Billing Code: 4410-18

DEPARTMENT OF JUSTICE

[OMB Number 1121-0292**]**

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension, with change, of a previously approved collection: Survey of Sexual Victimization

AGENCY: Bureau of Justice Statistics, Department of Justice.

ACTION: 60-day notice.

SUMMARY: The Bureau of Justice Statistics, Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until [**INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER**]

FOR FURTHER INFORMATION CONTACT:

If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Emily Buehler, Bureau of Justice Statistics, 810 Seventh Street NW, Washington, DC 20531 (email: Emily.Buehler@usdoj.gov; telephone: 202-598-1036.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Abstract: The SSV collects annual administrative data on allegations and substantiated incidents of sexual victimization from adult correctional and juvenile justice authorities. To meet the requirements of the Prison Rape Elimination Act of 2003 (PREA; Public Law 108-79), the survey will be administered to the Federal Bureau of Prisons and all state prison systems, all state juvenile justice systems, all facilities operated by the U.S. Military and U.S. Immigration and Customs Enforcement, all privately operated jails, and all juvenile facilities in Indian country. Representative samples of adult public jails, adult jails in Indian country, adult private prisons, and local and private juvenile justice facilities will also be included. These data are used to provide insight into the total number of allegations being reported to correctional authorities, the outcomes of investigations of allegations, and the characteristics of incidents, victims and

perpetrators. Revisions to the collection include revised sampling designs, updated definitions of sexual victimization, and modifications to the survey forms to collect more information about victims and perpetrators of sexual victimization and to make survey forms more user-friendly. Overview of this information collection:

1 Type of Information Collection: Reinstatement, with changes, of a previously approved collection.

2 The Title of the Form/Collection: Survey of Sexual Victimization (SSV).

3 The agency form number, if any, and the applicable component of the Department sponsoring the collection: Summary Forms: SSV-1, SSV-2, SSV-3, SSV-4, SSV-5, SSV-6. Incident Forms: SSV-IA, SSV-IJ. Bureau of Justice Statistics, Department of Justice.

4 Affected public who will be asked or required to respond, as well as the obligation to respond: Respondents will include the Federal Bureau of Prisons; state prison and juvenile justice systems; private prisons; correctional facilities operated by the U.S. Military and U.S. Immigration and Customs Enforcement; local, private and tribal jails; local and private juvenile justice facilities; and juvenile facilities in Indian country. The obligation to respond is required under the Prison Rape Elimination Act of 2003 (Public Law 108-79).

5 An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: It is estimated that 1,532 respondents will complete a summary form. System-level Summary Forms (SSV-1, SSV-2, SSV-5) are estimated to require approximately 1 hour to complete. Facility-level Summary

Forms (SSV-3, SSV-4, SSV-6) are estimated to require approximately 30 minutes to complete. Incident Forms (SSV-IA and SSV-IJ) are estimated to take approximately 40 minutes to complete for each substantiated incident of sexual victimization.

6 An estimate of the total annual burden (in hours) associated with the collection: The total annual burden for all respondents to complete the required Summary and Incident Forms is estimated to be 3,047 hours.

Form	Total annual responses	Estimated burden hours per response	Total estimated respondent burden (person hours)
SSV-1	1	1	1
SSV-2	50	1	50
SSV-3	700	0.5	350
SSV-4	198	0.5	99
SSV-5	51	1	51
SSV-6	492	0.5	246
SSV-IA	2,500	0.75	1,875
SSV-IJ	500	0.75	375
Total	1,532 SSV1-6 forms and 3,000 IA/IJ forms		3,047

7 An estimate of the total annual cost burden associated with the collection, if applicable: PREA requires facilities to track the data collected in SSV. No costs other than the cost of the hour burden exist for this data collection.

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street, NE, 4W-218, Washington, DC.

Dated: [Date].

Darwin Arceo,

Department Clearance Officer for PRA,

U.S. Department of Justice.

Comment from	Comment	BJS Response
State PREA Coordinator	"If it's possible to begin this data collection on January 1, 2025 that would be ideal. Many of us complete the SSV as we close cases; going backwards is very cumbersome. This has been a long-standing challenge for agencies - going backwards through cases to identify data points. If we have the year's form at the start of the year it makes our process so much more efficient. It's standard practice for many of us to complete the SSV immediately following an investigation. Releasing this new form later in the year and asking us to open all substantiated cases from a year passed for another look is cumbersome. Is there any room to make this a 2025 form and release January 1, 2025?"	To alleviate the burden of going backwards to complete a form during the period of data collection for the SSV (usually 7 to 9 months after the reference year has closed, i.e. forms for the 2023 reference year being sent to respondents to complete in August 2024), BJS should format a version of the SSV incident forms for a reference year and make these available to the data providers concurrently to the calendar year. Data providers could complete a version of the SSV-IA or SSV-IJ during the year in which the substantiated incident occurs, save these forms as part of their records, and then submit the forms to BJS when the data collection period begins in the next calendar year.
Esperanza United	"Race/ethnicity questions: For Afro-Latino or Black and Latinos, selecting both Black (not of Hispanic origin) and Hispanic or Latino may be confusing. Consider removing "not of Hispanic origin."	BJS is adopting the response options of the revised Statistical Policy Directive 15, which includes removing the "not of Hispanic origin" from each racial category.
	"Gender and sexual identity: Recommend removal of the term intersex under sex/gender. If combining sex and gender, consider response options of 01) male or man and 02) female or woman. Recommend using non-binary or gender-fluid as a response option. Given the high rate of gender-based violence affecting transgender persons, consider adding options under gender/sexual identity that specify transgender man or transgender woman, adding corresponding term definitions."	Intersex individuals are included as a group for special consideration under the PREA standards, therefore we have chosen to keep this response option under the item related to sex assigned at birth. The form has an "other-specify" write-in for administrators to specify if someone identifies as non-binary or gender fluid. This write-in option allows for all possibilities of gender identity in addition to the options provided. The gender identity option includes "transgender" and with the additional information already provided related to sex assigned at birth, it will be possible to measure if the individual is a transgender male or female based on the selection in that item.
	"In addition to incidence, the core language of the Prison Rape Elimination Act of 2003 (PREA) emphasizes the importance of documenting the "effects of prison rape" (P.L. 108-79). Research of the effects of sexual violence in prison systems includes but is not limited to	During the SSV redesign research, BJS considered including other types of harm to the substantiated incident form, for example post-traumatic stress, anxiety, depression or other emotional harms. However, it was determined that it would be difficult for administrators to say with certainty whether such

