total</td>
<td>1,318,616</td>
<td>1,246</td>
</tr>
<tr>
<td>Federal*</td>
<td>151,650</td>
<td>17</td>
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<tr>
<td>State</td>
<td>1,166,966</td>
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</tr>
<tr>
<td>Alabama*</td>
<td>24,768</td>
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<td>Alaska</td>
<td>3,158</td>
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<tr>
<td>Florida*</td>
<td>77,647</td>
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</tr>
<tr>
<td>Georgia*</td>
<td>44,026</td>
<td>51</td>
</tr>
<tr>
<td>Hawaii</td>
<td>3,877</td>
<td>6</td>
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<tr>
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<tr>
<td>Illinois</td>
<td>44,379</td>
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<tr>
<td>Indiana*</td>
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<td>18</td>
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<td>Iowa*</td>
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<td>Kansas</td>
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Note: The total number of allegations includes ongoing investigations (not shown).

*Excludes inmates in private facilities. Counts were based on National Prisoner Statistics (NPS-1A), 2004.

*Reports of abusive sexual contacts were based on a broader category of inmate sexual misconduct.

*Allegations limited to substantiated occurrences only.

*Allegations were reported for occurrences in 2004; findings may include cases from previous years.

*Nonconsensual sexual acts may include abusive sexual contacts.

*Information provided for period January 1 to June 30, 2004, only.
### Table: Allegations of Staff Sexual Misconduct with Inmates

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Note: The total number of allegations includes ongoing investigations (not shown).
- - Not reported.
*Reports of staff sexual misconduct may include reports of staff sexual harassment.
+Reports of staff sexual harassment are included in a broader category of staff misconduct.
\[\text{Substantiated}\] = Reports of staff sexual misconduct are based on substantiated allegations only.
\[\text{Unfounded}\] = Reports are based on allegations reported in two facilities.
Appendix table 2a. Allegations of inmate-on-inmate sexual violence reported by local jail authorities, by type, 2004

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<tr>
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<th>Average daily population, 2004</th>
<th>Reported inmate-on-inmate nonconsensual sexual acts</th>
<th>Reported inmate-on-inmate abusive sexual contacts</th>
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Sexual Violence Reported by Correctional Authorities, 2004  15
## Appendix table 2a (continued). Allegations of inmate-on-inmate sexual violence reported by local jail authorities, by type, 2004

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<th>State</th>
<th>County</th>
<th>Average daily population, 2004</th>
<th>Reported inmate-on-inmate nonconsensual sexual acts</th>
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Appendix table 2a (continued). Allegations of inmate-on-inmate sexual violence reported by local jail authorities, by type, 2004

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### Appendix table 2a (continued). Allegations of inmate-on-inmate sexual violence reported by local jail authorities, by type, 2004

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Note: The total number of allegations includes ongoing investigations (not shown).
- - - Not reported.
*Average daily population was based on data from the Deaths in Custody Reporting Program, 2003 and 2004.
*Allegations of nonconsensual sexual acts are limited to substantiated occurrences only.
*Non-consensual sexual acts may include abusive sexual contacts.
*Allegations are limited to completed nonconsensual sexual acts only.
*Reports of abusive sexual contacts are not recorded in a central database.
### Appendix table 2b. Allegations of staff sexual misconduct with inmates reported by local jail authorities, by type, 2004

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20 Sexual Violence Reported by Correctional Authorities, 2004
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Note: The total number of allegations includes ongoing investigations (not shown).

*Reports of staff sexual misconduct may include reports of staff sexual harassment.

*Reports of staff sexual misconduct are based on substantiated allegations only.

*Reports of staff sexual harassment are not recorded in a central database.

*Reports of staff sexual misconduct are not recorded in a central database.
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Sexual Violence Reported by Correctional Authorities, 2004  23
### Appendix table 2c (continued). Local jail jurisdictions with no allegations of inmate-on-inmate sexual violence and staff sexual misconduct, 2004

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Note: The average daily population for all facilities in Appendix table 2c is 60,350.

