Findings and Recommendations from Content Testing for the 2023 Survey of Sexual Victimization

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Executive Summary

Background: The Survey of Sexual Victimization (SSV) is part of BJS's National Prison Rape Statistics Program, which gathers mandated data on the incidence and prevalence of sexual victimization in adult correctional and juvenile justice facilities, under the Prison Rape Elimination Act of 2003 (PREA; P.L. 108-79). This is an administrative data collection based on allegations and substantiated incidents of sexual victimization by other inmates/youth or staff that are reported to adult correctional and juvenile justice authorities. Additional information is collected on substantiated incidents on the victim(s), perpetrator(s), characteristics of the incident, and outcomes. The collection includes an enumeration of allegations and substantiated incidents reported to state prison systems; state juvenile correctional systems; the federal prison system; U.S. Immigration and Customs Enforcement (ICE); the U.S. military; and a sample of jail jurisdictions, privately operated adult prisons and jails, facilities in Indian country, and local and private juvenile justice facilities. The Bureau of Justice Statistics (BJS) conducts the SSV on an annual basis in collaboration with its data collection partner, the U.S. Census Bureau.

Research Objectives: In 2022, the BJS and Census Bureau agreed that the SSV would undergo a redesign for survey reference year 2023. As part of the redesign effort, survey methodologists in the Census Bureau's Economic Directorate conducted a questionnaire appraisal to:

- Identify causes of response error such as missing or inconsistent definitions or instructions, complex or vague wording or use of nonstandard jargon, and missing or vague reference periods for response categories;
- Identify issues with the SSV instruments such as lack of clear instructions or question wording, burdensome questions, or requests for data that are unavailable; and
- Assess the time to complete survey summary form and associated incident forms to provide estimates for OMB review.

In early 2023, researchers at the BJS and Census Bureau decided to incorporate testing of the newly proposed race or ethnicity questions with minimum and detailed categories for OMB's Testing Group. More details on this testing are covered in the section on the first round of moderated cognitive testing.

Methodology: Beginning in May of 2022, survey methodologists in the Economic Directorate at the U.S. Census Bureau worked closely with stakeholders in the Criminal Justice Statistics Branch (CJSB) and sponsors at the BJS to test existing and proposed content for the SSV. This research project utilized a mixed-methods approach to assessing content on the SSV, including an expert review, early stage scoping interviews, two rounds of moderated cognitive interviews, and unmoderated cognitive testing. Over the course of this project, we collected invaluable feedback from respondents from 229 adult correctional and juvenile justice facilities that had been in sample and provided data in the most recent 2021 SSV data collection in order to inform decisions for improving the 2023 SSV. The table below details the types of adult correctional and juvenile justice facilities participating in each phase of this research project.

Table 1: Testing method participation by respondent affiliation

Respondent affiliation	Early stage scoping interviews	Moderated cognitive interviews: Round 1	Unmoderated cognitive testing	Moderated cognitive interviews: Round 2	Total
Federal BOP	0	1	0	0	1
State DOCs	3	2	13	5	23
Local jails	2	3	104	1	110
Private prisons, & jails, ICE facilities, U.S. military, tribal jails	1	1	17	3	22
State juvenile systems	1	3	10	3	17
Local or private juvenile facilities	2	5	45	4	56
Total	**9**	**15**	**189**	**16**	**229**

This report details the findings and recommendations from each phase of testing for the redesign of the 2023 SSV.

Expert Review for the Survey of Sexual Victimization Forms

Overview

The Data Collection and Methodology Branch conducted an expert review of the 2020 Survey of Sexual Victimization forms.[1]

The goal of this expert review evaluation was to identify potential issues with the survey that could impact respondents' experience with reporting and data quality.

This report outlines the findings from the expert review conducted in June of 2022. We initially looked at the paper survey forms for first impressions. Then we looked at the suggested areas of concern related to the forms that were provided by the SSV survey area. Finally, we used the Census Bureau's Economic Directorate Guidelines on Questionnaire Design (Appendix A) template to identify any additional potential issues to consider. We met with Census's Criminal Justice Statistics Branch and BJS staff to discuss these findings and recommendations and to discuss plans for future research, including early stage scoping interviews.

While the findings outlined in this report provide some insight into potential issues with the data collection tool, subsequent respondent research should be conducted to identify more issues that may be present.

Findings and Recommendations from the Expert Review

Summary forms (SSV-1, SSV-2, SSV-3, SSV-4, SSV-5, SSV-6)

1. *Use of "None" box*

Respondents are given the option of checking a "None" box to represent no allegations of sexual violence at their institution. We note that there is a possibility that not all respondents will see and use the "None" box on the summary forms. At the same time, recent research suggests that the best practice for capturing zero on web surveys is to have respondents enter zero if none, as the use of a "none" box design "leads to lower data quality and is not user-friendly" and that "other designs can alleviate both issues and provide a better user experience while delivering higher quality data" (Schulzetenberg et al. 2023: 45).

Recommendation(s): Consider removing the box entirely and place a hard edit in the online instrument to force respondents to enter a response. If they have no allegations, they should enter a zero.

Questions/Concerns: Do you have data on this? How often is None checked? How often are items left blank? How do you handle if left blank?

[1] This includes forms SSV-1, SSV-2, SSV-3, SSV-4, SSV-5, SSV-6, SSV-IA, & SSV-IJ. Forms are assigned by institution type. See https://bjs.ojp.gov/data-collection/survey-sexual-victimization-ssv#1-0 for more information on these forms.

2. *Check box for Estimates*

The check box in Section 1 for forms SSV-3, SSV-4, SSV-5 & SSV-6 is not labeled. These check boxes are used in sections where respondents are asked to report on the number of inmates or juveniles held on a given date, the number of admissions, and the average daily population for the year. It is to be used if an estimate is provided, per the instructions on the front page, but in the next sections the box it is to be used if the answer is 0 or none. That can be confusing to the respondent.

Recommendation(s): If the data regarding estimates is not being used, delete these boxes and the instructions on the front page. If it is important to know whether this is an estimate, consider adding a follow-up question for each sub question a, b, c, asking whether the response provided is an estimate (Yes or No). Or at a minimum label the check box "Estimate?" or "Check if Estimate". The survey team could also consider adding an "Estimates are acceptable" instruction in general. Probe respondents about how they use estimates in early stage scoping.

Questions/Concerns: How is the Estimates box used? What percentage of respondents check it?

Discussion: Generally, BJS does not use data from the "Estimates" box, so can consider removing.

BJS Decision: The option to check a box if the reported number of inmates or youth held is an estimate will remain on the forms SSV-3, SSV-4, SSV-5 and SSV-6. Because the "none" box is being removed that there is no longer the potential for confused meaning of the check boxes, we believe this may be useful in assessing the quality of these data in the future.

3. *Clarity of in-scope instructions are contradictory for SSV-5 Q21 & SSV-2 Q17*

The instructions for forms SSV-5 Q21 & SSV-2 Q17 clearly state in bold/highlighted "Exclude privately operated facilities and facilities operated and administered by local governments. (These facilities will be contacted directly for data on sexual victimization.)" But these questions ask whether any of the allegations reported occurred in a facility operated and administered by local governments.

Recommendation(s): Remove these questions, or if truly needed for a double check, an instruction should tell respondents to remove those incidents as they will be reported by the other facility. Target some respondents who answered yes to this for early stage scoping.

Questions/Concerns: How many forms have come back with yes being checked? What is done with those?

Discussion: BJS is not using this data consistently, so can re-evaluate if necessary.

BJS decision: We should continue to include these checks as part of the summary forms. BJS needs to do more research into the prevalence of this double reporting, affects that may occur for estimates as a result, methods to limit it, personalized outreach to systems about excluding these allegations, and other mitigation strategies.

4. *Counting allegations vs. only substantiated and victimization types separately*

The SSV Survey area had concerns about the summary forms being able to ask about whether a responding facility can count different types of victimization collected on the form separately and how it impacts skip patterns.

Recommendation(s): Consider whether these questions are still necessary, given how long PREA standards have been out. Can probe more about this in early stage scoping.

Questions/Concerns: Could look at data. Are more people able to break these out now?