	physical injury, sexually transmitted Infections (STIs), and self-harm or suicidal ideation4. Forms like the Substantiated Incident Form (Adult, SSV-IA) cover physical effects, but not emotional or other social effects."	effects were a direct result of the substantiated victimization incident or if these were existing issues for the victim. BJS elected not to include these types of issues because of uncertainty around measurement and directly attributing these to the incident as opposed to other traumas prior to or during incarceration. The SSV form does include insight into whether the victim received counseling or mental health treatment after the incident, which is an indicator that can be used to understand if service needs are being met. Additionally, the SSV is adding a question about disability status at the time of the incident that includes serious persistent mental illness. This question will allow us to better understand the existing vulnerabilities of sexual abuse and harassment victims.
	"Research has found misunderstandings about PREA among correctional staff, many of whom may erroneously believe that incarcerated individuals must participate in investigations (Smith et al., 2023). Because PREA and tools like the SSV are also interventions that have the potential to increase comfort and adherence to guidelines in reporting, adding a question about the victim's decision to participate in investigations could add valuable information and bring attention to victim's needs in the reporting process."	The SSV form includes an item that asks administrators to specify who initially reported the victimization, and the victim is a response option. Because the form collects information specific to the incident once it has been substantiated and not the details of the investigations into all allegations, it is outside the scope of the form to inquire about participation of the victim during the investigation process. The item of reporting party provided insight into whether victims alert authorities to the sexual abuse or harassment perpetrated against them.
	"Language access is another barrier to reporting sexual violence and participating in investigations. Adding questions about the victim's spoken and preferred language could add valuable information about what claims are substantiated."	Because the SSV only collects information after an investigation has been completed and substantiated, it would not be possible to make conclusions about characteristics of victims who allege sexual victimization that is investigated but ultimately not substantiated. During cognitive interviews and stakeholder outreach, spoken and preferred language of sexual abuse and harassment victims were not discussed, therefore BJS does not have enough information about the administrative records held by correctional and

		juvenile justice authorities related to these topics.
	"Including definitions for sexual abuse, transgender, and other terms are a current strength of the tools"	During the stakeholder engagement process and cognitive interviews, BJS received positive feedback about including definitions, especially new definitions, with the items and response options as well as in a designated "terms and definitions" section at the end of the form. BJS believes this will decrease confusion and provide guidance for answering new items or selecting appropriate response options.
State PREA Coordinator	"I am pleased to see abusive sexual contacts and nonconsensual sexual acts combined into one format; however, I do want to point out that this will change the way all agencies collect data and will likely be very expensive to change automation changes."	BJS understands that correctional and juvenile justice authorities have information technology systems in place to track and report PREA allegations and outcomes of investigations. Because the new definitions aggregate two previous categories, we anticipate that respondents will be able to sum the values previously reported separately and for future years, begin the transition of updating software and systems. Changes to forms are being shared with companies that provide PREA management software, such as Argus Corrections Solutions and Tetrus Corporation, so that they may update programs and automate reports accordingly.
	"I am unclear how we will know what an Adult in Custody (AIC) sex assigned at birth is, besides if an AIC self-reports this information. We ask AICs if they are transgender or intersex but do not discuss genital status at birth during any evaluations. I would strongly suggest we do not include that in the new form, and instead focus on gender identify instead of anatomical traits. I do not believe this is a trauma informed question and may spark further gender dysphoria if added to questioning."	BJS understands that all state departments of corrections have different policies and practices surrounding measurement of sex and gender identity. During the instrument redesign research, BJS received responses from some agencies that only record gender identity, some that only record sex assigned at birth, and some that record both. By asking these items separately, we will be able to more accurately describe victims and perpetrators. In the previous item, gender and sex were conflated into one measure. If agencies do not track one or the other, they do not have to make a selection. If only gender identity is recorded for a person, only the gender identity question can be completed. If only sex assigned at birth is recorded, there is an option to list gender identity as "unknown".

	"We do not track an AICs citizenship status. Oregon is a sanctuary state, and we have several laws that state people in Oregon do not have to share and should not be asked about their country of birth, immigration, or citizenship status. Additional information can be located here: Sanctuary Promise - Oregon Department of Justice (state.or.us)."	BJS understands that not all agencies and facilities track this information. The item has an option for "unknown citizenship status" that could be selected in this case.
	"We do not track disability status in the way required to answer the question #23. For example, someone may have bipolar disorder and not qualify as seriously mentally ill in our system, for PREA purposes. We also may have someone that has slight hearing impairment, but still be able to hear, therefore not tracked as a physical disability for PREA purposes. We would also not know about heart disease, etc unless the AIC self-reports this information to us during a PREA screening. I am concerned about the ability to accurately answer this question."	In the instrument redesign research, some respondents indicated that they may not be able to provide data on disability. This question can be skipped if the information is unknown. If it is self-reported during an investigation that the victim had a diagnosed mental, intellectual, or physical disability, the correctional administrators completing the SSV can select any that apply. If it is unknown, undisclosed, or the victim does not have a disability, the respondent can skip the question.
	"Additionally, this change being effective this year would be very difficult, if not impossible to implement for our agency. Our system is currently not tracking data in this way and we would have to make some significant changes to be able to comply with this."	BJS recognizes that agencies and facilities will have to adjust current data collection practices and retroactively make changes to previously collected data to submit responses for the new SSV summary forms. Additions to the incident forms may include data that is unknown or was not collected at the time the incident was investigated and ultimately substantiated. The majority of items on the incident forms are a "mark all that apply" format. If something does not apply based on how data were tracked previously, or is unknown, respondents do not have to provide an answer. We recognize changes may be incorporated to investigation and tracking systems over time and that there may be several years where additional guidance and assistance is necessary for data providers.
Alliance for Safety and Justice	"Reports utilizing the SSV data have provided valuable insight for our work advocating for people with old criminal records in eight states.	BJS appreciates that organizations find utility in and support the SSV.

