



TEXAS
JUVENILE  JUSTICE
DEPARTMENT

“Safeguarding Your Sexual Safety”

An Instructor’s Guide



Introduction

This guide is designed to assist TJJD staff assigned to youth orientation in presenting The Moss Group/TJJD orientation DVD "Safeguarding Your Sexual Safety" segments and ensuring the following:

1. TJJD's value and policy of zero tolerance is sustained. This orientation will support TJJD in developing and maintaining a culture of sexual safety and zero tolerance in which incidents of sexual abuse and sexual harassment are prevented when possible and, in the event that an incident occurs, support TJJD in ensuring that the incident is detected, reported, and investigated with appropriate subsequent administrative action and/or prosecutorial referral.
2. Youth entering into custody at TJJD are given the information necessary to enhance their comfort in preventing, identifying and reporting sexual abuse and sexual harassment.
3. TJJD is able to demonstrate compliance with PREA Standard 115.333: Resident Education:
 - (a) *During the intake process, residents shall receive information explaining, in an age appropriate fashion, the agency's zero tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.*
 - (b) *Within 10 days of intake, the agency shall provide comprehensive age-appropriate education to residents either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents.*
 - (c) *Current residents who have not received such education shall be educated within one year of the effective date of the PREA standards, and shall receive education upon transfer to a different facility to the extent that the policies and procedures of the resident's new facility differ from those of the previous facility.*
 - (d) *The agency shall provide resident education in formats accessible to all residents, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to residents who have limited reading skills.*
 - (e) *The agency shall maintain documentation of resident participation in these education sessions.*
 - (f) *In addition to providing such education, the agency shall ensure that key information is continuously and readily available or visible to residents through posters, resident handbooks, or other written formats.*

These DVD segments and the activities included in this Facilitator's Guide are designed to address sections (a) and (b) of the standard. However, facilitators are also responsible for sections (d) and (e).

- Ensure documentation exists to show that each youth participated in orientation activities. This should be done in a manner as directed by local facility leadership or the TJJD PREA Coordinator.
- In the event that a youth is limited English proficient, deaf, visually impaired, or otherwise disabled in a manner that may impact their ability to comprehend the information communicated during this portion of their orientation, staff should take the appropriate steps to ensure that the youth understands the key content from the video.

Who should use this guide

The topic of sexual safety is a difficult topic to discuss with anyone. It can be a particularly difficult topic to discuss with juveniles. The individual who facilitates the presentation of these DVDs should be comfortable discussing these topics with juveniles, knowing that reactions to these topics may include laughter, embarrassment and a possible triggering of past trauma. If a youth appears to be uncomfortable or expresses discomfort or past trauma, ensure that youth is able to discuss this issue with an appropriately qualified staff as soon as possible.

The facilitator should communicate the importance of the topic while also appearing comfortable and being available to answer any questions that may be asked. These questions may require detailed discussions around the definition of sexual abuse and harassment, and what would be considered sexual abuse or harassment, including discussion of anatomy and sexual actions and behaviors. The most important role a facilitator can play is keeping the youth comfortable enough to pay attention to and retain the information communicated. Sometimes, juveniles are actually more comfortable with adults discussing these sorts of topics. In these cases, an adult's discomfort can actually cause or enhance a youth's discomfort. The facilitator's discomfort may also be perceived as humorous among the residents, who then may not take the topic as seriously as they should.

If you, the facilitator, are NOT comfortable playing this role, please seek guidance from your supervisor as soon as possible.

Facilitators should try to listen as much or more than you are speaking. They should use active listening techniques to enhance the youth's comfort and respond to the contributions by paraphrasing or restating what the youth just said. For example, saying "so what I hear you saying is..." or "If I'm hearing you correctly, you are saying..." when responding to youth will encourage their participation. These topics can be sensitive and it can be normal for some youth to feel uncomfortable participating.

Facilitators should give youth the opportunity to ask questions at the end of every segment. Remember, the purpose of this orientation is to communicate important information, so work to make the youth as comfortable as possible with the information.

Finally, pay attention to the time. The time for each segment is identified in this facilitator's guide; if you have a limited amount of time, try to pace yourself rather than rushing through at the end.