BJS decision: We will continue to ask respondents whether they are recording all allegations or only those that have been substantiated for each of the types of sexual victimization. Future research may use these responses to better understand how record keeping is changing as not all facilities have adopted the PREA standards.

Incident Forms (SSV-IA, SSV-IJ)

5. *Some jargon is confusing such as with SSV-IA & SSV-IJ, Q25*

Some forms include ambiguous terms or jargon that may or may not resonate with respondents. This includes:

a) For SSV-IA, SSV-IJ, Q25 how is "horseplay" defined? Are respondents thinking of/including non-sexual horseplay?
b) For SSV-IA, SSV-IJ, Q25 "Unwanted touching for sexual gratification or abusive sexual contact" – it is possible that respondents may not know if the touching was "for sexual gratification?"
c) Is the list of incident behaviors SSV-IA, SSV-IJ Q25 & Q28 in ranking order based on most frequently selected?

Recommendation(s): Consider whether a definition is needed (in parenthesis on paper form or as a hover-over in electronic instrument). Consider if there is another term that could be used instead of sexual gratification. Consider whether the order of the answer categories should be changed, in order of frequency or possibly severity.

Questions/Concerns: What responses are being written in to "Other"?

Discussion: Horseplay added because it was common in "Other". Could consider defining the body parts instead. Might help to clarify these definitions and provide an order based on frequency of selection.

6. *Definitions should be incorporated within the form/instrument where appropriate*

In SSV-IA and SSV-IJ, the last page contains definitions that are needed earlier in the instrument.

Recommendation(s): Move those definitions within the instrument, within the sections where they are first needed.

Discussion: Originally done for space reasons on paper form. If making other revisions, may be able to do this.

7. *Documentation of repeated events*

The SSV Survey area had a concern on how repeated incidences are captured on the form, since the incident form is for a specific date.

Recommendation(s): Probe during early stage scoping about how respondents understand and handle this issue. Could consider adding a question to the incident form inquiring if the incident was repeated (Yes or no); then if "Yes", ask how many times; if more than 1, ask for them to enter dates. We would also need to provide direction about how to answer the rest of the items on the form. For instance, indicating that they should choose the location, time, injury outcome, etc. of the most recent event associated with the substantiated incident.

8. *Clarity in directions for "Mark all that apply" on SSV-IA & SSV-IJ forms*

The SSV Survey area had a concern on cases where an item asks about a characteristic of the incident, but the form is capturing multiple events. They wanted to know how the respondent is interpreting this question.

Recommendation(s): Ask in cognitive testing on questions that have the option of "Mark all that apply" to get a better insight on how these types of questions are being answered and if there is any confusion compared to how BJS wants this question answered.

Questions/Concerns: How often are respondents marking more than one option? Run queries to see how often these locations are marking more than one option. Which ones are doing that? For which questions? If there is low incidence, then take that option out. If there are questions or types of facilities that often have marked more than one, then focus in on those during early stage scoping.

Discussion: Issue with sanctions questions (impacts how they are measured in other sections as well) – Multiple boxes are checked and "Other" box used heavily. Problem when there are multiple victims/perpetrators and are not able to tell how that sanction is applied. It is an issue with Q27, Q3, Q16, Q15. Problem when responses conflict.

Other Questions/Concerns:

To reduce over usage of the "other" field on incident forms: consider going back to previous year data and find re-occurring themes to populate list of incident behaviors. This could also help to rank the answer categories in order of most selected behaviors.

We also noticed that sometimes the numbering of the answer categories seemed inconsistent (such as Q25 on form SSV-IA and SSV-IJ, which starts with 02). Consider renumbering if we end up doing a major revision.

We were not able to review the online instrument for this expert review. How many respondents complete online v paper (87% online)? For any modifications to the instruments, be sure to consider whether there is consistency between paper and online instruments.

Discuss what things should we be focusing on in our early stage scoping interviews, including:

- What do their records look like? Do they have databases they pull this data from? (Have they changed their system to mirror what our forms look like? Or do they change to meet our forms?)
- Where is the burden? Where are the pain points?
- When do they need to reach out to others? Who?
- Talk with experienced respondents and new respondents? (A lot of new respondents recently.)
- What would you like to be different if we revised these forms?
- Are there other types of incidents that our forms are not capturing?
- Could we do something better to address things they are finding in their facilities?
- How do they fit stuff into our forms? Could we revise forms to make it easier to them?

Specific topics to probe more about: Kissing in Q28, how reported? Option 6 in Q28 – maybe needs to be updated to include phone calls/video conferencing?

Early Stage Scoping Interviews

Background

The findings and recommendations from the Expert Review were used to develop a protocol for the Early Stage Scoping Interviews (see Appendix B).

Research Objectives: We conducted exploratory or early stage scoping interviews as part of the formative research to gain a better understanding of how respondents interpret the format and language of the instrument, as well as to identify burden to determine what improvements should be implemented. These interviews focused on the following:

- Respondents' response processes
- Respondents' record-keeping practices
- Response burden
- Reporting instructions on the summary forms
- Definitions on the summary forms
- Definitions on the incident forms
- Process for reporting multiple victims
- Process for reporting multiple perpetrators
- Process for reporting repeated incidents on the incident form (repeated as a pattern of behaviors that happen multiple days, times, places, etc.)
- Victim medical treatment
- Victim changes in custody
- Nature of the incident
- Types of pressure or physical force used by the perpetrator
- Sanctions for perpetrator
- Respondent user experience with web instrument

Methodology: We engaged in Early Stage Scoping Interviews to understand terminology, records, and response process in preparation for cognitive testing. Survey respondents may misunderstand the question or be unable to provide the data that is being requested. If question development occurs without the input from respondents, or data providers, about how they understand the concepts behind the question, there may be a gap between the concept and the question, a phenomenon referred to by Willimack and Snijkers (2012) as "the Missing Link." According to Stettler and Featherston (2010), this issue can be addressed by an evaluation technique called Early Stage Scoping (ESS).

Early Stage Scoping entails interviews with potential survey respondents usually before questions are developed. These interviews focus on the feasibility of survey objectives, what data respondents have access to, how data are maintained, and terminology used. ESS gives survey designers the opportunity to formulate questions around what data can be provided, and in language that is familiar to the data

provider. ESS also gives survey researchers an indication of how burdensome the survey is for respondents.

In July 2022, we met with 9 respondents in sample for the SSV to conduct ESS interviews. Of note, survey response to the SSV is by proxy – the respondent being a 'PREA Coordinator' – and is exclusively reliant on the administrative data maintained at the facility. The table below illustrates the number of respondents participating in this research phase by facility type.

Table 2: Early stage scoping interview participants by respondent affiliation

Respondent affiliation	**Number of Interviews**
Federal BOP	0
State DOCs	3
Local jails	2
Private prisons, & jails, ICE facilities, U.S. military, tribal jails	1
State juvenile systems	1
Local or private juvenile facilities	2
Total	**9**

Findings and Recommendations from the Early Stage Scoping Interviews:

Below are the findings and recommendations for the Early Stage Scoping Interviews.

Record-keeping of administrative data

We started the interviews by asking about the record-keeping practices of the institutions. Respondents mentioned a PREA allegation alert form, an internal access-based database, Excel spreadsheets, an Offender Population Unified System, etc.

Finding 1: Participants reported different ways of organizing records and systems.

Recommendation: None

Reporting Methods

Next, we asked respondents about their preferences for reporting incidents. Specifically, we were interested in reporting preferences for multiple incidences. Some said they would list the date an incident was reported and mention the approximate number of times it occurred in the notes, while others said they would report each incident separately.

Finding 2: Some participants mentioned a preference for reporting each incident separately (i.e., incidents that occurred in different places) to mirror the investigations.

Recommendation: Introduce a checkbox that allows for respondents to indicate whether or not the behavior is a repeated incident

Survey Terminology/Definitions

Next, we asked about specific terminology and definitions. We note that respondents mentioned that some of the terminology on the SSV does not match the PREA Standards. Said one, "the terminology the survey uses does not marry what the [PREA] standards call for". Said another, "the definitions under the [PREA] standards don't use the same terms as the SSV."