	These data sources have helped ASJ understand the needs and histories of one of our main constituencies, people with criminal records, in order to better advocate for them. The SSV and other PREA data have been valuable resources for informing our practice of employing trauma-informed language and practices when communicating with our member groups and state partners. It also has been a useful source of information to bolster our mission to increase access to victim services for all survivors of violence. The SSV is the most valuable source of data indicating the prevalence of sexual victimization of incarcerated people. We enthusiastically support the 2024 iteration and are excited about the possibility of collecting additional data that will further enhance our ability to work with states to strengthen accessible and holistic services for all victims of violence."	
	"The most substantive changes proposed for the coming iteration of the SSV-IA aim to better understand risk factors for sexual victimization by asking about histories of sexual and non-sexual victimization prior to incarceration and while incarcerated prior to the incident being recorded. Add question: Does the victim have a history of victimization before this incident? (Mark all that apply). Options 1) History of sexual victimization (prior to incarceration) 2) History of sexual victimization (while incarcerated) 3) History of non-sexual victimization (prior to incarceration) 3) History of non-sexual victimization (while incarcerated) Add question: What lifetime victimizations has the victim experienced? (Mark all that apply). Options 1) Assault, physical (including aggravated assault, shootings, stabbings, but not	BJS agrees that experiences of repeated victimization are important to consider when describing the effects of prison rape as mandated by PREA. However, the SSV is an administrative data collection that collects characteristics of an incident that were substantiated based on a preponderance of evidence. Demographic details about the victims and perpetrators and the outcomes for involved individuals likewise are sourced from existing administrative records. The victim's incarceration-based victimization history or lifetime experiences of victimization are information that could only come from self-reported data and the administrators could likely not verify that information with existing records. These are data that are more appropriate to be collected from incarcerated persons themselves. BJS collects this information from incarcerated persons through other self-report surveys such as the National

	including partner/dating violence/family violence) 2) Homicide or murder (for surviving friends and family) 3) Human trafficking (sex) 4) Human trafficking (labor) 5) Robbery 6) Mass violence 7) Kidnapping 8) Partner/dating violence or family violence 9) Sexual assault or rape 10) Child physical abuse/neglect 11) Child sexual abuse/sexual assault 12) Stalking (including cyber stalking) 13) Elder physical abuse/neglect 14) Hate crimes Because the SSV-IA documents substantiated incidents of sexual violence or harassment in prisons, it reaches a more targeted population of victims for understanding the victim-offender overlap in prisons than the surveys of a representative sample of inmates. Collecting this information in the context of the incident report may also allow prison staff to offer more tailored interventions, services, and education on revictimization and patterns and dynamics of sexual abuse for victims, staff, and other inmates.”	Inmate Survey and Survey of Prison Inmates.
	Add question: Does the perpetrator have a history of victimization? (Mark all that apply). Options 1) Prior sexual perpetration 2) Prior non-sexual perpetration 3) Prior sexual victimization 4) Prior non-sexual victimization	As discussed with measurement of a victim’s prior experiences of sexual abuse or assault, this question would likely not be answerable by correctional administrators given the types of records available. SSV collects records related to demographic characteristics of people involved and specific behaviors or outcomes of the substantiated incident and history of victimization or perpetration of sexual offenses is outside the scope of the survey.
	“The proposed changes described in this section would quantify actions prisons or jails make in response to substantiated incidents of sexual violence and harassment. Several of the changes offer additional answers to questions 16 and 25 which ask	Of these suggested additions to the post-incident treatment for victims, BJS will accept the suggestion to add "given a pregnancy test" to the list of options; the meaning is unambiguous, and respondents likely would not have problems providing a response using

	about services offered to the victim after the incident was reported. ASJ advocates for all victims of crimes which makes quantifying the victim services offered in prisons a priority. These additional answers, “screened for risk of re-victimization,” “conducted safety planning,” “given pregnancy test,” “informed of the results of a sexual assault kit,” and “notified of rights,” represent actions that are likely already happening in many cases.” Add “Screening for risk of victimization” as an answer for question 16, 25 Add “Conducted safety planning” as an answer for question 16, 25 Add “Given a pregnancy test” for question 16, 25 Add “Informed of the results of the sexual assault kit” for question 16, 25 Add “How long (in months) did it take for the victim to receive the results of the sexual assault kit” after questions 16, 25 Add “Notified of rights, including right to report without retaliation, right to protection from the alleged abuser, right to mental and physical healthcare without financial cost” as an answer for question 16, 25	existing medical records associated with the incident. There are concerns that "screened for risk of victimization", "conducted safety planning" and "notified of rights" may have different interpretations amongst respondents. The long list of types of rights may be unnecessarily limiting (for instance, a victim informed of one but not all of those listed). It is also possible the timing or means of victim notification may impact an administrator’s interpretation of the question (e.g., these rights are included in writing within inmates’ orientation materials, rights verbally expressed to the inmate after the incident was substantiated). Before adding such responses, these would require cognitive testing with correctional and juvenile justice administrators. It isn't clear why BJS would add "informed of the results of a sexual assault kit" but not informed of results of other exams or tests in the item such as HIV/AIDS or STI testing. If there is treatment and testing given, standard medical practices would posit results of those tests and exams are disclosed to the victim and inform their care. The length of time following notification of results from a sexual assault kit would likely not be known by the administrator completing the form and would require undue burden to find such information.
	“The final proposed change seeks to collect data about lasting institutional changes that are implemented as a result of substantiated incidents of sexual violence or harassment. This information is likely already recorded as part of the sexual abuse incident reviews, and documenting the changes in the SSV-IA survey would make that information available for research on best practices for prisons and jails in protecting their populations from sexual abuse. To minimize the	The purpose of sexual abuse incident reviews is to allow facilities to reflect and identify systemic issues that may have contributed to the abuse. The results therefore are specific to the facility and its policies, practices, physical spaces, monitoring, and staffing. Additionally, the SSV-IA form is meant to be completed at the conclusion of the investigation into the allegation after it has been substantiated. Questions about changes made to the institution following an incident review would potentially not be

	burden added to the survey, the answers to this question were drawn from the PREA standards for the sexual abuse incident reviews. It is difficult to determine which factors had the most significant impact because PREA implemented many standards at once to safeguard inmates against sexual abuse. Quantifying these practices in the SSV-IA would offer insight into specific protective factors within prisons. Add question: What institutional changes were made in response to the incident? (Mark all that apply). Options 1) Training or education for staff 2) Structural changes including additional monitoring technology 2) Staff reprimanded or disciplined 3) Sexual abuse incident review 4) Raising awareness among inmates 5) Other - Specify”	known for several months afterward and would delay a facility’s ability to complete and submit the form.
	“Conduct research including cognitive testing to develop a new question to explore why the vast majority of reports are unsubstantiated or unfounded (for future administrations of the SSV). Research strongly suggests that false reporting of sexual violence occurs at similar rates as false reporting for other crimes in the general population, below 10 percent. 3 The SSV reports that an unusually high number of reports are unsubstantiated but offers no indications as to why this is the case. Are many alleged victims recanting their allegations? Are investigations failing to find enough evidence to support an allegation? Are processes related to protective custody, such as transfer to another facility, making thorough investigation difficult or impossible? Are victims of non-sexual victimization reporting sexual victimization against their attacker to leverage the strict PREA regulations about the separation of involved parties to ensure their safety against non-sexual violence?	There were nearly 40,000 allegations of sexual victimization in adult and juvenile facilities in 2018. Collecting detailed information about the processes of investigations for each of these allegations would place significant burden on data providers and would be outside of the scope of the SSV.

