BJS’s National Prison Rape Statistics Program
Findings from 2018 National Survey of Youth in Custody

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Presentation Agenda

1. Prison Rape Background: History and the Role of BJS

2. National Survey of Youth in Custody: Findings and Updates from the Latest Survey

3. Next Steps and Closing
Prison Rape Background
History and the Role of BJS
What is prison rape?

It isn’t just prisons
It includes a range of acts
It isn’t just inmate-on-inmate
Prison rape is rape

Leaves lasting trauma
Spreads infectious diseases
Violates Eighth Amendment
Increases tensions in prisons
Prison Rape Elimination Act (PREA) of 2003

To provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations and funding to protect individuals from prison rape.
PREA included roles for multiple stakeholders

Bureau of Justice Assistance and National Institute of Corrections provide technical assistance and grant funding

National Prison Rape Reduction Commission studied prison rape and drafted PREA Standards

Review Panel on Prison Rape carries out public hearings with high- and low-rate facilities
What is BJS’s role in PREA?

Generate annual statistics on the incidence of prison rape
Identify facilities with high- and low-incidence rates
Identify common characteristics of victims, perpetrators, and facilities
Before PREA, researchers disagreed on how often prison rape happened.

Early research on the prevalence of prison rape showed inconsistency.

2004 National Institute of Justice (NIJ) meta-analysis.

BJS designed PREA studies to address past methodological shortcomings

Large samples representative of facilities and nation

Questions developed using expert feedback and cognitive testing

Touch-screen Audio Computer-Assisted Self-Interviewing (ACASI) instrument in English and Spanish
BJS measures prison rape through several methods

- **Prisons**: National Inmate Survey (NIS)
- **Jails**: Survey of Sexual Victimization (SSV)
- **Youth Facilities**: National Survey of Youth in Custody (NSYC)

Methods:
- Inmate/youth interviews
- Administrative records
BJS has collected PREA data annually since 2004.
National Survey of Youth in Custody
Findings and Updates from the Latest Survey
The National Survey of Youth in Custody (NSYC) fulfills the requirements of PREA in juvenile facilities

Data collected directly from youth in a private setting using a self-administered survey

BJS conducted the NSYC in 2008-09, 2012, and 2018
These data come primarily from NSYC-3

Conducted in 327 facilities that housed juveniles

Sexual victimization survey completed by 6,049 youth

Two-part survey asks about:
1. Sexual victimization in the 12 months prior to the survey
2. The most recent incident from the highest-ranked seriousness category
OVERALL ESTIMATES OF SEXUAL VICTIMIZATION
The percent of youth reporting sexual victimization has decreased each survey:

<table>
<thead>
<tr>
<th>Year</th>
<th>Any sexual victimization</th>
<th>Staff sexual misconduct</th>
<th>Youth-on-youth</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008-09</td>
<td>12.1%</td>
<td>10.3%</td>
<td>2.6%</td>
</tr>
<tr>
<td>2012*</td>
<td>9.5%</td>
<td>7.7%</td>
<td>2.5%</td>
</tr>
<tr>
<td>2018</td>
<td>7.1%†</td>
<td>5.8%†</td>
<td>1.9%†</td>
</tr>
</tbody>
</table>

*Comparison group
†p<.05
YOUTH CHARACTERISTICS
More **male youth** report staff sexual misconduct while **female youth** report more youth-on-youth sexual victimization.

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sexual victimization</td>
<td>7.1%*</td>
</tr>
<tr>
<td>Youth-on-youth</td>
<td>1.6%*</td>
</tr>
<tr>
<td>Staff sexual misconduct</td>
<td>6.1%*</td>
</tr>
</tbody>
</table>

*Comparison group        †p<.05
LGB+ youth report much more youth-on-youth sexual victimization than heterosexual youth.

LGB+ youth: Youth who identified as lesbian, gay, bisexual, or something else.
Nearly nine times as many transgender youth report youth-on-youth sexual victimization than cisgender youth.
Youth with a reported disability or mental-health condition report **higher rates of sexual victimization** than those without

<table>
<thead>
<tr>
<th>Percent of youth reporting—</th>
<th>Disability</th>
<th>Mental-health condition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>With condition</td>
<td>Without condition*</td>
</tr>
<tr>
<td>Youth-on-youth sexual victimization</td>
<td>2.6%†</td>
<td>1.2%</td>
</tr>
<tr>
<td>Staff sexual misconduct</td>
<td>6.9%†</td>
<td>4.4%</td>
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*Comparison group †p<.05
Youth with prior sexual victimization in another facility were most likely to report all types of sexual victimization.