How to use this guide

The DVD is divided into segments. Each segment is designed to be shown at different times during a youth's intake and introduction into the TJJD system. Some segments are also designed for specific populations of youth (girls vs. boys). Some segments are designed to be shown multiple times. Overall, the DVD is meant to enhance youth comfort with TJJD's values and processes relating to the reporting and response to sexual abuse and sexual harassment involving youth, and the DVD segments are designed to be seen multiple times to reinforce high level issues through repetition to increase retention. Mechanisms for presentation of the DVD segments are included in this guide.

Facilitators must keep the following ideas in mind when facilitating this youth orientation:

1. Orientation operates within the daily facility schedule. Facilitators should keep this in mind and try not to let the conversation get too off track.
2. However, the purpose of this orientation is to give youth the opportunity to discuss and ask questions, so facilitators should try to meet that need as well.
3. Facilitators should not let one youth dominate the conversation and try to give every youth the opportunity to contribute or to ask any questions he or she might have.

What you need

1. The TJJD youth orientation DVD
2. DVD player and screen
3. Your Facilitator's Guide
4. TJJD Youth Handbooks for each youth participating in the orientation

How to set up the room

Youth will need to be able to see and hear the DVD playing, but they also need to feel comfortable participating in discussion. The best room set-up is a semi-circle of chairs, with the DVD playing on a screen that is set back a bit from the circle so everyone can easily view it. As the facilitator, consider sitting in one of the chairs to enhance the youth's comfort with you.

What the youth say

Before this DVD was developed, TJJD conducted a brief survey among youth to determine what information would be most helpful from their perspective in an orientation to the agency. The most common responses are compiled below to provide you with further understanding regarding your role and how you can most help the youth in your care through this orientation.

<p>What was your biggest concern coming into TJJD?</p>	<ol style="list-style-type: none"> 1. Fighting with other youth 2. Getting in trouble with staff. 3. Going to prison. 4. Having to fight to protect myself. 5. Length of my sentence. 6. Extortion by other youth. 7. Assault by other youth. 8. Rape. 9. Fear of bullying based on race. 10. Fear that staff wouldn't take me seriously if I reported something happening to me. 11. Fear that staff wouldn't do anything if I reported something happening to me. 12. Concern about interacting with different races. 13. Fear of discrimination.
<p>If you were to make a safety video for youth coming into TJJD what top three things would you want them to know?</p>	<ol style="list-style-type: none"> a. Do not feed in to negativity. <ul style="list-style-type: none"> ○ Sexual abuse normally does not happen in TJJD. ○ Don't be afraid to report bullying or physical, sexual or verbal assault. ○ Be aware of your rights. ○ Don't provoke people – watch what you say. ○ Act respectfully to staff and your peers ○ Take advantage of the educational benefits. ○ Don't be scared – there are no cages or dungeons. ○ Keep to yourself. Don't let negative people influence you. b. Do not think negatively.

	<ul style="list-style-type: none"> ○ The staff care about your safety. ○ Build relationships with staff – they are there to protect you. ○ There are plenty of security staff in the facility. ○ Follow staff’s instructions and you’ll go home more quickly. ○ You don’t need to “act all big and bad” to be safe. ○ Don’t be embarrassed to say anything. ○ Respect yourself. c. Only talk to those who want to better themselves. <ul style="list-style-type: none"> ○ Ignore what the other youth say when you first come into the facility – they don’t normally mean anything by it. ○ Do the right thing so you can go home to your family. ○ You don’t have to prove yourself to others. ○ Don’t be afraid. Staff will help you and be there for you if you just do your part and speak up. If you’re a victim, protect others and say something. ○ Take responsibility for your actions. Prioritize what’s important and take advantage of the education provided. ○ Be prepared for the aspects of life in confinement that are different from in the community - there are searches coming and going, don’t forget to close your cell when you walk inside, you’ll be wearing a uniform, etc. ○ Try to avoid drama and relationships because that will only cause trouble for you.
<p>How comfortable would you be viewing a safety video concerning abuse and sexual abuse? (Circle One)</p> <ul style="list-style-type: none"> a. Very Comfortable b. Slightly Comfortable c. Slightly Uncomfortable d. Very uncomfortable 	<p>Most responders chose “B” or “A” – none of the responders chose “D”.</p>
<p>What information do you want to know about PREA?</p>	<ul style="list-style-type: none"> a. What’s it really like in TJJD – be honest so I can prepare myself. b. What does PREA stand for? c. How does PREA protect me? d. How do I protect myself from sexual abuse and harassment? e. How do I report? What will happen to me once I report? f. Is there a time limit on reporting? g. If I report, will the person who I alleged to be an abuser ever find out that I was the one who reported?