	Determining why so many reports of sexual victimization are unsubstantiated is a critical issue for safety and accountability within correctional institutions. Further research including cognitive testing is necessary to compose a new question for the SSV to produce data on this key issue."	
	"Add question: To whom was the incident reported? (Mark all that apply). Options 1) Correctional officer 2) Administrative staff person 3) Medical or healthcare staff person 4) Instructor or teacher 5) Counselor or other mental health care provider 6) Chaplain or other religious official 7) Volunteer 8) Other staff"	The SSV already asks who reported the incident. The item suggested here assumes that reporting happens on a person-to-person basis within a facility when this may not be the case (for example, a formal grievance is filled to an ombuds, or an anonymous tip is submitted to a PREA hotline). Adding this item would potentially be redundant and irrelevant for some incidents.
	"Add "Strangulation" as an answer for question 15, 24"	This item relates to the injuries sustained by the victim, not the method by which the victim was assaulted or abused. Therefore, this is not an appropriate response option. Additionally, in the review of write-in responses to this item, "neck/throat injuries" was not a common response provided by administrators.
	"Change "Tested for other sexually transmitted infections" to "Tested for all other sexually transmitted infections" for question 16, 25"	Including the word "all" here may be unnecessarily limiting. If the victim was screened for chlamydia but not gonorrhea, then a respondent may not make the selection. The interest here is in knowing if there was some other STI testing in addition to the HIV/AIDS testing that occurred, not if an exhaustive list of all STI testing took place.
	Change "Persuasion or talked into sexual activity" to "Pressured or talked into sexual activity"	BJS believes that changing "persuasion" to "pressured" would result in the response option being more vague. The item asks about "types of pressure" used in the incident, therefore using the same word in the response options does not provide a meaningful explanation of what occurred. "Persuasion or talked into sexual activity" conveys being verbally convinced.

	Add question: What is the staff perpetrator's sex assigned at birth? ○ Male ○ Female ○ Intersex Add "Transgender" as an answer for question 42, 49 Add "Gender nonconforming" as an answer for question 42, 49	Staff sex assigned at birth and gender identity items were rigorously tested during the SSV redesign research. Administrators reported that they do not know or collect information about staff's sex assigned at birth or gender identity, but rather staff gender is presumed based on names, pronouns, and presentation. It was noted that adding these questions would potentially violate employment policies, disclosure rules, and require the agency's human resources to be involved. Because the cognitive testing determined such changes were not feasible, the item was kept the same as previous iterations of the SSV.
	"Between January 1, 2023, and December 31, 2023, how many staff had multiple reports of SEXUAL HARASSMENT/SEXUAL ABUSE? "	This addition would require SSV data reporters to change the unit of analysis by which they record victimization. The SSV collects summary data at the allegation level, and this item would require records at the person level. This change would be extremely burdensome for data providers and would not align with the way data are currently collected as part of the SSV.
	Add "(or the threat of force)" to question 40, answer 08	BJS will include this addition as it parallels the nature of inmate-on-inmate victimizations in which force or the threat of force are included in the same response option.
State PREA Coordinator for Juvenile Justice Facilities	"Question one asks about repeated behaviors. Since the PREA definition is now being adopted this makes sense. Having said that, why will it be required for this question to be answered for every substantiated incident on the front end if not all incidents will be labeled as harassment? If we are asked on question #7 what type of incident occurred, would it be more practical to add those questions (about repeated behaviors) after question #7 and only be required if it is a harassment incident?"	This question will be required because both sexual abuse and sexual harassment incidents may comprise of repeated behaviors. For example, an inmate perpetrator may have inappropriately touched the same victim on numerous different occasions in different locations throughout a facility. Or in the case of staff sexual abuse, there may have been a series of grooming activities followed by sexual contact that was persistent and ongoing. Once reported, all instances of the touching or abuse with the same victim and perpetrator are included under the same incident. With this question, we will be able to establish repeated abuse or harassment and provide an estimate

		of how many different times the behavior occurred.
	"Question #13 asks for the victim's citizenship? In previous IR forms, we have never reported this for juveniles. Will this question be in the juvenile facilities form? If so, what is the purpose of this question? If our agency does not track citizenship status, would we mark option #3- of unknown citizenship status?"	This question about victim citizenship will appear on the juvenile substantiated incident form. During the stakeholder engagement process, administrators reported that non-U.S. citizens held in their facilities may be at an increased risk of victimization. It was noted that language barriers, a lack of protective pro-social bonds, or being held within facilities of a higher security level could impact likelihood of victimization. If citizenship status is not recorded by a responding agency or facility, the option of "unknown citizenship status" should be selected.
	"Question #14 asks about the victim's disabilities. Is there a benefit to adding the following options ***other***, ***unknown*** and ***none***? If not, can we leave this question blank if it does not apply?"	If a victim's disability status is unknown or they do not have any of the listed disabilities, these questions should be left blank.
	"Under section B question #27 has multiple options for the nature of the incident. Three of the options still have "nonconsensual sexual acts" as part of the description. The definition no longer exists and it is not listed in the definition page. Will these options be revised or will the definition be added?"	While the exact phrase "nonconsensual sexual act" does not appear as a category of victimization as part of the new form, the definition of "sexual abuse" describes a nonconsensual occurrence characterized by multiple types of penetrative and non-penetrative contact between genitals, the anus, mouth, and/or hands, fingers, or an object. If the incident was characterized as sexual abuse, acts 1 through 3 of that definition are descriptions of nonconsensual sexual acts and option 4 is a description of nonconsensual sexual touching, which is captured in response option 4 of item 27.
State PREA Coordinator	For the staff gender question, "Why not sex assigned at birth and gender identity questions?"	Staff sex assigned at birth and gender identity items were rigorously tested during the SSV redesign research. Administrators reported that they do not know or collect information about staff's sex assigned at birth or gender identity, but rather staff gender is presumed based on names, pronouns, and presentation. It was noted that adding these questions would potentially violate employment policies,

		disclosure rules, and require the agency's human resources to be involved. Because the cognitive testing determined such changes were not feasible, the item was kept the same as previous iterations of the SSV.
	"Why does the "other-specify" for staff sanctions not come as the last response option to be consistent with all other questions?"	The "other-specify" is a type of sanction, therefore it was placed at the end of the listed sanctions. The response option of "no action taken" is conceptually distinct, therefore was placed at the end of the list of responses.