Finding 3: Most participants pointed out several times throughout the interview that some of the SSV terminology does not match the PREA Standards. When completing the SSV, the participant will sometimes need to recode/reclassify incidents based on the SSV definitions and investigative report.

Recommendation: Include with the definitions what its equivalent is to PREA Standards to better help respondents identify incidents when completing the forms

Survey Forms[2]

We moved on to asking about survey instructions on several of the forms. Most respondents said the instructions were easy to understand. Furthermore, most respondents said "the instructions are helpful."

Finding 4: Almost all participants found the survey instructions easy to understand.

Recommendation: None

Incident Forms[3]

Then, we asked respondents about the incident forms. We note that most respondents said that the incident forms were not challenging, with one saying "it's relatively easy." Another echoed this, noting "it's straightforward."

Finding 5: Most participants reported that the Incident Forms were easy to fill out.

Recommendation: None

[2] Includes: SSV-2, SSV-3, SSV-4, SSV-5, SSV-6
[3] Includes: SSV-IA, SSV-IJ

We did note that some respondents struggled with reporting multiple victims in a single incident. Said one, "we've had to make notes in the comments section for multiple victims."

> **Finding 6:** When multiple victims, participants indicated various ways of completing the incident report, including there being a space for two victims but unsure what to do if more than that, using the reported date as the incident date and making a note if the incident date is unknown, having different case numbers reported for each victim, adding more fields on the online form for at least 3-4 victims, etc.
>
> **Recommendation(s):** Provide clear instructions for reporting multiple victims; include a supplement form if respondents need it to report multiple victims

Similarly, some respondents struggled with multiple perpetrators in a single incidence.

> **Finding 7:** When multiple perpetrators, participants indicated various ways of completing the incident report, including there being a space for two victims, but some are unsure what to do if there are more than two perpetrators. Suggestions for improving this include denote something in the incident number at the top of the report, reporting as one when two suspects attack and both are added to that report, filling out a second form, or adding more fields on the online form for at least 3-4 victims, etc.
>
> **Recommendation(s):** Provide clear instructions for reporting multiple perpetrators; include a supplement form if respondents need it to report multiple victims

We specifically asked about multiple staff perpetrators in a single allegation. Most participants noted that multiple staff perpetrators in a single allegation would be a rare event. However, a few mentioned that should this happen, they may struggle with reporting these data.

> **Finding 8:** While most participants said that multiple staff members would not be a common or frequent situation for their facility/facilities, they said they would use another form or have another spot for reporting this.
>
> **Recommendation:** Provide clear instructions for reporting incidents involving multiple staff members.

One participant wondered about reporting multiple incidences from the same perpetrator. We suspect this may be a low incidence event, but note that the participant was concerned enough to mention it during the interview.

> **Finding 9:** When there are multiple incidents by the same perpetrator, participants indicated that they filled out another form. A participant mentioned that it might be helpful to have a section to indicate if this was a repeated incident.

Recommendation: Introduce a checkbox that allows for respondents to indicate whether or not the behavior is a repeated incident

A few participants noted that the name of the survey was incongruent with PREA terminology.

Finding 10: Some participants believed the SSV should call it "Sexual Abuse" (as it does on the PREA Standards) instead of "Abusive Sexual Contact." Some participants said that the SSV definitions are clearer but have less definition than the PREA Standards.

Recommendation: Include with the definitions what its equivalent is to PREA Standards to better help respondents identify incidents when completing the forms

Next, we asked respondents about question 3, the location of the incident. This question is included on the survey as a way to identify if youths/inmates are residing (sleeping) in the facility. Some facilities have programs where the incarcerated can participate in off-site activities, like work or community service, but are still under the jurisdiction of the facility. This helps to determine whether or not to include in these inmates/youths in the PREA filings and reporting on the SSV.

Most respondents had no issue with this question. A few mentioned that they may report each incident separately when it occurred in a different location. One participant suggested adding an answer category for an offsite job as opposed to just classifying the location as offsite, saying "if it happened offsite at a job, I would want to be a little more specific than number eleven." See Figure 1 for an overview of question 3.

Figure 1: Question Text for Question 3: Location of Incident

Question 3:

3. Where did the incident occur? *(Mark (☒) all that apply.)*

- 01 ☐ In the victim's cell or room (e.g., if the victim and perpetrator share a cell or room, count as the victim's cell)
- 02 ☐ In the perpetrator's cell or room
- 03 ☐ In a dormitory or other multiple housing unit
- 04 ☐ In a common area (e.g., shower, dayroom, bathroom)
- 05 ☐ In a temporary holding cell or intake area within the facility
- 06 ☐ In a program service area (e.g., commissary, kitchen, storage, laundry, cafeteria, workshop, hallway)
- 07 ☐ In an instructional area (e.g., classroom, school, library, conference room)
- 08 ☐ In a recreation area (e.g., yard, courtyard, gymnasium)
- 09 ☐ In a medical area (e.g., infirmary, health clinic)
- 10 ☐ In a staff area (e.g., office, break room, counselor's office)
- 11 ☐ Offsite or while in transit
- 12 ☐ Other – *Specify*
- 13 ☐ Location unknown

Finding 11: Most participants could explain the reason(s) for selecting multiple boxes for Question 3, location of the incident. Some participants indicated that they would be inclined to report each incident separately when it occurred in a different location.

Recommendation: Include a hover feature in online tool to offer advice on how to categorize, and on the pdf a hint box

Then, we asked respondents about Question 15, after action in the wake of an incident. One participant suggested adding getting a PEP (Post-Exposure Prophylaxis) to the list of options on the survey, saying "that's pretty common now as it decreases your risk of getting an STI which is different than getting tested for a STI.". Another participant expressed that it would be interesting to ask questions about the care of the perpetrators. See Figure 2 for more information on this question.

Figure 2: Question Text for Question 15: After Incident Actions

Question 15:

15. After the incident was reported, was the victim(s) – *(Mark (☒) all that apply for all victims.)*

- 01 ☐ Given a medical examination
- 02 ☐ Administered a rape kit
- 03 ☐ Tested for HIV/AIDS
- 04 ☐ Tested for other sexually transmitted diseases
- 05 ☐ Provided with counseling or mental health treatment
- 06 ☐ Offered but declined testing or treatment
- 07 ☐ Already released/discharged
- 08 ☐ None of the above

Finding 12: Most participants indicated that they reported for what action was taken. One mentioned an additional category, and another suggested asking about after action care for perpetrators.

Recommendation(s): Add PEP (Post-Exposure Prophylaxis) to the list of actions; consider introducing an additional question worded similarly to collect action of care offered for the perpetrator.

Next, we asked respondents about after incident actions for victims in Question 16. One participant indicated that they would break out the options for the first category (placed in or returned to administrative segregation, protective custody, or disciplinary segregation) because they are different things, saying "I would not lump these things together because they are different things." Another participant suggested moving the category “Separated from perpetrator” to the top of the list because “that’s going to be the first thing that we do.” See for more information about Question 16.

Figure 3: Question Text for Question 16: After Incident Actions for Victims

Q16:

16. After the incident was reported, was the victim(s) – *(Mark (☒) all that apply for all victims.)*

- 01 ☐ Placed in or returned to administrative segregation, protective custody, or disciplinary segregation
- 02 ☐ Placed in a medical unit, ward, or hospital
- 03 ☐ Confined to own cell or room
- 04 ☐ Given a higher custody level or different unit within the facility
- 05 ☐ Transferred to another facility
- 06 ☐ Transferred to another housing unit or dorm, or given a single room or cell
- 07 ☐ Separated from perpetrator
- 08 ☐ Issued disciplinary report or loss of privileges
- 09 ☐ Placed in camera room, under closer surveillance, or increased supervision
- 10 ☐ Other – *Specify*
- 11 ☐ None of the above

Finding 13: Participants reported responding for what actions were taken for victims after an incident. The first answer category may be too general, and the seventh category is the most likely immediate outcome of an incident.

Recommendation(s): Move option 7 "separated from perpetrator" to the top of the list; use historical data to help with rearrangement of options presented.