	<p>h. What is sexual abuse and sexual harassment? What actions fall into those categories, and what actions are just policy violations?</p>
<p>What advice about safety would you want to share with new students at Orientation?</p>	<p>a. Be your own person. Do not let somebody influence you into messing up. Be careful who you get involved with.</p> <p>b. You'll be safe if you don't get involved with the wrong people.</p> <p>c. Always report.</p> <p>d. If someone is bullying or abusing you, confront the problem immediately. Let them know that you aren't going to put up with it and that you are going to let it be known. If you are alone and don't feel safe enough to say it right then, do it ASAP after. Do your part and speak up ASAP – someone WILL listen.</p> <p>e. Just do your time and get out as quickly as you can, and don't screw up so you have to come back again. You'll have a second chance when you get out.</p> <p>f. If you keep to yourself and not get so involved with others, you are less likely to get hurt.</p> <p>g. Sometimes you can't always go by what others say, you have to look at what it is really like for yourself.</p>

Presenting the DVD:

Preface the playing of the DVD by telling the youth the following (in your own words):

- The safety of the youth in TJJD is of primary importance to TJJD's leadership and staff.
- This DVD is designed to help youth understand that TJJD should be a safe place where they can work to improve their lives.
- However, this DVD will also ensure that youth know what to do if something is going wrong or a youth feels they are not safe.
- Pay particular attention to the appropriate section of the youth handbook for more specific information.
- Please pay attention, participate in the discussion and ask questions – the more you know, the more we can work together to make our community as healthy as possible.
- This may not be the first time that some youth have seen this video. It is important that all youth hear this information, even if it seems repetitive. There could be information that youth miss the first time around.

Introduction: What it's really like

Length of video segment: 2 min 5 sec

Reference material:

- TJJD Youth Handbook, section regarding safety and sexual abuse

Objective: After watching this video segment and participating in suggested activities, youth will be able to define PREA, sexual abuse, and sexual harassment, and discuss the stereotypes of “prison” as they apply to TJJD facilities.

The purpose of this video segment is to acknowledge how the youth who will be watching the DVD may feel, and to directly address some of the stereotypes about “prison” in our culture and in the media. Directly addressing these issues allows TJJD to rebut those stereotypes, and specifically rebut the stereotypes around the times of sexual behaviors that go on in confinement facilities.

Suggested activity: Ask the class the following questions.

What rumors or stereotypes did you hear about TJJD or juvenile corrections agencies generally?

Wait and see if anyone speaks up. Since this is the beginning of the orientation, it is likely that some youth won't feel comfortable enough to participate. If someone responds, let them speak, and then ask the other youth in the room if they heard something similar or something different. If no one speaks up, simply transition into the next question.

Length of activity: 2 min

What rumors did the youth in the orientation video say they had heard?

- Possible answers:
 - Prison for kids
 - Lots of fighting
 - Lots of raping
 - Would have to be digging holes like a real prison

Give the youth the opportunity to answer this question. If no one speaks up, prompt them by suggesting one of the possible answers listed above.

Length of activity: 2 min

What did the youth in the orientation video say about those rumors or stereotypes?

- Possible answers:
 - If you don't want to fight, trouble come to you find you.
 - There's no raping in TJJD.
 - It's not as bad as it seems.
 - The food sucks but other than that it's not so bad.
 - None of the youth will do things like that because they want to go home.

