

FORM **SSV-5**  
(11-28-2007)

**SURVEY ON SEXUAL VIOLENCE, 2007**  
**— State Juvenile Systems**  
**Summary Form**

U.S. DEPARTMENT OF JUSTICE  
 BUREAU OF JUSTICE STATISTICS  
 AND ACTING AS COLLECTION AGENT  
 U.S. DEPT. OF COMMERCE  
 Economics and Statistics Administration  
 U.S. CENSUS BUREAU

**DATA SUPPLIED BY**

Name <b>Tim Harper</b>		Title <b>Investigator</b>			
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<b>TELEPHONE</b>	Area code <b>304</b>	Number <b>558-9800</b>	<b>FAX NUMBER</b>	Area Code <b>304</b>	Number <b>558-6032</b>
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**49 0 000 000 05 00000 049 00****West Virginia Division of Juvenile Services***(Please correct any error in name, mailing address, and ZIP Code)***What facilities are included in this data collection?**

All State-operated juvenile residential placement facilities used to house juveniles and youthful offenders, regardless of age or reason for placement.

- INCLUDE State-operated juvenile residential facilities such as: detention centers, training schools, long-term secure facilities; reception or diagnostic centers; group homes or halfway houses; boot camps; ranches; forestry camps, wilderness or marine programs, or farms; runaway or homeless shelters; and residential treatment centers for juveniles.
- EXCLUDE privately-operated facilities and facilities operated or administered by local governments. (These facilities will be contacted directly for data on sexual violence.)

**What persons and incidents are included in this data collection?**

Juveniles and youthful offenders, regardless of age or reason for placement, under your custody between January 1, 2007, and December 31, 2007.

- INCLUDE incidents involving juveniles or youthful offenders under the authority, custody, or care of your confinement or community-based facilities or staff.
- EXCLUDE incidents involving juveniles or youthful offenders not held in facilities operated by your State juvenile system.

**Reporting instructions:**

- Please complete the entire SSV-5 Form.
- If the answer to a question is "not available" or "unknown," write "DK" (do not know) in the space provided.
- If the answer to a question is "not applicable," write "NA" in the space provided.
- If the answer to a question is "none" or "zero," mark box  provided.
- When exact numeric answers are not available, provide estimates and mark  in the box beside each figure.

**Substantiated incidents of sexual violence:**

- Please complete an Incident Form (Juvenile, SSV-IJ) for each substantiated incident of sexual violence.

**Returning forms:**

- If you need assistance, please call **Greta Clark** at the **U.S. Census Bureau** toll-free at **1-800-253-2078** or email **govs.ssv@census.gov**
- **Please return your completed questionnaire and substantiated incident forms by May 15, 2008.**
- **If you prefer, you may also return these forms by mail or fax.**
- **MAIL TO:** U.S. Census Bureau, P.O. Box 5000, Jeffersonville, IN 47199-5000
- **FAX (TOLL FREE): 1-888-891-2099**

**Burden Statement**

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The burden of this collection is estimated to average 60 minutes per response, including reviewing instructions, searching existing data sources, gathering necessary data, and completing and reviewing this form. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. Do not send your completed form to this address.

**DEFINITIONS**

**JUVENILES and YOUTHFUL OFFENDERS:**

- Any person under the jurisdiction of your State’s juvenile system or youthful offender authority, regardless of age or reason for placement.

**FACILITIES:**

INCLUDE all State-operated facilities used to house juveniles or youthful offenders charged with or court-adjudicated for:

- Any offense that is illegal for both adults and juveniles;

**OR**

- An offense that is ILLEGAL in your State for juveniles, but not for adults (running away, truancy, incorrigibility, curfew violations, and liquor violations).

EXCLUDE State-operated facilities used ONLY to house juveniles for:

- Non-criminal purposes (neglect, abuse, abandonment, or dependency);

**OR**

- Being Persons in Need of Services (PINS) or Children in Need of Services (CHINS) who have assigned beds for reasons other than offenses.

**Section I – GENERAL INFORMATION**

**1. On December 31, 2007, how many facilities operated by your State held juveniles or youthful offenders CHARGED WITH or COURT-ADJUDICATED FOR AN OFFENSE?**

Number of facilities . . . . .

- Count all juvenile residential facilities where young persons who have committed offenses may be housed overnight.
- Count each facility with a separate physical location only once. Do not count separate living/sleeping units, wings, floors, dorms, barracks, or cottages within a single facility.

