

Understanding the BJS Report on Facility and Individual Correlates of Sexual Victimization in Juvenile Facilities

In June 2016, the Bureau of Justice Statistics (BJS) published a report entitled [*Facility-level and Individual-level Correlates of Sexual Victimization in Juvenile Facilities, 2012*](#). The report examined data from the 2012 National Survey of Youth in Custody (NSYC-2) and a companion facility survey. The NSYC-2 captured survey results from 8,707 youth in 326 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

The goal of the study was to identify trends to better understand the nature of sexual misconduct in juvenile facilities. Researchers examined the impact of facility characteristics and individual youth characteristics on victimization rates. Researchers then developed a statistical model to identify how those facility and individual factors interacted with each other. This fact sheet summarizes key findings from those three analyses.

Key Findings²

Facility Characteristics Associated with Sexual Misconduct

Researchers identified several facility characteristics that bore significant relationships with higher rates of both staff-on-youth sexual misconduct and youth-on-youth sexual assault. When comparing facilities with the highest rates of sexual misconduct and facilities with the lowest rates of sexual misconduct, youth in facilities with the highest rates of misconduct reported that:

- There were not enough staff available to adequately monitor what takes place at the facility;
- There were higher levels of gang fighting;
- More youth had concerns about being physically assaulted; and
- There were more written complaints made by youth against staff.

Researchers also identified factors related specifically to staff-on-youth sexual misconduct. Rates of staff-on-youth sexual misconduct were higher in facilities where:

- The population was entirely male;
- The facility was larger in size (e.g., 25 or more youth);
- There were higher rates of staff turnover;
- There were problems related to gang membership, including youth reports of feeling pressured by gangs to engage in certain behavior;

- Youth were never educated about the prohibition on sexual activity.
- Youth were reluctant to report sexual misconduct because of a fear of being punished for making a report;
- There were higher rates of youth being written up for threatening behavior or physical altercations.

Finally, researchers examined factors related specifically to youth-on-youth sexual assault. Rates of youth-on-youth sexual assault were higher in facilities where:

- The youth population was entirely female;
- Youth were housed among multiple living units;
- Staff took longer than seven days to educate youth about the prohibition on sexual misconduct; and
- Youth were reluctant to report sexual misconduct because they feel embarrassed or ashamed.

Youth Characteristics Associated with Sexual Victimization

Researchers also examined trends in youth characteristics among youth who reported being sexually victimized. As above, researchers identified characteristics that were related to both staff sexual misconduct and youth-on-youth sexual assault, factors that were related exclusively with youth-on-youth sexual assault, and factors that were associated exclusively with staff sexual misconduct.

The factors that researchers identified as being significantly associated with both staff sexual misconduct and youth sexual assault were:

- Having a history of prior sexual assault;
- Reporting a pattern of non-sexual victimization at the facility (being hurt by another youth and having concerns about being hurt by staff);
- Being in a facility where youth reported a higher number of gang fights; and
- Being in a facility where youth report staff providing special treatment.

When examining staff sexual misconduct, researchers determined that male youth, African American youth, and youth who had a history of prior incarceration lasting six months were more likely to be victimized. Youth who experienced staff sexual misconduct were also more likely to report active gang involvement in the facility, little to no positive perceptions of staff, a perceived lack of fairness at the facility, sharing of personal information by staff, being the victim of physical assault, and being physically hurt by staff.

When examining youth-on-youth sexual assault, youth who identified as lesbian, gay, or bisexual experienced victimization at higher rates than youth who did not identify as such. Researchers also found that youth who were incarcerated for a violent sexual assault were at the greatest risk for sexual assault by other youth.

The Interaction of Facility and Youth Characteristics in Predicting Sexual Misconduct

As mentioned above, researchers created a statistical model to attempt to determine how facility and individual factors interacted to predict the occurrence of sexual victimization. Researchers created separate models for staff sexual misconduct and youth-on-youth sexual assault.