Ensure that the youth in your orientation understand that the purpose of the introduction is to ensure they understand that stereotypes about prison are not true for TJJJ. The mission of TJJJ is to “promote positive youth outcomes.” What does this mean? It means that TJJJ is specifically designed to help youth by showing them how to change their behaviors and avoid a life of more mistakes that may result in the youth ending up in “real” prison.

Length of activity: 3 min

Ask: Are there any questions you need answered now? What are you concerned about?

The Prison Rape Elimination Act

The video segment does not mention the Prison Rape Elimination Act (PREA). However, it's important to ensure the youth understand what PREA is and why it's important. Ask the youth to open their youth handbooks to the section that addresses “Zero Tolerance for Sexual Abuse.” Verbalize the following information:

Length of lecture: 2 min

- The Prison Rape Elimination Act was passed in 2003 to help stop sexual abuse and sexual harassment in prisons, jails and juvenile facilities.
- We call the Prison Rape Elimination Act “PREA” because of its initials.
- The PREA standards were developed by the Department of Justice in 2012 to assist TJJJ and other confinement facilities to prevent, detect, and respond to sexual abuse and sexual harassment.
- What does this mean?
 - We **prevent** sexual abuse and sexual harassment by making sure that youth and staff know that it's wrong and those who sexually abuse or harass others will be disciplined and maybe criminally prosecuted.
 - We **prevent** sexual abuse by making sure the cultures of our facilities are healthy and that youth know that they can and should report if something is wrong.
 - We **prevent** sexual abuse by providing youth information – like in this orientation video – on how to protect themselves, how to report, and what happens after you report.
 - We **detect** sexual abuse and sexual harassment by knowing what they are and what they look like. We're going to discuss this in just a second.
 - We **respond** to sexual abuse and sexual harassment by ensuring that anyone in immediately danger is removed from that situation, and by investigating all allegations promptly to determine what happened and, if something happened, how we can make sure it doesn't happen again. If the report is true, then the abuser will be disciplined and maybe prosecuted. If the report is maliciously false, which means that the investigator discovered that the person reporting lied about something, then the false reporter will be disciplined because this topic is too important for people to be misusing the reporting mechanisms and wasting the time of the investigators.

Suggested activity: The facilitator should ask the class the following questions. The definitions of these terms are provided in the youth handbook.

What is sexual abuse?

Give the youth the opportunity to answer. Possible answers include:

- Rape
- Sexual Touching

If there is giggling and discomfort, ask the youth why they think it's important for them to know this.

Answer: It's important to TJJD that youth be safe. One element of being safe is knowing what is and what is not okay. If you know what sexual abuse is, you can play a role in detecting it, and you'll know to report it whether you, a friend or a fellow youth is experiencing it.

Ensure that the youth understand that the following is included in the definition of sexual abuse:

- Anyone can be an abuser – youth, staff, volunteers, etc.
- If the abuser is a fellow youth, then sexual abuse is:
 - Any forced sex or penetration.
 - Any unwanted sexual touching on the genitals, breasts, buttocks or inner thighs.
- If the abuser is a staff member, volunteer, contractor, etc., then sexual abuse is any of those things regardless of whether it was forced or not as long as it was not part of the staff member's official duties. Sexual abuse by a staff member, volunteer or contractor is a violation of policy and it is a crime under state law. The definition includes:
 - Any sex, penetration, or sexual touching for the purpose of gratifying a sexual desire.
 - Any exposure of genitalia, buttocks or breasts in the presence of a youth.
 - Any voyeurism, which is defined as an invasion of privacy not related to official duties including watching youth during times of undress, requiring the youth to expose themselves, or taking pictures of youth doing any of these things.
 - Any attempt, threat or request by a staff member, volunteer or contractor to engage in any of these activities.
 - Emphasize that these actions only qualify as sexual abuse if they are unrelated to official duties, so a pat-search by a staff member during which a youth's breasts or buttocks are touched in a professional manner as part of the official search would not qualify.

Discuss: Does anyone have any questions?

Length of activity: 7 min

What is sexual harassment?

