



# *Essex County Juvenile Detention Center*

## **(P.R.E.A.)** Prison Rape Elimination Act Visitor's Information Guide

*Putting Essex County First*



*“Our primary concern at the Essex County Juvenile Detention Center is maintaining a safe environment for our staff and residents. We encourage you to consult this manual from time to time as a reminder of your responsibilities and to refresh your memory of our Zero-Tolerance Policy for sexual abuse and harassment.”*

**Joseph N. DiVincenzo, Jr.**  
**Essex County Executive**  
**and the Board of Chosen Freeholders**

# What is PREA?

- In accordance with the **ECJDC's Zero-Tolerance Policy** for sexual abuse and sexual harassment, which is based on the Federal **Prison Rape Elimination Act** and its regulations, the ECJDC shall provide a safe, humane, and appropriately secure environment for all residents, which is free of sexual abuse and sexual harassment (sexual misconduct).
- Our goal is to maintain a program of prevention, detection, response, investigation, discipline and tracking of all incidences.
- **The Prison Rape Elimination Act (PREA)** prohibits sexual misconduct in correctional settings such as prisons, jails, lockups, juvenile facilities, and Immigration Services/ICE detention facilities. Sexual misconduct under this law includes:
  - **Resident-on-Resident** sexual assault and abuse.
  - **Staff-on-Resident** sexual misconduct (sexual/inappropriate relationships with offenders).
  - **Resident-on-Resident** and **Staff-on-Resident** sexual harassment.
- *Sexual misconduct by residents and any sexual misconduct by staff toward residents is **Strictly Prohibited**. Offenders will be subject to discipline and possible criminal prosecution.*

# *How do ECJDC Residents Report Sexual Misconduct?*

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- Residents housed in the facility are urged to report allegations of rape, sexual contact or staff sexual misconduct to the toll-free number :

**New Jersey Coalition Against  
Sexual Assault (N.J.C.A.S.A.)**

**1 (800) 601-7200**

- Residents can also report by submitting a grievance form, *telling a trusted staff member, asking a family member or friend to call any of the hotline numbers posted throughout the facility.*

# What do you do if someone you know is being threatened or victimized?

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- The **New Jersey Coalition Against Sexual Assault (N.J.C.A.S.A)** (posted on slide 4) provides a confidential toll-free line to access support services if he or she, or someone he or she knows, has been the victim of sexual assault or sexual abuse at any time. This line provides access to community-based confidential support services and is not a reporting line.
- To learn more about how an advocate may assist, please visit the PREA RESOURCE CENTER website: [www.prearesourcecenter.org/](http://www.prearesourcecenter.org/)
- Please review the [Zero Tolerance: Family and Visitors PREA Brochure](#) for additional information.

# Reporting Abuse ( External )

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- *As a visitor to the ECJDC, if you witness or learn of sexual abuse or sexual harassment of a resident in custody or juvenile under ECJDC 's charge, you are encouraged to report an allegation on behalf of a resident and your allegation may be made anonymously.*
- *You may assist a resident in reporting sexual abuse or sexual harassment.*
- *You may report an allegation of staff neglect/violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment.*
- *You may report an allegation by calling any Law Enforcement agency.*

# How do I Report Sexual Misconduct?

- Essex County Juvenile Detention Center Internal Affairs Unit investigates all allegations of resident-on-resident and staff-on-resident sexual misconduct. You can report sexual misconduct in multiple ways:
- If you have information regarding a ECJDC resident who has been the victim of sexual misconduct while under ECJDC custody or community supervision, please call the following numbers:

**NJ Coalition Against Sexual Assault (NJCASA)**  
1 (800) 601-7200

**Department of Child Protection & Permanency (DCP&P)**  
Child Abuse/Neglect Hotline  
1-877-NJ ABUSE (652-2873) (24/7)

**Rape, Abuse and Incest National Network (RAINN)**  
1-800-656-4673 (24/7)

**Support for Gay, Lesbian, Bisexual & Transgender (GLBT) Youth GLBT National Youth Talk**  
1 1-800-246-7743  
Monday-Friday, 4pm-12 am EST or Saturday, 12pm-5pm EST

English & Spanish speaking counselors are available upon request  
24 hours a day 7 days a week

# How Does the Investigations Process Work?

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- *Essex County Juvenile Detention Center (ECJDC) has a Zero -Tolerance policy towards any form of sexual abuse or harassment in accordance with the **Prison Rape Elimination Act (PREA)**.*
- *All allegations naming as victims any offender under the jurisdiction of **ECJDC** are thoroughly investigated.*



# Administrative Investigations

- **ECJDC** conducts an administrative investigation into allegations of sexual misconduct, to include sexual harassment, promptly, thoroughly, and objectively. This includes all third-party and anonymous reports.
- **Internal Affairs** who have received special training conduct these investigations as assigned by the **ECJDC** Director. Training includes interviewing sexual abuse victims, evidence preservation in confinement setting, and criteria required to substantiate a case for administrative action and prosecution referral. Investigators gather and preserve direct and circumstantial evidence, interview alleged victims, suspected perpetrators, and witnesses.
- **Internal Affairs** also review prior complaints and reports regarding alleged perpetrators and assess witness credibility prior to making decisions regarding these investigations. The credibility of an alleged victim, suspect, or witness is not determined by the person's status as offender or staff. Administrative investigations will also include an effort to determine whether alleged staff actions or failures to act contributed to the abuse.
- **Only the ECJDC Internal Affairs Unit** can make an investigation finding determinations after a thorough review of all physical and testimonial evidence included in the written investigation report.

