

**TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT**

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CORY J. BURGESS
Chief Juvenile Probation Officer

Annual Report, Findings and Action Plan

Reference: Title 28, Chapter I, Part 115.388 Code of Federal Regulations (CFR): Data Review for Corrective Action

The Travis County Juvenile Probation Department (Department) has a zero-tolerance policy towards any type of abuse, neglect, and exploitation, to include sexual abuse and sexual harassment. Department efforts to prevent and detect sexual abuse and sexual harassment include but are not limited to staff screening and training, supplying adequate supervision and resident education, and detecting early indicators of abuse. Should a family member, or member of the public, or any third-party have reason to suspect sexual abuse or sexual misconduct within one (1) of the Travis County Juvenile Probation residential facilities, please call 1-877- (STOP ANE) 786-7263.


In the calendar year 2022, there were two (2) occurrences of staff sexual harassment. The first incident reported at the Gardner-Betts Juvenile Detention Center alleged an incident of sexual harassment by a staff member. This complaint was investigated, and the allegation was determined to be unfounded as defined below (see chart DS-1).

The second incident that occurred, was in the Jeanne Meurer Intermediate Sanctions Center (ISC). This incident was investigated as required by standards and was determined to be a substantiated occurrence of sexual harassment (see chart RS-1). It should be noted that this incident was not reported as an outcry of abuse, rather detected by staff in the performance of their duty. During a routine contraband search, mail correspondence of a sexual nature was found in the room of a juvenile resident. After thorough investigation, it was determined that the origin of the correspondence emanated from a former employee. No corrective action was necessary, however the Travis County Juvenile Probation Department recommended that the employee's Juvenile Supervision Officer Certification be revoked, in efforts to ensure the safety of all youth in the juvenile justice system. By comparison, data from the previous years does not suggest any notable change, prevailing patterns, or systemic occurrences of reported staff sexual misconduct or sexual harassment.


The Travis County Juvenile Probation Department will continue to be vigilant and promptly report and investigate all allegations. We are dedicated to ensuring that staff training, resident education, and reporting systems, continue to be effective in preventing, detecting, and responding to allegations of sexual abuse and sexual harassment. The Travis County Juvenile Probation Department will:

- Ensure that juveniles and visitors are supplied information on the Department's zero tolerance policy and methods of reporting alleged abuse by:
 - a) Prominently displaying the third-party reporting posters in public areas and in general programming and housing areas in the facilities that explain how to report allegations directly to the Texas Juvenile Justice Department (TJJD) at 1-877-(STOP ANE) 786-7263;
 - b) Supplying brochures created by TJJD that detail available reporting methods; and

- c) Supplying detailed information to residents during the intake and orientation process on their right to be free from sexual abuse and sexual harassment, methods of avoiding sexual abuse and sexual harassment, and methods of reporting any allegations.
- Follow the mandated staffing ratios and the staffing plan for the facilities and assess the staffing plan on an annual basis.
- Ensure adequate staff coverage and supply supervision based on the current population’s needs.
- Continue to conduct unannounced rounds in the facilities on a regular basis.
- Continue to have staff announce their presence when entering the housing units of the opposite gender to enhance the privacy of residents.
- Continue training staff on topics to include, but not limited to:
 - a) The zero-tolerance policy for all forms of abuse, to include sexual abuse and sexual harassment;
 - b) How to fulfill their responsibilities under agency sexual abuse and sexual harassment; prevention, detection, reporting, and response policies and procedures;
 - c) The residents’ right to be free from sexual abuse and sexual harassment;
 - d) The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
 - e) The dynamics of sexual abuse and sexual harassment in juvenile facilities;
 - f) How to detect and respond to signs of threatened and actual sexual abuse and sexual harassment; and
 - g) How to follow mandatory reporting laws.
- Continue to conduct criminal history and background checks on employees, volunteers, interns, and contractors.
- Continue to report and investigate all allegations of abuse, neglect, and exploitation, to include sexual abuse or sexual harassment by:
 - a) Referring all allegations of a criminal nature to the law enforcement agency;
 - b) Referring all allegations to TJJJ and/or any applicable local, state, or national oversight agency; and
 - c) Ensuring that an administrative and/or criminal investigation is completed for all allegations.