Give the youth the opportunity to answer. Possible answers include:

- Talking, taunting
- Obscene gestures

Ensure that the youth understand that the following is included in the definition of sexual harassment:

- Unwanted sexual advances by other youth (Note that unwanted sexual advances by staff fell into the category of sexual abuse.)
- Comments, gestures or actions of an offensive sexual nature by other youth or staff
- Comments or gestures that are sexually suggestive or derogatory about gender, body or clothing
- Obscene language or gestures by staff

Ensure the youth understand that sexual harassment includes verbal comments or gestures, and sexual abuse includes sex, physical touching and voyeurism. Emphasize that youth should always report

something if it makes them uncomfortable, even when they're unsure of whether it constitutes sexual abuse or sexual harassment. Youth should also report if they observe something that concerns them – sexual harassment, something that may seem less serious than sexual abuse – can be a precursor to sexual abuse and can have a negative impact on someone's mental health, so it's important to take both sexual abuse and sexual harassment seriously.

Length of activity: 4 min

Segment #1 Understanding Your Rights

Length of video segment: 2 min 20 sec

Reference Materials:

- 14 Basic Rights (see **Attachment B**). Note that this can also be found in the youth handbook.

Objective: After watching this video segment and participating in suggested activities, youth will be able to 1) identify the difference between rights and privileges and 2) understand and verbalize their right to be free from sexual abuse and sexual harassment per the requirements of PREA Standard 115.333 (b).

Suggested activity: Ask the class the following questions.

Why is it important for you to know your rights?

- Possible answers:
 - If you don't know something is wrong, you won't report it.
 - Youth need to stand up for themselves and protect their rights.

Answer: It's your responsibility as an adult in the free world to know your rights so you can take responsibility for your own health and well-being and live a successful life as a productive member of society. Although it is the responsibility of TJJD to protect you while you're in TJJD custody, your knowing your rights will help us ensure your safety and ensure that your rights are not violated while you are housed in one of our facilities.

Length of activity: 3 min

What rights did the video mention?

- Possible answers:
 - Food
 - Freedom of speech
 - Medical care
 - Phone, letters
 - Visits
 - Safety – psychological and physical
 - To be treated fairly
 - Freedom from neglect, abuse, exploitation

The youth will go through the 14 basic rights in much more detail during another part of the facility orientation. During this orientation, it's most important to ensure the youth understand that they have the right to physical and sexual safety while they are in TJJD custody (and throughout their life, generally). They have the right not to be sexually abused or sexually harassed by staff or other youth, and if they do experience abuse or harassment, they have the right to report and expect a prompt and effective response from TJJD.

Length of activity: 3 min

The video segment makes an important distinction between rights and privileges. Could someone explain that difference?

- Possible answers:
 - One can be taken away
 - Luxuries vs. necessities

If possible, encourage enough discussion on this so the youth reach the conclusion themselves, since this is an important concept. Ensure that youth understand at the end of the discussion that rights are provided by state and federal law and the constitution. You have the right not to be killed. You have the right not to have your property stolen. You have the right not to suffer cruel and unusual punishment, something that many of the youth in the orientation have probably heard about. You have the right to food and water and safety. You do not have the right to video games – video games are a privilege. A privilege is something that you earn, and it is something that can be taken away. Your parents can take away the privilege of watching television or going over to your friend's house. Similarly, as you progress through your program at TJJD you will get more and more access to privileges, but those privileges can be taken away if your behavior is poor. Always remember, that physical and sexual safety is not a privilege, it is a right. If you feel that your physical or sexual safety is being threatened, report it! We'll talk more about reporting a bit later in the orientation.

Length of activity: 4 min

Segment #2: Zero Tolerance

Length of video segment: 3 min 22 sec

Reference Materials:

- TJJD Zero Tolerance Statement (see youth handbook)

Objective: After watching this video segment and participating in suggested activities, youth will be able to define zero tolerance in the context of TJJD and sexual abuse per the requirements of PREA Standard 115.333 (a), and state why it is important to their safety, and other's safety, while in TJJD custody.

Suggested activity: Ask the class the following questions.

Define zero tolerance in your own words (outside of the context of sexual safety).

Encourage youth to use alternate contexts, such as cheating in school or having a "zero tolerance" for vegetables. Ensure you communicate that zero tolerance does not mean that you're fine with it happening from time to time; zero tolerance means that you tolerate *zero* incidents of sexual abuse and sexual harassment.