**2. On December 31, 2007, how many persons held in the facilities reported in Item 1 were —**

**a. Males** . . . . .

**b. Females** . . . . .

**c. TOTAL** (Sum of Items 2a to 2b) . . . . .

- Count persons held in the facilities reported in Item 1 regardless of age or reason for placement. Include persons who were temporarily away but had assigned beds on December 31, 2007.

**3. On December 31, 2007, how many persons held in the facilities reported in Item 1 were —**

**a. Age 17 or younger** . . . . .

**b. Age 18 to 20** . . . . .

**c. Age 21 or older** . . . . .

**d. TOTAL** (Sum of Items 3a to 3c should equal Item 2c) . . . . .

- Count all persons held in the facilities reported in Item 1 regardless of age or reason for placement. Include persons who were temporarily away but had assigned beds on December 31, 2007.

**4. Between January 1, 2007, and December 31, 2007, how many persons were admitted to or discharged from the facilities reported in Item 1?**

**a. TOTAL number admitted** . . . . .

**b. TOTAL number discharged** . . . . .

- Include all persons admitted into your State-operated juvenile residential facilities by a formal legal document, by the authority of the courts, or by some other official agency.
- Include all persons discharged from your State-operated juvenile residential facilities after a period of confinement including sentence completion, pretrial releases, transfers to adult jurisdictions or to other States, and deaths.
- Exclude admissions and discharges resulting from returns from escape, administrative transfers to other juvenile facilities operated by your State, or temporary release including work/school release, medical appointments, other treatment facilities, or court appearances.

**Section II – YOUTH-ON-YOUTH SEXUAL VIOLENCE**

**DEFINITIONS OF SEXUAL VIOLENCE**

The definition of "rape" as required under the Prison Rape Elimination Act of 2003 will be operationalized by disaggregating sexual assault into two categories of youth-on-youth SEXUAL VIOLENCE. These categories reflect uniform definitions formulated by the National Center for Injury Prevention and Control, in "Sexual Violence Surveillance: Uniform Definitions and Recommended Data Elements," Centers for Disease Control and Prevention. The categories of youth-on-youth SEXUAL VIOLENCE are:

**NONCONSENSUAL SEXUAL ACTS:**

Contact of any person without his or her consent, or of a person who is unable to consent or refuse;

**AND**

- Contact between the penis and the vagina or the penis and the anus including penetration, however slight;

**OR**

- Contact between the mouth and the penis, vagina, or anus;

**OR**

- Penetration of the anal or genital opening of another person by a hand, finger, or other object.

**ABUSIVE SEXUAL CONTACTS:**

Contact of any person without his or her consent, or of a person who is unable to consent or refuse;

**AND**

- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.
- Exclude incidents in which the intent of the sexual contact is to harm or debilitate rather than sexually exploit.

**5. Does your State juvenile system record allegations of youth-on-youth NONCONSENSUAL SEXUAL ACTS?**

01  Yes → **a. Do you record all reported occurrences, or only substantiated ones?**

01  All

02  Substantiated only

**b. Do you record attempted nonconsensual sexual acts or only completed ones?**

01  Both attempted and completed

02  Completed only

02  No → *Please provide the definition used by your State juvenile system for youth-on-youth NONCONSENSUAL SEXUAL ACTS in the space below. Use that definition to complete Items 6 and 7.*

**6. Between January 1, 2007, and December 31, 2007, how many allegations of youth-on-youth NONCONSENSUAL SEXUAL ACTS were reported?**

Number reported . . . . . 3  None

- If an allegation involved multiple victimizations, count only once.

**7. Of the allegations reported in Item 6, how many were — (Please contact the agency or office responsible for investigating allegations of sexual violence in order to fully complete this form.)**

**a. Substantiated** . . . . . 1  None

- The event was investigated and determined to have occurred.

**b. Unsubstantiated** . . . . . 2  None

- Evidence was insufficient to make a final determination that the event occurred.

**c. Unfounded** . . . . . 0  None

- The event was determined NOT to have occurred.

**d. Investigation ongoing** . . . . . 0  None

- A final determination has not yet been made as to whether the event occurred.

**e. TOTAL** (Sum of Items 7a through 7d) . . . . . 3  None

**8. Does your State juvenile system record allegations of youth-on-youth ABUSIVE SEXUAL CONTACTS?** (See definitions on page 3.)