We asked participants about Question 25, which asks about the nature of the incident. See Figure 4 for more information on this question. Most participants had varying definitions for "Horseplay" – said one, "playing around until someone gets hurt," while another said "roughhousing." Many did not find this terminology appropriate of that term in the context of this survey. One respondent went on to say "horseplay does not exist in a correctional facility because it implies that the inmates are on equal ground or that it's consensual." When asked about "Other types of incidents," participants listed other examples, including:

- Kissing
- Grooming an inmate
- One inmate owed another something
- Shower activities

- Agreed upon sexual activities because of relationships
- Biting
- Sexual activity that happens as a trade as currency but not necessarily coercion.

Figure 4: Question Text for Q25: Nature of the Incident

Q25:

25. What was the nature of the incident?
(Mark (☒) all that apply.)

02 ☐ Sexual harassment
03 ☐ Indecent exposure, masturbation, or voyeurism
04 ☐ Horseplay
05 ☐ Repeated and unwelcome sexual advances or requests for sexual favors
06 ☐ Unwanted touching for sexual gratification or abusive sexual contact
07 ☐ Pressure or coercion (without force) resulting in a nonconsensual sexual act
08 ☐ Physical force (or the threat of force) resulting in a nonconsensual sexual act
09 ☐ Other – *Specify*

Finding 14: The term "horseplay" is ambiguous and some respondents find it inappropriate. The "other" capture represents a myriad of other incidents that may happen at an institution.

Recommendation: If "Horseplay" will remain on this survey as a category, a definition and examples should be provided for respondents. Look at the "Other" category write-in data from previous survey years and consider adding categories for other types of incidents, including kissing.

Next up, we asked respondents about Question 26, which asks about coercion and physical force in incidents. A few respondents mentioned a missing category – threats to friends or family. When asked about types of responses participants would write-in the "Other" field, they reported things like "using runners to help," and "the use of others to engage in the behavior." See for the question text.

Figure 5: Question Text for Question 25: Coercion or Physical Force

Question 26:

Youth:

26. What type of pressure or physical force was used by the youth perpetrator on the victim?
(Mark (☒) all that apply for all perpetrators.)

- 01 ☐ Sexual harassment, sexual innuendo, or verbal comments
- 02 ☐ Persuasion or talked into sexual activity
- 03 ☐ Surprised the victim with unwanted touching, grabbing or groping, or victim was asleep
- 04 ☐ Bribery or blackmail
- 05 ☐ Gave victim drugs or alcohol
- 06 ☐ Offered protection from other youth
- 07 ☐ Threatened with physical harm
- 08 ☐ Physically held victim down or restrained in some way
- 09 ☐ Physically harmed or injured
- 10 ☐ Threatened with a weapon
- 11 ☐ Other – *Specify*
- 12 ☐ None

Adult:

26. What type of pressure or physical force was used by the inmate perpetrator on the victim?
(Mark (☒) all that apply for all perpetrators.)

- 01 ☐ Sexual harassment, sexual innuendo, or verbal comments
- 02 ☐ Persuasion or talked into sexual activity
- 03 ☐ Surprised the victim with unwanted touching, grabbing or groping, or victim was asleep
- 04 ☐ Bribery or blackmail
- 05 ☐ Gave victim drugs or alcohol
- 06 ☐ Offered protection from other inmates
- 07 ☐ Threatened with physical harm
- 08 ☐ Physically held victim down or restrained in some way
- 09 ☐ Physically harmed or injured
- 10 ☐ Threatened with a weapon
- 11 ☐ Other – *Specify*
- 12 ☐ None

Finding 15: Most respondents had no issue with this question, but some were looking for an option to record 'threats to friends and family.'

Recommendation(s): Include Threats to Family on list; run a query on what was entered in the "Other" category to discover any additional categories could be added.

Next, we asked respondents about Question 27, which details sanctions against perpetrators after an incident. Participants indicated that they were selecting all sanctions imposed, not just the most severe sanction, with one saying "I'm selecting all that apply." Some participants pointed out that option 12 (Convicted, given new sentence, or fined) would be an unlikely selection due to a conviction/sentencing would be unlikely to occur within the time of the SSV survey cycle. A participant said that there should be a way to report for multiple perpetrators here. See Figure 6 for the question text.

Figure 6: Question Text for Question 27: Sanction Imposed on Perpetrator

Question 27:

27. What sanction was imposed on the perpetrator(s)?
(Mark (X) all that apply for all perpetrators.)

- 01 ☐ Placed in solitary confinement or disciplinary segregation
- 02 ☐ Confined to own cell or room
- 03 ☐ Placed in higher custody level, restricted unit or program, within the same facility
- 04 ☐ Transferred to other unit/cell or separated from victim
- 05 ☐ Transferred to another facility
- 06 ☐ Loss of "good/gain" time, increase in "bad" time or delayed release
- 07 ☐ Given extra work
- 08 ☐ Loss of privileges, disciplinary report or conduct violation, or other reprimand
- 09 ☐ Sent to counseling or treatment team
- 10 ☐ Arrested or referred to law enforcement agency
- 11 ☐ Referred for prosecution or indicted
- 12 ☐ Convicted, given new sentence, or fined
- 13 ☐ Other – *Specify*

Finding 16: Participants are following the 'mark all that apply' instruction and selecting all imposed sanctions, not just the most severe. One category is out of scope for the field period for SSV. Some were unclear how to report multiple perpetrators here.

Recommendation(s): Consider changing wording of question so that respondents can add care of PEP to the list, instead of introducing a new question; introduction of a new option "Legal outcome pending" box.

We asked participants about Question 28, which asks about staff perpetrators. A participant mentioned adding the word "Grooming" to category 6 (Wrote letters, showed pictures, or offered gifts or special privileges to inmate), saying "when you have a staff member that's trying to groom the victim, they're going to do it in multiple ways – grooming, favors, compliments, etc. – to make the inmate beholden to them." Another mentioned adding examples to the Special privileges selection to include "sneak snacks in, tv time, phone time." Some suggested an additional category to capture telephone calls and video conferencing. See Figure 7 for the question text for Question 28.

Figure 7: Question Text for Question 28: Staff Perpetrator

Question 28:

Youth:

Section B – STAFF-ON-YOUTH SEXUAL ABUSE

⓪ If the perpetrator was a youth, go to Section A on pages 2–3.

28. What was the nature of the incident?
(Mark (☒) all that apply.)

01 ☐ Physical force resulting in a nonconsensual sexual act
02 ☐ Pressure or abuse of power resulting in a nonconsensual sexual act
03 ☐ Indecent exposure, invasion of privacy, or voyeurism for sexual gratification
04 ☐ Unwanted touching for sexual gratification
05 ☐ Sexual harassment or repeated verbal statements of a sexual nature by staff
06 ☐ Wrote letters, showed pictures, or offered gifts or special privileges to youth
07 ☐ Sexual relationship between youth and staff that appeared to be willing
08 ☐ Other – *Specify*
09 ☐ Level of coercion unknown

Adult:

Section B – STAFF-ON-INMATE SEXUAL ABUSE

→ If the perpetrator was an inmate, go to Section A on pages 2–3.

28. What was the nature of the incident?
(Mark (☒) all that apply.)

01 ☐ Physical force resulting in a nonconsensual sexual act
02 ☐ Pressure or abuse of power resulting in a nonconsensual sexual act
03 ☐ Indecent exposure, invasion of privacy, or voyeurism for sexual gratification
04 ☐ Unwanted touching for sexual gratification
05 ☐ Sexual harassment or repeated verbal statements of a sexual nature by staff
06 ☐ Wrote letters, showed pictures, or offered gifts or special privileges to inmate
07 ☐ Sexual relationship between inmate and staff that appeared to be willing
08 ☐ Other – *Specify*
09 ☐ Level of coercion unknown

Finding 17: Participants suggested additional categories to this question like telephone calls or video conferencing, or the inclusion of examples, especially for the special privileges category.

Recommendation: Consider adding Telephone Calls/Video Conferencing and the terminology of grooming to option 6.