For staff sexual misconduct, the following characteristics were significant predictors of victimization in this combined model:

- **Being male.** Males were almost four times more likely to be victims of staff sexual misconduct than females.
- **Having a prior history of sexual victimization.** Youth were 1.6 times more likely to experience staff sexual misconduct if they had a prior history of sexual victimization as compared with youth who did not have that history.
- **Youth reports of gang membership and gang fighting.** Youth who reported being a gang member were 1.8 times more likely to be victimized. Youth reporting gang fights in a facility were 1.4 times more likely to be victimized than youth who did not report fights.
- **Youth reports of lack of fairness in a facility.** Victimization rates were twice as high when youth reported an overall lack of fairness at a facility as compared with youth who did not report unfair treatment.
- **Youth reports of staff sharing personal information.** Youth who reported that staff shared personal information were more than 2.6 times as likely to be victimized than youth who did not.
- **Youth reports of positive perceptions of staff.** In facilities where youth reported positive perceptions of staff, victimization rates were significantly lower than facilities where youth had no positive perceptions.
- **Youth reports of and concerns about being hurt or assaulted.** Youth who reported being hurt by youth or staff, or worrying about being hurt by staff, were more likely to report staff sexual misconduct than youth who did not report those experiences or concerns.
- **Delays in educating youth about the facility's prohibition on sexual activity.** Facilities where youth were educated about the prohibition on sexual misconduct within seven days of arrival were significantly less likely to report staff sexual misconduct than youth in facilities that waited longer to educate youth.
- **Higher percentages of youth filing written complaints about staff.** In facilities where the

greatest proportion of youth reported filing written complaints about staff, youth were three times more likely to experience staff sexual misconduct than facilities with lower number of written complaints.

- **Higher percentages of youth with no previous history of incarceration.** In facilities with the greatest proportions of youth with no detention history, victimization was almost three times as likely than in facilities with fewer numbers of youth with no detention history.

For youth-on-youth sexual assault, the following characteristics were significant predictors of victimization in the combined model:

- **Having a prior history of sexual victimization.** Youth were twice as likely to experience youth-on-youth sexual assault if they had a prior history of sexual victimization as compared with youth who did not have that history.
- **Identifying as lesbian, gay, or bisexual.** Youth who identified as lesbian, gay, or bisexual were more than five times as likely to be a victim of youth sexual assault as youth who did not identify as such.
- **Having a violent sexual assault as the youth's most serious listed offense.** Youth with this charge as their most serious offense were more than twice as likely to be a victim of youth-on-youth sexual assault than youth with other most serious offenses.
- **Youth reports of gang membership and gang fighting.** Youth who reported gang fights in a facility were more than twice as likely to be victimized than youth who did not report fights.
- **Youth reports of a lack of structure in a facility.** Victimization rates were lowest in facilities with youth reporting a highly structured environment as compared with youth who reported less structured facility environments.
- **Youth reports of staff providing special treatment.** Youth who reported special treatment by staff were 1.4 times more likely to be victimized by youth than youth who did not report special treatment.
- **Youth reports of and concerns about being hurt or assaulted.** Youth who reported being hurt by another youth or worrying about being hurt by staff experienced victimization at more than twice the rate of youth who did not report those experiences and concerns.
- **Delays in educating youth about the facility's prohibition on sexual activity.** Facilities where youth were educated about the prohibition on sexual misconduct within seven days of arrival were significantly less likely to report staff sexual misconduct than youth in facilities that waited longer to educate youth.

- **Higher percentages of youth with victimization histories.** In facilities with the highest proportions of youth who had experienced prior sexual victimization, youth-on-youth victimization rates were more than three times higher than in facilities with lower proportions of youth with histories of prior victimization.

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.³ To meet this requirement, BJS completed the second National Survey of Youth in Custody (NSYC-2), the first of which was published in 2010. This 2016 report examined data from the NSYC-2 and a companion facility survey. The authors of this report used three different methodologies in their analysis: (1) facility-level; (2) individual-level; and (3) multilevel.

The facility-level methodology predicted sexual victimization using responses from the facility questionnaire and youth survey. The facility questionnaire included information about the total number and types of youth housed in the facility, the number of living units, staffing, and any treatment programs provided. Distinct facility-level predictors were created using aggregate data for each facility. The aggregates were created by adding together the proportion of youth indicating a positive response for an individual item and then dividing by the total number of youth in the facility who provided a response to the item.

The individual-level methodology calculated sexual assault rates for each type of victimization and each individual-level predictor. The multilevel methodology predicted sexual victimization by simultaneously testing for the significance of facility factors and individual characteristics. After controlling for facility structural characteristics, the authors presented multivariate data on which facility or youth characteristics were predictive of youth-on-youth sexual assault or staff sexual misconduct.

For more information, please contact:

Jason Szanyi, Director of Institutional Reform
Center for Children’s Law and Policy
1701 K Street, NW, Suite 1100, Washington, DC 20006
Phone: (202) 637-0377, x108
Email: jszanyi@cclp.org
www.cclp.org

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, individual-level, and multilevel estimates.

³ See 42 U.S.C. § 15603(c)(2)(B)(ii).