

Understanding the BJS Study of Sexual Victimization in Juvenile Facilities

In January 2010, the Bureau of Justice Statistics (BJS) published a special report entitled [*Sexual Victimization in Juvenile Facilities Reported by Youth, 2008-09*](#). BJS surveyed 9,198 youth in 195 juvenile confinement facilities across the country to determine the prevalence of sexual victimization.¹ The study's key findings and methodology are outlined below.

Key Findings²

- Youth reporting victimization
 - **10.3%** of youth reported an incident involving facility staff
 - **2.6%** of youth reported an incident involving another youth
 - **0.8%** of youth reported victimization by both staff and another youth
 - Researchers estimate, through weighting the findings from their sample, that **12.1%** of youth nationwide have experienced sexual victimization
- Sexual victimization by facility staff
 - Youth reported whether sexual activity with staff was the result of force or coercion³
 - **4.3%** of youth surveyed reported that they experienced sexual contact with staff as a result of force or coercion
 - **6.4%** of youth surveyed reported that they experienced sexual contact with staff without the use of force or coercion
 - **95%** of youth reporting staff sexual misconduct alleged victimization by a female staff member
 - **92%** of youth reporting victimization by staff were male
- Sexual victimization by youth
 - **2%** of youth reported nonconsensual sex with another youth
 - **0.5%** of youth experienced other unwilling sexual contact with other youth
 - **81%** of youth-on-youth victims reported two or more incidents of victimization and **43%** reported more than one perpetrator
 - **20%** of youth victimized by other youth reported resulting physical injuries
 - Youth-on-youth victimization occurred in various locations throughout facilities
 - **65%** of victims reported that at least one incident occurred in a common area (e.g., classroom, library, kitchen, office, closet, or supply room)
- Facility characteristics and victimization rates
 - Rates of staff sexual misconduct were slightly higher in state operated facilities than in non-state facilities (10.9% v. 7.9%)

- Female-only facilities had the highest rates of youth-on-youth victimization, and male-only facilities had the highest rates of staff sexual misconduct
- Length of stay in facility and victimization rates
 - Sexual victimization rates were highest in facilities where youth were held for an average of 7-12 months and lowest in facilities where youth were held for fewer than 5 months
 - Staff-on-youth sexual victimization reports increased with youths' length of stay
- Gender, sexual orientation, and victimization rates
 - **91%** of the youth in the study were male
 - Males were more likely than females to report sexual activity with staff while females were more likely to report forced sexual activity with other youth
 - Researchers estimate, through weighting the findings from their sample, that **20.4%** of non-heterosexual youth have been victimized, compared with **11.1%** of heterosexual youth⁴
- Race and victimization rates
 - White youth were more likely than African-American and Hispanic youth to report youth-on-youth victimization
 - African-American youth were more likely than white and Hispanic youth to report sexual victimization by facility staff

Methodology

The Prison Rape Elimination Act of 2003 requires the Bureau of Justice Statistics (BJS) to develop a list of juvenile correctional facilities ranked according to the prevalence of sexual victimization. See 42 U.S.C. § 15603(c)(2)(B)(ii). To meet this requirement, BJS completed the first National Survey of Youth in Custody (NSYC). They studied only facilities with youth who were already adjudicated delinquent. Of the estimated 26,550 adjudicated youth housed in over 500 eligible facilities⁵ nationwide, they surveyed 9,198 youth in 195 facilities.

The NSYC survey consisted of a computer-assisted self-interview. Youth received audio instructions and used a touch-screen to answer a questionnaire. The survey creators believed that a self-administered study would ensure confidentiality and encourage fuller reporting.

Youth reported only their direct experiences. The questionnaire asked participants whether they had engaged in any type of sexual activity at the facility within the past year, whether the activity involved another youth and/or a member of the facility staff, where the incident occurred, and whether it was coerced. The survey asked youth aged 15 or older more explicit questions; less explicit terms were used for youth aged 14 or younger.

While the study authors extrapolated their data to conclude that 12.1% of confined youth have been sexually victimized nationwide, approximately 13% of the youth sampled actually reported an incident (1,199 out of the 9,198 surveyed).

¹ The study authors defined sexual victimization as “any forced sexual activity with another youth (nonconsensual sexual acts and other sexual contacts) and all sexual activity with facility staff (staff sexual misconduct and staff sexual misconduct excluding touching).”

² The study authors weighted the data collected in their survey and provide the findings in the form of facility-level and national-level estimates.

³ Some youth reported multiple, discrete incidents of coerced or non-coerced victimization.

⁴ The actual number of youth in the study reporting as heterosexual or non-heterosexual was not published. However, the authors extrapolated from the survey responses to conclude that, nationwide, 23,340 youth in custody identify as heterosexual and 3,210 identify as "other."

⁵ The study authors restricted eligible facilities to those state-owned or operated juvenile facilities and non-state facilities housing youth for at least 90 days and holding 105 or more adjudicated youth.