

***Untangling the PREA Standards:  
Outside Reporting, Confidential Support,  
and Third-Party Reporting  
Fact Sheet: Case Study – Brian (Male  
Juvenile)***



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## Case Study: Brian — Male Juvenile

At 1500 hours sharp, dozens of cell doors slam shut in unison, signaling a shift change and the end of quiet time. Brian had intended to catch up on his homework during the one-hour window between school and afternoon shift groups. He does not remember falling asleep, but he must have drifted off because he dreamed that he was back at Ms. Davis's house — the one foster home where he felt like he belonged.

He swings his legs onto the floor and rifles through school papers, looking for his points sheet.

"It's Friday, gentlemen," Mr. Ramirez calls out. For a CO, Mr. Ramirez is all right; he treats the boys with respect and usually makes sure they get outside for some basketball or soccer. "Please sit up on your bed for count," he says to the residents.

"Female on the wing. Decency required," shouts out another voice — Miss O'Connell.

There's something about her, though he can't quite put his finger on what it is. All the boys feel this way. There are whispered warnings: about changing your clothes in the bathroom when she's on duty. One boy joked to Brian that she thinks everything is an emergency, just so she has a reason to pat you down. Brian once heard that if you want extra snacks or more time during a visit, she will help you out — but for a price.

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It's no big deal. Get over it. Be a man. She barely touched you, he tells himself.

The words run through Brian's head all night and the next morning while he watches his peers get ready for Saturday visits. He rarely gets visits, so he'll spend the time catching up on homework.

It's no big deal. Get over it. Be a man.

Brian pounds his fist into his forehead in frustration. The last thing he needs is another secret to keep. He's already been watching his every word about his life before this place, making sure no one knows he's gay, or thinks he might be. He hasn't even told his counselor. Now, thinking about yesterday and what happened, he thinks he might explode with the weight of a second big secret. It's better not to tell anyone in here either secret, he concludes.

"Washington," Mr. Jones, the dayshift supervisor, shouts. "You have a visit."

Brian leaps off his bed. He can't quite believe it and, for a moment, he wonders if Miss O'Connell could be pulling something. After all, she said she would do him a favor if he was "nice" to her and kept quiet about it. His door buzzes and clicks and he steps into the hallway.

"Who is it?" Brian asks.

"Ms. Davis," says Mr. Jones. "Your old foster mom."

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Brian didn't go into the visit intending to say anything to Ms. Davis, but somewhere in between getting news about his foster sister and telling Ms. Davis about school, his mouth had taken over and he'd spilled everything.

"Please don't say anything," Brian pleads. "It will make it worse."

"Brian," Ms. Davis says, in that voice that means there's no arguing. His stomach starts to hurt. "This isn't something I can keep to myself and I think you know that. It's still my job to look out for you, whether you live with me or not."

"Please don't tell Mr. Jones," Brian says, feeling more desperate. Miss O'Connell will probably be on this afternoon. Mr. Jones will tell her and she'll have time to get her story straight. They will never believe him over her. "They all think all we do is lie."

"Oh, honey," says Ms. Davis, and for a moment Brian thinks she won't tell. "I wasn't going to tell you this yet, because nothing is set. I talked to your counselor and your probation officer. I'm not making any promises, but if we can work it out, and if you agree, I'd like you to come back with me after you get out of here. Your counselor put me on your family list so you can call me and we can start family therapy to work on you coming home — if you want."

"Wow. Thank you." Brian's eyes start to sting. He blinks furiously to stop himself from crying.

Ms. Davis pauses to let Brian collect himself. "I'm telling you this now because your counselor also gave me all of the family information, about rights and responsibilities," she says. "They included a number I can call to report concerns. What I want to do is walk right out of this room and give that Mr. Jones a piece of my mind, but if it will make you feel safer, I can wait until I get home and call the number. I have to tell you, I am going to call today. This is not a secret I can keep" (**§115.354, Third-party reporting**).

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Normally, a lockdown on a weekend afternoon would put Brian in a terrible mood. Today, it is a relief. He doesn't know what it's about, and he could not care less. He ignores the whispering in the vents from the other boys, who are trying to figure out what is going on. Brian has too many things running through his brain to fit in anything else.

The last thing that Ms. Davis said — besides that she would see him next week, which he still can't quite believe — was that it would be a good idea for him to tell someone at the facility. If he did not want to tell the staff on the unit, he could tell his counselor, or someone else he trusted.

Back on his first day, the staff gave him a bunch of information and showed him a video. They told him that he has the right to be safe. Brian hadn't given any of it a second thought until now. He hadn't needed to. He still wasn't sure whether what happened to him qualified as "not safe." Miss O'Connell hadn't actually hurt him or even really threatened him.

Brian pulls out his storage bin from under the bed. At the very bottom are the papers from that first day. One of the booklets starts with the words, "You have the right to be safe." He never read it all the way through. He does now. When he closes it, he knows that what happened to him counts as not being safe. He rips off the page in the booklet with two addresses on it.

The first letter he writes is to The Center for Healing. The letter is short. He writes only that he would like some more information. The booklet says he can write confidentially, as he could to his lawyer. It also says that they will write back with support and information about dealing with sexual abuse and sexual harassment. There's a hotline number with a note that you can call just to talk — without having to give your name. But Brian would rather write for now (**§115.353, Resident access to outside confidential support services**). The idea of having to say this stuff out loud on the phone, when staff might hear him... well, he's not going to risk it.

His second letter is to the Child Protection Agency. They have a hotline, too. They say that it's not monitored. Still, Brian would rather not take the chance. Their booklet says that residents can report sexual abuse or sexual harassment to the agency, and that they will follow up on all reports (**§115.351, Resident reporting**). Just in case the facility decides to ignore Ms. Davis's call, he decides to write to them, too.

Brian is in mid-sentence when he realizes that, in one short afternoon, he has gone from telling himself to get over the abuse to being determined to see something done about it. All the kids know about Ms. O'Connell; the staff must know too. If Brian can help stop this, it will be worth it. Ms. Davis will be so proud of him. That's what she told him, anyway.

There's a knock at his door and the announcement of, "Female on the wing." The lockdown hasn't cleared, and Brian wonders for a second if he's the reason for it.

Brian hears a voice on the other side of the door. It's Mr. Jones. "Sit up on your bed," Mr. Jones tells him. After waiting a minute, Mr. Jones opens the door. "Put on your shoes. We are still on lockdown, so any loitering or talking in the hallway and any failure to follow directions will be considered a major disciplinary. The on-call Resident's Rights Officer is here on the unit to see you."

Brian stuffs both of the letters into his pocket and follows Mr. Jones.