From:	[redacted]
To:	Buehler, Emily (OJP)
Subject:	[EXTERNAL] RE: UPDATE: 2023 Survey of Sexual Victimization Summary and Incident Forms; do you want a copy?
Date:	Tuesday, April 2, 2024 3:07:28 PM
Attachments:	Re 2023 Survey of Sexual Victimization Summary and Incident Forms; do you want a copy.msg

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Hi Emily,
Sharing the same (attached) issue/concern I raised earlier in the year about the timing of the rollout of this new format/questions. If it's possible to begin this data collection on January 1, 2025 that would be ideal. Many of us complete the SSV as we close cases; going backwards is very cumbersome. I'm happy to discuss further if my comment doesn't make sense or needs further clarification.

Thank you!

[redacted]
Director, PREA Office
Mobile | [redacted]

From: [redacted]
To: Buehler, Emily (OJP)
Subject: [EXTERNAL] Comments regarding new SSV forms
Date: Wednesday, April 10, 2024 2:15:58 PM

Hello.

I wanted to submit comments regarding the new SSV forms that are coming out.

I am pleased to see abusive sexual contacts and nonconsensual sexual acts combined into one format; however, I do want to point out that this will change the way all agencies collect data and will likely be very expensive to change automation changes.

I am unclear how we will know what an Adult in Custody (AIC) sex assigned at birth is, besides if an AIC self-reports this information. We ask AICs if they are transgender or intersex but do not discuss genital status at birth during any evaluations. I would strongly suggest we do not include that in the new form, and instead focus on gender identify instead of anatomical traits. I do not believe this is a trauma informed question and may spark further gender dysphoria if added to questioning.

We do not track an AICs citizenship status. Oregon is a sanctuary state, and we have several laws that state people in Oregon do not have to share and should not be asked about their country of birth, immigration, or citizenship status. Additional information can be located here: Sanctuary Promise - Oregon Department of Justice (state.or.us).

We do not track disabiltiy status in the way required to answer the quesiton #23. For example., someone may have bipolar disorder and not qualify as seriously mentally ill in our system, for PREA purposes. We also may have someone that has slight hearing impariment, but still be able to hear, therefore not tracked as a physical disability for PREA purposes. We would also not know about heart disease, etc unless the AIC self reports this informaiton to us during a PREA screening. I am concerned about the ability to accurately answer this question.

Additionally, this change being effective this year would be very difficult, if not impossible to implement for our agency. Our system is currently not tracking data in this way and we would have to make some significant changes to be able to comply with this.

[redacted]
Agency PREA Coordinator
USDOJ Certified PREA Auditor
Office of the Inspector General
[redacted]

From: [redacted]
To: Buehler, Emily (OJP)
Subject: [EXTERNAL] SSV 2023- Suggestions and questions
Date: Friday, April 12, 2024 12:36:37 PM

Hi Emily,
I reviewed the new updates to the forms provided for review and wanted to share some feedback. All my comments/questions involve the Substantiated Incident Form. My agency only houses juveniles and since the latest email from Ms. Clark stated the forms would be the same for both adults and juveniles I reviewed the forms considering youth.

1. Question one asks about repeated behaviors. Since the PREA definition is now being adopted this makes sense. Having said that, why will it be required for this question to be answered for every substantiated incident on the front end if not all incidents will be labeled as harassment? If we are asked on question #7 what type of incident occurred, would it be more practical to add those questions (about repeated behaviors) after question #7 and only be required if it is a harassment incident?
2. Question #13 asks for the victim's citizenship? In previous IR forms, we have never reported this for juveniles. WIll this question be in the juvenile facilities form? If so, what is the purpose of this question? If our agency does not track citizenship status, would we mark option #3- of unknown citizenship status?
3. Question #14 asks about the victim's disabilities. Is there a benefit to adding the following options ***other***, ***unknown*** and ***none***? If not, can we leave this question blank if it does not apply?
4. Under section B question #27 has multiple options for the nature of the incident. Three of the options still have "nonconsensual sexual acts" as part of the description. The definition no longer exists and it is not listed in the definition page. WIll these options be revised or will the definition be added?

Thank you for giving me the opportunity to provide feedback. Let me know if you have any questions.

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[redacted] | QA Inspections Supervisor &
Agency PREA Coordinator
Office of the Inspector General

Arizona Department of Juvenile Corrections
[redacted]

42. Staff #1: What was the staff perpetrator's gender?

01 ☐ Male
02 ☐ Female

47. Staff #1: At the time of the incident, how long had the staff perpetrator worked at the facility? *(Mark all that apply.)*

01 ☐ Less than 6 months
02 ☐ 6 months to 1 year
03 ☐ 1 to 5 years

Why not sex assigned at birth and gender identity questions?

[redacted]

55. Staff #2: What sanction was imposed on the staff? *(Mark all that apply.)*

01 ☐ Sent to training or counseling
02 ☐ Reprimanded or disciplined
03 ☐ Transferred to another facility or unit
04 ☐ Demoted, diminished responsibilities, or suspended temporarily, or placed on administrative leave
05 ☐ Discharged, terminated, or contract not renewed
06 ☐ Staff resigned (prior to completion of investigation)
07 ☐ Staff resigned (after investigation was completed)
08 ☐ Arrested or referred to law enforcement agency
09 ☐ Referred for prosecution or indicted
10 ☐ Convicted, plead guilty, sentenced, or fined
11 ☐ Awaiting a legal outcome
12 ☐ Other – *Specify*
13 ☐ No action taken

comments 2

Add a comment...

PAGE 6 1
PAGE 7 1

[redacted] Apr 11

Would put Other last for ALL questions for consistency (Q3, Q10, Q17, Q26, Q28, Q31)

[redacted] Apr 11

Also agree

Add a reply...