Finally, we asked participants about Question 38, staff perpetrator sanctions. Like the inmate/youth sanctions, participants indicated that they were selecting all sanctions imposed, not just the most severe sanction. Said one, "I'm selecting all of the sanctions." Similarly, some participants pointed out that option 7 (Convicted, given new sentence, or fined) would be an unlikely selection due to a conviction/sentencing being unlikely to occur within the timeframe of the SSV survey cycle. Said one, "I don't think number seven is realistic in that you can answer within the year of the survey whether the individual has been convicted." See Figure 8 for the question text for Question 38.

Figure 8: Question Text for Question 38: Staff Perpetrator Sanctions

Question 38:

38. What sanction was imposed on the staff?
(Mark (☒) all that apply for all staff involved.)

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

Finding 18: Participants indicated that they were selecting all sanctions imposed, not just the most severe sanction. Because of the SSV survey cycle, option 7 would be an unlikely selection

Recommendation: Introduction of an additional option a "Legal outcome pending" box

Web Instrument

Finding 20: Some participants reported issues with the upload and save features, uploading multiple/additional documents, etc. Some participants mentioned the desire for the auto-populate capability. One participant wanted the ability to have multiple users and password resets, a delegation feature, etc.

Recommendation: Provide clear instructions for the upload feature or make it more user-friendly. When going to conferences possibly have a booth to demonstrate the upload feature and explain any new changes to the survey in addition to providing how-to videos on the SSV webpage. Include category edits in the web instrument to specify a better way to help respondents identify categories and select buckets that are already established.

Miscellaneous

Finding 21: Some respondents may not know how to classify individuals that are non-Cis-gendered.

Recommendation: Revise Transgender and Intersex definitions and add a category for gender non-conforming from the PREA standards.

Cognitive Testing Interviews - Round 1

The findings from the formative research – the expert review and early stage scoping interviews – were used to inform the development of the cognitive testing protocol for the first round of cognitive testing (Appendix C).

Research Objectives:

The cognitive testing conducted included modification/revisions to existing questions and definitions. Respondents were asked to review changes and for their feedback about the feasibility of answering questions, the level of burden associated with the forms, and the clarity of the forms. The modification/revisions to questions and definitions explored in the cognitive testing is detailed below.

The following changes were made to the summary forms (SSV-1, SSV-2, SSV-3, SSV-4, SSV-5, and SSV-6):

- Definitions of the types of sexual victimization were standardized to match the 2012 PREA Standards. Respondents will now be asked to report the number of allegations of inmate-on-inmate sexual abuse and sexual harassment and staff-on-inmate sexual abuse and sexual harassment. Given that facilities have structured their policies and practices according to this federal guidance and for purposes of PREA audits, we have decided to simplify the types of victimization asked about on the forms and use these definitions.
- Check boxes for cases when there were “none” or “zero” of an allegation type have been removed and instructions added for respondents to write a zero on the form.

The incident forms (SSV-1A and SSV-1J) have had their overall structure altered and we have made revisions and additions to specific questions on the forms. The form now has four main sections. The first contains basic incident-level details that apply regardless of the type of victimization (date, facility, location, video monitoring, time, reporting party, and general type of victimization). The second section asks about the number of victims and about victim-level information for up to two victims. The purpose of this change is to be able to link outcomes for a victim (injury, treatment, sanction) to their demographic details and give details of people who experienced each outcome rather than describe these at the incident level. Previously, the incident forms only collected demographic data of sex/gender identity, age, and race/ethnicity at the individual level and outcomes were asked at the incident-level.

The third section asks about details for an inmate/youth-perpetrated sexual victimization incident, starting with incident-level items that ask about the nature of the incident; types of pressure, coercion

or forced used; and the number of inmate/youth perpetrators involved. The section then asks for demographic details and sanctions for up to two perpetrators. This again allows us to link demographic details to specific outcomes for the perpetrator. The fourth section is related to staff-perpetrated incidents. There are two incident-level items that ask about the nature of the incident and number of staff involved. Then, for up to two staff members, there are items for demographic details, employment details, and sanctions. Again, this will allow for analysis that links outcomes to person-level details and characteristics.

If there are more than two victims, inmate/youth perpetrators, or staff perpetrators, respondents will be directed to complete the form online where they will be able to enter individual details and outcomes for up to 15 victims and up to 8 inmate/youth or staff perpetrators. The instructions that guide respondents through the revised structure will be tested for clarity and comprehension. An additional change was the removal of the "Mark all that apply" instruction for lists and allowing respondents to select only options that were applicable. Instead, all response options must be answered with either a "Yes" or "No".

The following changes were made to items on the adult and juvenile incident forms:

- **Date of Incident**
  - A check box was added next to the date of the incident for respondent to indicate if the substantiated incident covered by the form occurred on multiple dates.
- **Location of incident**
  - A response option of "Location not applicable (e.g., involved written, phone, or virtual communication)" was added.
- **Who reported incident**
  - The item was moved to earlier in the form and now follows the item that asks about time of incident. This was done so that all incident-level characteristics, regardless of the type of victimization, appear together on the first section of the form.
- **Type of sexual victimization**
  - Response options were altered to align with PREA standards definitions. Previously, there were five types of victimization: inmate-on-inmate nonconsensual sexual acts, inmate-on-inmate abusive sexual contact, inmate-on-inmate sexual harassment, staff sexual misconduct, and staff sexual harassment. There new form has four types of victimization: inmate-on-inmate sexual abuse, inmate-on-inmate sexual harassment, staff-on-inmate sexual abuse, staff-on-inmate sexual harassment.
  - Directions were revised about which sections should be completed based on the type of victimization.
- **Victim sex and separate gender identity question**
  - There is a two-part question that asks about sex of victim first followed by gender identity of victim.
  - A response option "gender nonconforming," which is a direct term from the PREA Standards for inmates whose "whose appearance or manner does not conform to traditional societal gender expectations," was added.
  - "Unknown" was also added as a gender identity response option.

- **Victim race and ethnicity question revised (see section below on the addendum for Race/Ethnicity testing)**
    - This question includes revisions that are in line with the current OMB public proposal to amend race and ethnicity data collection on federal statistical surveys
    - The response option of "Middle Eastern or North African" has been added.
    - The "other racial category in your information system- specify" was removed.
    - Response options were reordered slightly.
- **Physical injury**
    - Response options of "bites" and "burns" were added based on write-in responses to the "other-specify" category.
    - The order of injuries on the list was changed to reflect increasing severity or potential lethality.
- **Post-incident medical treatment**
    - The response option of "provided with counseling or mental health treatment" was moved up in the order of the list. It was determined that this was distinct from other physical medical treatment and should be placed before the physical exams and tests given that it is a type of treatment that may be more widely applicable to different types of victimization.
    - A response option of "given post-exposure prophylaxis (PEP) and/or emergency contraception" was added between items related to a rape kit and testing for HIV/AIDS.
    - The response option altered to read "Tests for other sexually transmitted infections" rather than "diseases".
    - A response option was clarified to include that the victim may have been offered but declined counseling as well as medical treatment.
- **Victim sanction/custody change**
    - The responses were reordered to reflect the permanence or ease of the custody change, with temporary measures and placements at the start of the list and transfers toward the end. The only sanction in the list was also placed at the end.
- **Nature of inmate-on-inmate/youth-on-youth victimization**
    - The order of response options was changed to flow from least severe to most severe.
    - The option of "Horseplay" was removed.
- **Type of pressure or force**
    - The word "coercion" was added to the question wording to more accurately reflect the options shown.
    - "Sexual harassment" was removed as an option because it did not necessarily reflect a type of pressure or force but was instead indicative of the nature of the incident.
    - The options were reordered starting with verbal or situational force to physical pressures.
    - The distinction of the victim being incapacitated was added to touching/groping by surprise or while asleep.
    - Two response options about threats were combined and examples were added because previous items were overly specific and write-in responses revealed there were other types of threats that could be included (such as threats to family or threats to well-being).
    - Additional clarification about how victim was restrained in the incident was added.
- **Inmate/youth perpetrator sex or gender identity**