* The average daily population was based on the Deaths in Custody Reporting Program, 2003 and 2004.
* Reports of staff sexual harassment are not recorded in a central database.
* Allegations of nonconsensual sexual acts are limited to substantiated occurrences only.
* Reports of staff sexual misconduct are limited to substantiated occurrences only.
* Allegations of nonconsensual sexual acts are limited to completed occurrences only.
* Reports of nonconsensual sexual acts are not recorded in a central database.
* Reports of staff sexual misconduct are not recorded in a central database.
* Reports of abusive sexual contacts are not recorded in a central database.
### Appendix table 3a. Allegations of inmate-on-inmate sexual violence reported in private prisons and jails, by type, 2004

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* - Not reported

+Allegations of nonconsensual sexual acts are limited to substantiated occurrences only.
+Reports of nonconsensual sexual acts are not recorded in a central database.
+Reports of abusive sexual contacts are not recorded in a central database.
+Allegations of nonconsensual sexual acts are limited to completed occurrences only.

Allegations of nonconsensual sexual acts may include abusive sexual contacts.
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<td>Torrance County Detention Facility (CCA)*</td>
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<td>David L. Moss Criminal Justice Center (CCA)*</td>
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<td>Davis Correctional Facility (CCA)</td>
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<td>Whiteville Correctional Facility (CCA)</td>
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<td>Lawrenceville Correctional Center (GEO)</td>
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</tbody>
</table>


*Reports of staff sexual misconduct may include staff sexual harassment.

*Reports of staff sexual misconduct are limited to substantiated occurrences only.
### Appendix table 4a. Allegations of inmate-on-inmate sexual violence reported in other correctional facilities, by type, 2004

<table>
<thead>
<tr>
<th>Jails in Indian country</th>
<th>Average daily population, 2004</th>
<th>Reported inmate-on-inmate nonconsensual sexual acts</th>
<th>Reported inmate-on-inmate abusive sexual contacts</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Allegations</td>
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<td>Unsubstantiated</td>
</tr>
<tr>
<td>Total</td>
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<td><strong>U.S. Military</strong></td>
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</tr>
<tr>
<td>Air Force</td>
<td>1</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Army</td>
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</tr>
<tr>
<td>Marine Corps</td>
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<td>0</td>
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<tr>
<td>Navy</td>
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<td>2</td>
</tr>
<tr>
<td><strong>U.S. Immigration and Customs Enforcement</strong></td>
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<td></td>
<td></td>
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<td><strong>Jails in Indian country</strong></td>
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<td></td>
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<td>Chinle Youth Corrections, AZ</td>
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<td>Gila River Dept. of Cor. and Rehab., AZ</td>
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<td>Walter Miner Law Enforcement Center-Adult, SD</td>
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</table>

Note: The total number of allegations includes ongoing investigations (not shown).
- - Not reported.
*Reports of nonconsensual sexual acts may include abusive sexual contacts.
*Allegations of nonconsensual sexual acts are limited to substantiated occurrences only.
*Allegations of nonconsensual sexual acts are limited to completed occurrences only.
### Appendix table 4b. Allegations of staff sexual misconduct with inmates reported in other correctional facilities, by type, 2004

<table>
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<tr>
<th>Facility Name</th>
<th>Jails in Indian country</th>
<th>U.S. Immigration and Customs Enforcement</th>
<th>U.S. Military</th>
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</tr>
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<td>Army</td>
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<td>1</td>
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</tr>
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<td>Marine Corps</td>
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</tr>
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<td>Navy</td>
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<td>1</td>
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<td><strong>U.S. Immigration and Customs Enforcement</strong></td>
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<td><strong>Jails in Indian country</strong></td>
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<td>Chine Youth Corrections, AZ</td>
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<tr>
<td>Gila River Juvenile Detention and Rehabilitation, AZ</td>
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<tr>
<td>Hopi Rehabilitation Center, AZ</td>
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<td>Navajo Department of Corrections-Crownpoint, NM</td>
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<td>Navajo Department of Corrections-Window Rock, AZ</td>
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<td>Omaha Tribal Police Department, NE</td>
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</table>

Note: The total number of allegations includes ongoing investigations (not shown).
- - - not reported.
*Reports of staff sexual misconduct may include staff sexual harassment.
### Appendix table 5a. Allegations of youth-on-youth sexual violence reported by State juvenile administrators, by type, 2004