April 8, 2024

Emily Buehler
Bureau of Justice Statistics
810 Seventh Street NW
Washington, DC 20531

RE: Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension, With Change, of a Currently Approved Collection; Survey of Sexual Victimization

Dear Ms. Buehler:

On behalf of Esperanza United, I am writing to express our opinions on the collection of data within the Survey of Sexual Victimization (SSV) so that is meets the requirements of the Prison Rape Elimination Act of 2003 (PREA; Pub. L. 108–79). We have a vested interest in the collection of this data given the number of Hispanic/Latinos/as are in federal prisons (approximately 30% of all inmates)[1] and the number of Latinos/as in custody at and U.S. Immigration and Customs Enforcement facilities. We are aware and concerned about the trends in sexual assaults occurring in U.S. Immigration Detention Centers.[2]

Esperanza United mobilizes Latinas and Latin@ communities to end gender-based violence (GBV). Esperanza United was founded in 1982 in Minnesota to provide emergency shelter and support services for Latina women and children experiencing domestic violence. For over 40 years, we have served diverse Latin@ survivors of GBV, including human trafficking, and their families in culturally relevant ways that translates to greater safety, community connectedness, and self-sufficiency. In 2009 Esperanza United launched a national resource center primarily focused on preventing and addressing GBV in the Latin@ community. We are recognized nationally for our training and technical assistance, research and evaluation, and policy advocacy leadership.

We would like to call the following information to your attention so that the information can be enhanced.

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[1] See Inmate Ethnicity graphic as shared by the Federal Bureau of Prisons. Available at: https://www.bop.gov/about/statistics/statistics_inmate_ethnicity.jsp

[2] Lue N, Nwadiuko J, Parmar P, Zeidan A. Trends in Sexual Assault Against Detainees in US Immigration Detention Centers, 2018-2022. JAMA. 2023 Jan 24;329(4):338-339. doi: 10.1001/jama.2022.22938. PMID: 36692571; PMCID: PMC10408271. Available at:

https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10408271/#:~:text=Since%202007%2C%20there%20have%20been,detention%20centers%20across%20the%20US.&text=Previous%20reports%20are%20limited%20to,tolerance%20policy%20for%20sexual%20assault.

- Race/ethnicity questions: For Afro-Latino or Black and Latinos, selecting both Black (not of Hispanic origin) and Hispanic or Latino may be confusing. Consider removing "not of Hispanic origin."[3]
- Gender and sexual identity: Recommend removal of the term intersex under sex/gender. If combining sex and gender, consider response options of 01) male or man and 02) female or woman. Recommend using non-binary or gender-fluid as a response option. Given the high rate of gender-based violence affecting transgender persons, consider adding options under gender/sexual identity that specify transgender man or transgender woman, adding corresponding term definitions.
- In addition to incidence, the core language of the Prison Rape Elimination Act of 2003 (PREA) emphasizes the importance of documenting the "effects of prison rape" (P.L. 108-79). Research of the effects of sexual violence in prison systems includes but is not limited to physical injury, sexually transmitted Infections (STIs), and self-harm or suicidal ideation[4]. Forms like the Substantiated Incident Form (Adult, SSV-IA) cover physical effects, but not emotional or other social effects.
- Research has found misunderstandings about PREA among correctional staff, many of whom may erroneously believe that incarcerated individuals must participate in investigations (Smith et al., 2023). Because PREA and tools like the SSV are also interventions that have the potential to increase comfort and adherence to guidelines in reporting[5], adding a question about the victim's decision to participate in investigations could add valuable information and bring attention to victim's needs in the reporting process.
- Language access is another barrier to reporting sexual violence and participating in investigations. Adding questions about the victim's spoken and preferred language could add valuable information about what claims are substantiated.
- Including definitions for sexual abuse, transgender, and other terms are a current strength of the tools.

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[3] Esperanza United (2021). A call to action for inclusive gender-based violence services for Black and Afro Latin@s. https://esperanzaunited.org/en/a-call-to-action-for-inclusive-gender- based-violence-services-for-black-afro-latins/

[4] Smith, H. P., Ferdik, F., Dunton, C., & Bolaji, Q. (2023). An assessment of the knowledge, support, and behavior surrounding the implementation of the prison rape elimination Act. *Criminal Justice and Behavior*, *50*(7), 1016-1034.

[5] Buehler, E. D. (2021). Sexual victimization reported by adult correctional authorities, 2016– 2018. *US Department of Justice, Bureau of Justice Statistics: Washington, DC https://bjs. ojp. gov/sites/g/files/xyckuh236/files/media/document/svraca1618. pdf*.

Thank you for the opportunity to submit comments on this proposed revision. Please contact me if you have any questions relating to these comments.

Respectfully submitted,

R. Lillie Macias, PhD (she/her/hers)
Director of Research & Evaluation, Esperanza United Associate Professor of Psychology,
University of New Haven 300 Boston Post Rd. West Haven, CT 06516
Tel: 203-479-4184
rmacias@newhaven.edu

Olivia Garcia

Olivia Garcia,
PhD Director of Public Policy
Esperanza United
540 Fairview Ave. N St. Paul, MN 55104 Tel: (651) 646-5553
ogarcia@esperanzaunited.org

April 11, 2024

Emily Buehler
Bureau of Justice
Statistics 810 Seventh
Street NW Washington,
DC 20531

Alliance for Safety and Justice, TimeDone, and Crime Survivors for Safety
and Justice 1624 Franklin Street, 11th Floor
Oakland, CA 94612

Re: 2024 Survey of Sexual Victimization - SSV-IA and SSV-2

Dear Dr. Buehler,

The Alliance for Safety and Justice (ASJ) writes to offer comments on the 2024 Survey of Sexual Victimization (SSV). We write to attest to the practical utility of the SSV as well as to suggest changes to the SSV-IA and SSV-2 that will enhance the utility and clarity of the information collected.

ASJ is a national organization that advances public safety priorities that break cycles of violence, increase rehabilitation, and promote successful reentry across the country. Our flagship project, TimeDone, represents a growing network of over 209,000 people with old criminal records and their families, and our Crime Survivors for Safety and Justice network includes over 200,000 crime victims. Together we promote strategies to stop cycles of crime, reduce costly reliance on incarceration, increase trauma recovery services, and build healthy communities. With chapters and leaders across the country, we are building a movement to heal together and promote public safety policies that help the people and communities most harmed by crime and violence.