    - The form now asks two questions about sex and gender identity.
    - The options of “gender nonconforming” and “unknown” were added to the response list for gender identity.
- **Inmate/youth perpetrator race and ethnicity**
    - This question includes revisions that are in line with the current OMB public proposal to amend race and ethnicity data collection on federal statistical surveys
    - The response option of “Middle Eastern or North African” has been added.
    - The “other racial category in your information system- specify” was removed.
    - Response options were reordered slightly.
- **Inmate/youth perpetrator sanction/custody change**
    - The responses were reordered to flow from temporary measures to more permanent changes in custody, followed by sanctions related to their current incarceration, and then criminal consequences.
    - A treatment example was added to the following: “Sent to counseling or provided other treatment (e.g. post-exposure prophylaxis)”.
    - “Plead guilty” was added to the response option that details a criminal sanction, so it matches with the outcome in the staff sanction item.
    - “Awaiting a legal outcome” was added as an option so respondents may indicate that there is an ongoing criminal proceeding at the time the form is being completed.
- **Nature of staff-on-inmate/youth victimization**
    - The response options were reworded and reordered to flow from the least extreme cases of sexual harassment thru sexual abuse.
    - Response 1 corresponds to the definition of staff sexual harassment
    - Responses 2 and 3 now form the basis of an inappropriate relationship between staff and inmate (communication and grooming activities).
    - Responses 4-8 cover behaviors outlined in the definition of staff sexual abuse.
- **Staff sex and gender**
    - The previous form asked only about the sex of staff. The revised form now asks both about sex and gender identity of the staff.
    - Response options of “transgender”, “gender nonconforming” and “unknown” were added to the gender identity question.
- **Staff perpetrator race or ethnicity**
    - This question includes revisions that are in line with the current OMB public proposal to amend race and ethnicity data collection on federal statistical surveys
    - The response option of “Middle Eastern or North African” has been added.
    - The “other racial category in your information system- specify” was removed.
    - Response options were reordered slightly.
- **Staff position description**
    - The response options were reordered so that the positions with the most direct contact are first and the positions with the least direct contact with inmates/youth are last.
- **Staff sanction**
    - Sanctions were reordered according to severity, with training being the least severe option and criminal consequences the most severe.
    - A response option of “awaiting a legal outcome” was added to account for criminal consequences not yet being finalized at the time the form is being completed.

Addendum for Race/Ethnicity Testing:

The Office of Management and Budget (OMB) maintains government-wide standards for collecting Federal race and ethnicity data, as OMB Directive No. 15. Since 1997, these government-wide standards ensure the consistent reporting of these data by federal statistical agencies, allowing the comparison of information and data across Federal agencies and informing Federal programs that serve a diverse America. In 2022, OMB's Office of the Chief Statistician released a memo on the upcoming review of Directive No. 15 and the establishment of the Interagency Technical Working Group on Race Ethnicity Standards to revise OMB's statistical standards for collecting and reporting race and ethnicity data across Federal agencies. On January 27, 2023, OMB published a Notice and Request for Comments on the Race/Ethnicity Interagency Technical Working Group's initial proposals; the initial proposals are also shown in Appendix D.

Within the Race/Ethnicity Interagency Technical Working Group, a "Testing Group" was created to develop and implement household and establishment questionnaire testing of the proposed revised R/E items. The Testing Group leads invited staff with questionnaire testing experience at different Federal agencies, including the U.S. Census Bureau, to help with such testing. Given the need of the Testing Group to have a major representation of different establishment types, the U.S. Census Bureau's Economic Directorate and the Bureau of Justice Statistics decided to incorporate the testing of the proposed race or ethnicity questions into the SSV content testing project. This testing sought answers to the following research questions developed by the Interagency Technical Working Group:

- What records do establishments have concerning the race/ethnicity of their [owners, staff, students, prisoners, clients, etc.]?
- What are the best approaches for collecting information on race/ethnicity from establishments?

Specifically, the goals of testing were to 1) assess how data collection participants currently complete their reporting of race and ethnicity items and what records may be used (similar to a Response Analysis Study); 2) assess whether the proposed questions are measuring the underlying constructs of interest; 3) improve understanding of the feasibility of supplying the requested data; 4) examine the burden of compiling responses to the questions, and 5) examine the burden of implementing changes to the data items.

We tested both the minimum and detailed versions of the proposed new race/ethnicity in the first round of moderated cognitive testing as well as in the unmoderated cognitive testing. Given the

findings from first round of moderated cognitive testing and the unmoderated cognitive testing, only the minimum version of the proposed new race/ethnicity question was tested in the second round of moderated cognitive testing. The findings from this testing are detailed in this report and highlights the complexities of reporting demographic data by proxy using administrative data records.

Methodology:

Cognitive research is used in survey methodology "(a) to understand the thought processes used to answer survey items, and (b) to use this knowledge to find better ways of constructing, formulating, and asking survey questions" (Forsyth and Lessler, 1991). Cognitive interviews traditionally focus on the four steps of Tourangeau's (1984) cognitive response model: comprehension, retrieval, judgment, and communication/reporting. Comprehension refers to the respondent's interpretation and understanding of the question's language, structure, and grammar. In order to answer the question, a respondent must understand what information is being requested on the survey. Retrieval is the step where relevant information is obtained, either from records or from memory. The next step, judgment, describes the respondent's evaluation of the completeness or relevance of the data obtained. It is here that estimates are made based on partial or incomplete data. The last step, communication or reporting, deals with mapping the response to the answer space provided and possibly altering the answer.

While Tourangeau's model is suitable for household and social surveys, the establishment survey setting presents additional factors that must be considered. First, instead of or in addition to a reliance on memory, establishment surveys rely heavily on records and the information contained within them. Second, organizations tend to have distributed knowledge. Some people are experts in one type of information, while others keep information about something else. Third, competing priorities, both for the organization and the individual(s) completing the questionnaire, mean that the survey sometimes does not receive the amount of attention that researchers and data collectors would like. Finally, organizations regularly authorize only a few individuals to release data. If the data provider is not authorized to release the data, an additional step must be added to the response process. Tourangeau's model was expanded by Sudman *et al* (2000) to account for these factors.

In March and April of 2023, we met with 15 respondents in sample for the SSV to conduct the first round of cognitive testing interviews. Respondents were sent a recruitment e-mail (Appendix E) with an invitation to participate in this testing phase. Table 3 illustrates the number of respondents participating in this research phase by facility type.

Table 3: First round of moderated cognitive testing participants by respondent affiliation

Respondent affiliation	**Number of participants interviewed for round 1 of moderated cognitive testing**
Federal BOP	1
State DOCs	2

Local jails	3
Private prisons, & jails, ICE facilities, U.S. military, tribal jails	1
State juvenile systems	3
Local or private juvenile facilities	5
Total	**15**

Findings and Recommendations from the Cognitive Testing Interviews – Round 1

This section highlights findings and recommendations from the first round of moderated cognitive testing for the Survey of Sexual Victimization (SSV). Round 1 testing occurred in March and April of 2023 and consisted of moderated cognitive interviews (n=15). General findings and recommendations are presented followed, by item-specific findings and recommendations and additional topics covered during testing.

General findings

Finding 1: Most participants reported having prior experience completing the SSV, some with assistance.

Most participants in the moderated testing had experience completing the survey. They noted that it took approximately 10 hours or less to complete the SSV in the past. About 50% of participants in the moderated testing indicated that they have assistance when collecting data for the SSV report.

Recommendation(s): None

Finding 2: Instructions and definitions presented in Summary Forms were understood by participants. Most participants found the instructions on the summary form to be clear and easy to understand.

Participants found the definitions provided on the Summary Form to be clear and concise, and many noticed that they align with PREA standards. Also, participants indicated that their records do accommodate the change in definitions. Two participants noted a concern regarding the definitions of staff-on-inmate sexual victimization.

Respondent quotes:

"Clear yes and concise. But not great - when we talk about staff on inmate sexual victimization - we've included this note forever. They don't categorize our staff stuff in this way. Any sexual ... it's hard to categorize in these ... it's hard for the way in their data

system to separate. Like harassment is included in upper sexual abuse. They follow a legal set of definitions because they are on a higher level of sanctioning. This is the one area that we ... collect from our office of internal affairs. It's not reported and investigated in the same way as inmate on inmate… but the instructions are clear."