Length of activity: 3 min

What's not okay in a zero tolerance environment?

Encourage the youth to use the examples from the video and from the definitions of sexual abuse and sexual harassment that were discussed earlier in the orientation, but also come up with their own examples. Possible answers include:

- Any sexual touching (what does this mean?)
- Voyeurism (what does this mean?)
- Verbal harassment

The most important point to communicate is that all sexual activity is prohibited in a zero tolerance environment. This point will be discussed in more depth at intake to the youth's long-term facility, but ensure that you communicate *why* this is: TJJD is responsible for the safety of every youth in its care. From the perspective of a TJJD staff person or investigator, it can be very difficult to tell the difference between coerced sexual activity (which is sexual abuse) and consensual sexual activity. Additionally, in Texas, the age of consent is 17. Therefore, legally, no one under the age of 17 can consent to sexual activity – it's all considered coercive under the law. To ensure the safety of everyone within TJJD facilities, all sexual activity is prohibited under TJJD's zero tolerance policy.

Finally, the time you spend in TJJD should be focused on you. You are in here for a reason. You need to spend that time taking advantage of the education and programming that TJJD has to offer, and you won't be able to take full advantage of those opportunities if you're focused on someone else.

Why is all sexual activity prohibited in a zero tolerance environment?

The youth were given the answer to this question at the orientation to their diagnostic facility. The purpose of asking this question is to encourage them to explain it in their own words. Ideally, the facilitator will not provide this answer to the youth except to summarize and clarify the concept. Give youth the opportunity to answer. If no one speaks up, ask: how can you tell if a relationship is consensual or coerced? How can you tell if one of the participants is being intimidated into doing things they don't want to do? The answer you want to get to here is that there is really no way to tell – people will lie and say that it's consensual if they are being intimidated.

Additionally, many of the youth in TJJD are below the legal age of consent.

Therefore, since TJJD is responsible to make sure everyone is safe, since there's no way to tell whether relationships are coercive or not, and since many of the youth in TJJD are below the age of consent, it's safer for everyone involved if all sexual activity is prohibited while you are in the custody of TJJD.

Length of activity: 6 min

Segment #3: Ensuring Safety

Length of video segment: 4 min 35 sec

Reference Materials: None

Objective: After watching this video segment and participating in suggested activities, youth will be able to identify behaviors that may lead to sexually abusive activities or relationships and discuss the role they play in protecting their rights.

Suggested activity: Ask the class the following questions.

What behaviors are identified in this video as behaviors you should watch out for?

Ensure that youth touch on the following concepts:

- Grooming behaviors (Ask: What is grooming?)
 - What is grooming? Grooming is training someone or testing someone's limits.
 - What are examples of grooming behaviors?
 - Touching
 - Stalking
 - Small behaviors that grow over time
- Inappropriate staff behaviors
 - Bringing in contraband (Ask: What is contraband?)
 - Sharing personal information
- Bullying (Ask: What is bullying?)
- Extortion (Ask: What is extortion?)

Ask: Why is knowing these behaviors important?

Answer: Because staff are here to help you but they can't be inside your heads!

Length of activity: 3 min

What should you do if...

- You think you're being groomed, bullied, or if a staff person is acting inappropriately?
Answer: Report.
- You think someone else is being groomed, bullied, or if a staff person is acting inappropriately?
Answer: Report.

Which brings us to our next video segment...

Length of Activity: 1 min

Segment #4: Making Reports

Length of video segment: 5 min 30 sec

Reference Materials:

- Agency reporting information from the youth handbook

Objective: After watching this video segment and participating in suggested activities, youth will

- be able to list the reporting mechanisms available to them in TJJD;
- understand their right to be free from retaliation for reporting sexual abuse or sexual harassment;
- identify the basic steps of agency response (per agency policy and procedure) to reports of sexual abuse and sexual harassment; and
- verbalize why it's important to not make false allegations.

Suggested activity at intake to agency: Ask the following questions:

How should you report?

Make sure that the youth list the following reporting mechanisms, or that you verbalize them to the youth if they are not volunteered.

