

Understanding the BJS Study of Sexual Victimization in Juvenile Facilities

In June 2013, the Bureau of Justice Statistics (BJS) published a special report entitled [*Sexual Victimization in Juvenile Facilities Reported by Youth, 2012*](#). The report was the second of its kind published by BJS. It captured surveys of 8,707 youth in facilities owned or operated by a state juvenile correctional authority and adjudicated youth held under state contract in locally- or privately- operated juvenile facilities.¹

Key Findings²

Overall Rates

- Researchers estimate, through weighting the findings from their sample, that **9.5%** of youth nationwide have experienced sexual victimization
- **7.7%** reported an incident involving facility staff
- **2.5%** of youth reported an incident involving another youth
- **0.7%** of youth reported victimization by both staff and another youth

Victimization by Facility Staff

- Most victims of staff sexual misconduct reported more than one incident (**85.9%**), , and among youth reporting more than one incident, nearly 1 in 5 (**20.4%**) reported 11 or more incidents
- Youth reported whether sexual activity with staff was the result of force or coercion³
 - About 1 in 5 (**20.3%**) victims of staff sexual misconduct reported experiencing physical force or threat of force, **12.3%** were offered protection, and **21.5%** were given drugs or alcohol to engage in sexual contact
 - When youth were asked who initiated sexual contact, **36.4%** reported that the facility staff always made the first move, **17.4%** reported that they always made the first move, and **46.3%** said that sometimes the facility staff made the first move and sometimes they did.
- **92.4%** of youth reporting staff sexual misconduct alleged victimization by female staff
- **89.1%** of youth reporting victimization by staff were male

Victimization by Youth

- **1.7%** of youth reported nonconsensual sex with another youth
- **0.6%** of youth experienced other unwilling sexual contact with other youth
- **69.6%** of youth on youth victims reported two or more incidents of abuse and **37.2%** reported more than one perpetrator
- **17.9%** of youth victimized by other youth reported resulting physical injuries

- **67.7%** of youth victimized by another youth reported experiencing physical force or threat of force, **25.2%** were offered favors or protection, and **18.1%** were given drugs or alcohol to engage in sexual contact

Victim Characteristics

- **91%** of the youth in the study were male
- Males were more likely than females to report sexual activity with staff while females were more likely to report forced sexual activity with other youth
- Researchers estimate, through weighting the findings from their sample, that **14.3%** of non-heterosexual youth have been victimized, compared with **8.9%** of heterosexual youth⁴
- White youth were more likely than African-American and Hispanic youth to report youth-on-youth victimization
- African-American youth were more likely than white and Hispanic youth to report sexual victimization by facility staff

Facility Characteristics and Other Factors

- Rates of staff sexual misconduct were slightly higher in state operated facilities than in non-state operated facilities (**10.9%** vs. **7.9%**)
- Female-only facilities had the highest rates of youth-on-youth victimization (**5.7%**), and male-only facilities had the highest rates of staff sexual misconduct (**8.2%**)
- Youth with no positive opinions of the facility staff had the highest sexual victimization rates (**33.8%**), whereas youth with four or more positive opinions of facility staff had the lowest sexual victimization rates (**3.9%**) (Youth were asked whether staff had characteristics such as “good role models,” “friendly,” “genuinely car[ing],” “helpful,” “fun to be with,” “disrespectful,” “hard to get along with,” or “mean”)
- Larger facilities had higher rates of staff sexual misconduct (**5.4%** for those with 26 to 50 youth, **6.8%** with 51 to 100 youth, and **10.2%** with more than 100 youth)
- Youth with longer lengths of stay reported higher rates of victimization by staff (**10.1%** of youth who were in the facility for a year or longer compared to **5.9%** of youth who were in the facility less than one month)
- Victimization was more common in the evening (between 6 p.m. and midnight) than at any other time (**60.9%** of the youth who reported unwanted sexual activity with another youth and **53.5%** of youth reporting sexual misconduct with staff said at least one of the incidents occurred during those hours)

Methodology

The Prison Rape Elimination Act of 2003 requires the Bureau of Justice Statistics (BJS) to develop a list of juvenile correctional facilities ranked according to the prevalence of sexual victimization.⁵ To meet this requirement, BJS completed the second National Survey of Youth in Custody (NSYC), the first of which was published in 2010. BJS studied adjudicated youth residing in facilities owned or operated by a state juvenile correctional authority and state-placed

adjudicated youth held under state contract in locally- or privately-operated juvenile facilities. The survey was restricted to facilities that housed youth for at least 90 days, contained more than 25% adjudicated youth, and housed at least 10 adjudicated youth. Of the youth housed in over 500 eligible facilities nationwide, the Bureau surveyed 8,707 youth in 326 facilities.

The NSYC survey consisted of a computer-assisted self-interview. Youth received audio instructions and used a touch-screen to answer a questionnaire. The survey creators believed that a self-administered study would ensure confidentiality and encourage fuller reporting. Youth reported only their direct experiences. The questionnaire asked participants whether they had engaged in any type of sexual activity at the facility within the past year, whether the activity involved another youth and/or a member of the facility staff, where the incident occurred, and whether it was coerced. The survey asked youth aged 15 or older more explicit questions; less explicit terms were used for youth aged 14 or younger.

While the study authors extrapolated their data to conclude that 9.5% of confined youth have been sexually victimized nationwide, 833 of the 8,707 surveyed actually reported an incident.

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¹ The study authors defined sexual victimization as “any forced sexual activity with another youth (nonconsensual sexual acts and other sexual contacts) and all sexual activity with facility staff (staff sexual misconduct and staff sexual misconduct excluding touching).”

² The study authors weighted the data collected in their survey and provide the findings in the form of facility-level, state-level, and national-level estimates.

³ Some youth reported multiple, discrete incidents of coerced or non-coerced victimization.

⁴ The actual number of youth in the study reporting as heterosexual or non-heterosexual was not published. However, the authors extrapolated from the survey responses to conclude that 88% of youth identified as heterosexual and 12% identified as non-heterosexual.

⁵ See 42 U.S.C. § 15603(c)(2)(B)(ii).