"For staff the records don't accommodate these changes. For inmates, they do accommodate these changes."

"The PREA definition for voyeurism doesn't mirror the DC statute for staff abuse."

Recommendation(s): Maintain current instructions. Consider revisions to the definition for staff sexual harassment.

Finding 3: Advance notice was helpful to respondents. Having an advanced notice about upcoming changes to the SSV would be beneficial to the respondent.

Recommendation(s): Send an email to respondents regarding survey updates approximately 2-4 weeks prior to the start of the survey collection.

Content-Specific Findings

This section of the report outlines the findings and recommendations for the content we tested during this first round of cognitive testing.

Reporting of Allegations

Finding 3: Respondents are reporting all allegations whether substantiated, unsubstantiated, or unfounded.

We asked respondents if they are reporting all allegations, whether substantiated, unsubstantiated, or unfounded, and presented Question 111, which asks respondents to describe the allegations enumerated in Question 10. See Figure 9 for the Question 11 text.

Figure 9: Question Text for Question 11: Details of Allegations

Question 11:

10. Between January 1, 2023, and December 31, 2023, how many allegations of youth-on-youth SEXUAL HARASSMENT were reported?

Number reported . . . . . ._____

- If an allegation involved multiple victims or youth perpetrators, count only once.
- Exclude any allegations that were reported as consensual.

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

a. Substantiated . . . . . _____

b. Unsubstantiated . . . . _____

c. Unfounded . . . . . _____

d. Investigation ongoing . _____

e. TOTAL (Sum of Items 11a through 11d) . . . . . _____

- The total should equal the number reported in Item 10.

Recommendation(s): None

Yes/No Grids

We asked participants about potentially implementing a yes/no grid format for some items on the survey. See Figure 10 below.

Figure 10: Yes/No Grid

3. Did the incident occur in the following locations?

	Yes	No
01. In the victim's cell or room (e.g., if the victim and perpetrator share a cell or room, count as the victim's cell)		
02. In the perpetrator's cell or room		
03. In a dormitory or other multiple housing unit		
04. In a common area (e.g., shower, dayroom, bathroom)		
05. In a temporary holding cell or intake area within the facility		
06. In a program service area (e.g., commissary, kitchen, storage, laundry, cafeteria, workshop, hallway)		
07. In an instructional area (e.g. classroom, school, library, conference room)		
08. In a recreation area (e.g., yard, courtyard, gymnasium)		
09. In a medical area (e.g., infirmary, health clinic)		
10. In a staff area (e.g., office, break room, counselor's office)		
11. Offsite or while in transit		
12. Other – specify [BOX]		
13. Location unknown		
14. Location not applicable (e.g., involved written, phone, or virtual communication)		

Finding 4: Yes/No grid format may require additional guidance for respondents.

We asked respondents about the yes/no grid format in the survey. Most participants wanted instructions on how to complete this question format. Although nearly all participants understood the Yes/No format, some participants expressed that having instructions for this item would be helpful. Some participants expressed a preference for a 'Select All That Apply' format because it would require less clicks. One respondent expressed concerns about having to select No because "that is a definitive response as opposed to something that is unknown and not covered in an investigative report."

Respondent quote:

"…It may lead to data error because you do not know if the respondent intentionally left a box blank because it is no or it is a true missing data point."

Recommendation(s): Do not implement the yes/no format. Instead maintain the current 'Select All That Apply' format as respondents do not always have the information to definitively say No to some items.

Reporting Multiple Dates

Finding 5: Reporting multiple dates may be unclear.

Participants need more clarity on how to determine the date. A few participants appeared to need additional instructions for this item, but this finding may be the result of how this item was presented to participants. Some respondent suggestions included having a MM/YY or approximate date format. Or allowing them to report multiple incidents separately and having a drop down to add an additional date. One respondent noted that they would not know how to fill out this question if reporting all dates recurring with the same incident.

> **Recommendation(s):** Provide clearer instructions on how to answer the multi date question. Consider reporting each incident separately instead of including the check box as done in the past.

Item 13: Victim Physical Injury

We asked respondents about Item 13, which asks about physical injuries sustained by victims during an incident. See Figure 10 for the question text for Item 13.

Figure 10: Question Text for Item 13: Victim Physical Injury

Item 13:

13. Victim #1. Did the victim sustain any physical injury during the incident? [ ] Yes [ ] No

If "Yes" → a. Did the following injuries occur?

	Yes	No
01. Bruises, black eye, sprains, cuts, scratches, swelling, welts		
02. Bites		
03. Burns		
04. Chipped or knocked out teeth		
05. Anal or vaginal tearing		
06. Knocked unconscious		
07. Broken bones		
08. Knife or stab wounds		
09. Internal injuries		
10. Other – specify [BOX]		

→ b. Did the victim receive medical treatment for these injuries? [ ] Yes [ ] No

Finding 6: Reporting of some physical injuries may be difficult for respondents.

Sexually Transmitted Infections (STIs) were not included in response because of assault. Participants' consideration of internal injuries was often discussed during the interviews. Participants noted that it may be hard to identify where to list an internal injury. Adding an additional option of physical injury resulting in death could be considered.

Respondent quotes:

"Internal injuries are hard to get to because these incident reports are done pretty quick after the allegation is made."

"Internal injuries could be confused with anal and vaginal tearing or knife wound."

"If you got knocked unconscious and got a head injury, you could have a concussion. What about physical injury resulting in death?"

Recommendation(s): Re-assess in Round 2 testing.

Item 14: After Incident Actions for Victims

We asked participants about Item 14, which chronicles after incident actions for victims. See for the question text for Item 14.

Figure 11: Item 14: After Incident Action for Victims

Item 14:

14. Victim #1: After the incident was reported, was the victim –

	Yes	No
01. Provided with counseling or mental health treatment		
02. Given a medical examination		
03. Administered a rape kit		
04. Given post-exposure prophylaxis (PEP) and/or emergency contraception		
05. Tested for HIV/AIDS		
06. Tested for other sexually transmitted infections		
07. Offered but declined testing, treatment and/or counseling		
08. Already released/discharged		
09. None of the above		

Finding 7: Item #14 was not problematic for participants to report, and the revised order was well received.

Most participants provided positive feedback when it came to the probe for category 4: *'Given post-exposure prophylaxis (PEP) and/or emergency contraception.'* One respondent pointed out that the question is trying to determine whether the victim was offered treatment and also whether or not they declined treatment. The participant suggested it may be helpful to add another yes/no selection to include whether the victim accepted or declined the treatment. Some participants noted that they would not know if contraceptives were given because they can only go by what is written in the report.

Respondent quotes:

"Category 4 is sometimes mentioned on reports. I don't see Number 4 being checked often because our inmates are separated by sex."

"It might be difficult to answer 4, 5, and 6 because if we have a situation where a kid is actually suffers a significant sexual assault, the kid will be taken to a hospital and whether or not we get this information from a hospital will be questionable. In my position, do I even have a need to know this information from the hospital? *** I know if administered a rape kit because that's in the report, but I would not have info on whether they were given contraceptives or PEP. I think I may have only received one report in 11 years where I read that a kid received emergency contraceptive."

"Thinks the addition of number 4 is good. In own words, category 4 means in the event of sexual abuse as opposed to sexual harassment they would provide treatment to avoid pregnancy or that would come as the result of sexual contact. Post-exposure prophylaxis means preventative medical treatment if they don't know if there's an infection or if anything has been transferred."

Recommendation(s): Additional testing needed in Round 2.

Item 15: Additional After Incident Actions for Victims

The next item, Item 15, includes additional steps facilities may or may not take post-incident for victims. See for the question text.

Figure 12: Question Text for Item 15: Additional After Incident Actions for Victims

Item 15:

15. Victim #1: After the incident was reported, was the victim –

	Yes	No
01. Separated from perpetrator		
02. Confined to own cell or room		
03. Placed in or returned to administrative segregation, protective custody, or disciplinary segregation		
04. Placed in a medical unit, ward, or hospital		
05. Placed in a camera room, under close surveillance, or increased supervision		
06. Transferred to another housing unit or dorm, or given a single room or cell		
07. Given a higher custody level or different unit within the facility		
08. Transferred to another facility		
09. Issued a disciplinary report or loss of privileges		
10. Other – specify [BOX]		
11. None of the above		

➔ **If there were no other victims, please skip to Section B on pages 6-8 if the incident involved an inmate perpetrator or Section C on pages 9-12 if the incident involved a staff perpetrator.**

Finding 8: Response options in Item #15 may not be appropriate for youth facilities.