The SSV Advances ASJ's Work Advocating for People with Old Criminal Records

Reports utilizing the SSV data have provided valuable insight for our work advocating for people with old criminal records in eight states. These data sources have helped ASJ understand the needs and histories of one of our main constituencies, people with criminal records, in order to better advocate for them. The SSV and other PREA data have been valuable resources for informing our practice of employing trauma-informed language and practices when communicating with our member groups and state partners. It also has been a useful source of information to bolster our mission to increase access to victim services for <u>all</u> survivors of violence

Minor Changes Would Increase the Utility of the SSV

A primary goal of ASJ is to increase access to victim services for all victims of violence and interrupt cycles of violence. Our comments are informed by our work in criminal justice reform, crime victim advocacy, and public safety initiatives. We believe that minor changes to the SSV would build knowledge that will enhance our ability and that of our partners in state and local governments to identify and understand the concerns and experiences of people who have spent time in prisons or jails, interrupt cycles of violence, and support victims.

A complete list of proposed changes is included as an attachment. This letter summarizes them according to their rationale:

1. Understand risk factors for sexual victimization in prison;
2. Collect data about procedures in response to incidents of sexual victimization;
3. Conduct cognitive testing for sample questions designed to understand the discrepancy between allegations and substantiated claims.

<u>1. Collect data to understand risk factors for sexual victimization in prison</u>

The most substantive changes proposed for the coming iteration of the SSV-IA aim to better understand risk factors for sexual victimization by asking about histories of sexual and
non-sexual victimization prior to incarceration and while incarcerated prior to the incident being recorded. While the victim-offender overlap is well established in social scientific research, the specific dynamics of this overlap are less well studied in the context of prisons and jails.[1] We propose the inclusion of new questions that ask about respondents' histories of victimization, including sexual and non-sexual victimization.

Data collected through these questions would provide valuable insight in assessing and understanding risk and protective factors for sexual victimization in prison. Sexual victimization and other types of violence are known to share risk and protective factors. In particular, people who experience other forms of violence are at a higher risk of experiencing sexual victimization in the future.[2] Better understanding risk factors and protective factors for sexual victimization in prisons is crucial for furthering several of ASJ's main goals of interrupting cycles of violence, advancing evidence-based public safety initiatives, and successfully advocating for people who have been in prison and their communities after reentry.

One proposed question, "Does the victim have a history of victimization before

this incident?," asks about the victim's history of sexual and non-sexual victimization prior to incarceration and while incarcerated. A similar question is proposed for the sections for the perpetrators, asking about their history of victimization to better understand the victim-offender overlap within prisons. A second question. "What lifetime victimizations has the victim experienced?", asks

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[1] Meade, B., Wasileski, G., and Hunter, A. (2020). The Effects of Victimization Prior to Prison on Victimization, Misconduct, and Sanction Severing During Incarceration. *Crime and Delinquency* 67(12), 1856-1878.

[2] See Tharp, A. T., DeGue, S., Valle, L. A., Brookmeyer, K. A., Massetti, G. M., & Matjasko, J. L. (2013). A systematic qualitative review of risk and protective factors for sexual violence perpetration. *Trauma, Violence, & Abuse*, 14(2), 133-167. https://doi.org/10.1177/1524838012470031; and Wilkins, N., Tsao, B., Hertz, M., Davis, R., Klevens, J. (2014). Connecting the Dots: An Overview of the Links Among Multiple Forms of Violence. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention Oakland, CA: Prevention Institute.

about the lifetime history of various other victimization types, which intends to offer insight into particular overlap between victimization types and sexual victimization in prison.

While some of this information is already collected in other BJS surveys, including self-report surveys such as the National Inmate Survey, there are several compelling reasons why including these questions in the SSV-IA would allow for better understanding of cycles of violence and victimization, victim-offender overlap, and interventions towards mitigating risk factors and implementing protective factors in prisons. Because the SSV-IA documents substantiated incidents of sexual violence or harassment in prisons, it reaches a more targeted population of victims for understanding the victim-offender overlap in prisons than the surveys of a representative sample of inmates. Additionally, because the SSV occurs annually and other surveys occur only periodically, including questions about prior victimizations would offer better insight into changes over time that may result from protective factors implemented in the prisons and jails.

Collecting this information in the context of the incident report may also allow prison staff to offer more tailored interventions, services, and education on revictimization and patterns and dynamics of sexual abuse for victims, staff, and other inmates.

2. Collect data on procedures in response to incidents of sexual victimization

The proposed changes described in this section would quantify actions prisons or jails make in response to substantiated incidents of sexual violence and harassment. Several of the changes offer additional answers to questions 16 and 25 which ask about services offered to the victim after the incident was reported. ASJ advocates for all victims of crimes which makes quantifying the victim services offered in prisons a priority. These additional answers, "screened for risk of re-victimization," "conducted safety planning," "given pregnancy test," "informed of the results of a sexual assault kit," and "notified of rights," represent actions that are likely already happening in many cases. PREA requires prisons and jails to re-assess an inmate's risk of victimization after an incident of sexual violence or harassment, but recording compliance with that requirement in the SSV would allow researchers to quantify the impact of those evaluations.

The other proposed changes involve services that are often offered by victim service providers immediately following an incident of sexual victimization. PREA standards prioritize separating the victim and perpetrator, but including victims

in the safety planning is considered the best practice in victim service and advocacy. Victims know their situation best and may have insight into dangerous or protective factors that staff are not aware of. Likewise, PREA rightfully protects victims from retaliation for reporting incidents, among other protections, but victims must know their rights to ensure equal protection. These changes to the SSV would quantify important steps prisons and jails may already be taking while adding minimal additional burden to people completing the survey.

The final proposed change seeks to collect data about lasting institutional changes that are implemented as a result of substantiated incidents of sexual violence or harassment. This information is likely already recorded as part of the sexual abuse incident reviews, and

documenting the changes in the SSV-IA survey would make that information available for research on best practices for prisons and jails in protecting their populations from sexual abuse. To minimize the burden added to the survey, the answers to this question were drawn from the PREA standards for the sexual abuse incident reviews. It is difficult to determine which factors had the most significant impact because PREA implemented many standards at once to safeguard inmates against sexual abuse. Quantifying these practices in the SSV-IA would offer insight into specific protective factors within prisons.