01  Yes → **Can these be counted separately from allegations of NONCONSENSUAL SEXUAL ACTS?**

01  Yes

02  No → Skip to Item 11.

02  No → Please provide an explanation in the space below and then skip to Item 11.

**9. Between January 1, 2007, and December 31, 2007, how many allegations of youth-on-youth ABUSIVE SEXUAL CONTACTS were reported?**

Number reported . . . . .   None

- If an allegation involved multiple victims, count only once.

**10. Of the allegations reported in Item 9, how many were —** (Please contact the agency or office responsible for investigating allegations of sexual violence in order to fully complete this form.)

a. **Substantiated** . . . . .   None

b. **Unsubstantiated** . . . . .   None

c. **Unfounded** . . . . .   None

d. **Investigation ongoing** . . . . .   None

e. **TOTAL** (Sum of Items 10a through 10d) . . . . .   None

**Section III – STAFF SEXUAL MISCONDUCT AND HARASSMENT**

**DEFINITION OF STAFF SEXUAL MISCONDUCT**

The definition of STAFF SEXUAL MISCONDUCT is based on "Training for Investigators of Staff Sexual Misconduct," prepared by the National Institute of Corrections. STAFF SEXUAL MISCONDUCT includes any behavior or act of a sexual nature directed toward a juvenile or youthful offender by an employee, volunteer, contractor, official visitor, or other agency representative (exclude youth family, friends, or other visitors). Sexual relationships of a romantic nature between staff and youth are included in this definition.

Consensual or nonconsensual sexual acts including:

- Intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, arouse, or gratify sexual desire;

**OR**

- Completed, attempted, threatened, or requested sexual acts;

**OR**

- Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for sexual gratification.

**DEFINITION OF STAFF SEXUAL HARASSMENT**

The definition of STAFF SEXUAL HARASSMENT was also developed by the National Institute of Corrections. STAFF SEXUAL HARASSMENT includes repeated verbal statements or comments of a sexual nature to a juvenile or youthful offender by an employee, volunteer, contractor, official visitor, or other agency representative (exclude youth family, friends, or other visitors).

- Demeaning references to gender or derogatory comments about body or clothing;

**OR**

- Repeated profane or obscene language or gestures.

**11. Does your State juvenile system record allegations of STAFF SEXUAL MISCONDUCT?**

01  Yes → **Do you record all reported occurrences, or only substantiated ones?**

01  All

02  Substantiated only

02  No → Please provide an explanation in the space below and then skip to Item 14.

**12. Between January 1, 2007, and December 31, 2007, how many allegations of STAFF SEXUAL MISCONDUCT were reported?**

Number reported ..... 2  None

- If an allegation involved multiple victims, count only once.

**13. Of the allegations reported in Item 12, how many were —** *(Please contact the agency or office responsible for investigating allegations of sexual violence in order to fully complete this form.)*

**a. Substantiated** .....   None

**b. Unsubstantiated** ..... 1  None

**c. Unfounded** ..... 1  None

**d. Investigation ongoing** .....   None

**e. TOTAL** (Sum of Items 13a through 13d) ..... 2  None

**14. Does your State juvenile system record allegations of STAFF SEXUAL HARASSMENT?** *(See definitions on page 4.)*

01  Yes → **Can these allegations be counted separately from allegations of STAFF SEXUAL MISCONDUCT?**

01  Yes

02  No → *Skip to Item 17.*

02  No → *Please provide an explanation in the space below and then skip to Item 17.*

**15. Between January 1, 2007, and December 31, 2007, how many allegations of STAFF SEXUAL HARASSMENT were reported?**

Number reported ..... 3  None

- If an allegation involved multiple victims, or staff count only once.

**16. Of the allegations reported in Item 15, how many were —** *(Please contact the agency or office responsible for investigating allegations of sexual violence in order to fully complete this form.)*

**a. Substantiated** ..... 1  None

**b. Unsubstantiated** ..... 2  None

**c. Unfounded** .....   None

**d. Investigation ongoing** .....   None

**e. TOTAL** (Sum of Items 16a through 16d) ..... 3  None

**Section IV – TOTAL OF SUBSTANTIATED INCIDENTS OF SEXUAL VIOLENCE**

**17. What is the total number of substantiated incidents reported in Items 7a, 10a, 13a, and 16a?**

**Total substantiated incidents** ..... 2  None

→ **Please complete an Incident Form (Juvenile, SSV-IJ) for each substantiated incident of sexual violence.**

**NOTES**