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<tr>
<th>State</th>
<th>Number of youth held 12/31/2004</th>
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<th>Reported youth-on-youth abusive sexual contacts</th>
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<td>0</td>
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Note: The total number of allegations includes ongoing investigations (not shown).  
- - Not reported.  
<sup>a</sup> All sexual acts involving youth under age 18 are considered nonconsensual.  
<sup>b</sup> Non-consensual sexual acts may include abusive sexual contacts.  
<sup>c</sup> Arkansas does not have any State-operated juvenile facilities.  
<sup>d</sup> Reports of abusive sexual contacts are not recorded in a central database.  
<sup>e</sup> All sexual acts involving youth under age 16 are considered nonconsensual.  
<sup>f</sup> Allegations of nonconsensual sexual acts are limited to substantiated occurrences only.  
<sup>g</sup> Allegations of nonconsensual sexual acts are limited to completed occurrences only.  
<sup>h</sup> All sexual acts involving youth under age 17 are considered nonconsensual.  
<sup>i</sup> All sexual acts involving youth under age 14 are considered nonconsensual.  
<sup>j</sup> All sexual acts involving youth under age 21 are considered nonconsensual.
## Appendix table 5b. Allegations of staff sexual misconduct with youth reported by State juvenile administrators, by type, 2004

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</table>

Note: The total number of allegations includes ongoing investigations (not shown).  
- - Not reported.  
*Reports of staff sexual misconduct may include reports of staff sexual harassment.  
*Arkansas does not have any State-operated juvenile facilities.  
\(^1\)Reports of staff sexual misconduct based on substantiated allegations only.  
\(^2\)Reports of staff sexual harassment are not recorded in a central database.
### Appendix table 6a. Allegations of youth-on-youth sexual violence reported in local and privately operated juvenile facilities, by type, 2004

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<th>Substantiated</th>
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### Appendix table 6a (continued). Allegations of youth-on-youth sexual violence reported in local and privately operated juvenile facilities, by type, 2004

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### Appendix table 6a (continued). Allegations of youth-on-youth sexual violence reported in local and privately operated juvenile facilities, by type, 2004

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<th>State</th>
<th>Facility Name</th>
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<th>Number of youth held</th>
<th>Allegations of youth-on-youth sexual violence reported in local and privately operated juvenile facilities, by type, 2004</th>
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Note: The total number of allegations includes ongoing investigations (not shown).
- - Not reported.
*All sexual acts involving youth under age 18 are considered nonconsensual.
Nonconsensual sexual acts may include abusive sexual contacts.
Reports of abusive sexual contacts are not recorded in a central database.
Allegations of nonconsensual sexual acts are limited to substantiated occurrences only.

*Allegations of nonconsensual sexual acts are limited to substantiated occurrences only.
### Appendix table 6b. Allegations of staff sexual misconduct with youth reported in local and privately operated juvenile facilities, by type, 2004

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Note: The total number of allegations includes ongoing investigations (not shown).
- - Not reported.
*Reports of staff sexual misconduct may include reports of staff sexual harassment.
Reports of staff sexual misconduct are based on substantiated allegations only.
Appendix table 6c. Private and local juvenile facilities with no allegations of youth-on-youth sexual violence and staff sexual misconduct, 2004

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Sexual Violence Reported by Correctional Authorities, 2004  37
### Appendix table 6c (continued). Private and local juvenile facilities with no allegations of youth-on-youth sexual violence and staff sexual misconduct, 2004

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<th>Facility</th>
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Appendix table 6c (continued). Private and local juvenile facilities with no allegations of youth-on-youth sexual violence and staff sexual misconduct, 2004
### Appendix table 6c (continued). Private and local juvenile facilities with no allegations of youth-on-youth sexual violence and staff sexual misconduct, 2004

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<th>Facility</th>
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Note: Facilities included in this table held 10,891 youth on December 31, 2004.
- - - Not reported.
*Reports of nonconsensual sexual acts are not recorded in a central database.
*Reports of staff sexual misconduct are not recorded in a central database.
*Reports of abusive sexual contacts are not recorded in a central database.
*Reports of staff sexual misconduct are limited to substantiated occurrences only.
*Allegations of nonconsensual sexual acts are limited to substantiated occurrences only.
*Allegations of nonconsensual sexual acts are limited to completed occurrences only.