3. Conduct research including cognitive testing to develop a new question to explore why the vast majority of reports are unsubstantiated or unfounded (for future administrations of the SSV) Research strongly suggests that false reporting of sexual violence occurs at similar rates as false reporting for other crimes in the general population, below 10 percent.[3] The SSV reports that an unusually high number of reports are unsubstantiated but offers no indications as to why this is the case. Are many alleged victims recanting their allegations? Are investigations failing to find enough evidence to support an allegation? Are processes related to protective custody, such as transfer to another facility, making thorough investigation difficult or impossible? Are victims of non-sexual victimization reporting sexual victimization against their attacker to leverage the strict PREA regulations about the separation of involved parties to ensure their safety against non-sexual violence?

Determining why so many reports of sexual victimization are unsubstantiated is a critical issue for safety and accountability within correctional institutions. Further research including cognitive testing is necessary to compose a new question for the SSV to produce data on this key issue.

ASJ and TimeDone Strongly Support the 2024 Iteration of the SSV

The SSV is the most valuable source of data indicating the prevalence of sexual victimization of incarcerated people. We enthusiastically support the 2024 iteration, and are excited about the possibility of collecting additional data that will further enhance our ability to work with states to strengthen accessible and holistic services for all victims of violence.

Thank you for considering this comment. If you would like to discuss our recommendations or how ASJ and TimeDone can contribute to the success of the next SSV, please do not hesitate to contact us.

Sincerely,

of

Aswad Thomas
Vice President, Alliance for Safety and Justice Chief of Federal Advocacy National Director, Crime Survivors for Safety and Justice Alliance for Safety and Justice

[3] Lisak, D., Gardinier, L., Nicksa, S.C., Cote, A.M. (2010). False allegations of sexual assault: an analysis of ten years of reported cases. *Violence Against Women* 16(12):1318-34. doi: 10.1177/1077801210387747.

Attachments: List of Modifications to the SSV-IA and SSV-2 Proposed by the Alliance for Safety and Justice and TimeDone.

List of Modifications Proposed by Alliance for Safety and Justice , Crime Survivors for Safety and Justice and Time Done

Modifications Proposed to the SSV-IA

First Section

- Add question: To whom was the incident reported? (Mark all that apply). Options 1) Correctional officer 2) Administrative staff person 3) Medical or healthcare staff person 4) Instructor or teacher 5) Counselor or other mental health care provider 6) Chaplain or other religious official 7) Volunteer 8) Other staff

Section A: Victims of Sexual Victimization

- Add "Strangulation" as an answer for question 15, 24[4]
- Add "Screening for risk of victimization" as an answer for question 16, 25
- Add "Conducted safety planning" as an answer for question 16, 25
- Change "Tested for other sexually transmitted infections" to "Tested for all other sexually transmitted infections" for question 16, 25
- Add "Given a pregnancy test" for question 16, 25
- Add "Informed of the results of the sexual assault kit" for question 16, 25
- Add "How long (in months) did it take for the victim to receive the results of the sexual assault kit" after questions 16, 25[5]
- Add "Notified of rights, including right to report without retaliation, right to protection from the alleged abuser, right to mental and physical healthcare without financial cost" as an answer for question 16, 25
- Add question: Does the victim have a history of victimization before this incident? (Mark all that apply). Options 1) History of sexual victimization (prior to incarceration) 2) History of sexual victimization (while incarcerated) 3) History of non-sexual victimization (prior to incarceration) 3) History of non-sexual victimization (while incarcerated)
- Add question: What lifetime victimizations has the victim experienced? (Mark all that apply). Options 1) Assault, physical (including aggravated assault, shootings, stabbings, but not including partner/dating violence/family violence) 2) Homicide or murder (for surviving friends and family) 3) Human trafficking (sex) 4) Human trafficking (labor) 5) Robbery 6) Mass violence 7) Kidnapping 8) Partner/dating violence or family violence 9) Sexual assault or rape 10) Child physical abuse/neglect 11) Child sexual abuse/sexual assault 12) Stalking (including cyber stalking) 13) Elder physical abuse/neglect 14) Hate crimes

[4] A review of recent research suggests non-fatal strangulation (NFS) occurs in up to 14 percent of sexual assaults. In up to 50 percent of NFS cases, there are no visible signs of injury, leading to underestimation of risk and physical injury by the victim and by medical professionals. NFS can lead to cerebrovascular dissection, stroke, airway fracture or compromise and even delayed death up to 36 hours after the incident. See: Bichard H, Byrne C, Saville CWN, Coetzer R. "The neuropsychological outcomes of non-fatal strangulation in domestic and sexual violence: a systemic review." *Neuropsychological Rehabilitation* 12 (2021). And

Rosemary Luong, Jo Ann Parkin, and Nicola Cunningham. "Acute concomitant injury and intoxication in complaints of recent sexual assault: A review." *Journal of Forensic and Legal Medicine* 92 (2022).

[5] Many states have significant backlogs of sexual assault kits, delaying justice and prolonging the danger to victims that the results of the kit could ameliorate. Collecting this information would measure the impact of this same issue in prisons and jails.

Section B: Inmate-Perpetrated Sexual Victimization

- Change "Persuasion or talked into sexual activity" to "Pressured or talked into sexual activity"[6]
- Add question: Does the perpetrator have a history of victimization? (Mark all that apply). Options 1) Prior sexual perpetration 2) Prior non-sexual perpetration 3) Prior sexual victimization 4) Prior non-sexual victimization
- Add question: What institutional changes were made in response to the incident? (Mark all that apply). Options 1) Training or education for staff 2) Structural changes including additional monitoring technology 2) Staff reprimanded or disciplined 3) Sexual abuse incident review 4) Raising awareness among inmates 5) Other - Specify

Section C: Staff Perpetrators of Sexual Victimization

- Add question: What is the staff perpetrator's sex assigned at birth?[7]
    - Male
    - Female
    - Intersex
- Add "Transgender" as an answer for question 42, 49
- Add "Gender nonconforming" as an answer for question 42, 49
- Add "(or the threat of force)" to question 40, answer 08

Modifications Proposed to the SSV-2 and its equivalent surveys for other institution types

- Between January 1, 2023, and December 31, 2023, how many staff had multiple reports of SEXUAL HARASSMENT/SEXUAL ABUSE?[8]

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[6] Persuaded is not considered trauma-informed language in victim advocacy circles because it minimizes the abusive nature of the coercive action.

[7] Differentiate between sex and gender and include options consistent with sections A and B.

[8] Tracking multiple reports against the same individuals would help measure the success of corrective action taken by agencies. Doing so may also protect against serial offenders transferring to other institutions once their actions are discovered, a pattern that has been identified in institutions such as schools and religious institutions.