- Blue phone. Ask for more information.
 - What is the blue phone? Answer: The blue phone is a phone that will typically be on the wall in your day room. There will be a number listed next to the blue phone which, if you call it, will ring directly through to the Independent Ombudsman for TJJD for free. This number is also listed on the fourth page of your handbook under Important Numbers. The ombudsman is separate from TJJD, and is there specifically to investigate any problems there might be in the agency and secure the rights of the youth in TJJD's custody.
- Abuse hotline. Ask for more information.
 - How do you access the hotline? Through any phone in your facility – it's available 24 hours and it rings through to the Office of Inspector General. This office is also outside of TJJD and is designed to investigate any crimes that may occur at TJJD.
 - How do you know what the number is? The number will be posted in your facility.
- File a grievance. Ask for more information.
 - What is a grievance? A grievance is a form that will be available on your housing unit by asking the youth grievance clerk.
 - How do you file it? You file a grievance by filling out the grievance form, and putting TJJD's copy into a locked grievance box that will be in your facility.
 - Is there more than one kind of grievance? Yes. There are emergency grievances and standard grievances. Emergency grievances should only be used when there is an emergency – a threat to your safety.
- Verbally report to any adult in your housing unit. This includes Corrections Officers, Supervisors, medical staff, teachers, case managers, the chaplain, volunteers or directly to an investigator.
- To someone outside of the facility (e.g. parents) who can then make a report externally.

Length of activity: 8 min

When should you report?

This question is meant to address two issues: what situations should be reported, and what the timeline is for a report. With regards to the situation, make sure the youth cover the following possibilities:

- If you are the victim of sexual abuse or sexual harassment.
- If you witness or have some information of someone else being the victim of sexual abuse or sexual harassment.
- Anytime you feel unsafe or uncomfortable.
- Anytime you witness or have information of someone else being unsafe or uncomfortable.

Emphasize that TJJD is a community and that youth need to actively contribute to keep it a positive environment. If anyone in TJJD is being bullied or abused, that is everyone's problem. Pay attention and speak up!

With regards to the time, there are two concepts that are important:

- Youth should report as soon as possible, because the sooner something is reported, the sooner it will be dealt with.
- However, there is no time limit on reporting sexual abuse or sexual harassment, so youth should not be concerned that they shouldn't report because their report is delayed. It doesn't matter when an incident of sexual abuse occurred. TJJD will still take it seriously, and will respond in the same way they would respond to any serious report.

Length of activity: 5 min

What happens if you report?

First ask the youth this question. The information communicated on the DVD is that there will be an immediately response, and that an investigator will come to the facility within 24 hours, so you can anticipate that response.

Once the youth have verbalized that information, provide the following additional information:

- Regardless of how you report, the report will be immediately forwarded to an investigator. The police may be called in to investigate.
- The investigator will begin the investigation as soon as they receive the report.
- You will be interviewed by the investigator about your allegation, as will the alleged abuser and any possible witnesses. The investigator will also look at video footage and any other records that may be important. These allegations are taken very seriously.
- Retaliation: Throughout the investigation you will be in communication with a staff member who will ensure that you are not experiencing any retaliation for making a report. Ask: What is retaliation? Answer: Retaliation is other youth or staff trying to punish you for making the report by discriminating against you, treating you poorly or otherwise making your life more difficult because of your report. Retaliation against someone for reporting sexual abuse or sexual harassment is prohibited in TJJD, and the agency will work to protect you against any retaliation for reporting.

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- You will be kept updated on the investigation, and after the investigation is over the investigator will contact you and let you know what the findings of the investigation were.
- False Reporting: If it is determined that you submitted a false report, also called a report in bad faith, you will be disciplined. You will not be disciplined if you submitted a report that you thought was true which turned out not to be true. A false report is when it is determined that you knowingly lied in your report. If you knowingly submit a false report, you will be disciplined and you could even be prosecuted for filing a false report, which is a crime in Texas. False reports are bad for everyone as they tie up the system and make it more difficult for the agency to respond to legitimate reports.

Length of activity: 7 min

Segment #5: Safety for Girls

Length of video segment: 2 min 40 sec

When to play this video: During orientation for female youth.