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<th>Any sexual victimization</th>
<th>Youth-on-youth</th>
<th>Staff sexual misconduct</th>
</tr>
</thead>
<tbody>
<tr>
<td>in another facility</td>
<td>51.0%†</td>
<td>33.2%†</td>
<td>30.3%†</td>
</tr>
<tr>
<td>Prior sexual victimization but not in another facility</td>
<td>8.7%†</td>
<td>3.6%†</td>
<td>5.5%</td>
</tr>
<tr>
<td>No prior sexual victimization*</td>
<td>1.0%</td>
<td>5.9%</td>
<td>5.3%</td>
</tr>
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TIMING OF
SEXUAL VICTIMIZATION
Youth who have spent **12 months or more** in current facility report more victimization than youth with **less than 6 months**

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<thead>
<tr>
<th>Category</th>
<th>Less than 6 months</th>
<th>6-11 months</th>
<th>12 months or more</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual victimization</td>
<td>4.9%†</td>
<td>8.3%</td>
<td>11.3%*</td>
</tr>
<tr>
<td>Youth-on-youth</td>
<td>1.2%†</td>
<td>2.4%</td>
<td>3.1%*</td>
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<tr>
<td>Staff sexual misconduct</td>
<td>4.1%†</td>
<td>6.6%</td>
<td>9.3%*</td>
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About half of youth victims reported that they experienced their first victimization during their **first month in the facility**.

**Youth-on-youth**

- During first 24 hours: 50.4%
- During first week (but not first 24 hours): 17.8%
- During first month (but not first week): 20.5%
- During first 2 months (but not first month): 7.8%
- After first 2 months: 35.2%

**Staff sexual misconduct**

- During first 24 hours: 8.9%
- During first week (but not first 24 hours): 14.4%
- During first month (but not first week): 23.5%
- During first 2 months (but not first month): 11.4%
- After first 2 months: 31.5%
STAFF SEXUAL MISCONDUCT
More **male youth** report staff sexual misconduct while **female youth** report more youth-on-youth sexual victimization.
Female staff were perpetrator(s) in over 9 out of 10 most-serious incidents of staff sexual misconduct

- Female perpetrator(s), no use of force or coercion, 62.2%
- Female perpetrator(s), use of force or coercion, 28.9%
- Both male and female perpetrator(s), use of force or coercion, 3.3%
- Male perpetrator(s), use of force or coercion, 4.0%
- Male perpetrator(s), no use of force or coercion, 1.5%
Percent of victims of staff sexual misconduct reporting prior contact/relationship with staff—

<table>
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<th>Activity</th>
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<tr>
<td>Staff talked about sex, joked about sex, or shared sexual stories with youth</td>
<td>81.9%</td>
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<tr>
<td>Staff told youth about personal life outside of work</td>
<td>76.6%</td>
</tr>
<tr>
<td>Staff told youth that they felt emotionally close or had special feelings</td>
<td>74.4%</td>
</tr>
<tr>
<td>Staff spent time alone with youth asking not to tell anyone about it</td>
<td>59.0%</td>
</tr>
<tr>
<td>Staff gave youth money/other special gifts</td>
<td>54.8%</td>
</tr>
<tr>
<td>Staff did something else to get youth out of trouble or make things easier for youth</td>
<td>54.3%</td>
</tr>
<tr>
<td>Staff gave youth pictures or wrote letters</td>
<td>49.1%</td>
</tr>
<tr>
<td>Staff offered youth drugs/cigarettes/alcohol/other items not allowed in facility</td>
<td>42.7%</td>
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<tr>
<td>Staff offered youth protection from other youth</td>
<td>16.6%</td>
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In most-serious incidents of staff sexual misconduct using force or coercion, staff most often used **non-physical pressure**

- Physically hurt/injured: 9.3%
- Physically held down/restrained: 9.7%
- Threatened with physical harm: 12.8%
- Threatened with a weapon: 12.8%
- Given drugs/alcohol: 36.5%
- Pressured/hurt some other way: 37.3%
Nearly all youth who reported staff sexual misconduct reported no physical injuries

Staff sexual misconduct: 96.9%
Youth-on-youth: 68.0%
Closing and Next Steps
BJS PREA findings have had direct impacts on the field

Included in correctional trainings on prison rape

Used in state special investigations

Informed the creation of the PREA standards

Youth reported victimization is decreasing

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What’s next for NSYC?

Report on facility characteristics of sexual victimization

Report on alcohol and drug use patterns of youth in juvenile facilities
Recent NSYC Reports