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Kris Johnson, PREA Coordinator

5/11/2023
Date

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Cory J. Burgess, Chief Juvenile Probation Officer

5/11/2023
Date

JANUARY 1, 2022 – DECEMBER 31, 2022

(Chart DS-1)

Allegations of Sexual Abuse and Sexual Harassment Gardner-Betts Juvenile Justice Center (Detention)								
Substantiated Allegations/Founded								
Allegation Type	2015	2016	2017	2018	2019	2020	2021	2022
Youth on Youth Nonconsensual Sexual	0	0	0	0	0	0	0	0
Youth on Youth Abusive Sexual Contact	1	0	0	0	1	0	0	0
Youth on Youth Sexual Harassment	0	0	0	0	0	0	0	0
Staff Sexual Misconduct	0	0	0	0	0	0	0	0
Staff Sexual Harassment	0	0	0	0	0	0	0	0
Unsubstantiated Allegations/Inconclusive								
Allegation Type	2015	2016	2017	2018	2019	2020	2021	2022
Youth on Youth Nonconsensual Sexual	0	0	0	0	0	0	0	0
Youth on Youth Abusive Sexual Contact	0	0	0	0	0	0	0	0
Youth on Youth Sexual Harassment	0	0	0	2	0	0	0	0
Staff Sexual Misconduct	0	0	0	1	0	0	0	0
Staff Sexual Harassment	0	0	0	0	0	0	0	0
Unfounded Allegations								
Allegation Type	2015	2016	2017	2018	2019	2020	2021	2022
Youth on Youth Nonconsensual Sexual	0	0	0	0	0	0	0	0
Youth on Youth Abusive Sexual Contact	0	0	0	1	2	0	1	0
Youth on Youth Sexual Harassment	0	0	0	0	1	0	2	0
Staff Sexual Misconduct	0	0	0	0	3	0	0	0
Staff Sexual Harassment	0	0	0	0	0	0	0	1

JANUARY 1, 2022 – DECEMBER 31, 2022

(Chart RS-1)

Allegations of Sexual Abuse and Sexual Harassment Jeanne Meurer Intermediate Sanctions Center (Residential)								
Substantiated Allegations/Founded								
Allegation Type	2015	2016	2017	2018	2019	2020	2021	2022
Youth on Youth Nonconsensual Sexual	0	0	0	0	0	0	0	0
Youth on Youth Abusive Sexual Contact	1	0	0	1	1	0	0	0
Youth on Youth Sexual Harassment	0	0	2	2	0	0	0	0
Staff Sexual Misconduct	0	0	0	0	0	0	0	0
Staff Sexual Harassment	0	0	0	0	0	0	0	1
Unsubstantiated Allegations/Inconclusive								
Allegation Type	2015	2016	2017	2018	2019	2020	2021	2022
Youth on Youth Nonconsensual Sexual	0	0	0	0	0	0	0	0
Youth on Youth Abusive Sexual Contact	0	0	0	0	0	0	0	0
Youth on Youth Sexual Harassment	0	0	0	0	0	0	0	0
Staff Sexual Misconduct	0	0	0	0	0	0	0	0
Staff Sexual Harassment	0	0	0	0	0	0	0	0
Unfounded Allegations								
Allegation Type	2015	2016	2017	2018	2019	2020	2021	2022
Youth on Youth Nonconsensual Sexual	0	0	0	0	0	0	0	0
Youth on Youth Abusive Sexual Contact	0	1	0	0	1	0	0	0
Youth on Youth Sexual Harassment	0	0	0	0	0	0	0	0
Staff Sexual Misconduct	0	0	0	0	0	3	2	0
Staff Sexual Harassment	0	0	0	0	0	0	1	0

Definitions

Calendar Year: January 1st to December 31st

- 1. Substantiated Allegations (Founded):** The administrative investigation had sufficient evidence to prove the allegation(s) using the preponderance of evidence standard.
- 2. Unfounded:** The investigation had sufficient evidence to prove the allegations were false or not factual.
- 3. Unsubstantiated Allegations (Inconclusive):** The investigation revealed insufficient evidence to either prove or disprove the allegation(s).
- 4. Youth on Youth Nonconsensual Sexual Acts:** Sexual 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 vulva or the penis and the anus, including penetration, however slight; or contact between the mouth and the penis, vulva, or anus; penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.
- 5. Youth on Youth Abusive Sexual Contact:** Sexual 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 (incidental contact to a physical altercation is excluded).
- 6. Youth on Youth Sexual Harassment:** Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one youth directed toward another.
- 7. Staff Sexual Misconduct (Sexual Abuse by Contact):** Any behavior or act of a sexual nature directed toward a youth by an employee, volunteer, contractor, official visitor, or other agency representative (excluding 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 include intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with 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 reasons unrelated to official duties or for sexual gratification.
- 8. Staff Sexual Harassment (Sexual Abuse Non-Contact):** Repeated verbal comments or gestures of a sexual nature to a youth by an employee, volunteer, contractor, official visitor, or other agency representative (excludes family, friends, or other visitors). Include demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing; or repeated profane or obscene language or gestures.

*All allegations of sexual misconduct are reported to the Texas Juvenile Justice Department as per requirements of the Texas Administrative Code Chapter 358. The aggregate data, reported to this website has been categorized to meet the uniform definitions, pursuant to § 115.387, to assess and improve the effectiveness of our sexual abuse prevention, detection, and response.