# Criminal Investigations

- When the quality of evidence appears to support criminal activity, the ECJDC Internal Affairs Unit will conduct compelled interviews only after consulting with:
  - *Law Enforcement and/ or the*
  - *Prosecutors Office*
  - *DCP&P Division of Child Protection & Permanency*
- All sexual abuse cases will be referred for third party investigation to the Essex County Prosecutors office.
- Law Enforcement agencies will document their findings in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attached copies of all documentary evidence where feasible.
- Law enforcement agencies will refer all applicable investigations to the Prosecutor's Office for review.

# Annual Report

- **ECJDC** is committed to the provision of safe and secure facilities for residents and staff. The annual PREA Report is reflective of our obligation as public servants to meet our vision of “**Working Together for Safer Communities**”.

PREA requires “incidents” to be recorded in one of three categories:

- *Substantiated*
- *Unsubstantiated, and*
- *Unfounded*

- The following slide is a compilation of the reported incidents at the **Essex County Juvenile Detention Center (ECJDC)** that meet PREA definitions since 2013.

# Essex County Juvenile Detention

## P.R.E.A. Annual Statistical Report

In 2013 Sexual misconduct sexual abuse and misconducts was handled under the guidelines of the ECJDC Standard Operation Policy & Procedure manual.

<i>Substantiated</i>	0
<i>Unsubstantiated</i>	0
<i>Unfounded</i>	0

In 2014, sexual misconduct sexual abuse and misconducts was handled under the guidelines of the ECJDC Standard Operation Policy & Procedure manual .

<i>Substantiated</i>	0
<i>Unsubstantiated</i>	4
<i>Unfounded</i>	1

In 2015, All sexual misconduct sexual abuse and misconducts was handled under the guidelines of the ECJDC PREA Policy and Procedure manual.

<i>Substantiated</i>	1
<i>Unsubstantiated</i>	0
<i>Unfounded</i>	3

# Annual Report Summary

The ECJDC publishes an annual report regarding PREA- related incidents and, where necessary, continues to improve the agencies prevention, detection and response efforts. Enhanced emphasis on the agencies' **ZERO TOLREANCE** of sexual abuse / sexual harassment on residents has reinforced prompt reporting. The ECJDC regularly conducts sexual abuse/ assault incident reviews to determine if changes to or improvements in environmental, procedural, staffing and monitoring technology factors are required.

## 2013

- Number of sexual abuse/ misconduct complaints reported for the daily population of 90 residents was **0.**

## 2014

- Number of sexual abuse/ misconduct complaint reported for the daily population of 87 residents was **5.**
- Of the five (5) incidents reported:
  - One (1) allegedly occurred between Administrative staff,
  - Three (3) resident on resident, and
  - One (1) Officer on Officer, apparently complainant withdrew the complaint.
  - All five (5) cases investigated was Unsubstantiated / or unfounded.
  - One (1) case both residents was referred to Mental Health Services. Both residents appeared to be horse playing ( the dozens) wherein one resident filed a complaint in an attempt to get the other resident in trouble by making sexually explicit gestures. The complaint was **unfounded** and both residents received counseling from Mental Health Department.

## 2015

- Number of sexual abuse/ misconduct complaint reported for the daily population of 87 residents was **4.**
- Of the four (4) incidents reported:
  - Two (2) were alleged incidents between an Officer and a resident.
  - Two (2) allegedly involved resident on resident.
  - One (1) case was **substantiated**. Resident was found to have committed the infraction of lewdness. The incident was carefully handled under the strict guidelines of the ECJDC Standard Operation Policy and Procedure prior to the Prison Rape Elimination Act (PREA) regulations and guidelines.
- **End of report**

Persons who wish to make a report regarding sexual abuse or sexual harassment which is alleged to have occurred while a youth was placed at the Essex County Juvenile Detention Center should contact:

## Essex County Juvenile Detention Center

80 Duryea Street Newark ,NJ 07103

**(973) 497 4720 or (973) 497-4735**

- **Dennis E Hughes -Director** Ext 2227 / 2228
- **Gina Saunders - Superintendent** Ext 2226
- **Internal Affairs Unit** Ext 2234 or 2254
- **PREA Manager** Ext: 2340
- **PREA Advisor** Ext: 2341

**or**

- **Resident 's Social Worker @ their individual extension**

# WEBSITES/RESEARCH/ REFERENCES

- **American Correctional Association:** [www.aca.org](http://www.aca.org)
- **American Correctional Health Services Association:** [www.achsa.org](http://www.achsa.org)

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- **American Jail Association:** [www.aja.org](http://www.aja.org)
- **Bureau of Justice Statistics:** [www.ojp.usdoj.gov/bjs](http://www.ojp.usdoj.gov/bjs)
- **Federal Bureau of Prisons:** [www.bop.gov](http://www.bop.gov)
- **National Criminal Justice Reference Service:** [www.ncjrs.org](http://www.ncjrs.org)
- **National Institute of Corrections:** [www.nicic.org](http://www.nicic.org)
- **National Institute of Justice:** [www.ojp.usdoj.gov/nij](http://www.ojp.usdoj.gov/nij)
- **National Juvenile Defender Center:** [www.njdc.info](http://www.njdc.info)
- **National Prison Rape Elimination Commission:** [www.nprec.us](http://www.nprec.us)
- **Office of Juvenile Justice and Delinquency Prevention:** [www.ojjdp.ncjrs.org](http://www.ojjdp.ncjrs.org)
- **Prisons Foundation:** [www.prisonsfoundation.org](http://www.prisonsfoundation.org)
- **Rape Abuse and Incest National Network (RAINN):** [www.rainn.org](http://www.rainn.org)
- **The Sentencing Project:** [www.sentencingproject.org](http://www.sentencingproject.org)
- **Vera Institute of Justice:** [www.vera.org](http://www.vera.org)
- **United States Department of Justice:** [www.doj.gov](http://www.doj.gov)