Objective: After watching this video segment and participating in suggested activities, female youth will be able to articulate and explain some basic information regarding sexual relationship dynamics within female juvenile facilities.

Suggested activity: Ask the following questions:

Why do you think this video is shown at orientation?

Opening the discussion with this broad question allows the girls to express anything they may be thinking or may be concerned about. Although there are certain concepts to emphasize during this discussion, this should also give the girls the opportunity to express any anxiety they may feel about entering a female juvenile facility. Possible answers to this question are:

- Girls are different from boys (Ask: How are girls different?)
- Girls tend to have more relationships in confinement settings (Ask: What is that important?)
- You need to be careful with what sorts of relationships you get involved with in confinement settings (Why and How so?)

If these concepts don't come up in the discussion, ensure that they're brought up before you move onto the next video segment:

- Many (although not all) girls are relational, which means that having relationships can be very important to girls. There's nothing wrong with that, but in a confinement setting it's important to pay attention to what sort of relationships you are developing.
- Be aware that staff aren't going to want you touching each other a lot. This might seem silly to you if you're just friends, but remember that staff are trying to protect you and it's hard to tell sometimes whether the relationship is platonic or if it's more sexual in nature.
- Because girls are more relational, some girls may want to develop more serious relationships with you here that may be romantic or sexual in nature. In the free world, it's fine to experiment and develop different types of relationships with different people. However, you're not in the free world and in TJJD, any sexual activity is prohibited. Avoid engaging in that behavior and, if it's making you uncomfortable, report it.
- The time you spend here is meant to be focused on you. You're in here for a reason. Now is your chance to make some changes in your life, and you can't take advantage of everything this agency has to offer you – the education, the programming, etc. – if you're not focused on you. Sexual and romantic relationships lead to drama, especially in all-female environments. Avoid the drama, spend your time here productively and you'll be out of here and on your way before you know it.

Length of activity: 5 min

Summary

Length of video segment: 3 min 50 sec

Objective: After watching this video segment and participating in suggested activities, youth will have be able to articulate some general guidance designed to assist them in being successful during their time at TJJD.

Play this video to summarize the orientation, and give youth the opportunity to ask any final questions before finishing the orientation.

Attachment A: Department of Justice Definitions of Sexual Abuse and Sexual Harassment

§ 115.6 Definitions related to sexual abuse.

For purposes of this part, the term—

Sexual abuse includes—

- (1) Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
- (2) Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.

Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- (4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)-(5) of this section;
- (7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
- (8) Voyeurism by a staff member, contractor, or volunteer.

Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

Sexual harassment includes—

- (1) Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and
- (2) Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Attachment B: Fourteen Basic Rights

1. Right to Equal Treatment – You have the right to be free from discrimination.
2. Right of Free Speech & Expression – You can express yourself if it isn't disruptive or unsafe.
3. Right of Religious Freedom – You and your parents (if you are under 18) can decide whether or not you participate in religious activities of your choice.
4. Right to Personal Possessions – You can keep and use personal possessions that are safe and don't disrupt programs or promote bad behavior.
5. Right to Receive Visitors – You can receive visitors, including private in-person communication with parents.
6. Right of Access to Mail & Telephone – You can freely send and receive letters in the mail except if they are a security risk. You will have access to phones as much as possible.
7. Right to Earnings & Monetary Gifts – You have the right to your money. TJJD may limit the amount of cash you can have on you but can't take it from your trust fund without your permission.
8. Right to Protection from Physical & Psychological Harm – You have the right to be protected from harm and to get healthy food, clothing, and shelter.
9. Right to Medical & Dental Care – You will get basic and necessary medical and dental care, both routine and emergency.
10. Right of Access to Attorneys – You can talk with your attorney in private.
11. Right to be Informed – TJJD will tell you about all policies, procedures, and rules affecting you at TJJD.
12. Right to Accuracy & Fairness – Decisions about you will be fair and correct.
13. Right to Confidentiality of Records – You have the right to confidentiality of your records. They will not be released except to those authorized by law.
14. Right to File Grievances & Appeal Decisions – You have the right to have your complaints resolved quickly and fairly.