The verbiage on the Youth incident form for options 2 and 3 are not consistent with language that are used in youth facilities and is more consistent with how adult perpetrators are managed.

Respondent quotes:

"We don't use the word "administrative segregation" in the juvenile world anymore. We used to use restrictive housing but that's an adult term. We use the word "separation" as a juvenile word. That's an ACA standard now. We follow that with the Bureau of Prisons."

"Number 2 stands out - it's not something - I just don't like the wording - for juveniles it's much more sensitive - for anytime they're in a room or cell or not asked to be in the room it's considered room confinement and there's a lot of paperwork in the state of California and there are a lot of public groups against room confinement as it's considered a disciplinary sanction. It's a much broader subject than yes or no - was it a safety measure or disciplinary measure? What's the goal of getting the answer to this question? Category 3 answers category 2 - for California that's how it works under Title 15 for California's juvenile regulations."

Recommendation(s): Reconsider the wording on Youth incident forms. Consider using the term separation instead of 'administrative segregation.'

Finding 9: Participants recommended reordering options 8 and 9 to reflect order of severity.

Participants commented that Option 8 was more severe than option 9.

Respondent quotes:

"Number 8 is the most extreme measure here."

"Number 9 is a very minor thing compared to being transferred."

Number 9 - "usually they aren't issued a disciplinary report if they are a victim."

Recommendation(s): Switch options 8 and 9.

Item 23: Substantiated incidents

We asked respondents about Item 23, which asks about the details of substantiated incidences. See Figure 13 for the question text for Item 23.

Figure 13: Question Text for Item 23: Substantiated Incident Details

Item 23:

SECTION B – YOUTH-PERPETRATED SEXUAL VICTIMIZATION

23. Did the following occur as part of the substantiated incident?

	Yes	No
01. Verbal comments or gestures of a derogatory or offensive sexual nature		
02. Repeated and unwelcome sexual advances or requests for sexual favors		
03. Indecent exposure, masturbation, voyeurism, or other actions of a derogatory sexual nature		
04. Intentional and non-consensual or coerced touching of the genitalia, anus, groin, breast inner thigh, or the buttocks		
05. Nonconsensual sexual act that resulted from pressure or coercion (without force)		
06. Nonconsensual sexual act that resulted from physical force (or the threat of force)		
07. Other – specify [BOX]		

Finding 10: Voyeurism is normally not a youth perpetrator action.

Respondents noted that voyeurism in particular may be a low incident event, or may not be appropriate, for youth facilities.

Respondent quotes:

"Should Voyeurism be on Youth on Youth? Because you don't really see voyeurism on youth and youth."

Recommendation(s): Additional testing in Round 2

Finding 11: Incidents included under option 1 should reference repetition of the action.

To be considered and reported as PREA Option 1 (Verbal comments or gestures of a derogatory or offensive sexual nature) should indicate that the action was repeated.

Recommendation(s): Consider adding the word 'repeated' to option 1.

Finding 12: The use of the term 'substantiated' at the beginning of the question is confusing since the incident forms are for substantiated cases.

Respondent quote:

"The "substantiated" is redundant since I am only reporting on substantiated incidents. The other questions don't mention Substantiated."

Recommendation(s): Consider removing the word substantiated from this question as it may already be implied.

Item 30: After Incident Actions for Perpetrators

We investigated respondent understanding and reaction to Item 30, which asks about actions taken after incidents for perpetrators. See for the question text for Item 30.

Figure 14: Question Text for Item 30: After Incident Actions for Perpetrators

Item 30:

30. Perpetrator #1: After the incident, was the youth perpetrator –

	Yes	No
01. Confined to own cell or room		
02. Placed in solitary confinement or disciplinary segregation		
03. Placed in higher custody level, restricted unit or program, within the same facility		
04. Transferred to other unit/cell or separated from victim		
05. Transferred to another facility		
06. Sent to counseling and/or provided other treatment (e.g. post-exposure prophylaxis)		
07. Loss of "good/gain" time, increased in "bad" time or delayed release		
08. Given extra work		
09. Loss of privileges, disciplinary report or conduct violations, or other reprimand		
10. Arrested or referred to law enforcement agency		
11. Referred for prosecution or indicted		
12. Convicted, plead guilty, given new sentence, or fined		
13. Awaiting a legal outcome		
14. Other – specify [BOX]		

➔ **If there were no other perpetrators, please skip to Notes on page 12 (if applicable) or submit form.**

Finding 13: Some participants don't think the term 'solitary confinement' in response option two is appropriate.

Respondent quotes:

"We don't place anyone in solitary confinement. We don't place as a measure of disciplinary. we have a few single cells as special. For us I would take out Solitary confinement for number 2 and put in Administrative Detention."

"We don't use "solitary confinement" in the juvenile world. We use "separation." This is not unique to their facility, it's a standard across all juvenile facilities. They are going away from the segregation."

Recommendation(s): Consider using the term "Administrative Detention" for adult facilities and "Separation" for youth facilities. Additional testing is needed in round 2.

Finding 14: There was some confusion about what would count as counseling (option 6) based on how long the perpetrator may have had discussions with a counselor.

Respondent quote:

"For counseling - do you mean counseling for sex crimes? They could talk to a counselor for 15 minutes and this would get marked yes. I'm not sure what kind of info you're trying to get at - 1 15 min session or ongoing 6 month counseling program? That's very different. But they (respondent) would both be yes here."

Recommendation(s): Additional testing is needed in round 2.

Finding 15: There was confusion about the right way to manage the responses to options 10-13 because the respondent isn't always aware of the status of the incident after an arrest.

Respondent quotes:

"When we get the adult incident form we may not know if they were convicted yet. Yeah, they were charged and they are in the court process but we don't know the legal outcome. If the incident is substantiated later in the year, for the burden of proof for PREA and probable cause to charge them criminally - we may not know if they were convicted in court. They would be arrested and would select options 10 and 13."

"For number 13 - we are saying that we are awaiting a legal outcome as a result of the incident. Because they might be here still because they are dealing with their legal matters that have nothing to do with the matters at hand. So that they are awaiting a legal outcome as a result of the incident. So maybe that goes in line with number 11 - then would 13 potentially apply? Maybe 12 goes in there too? Because if they were referred for prosecution where they. or are we awaiting an outcome for that. Maybe a hover for category 13 should be included here is what the respondent said."

Recommendation(s): Additional testing is needed in round 2.

Item 36: Details of Substantiated Incident

Item 36 asks about the details of substantiated incidents and includes eight response categories and an other/specify capture. See for the question text for Item 36.

Figure 15: Item 36 Question Text: Details of Substantiated Incident

Item 36:

36. Did the following occur as part of the substantiated incident?

	Yes	No
01. Repeated suggestive, derogatory, or obscene verbal comments or gestures of a sexual nature		
02. Wrote letters, showed pictures, talked on the phone, or through video conferencing		
03. Exhibited grooming behaviors such as providing gifts, special privileges, or favors to youth		
04. Indecent exposure, invasion of privacy, or voyeurism		
05. Any attempt, threat, or request related to abusive sexual contact or nonconsensual sexual act		
06. Any touching or kissing for sexual gratification		
07. Pressure or abuse of power resulting in a nonconsensual sexual act		
08. Physical force resulting in a nonconsensual sexual act		
09. Other – specify [BOX]		

Finding 16: Many participants agreed with the content of this question. However, about 30% of participants offered feedback during the probes on the arrangement of the categories and the term 'nonconsensual' in options 5 and 7.

Respondent quote:

"Does not care for the non-consensual ...since nonconsensual is not in the definitions anymore the questions should align with the definitions."

Recommendation(s): Consider removing the term 'nonconsensual.' Wait for more findings from round 2 testing to address potential re-ordering of the categories.

Item 43: Staff Perpetrator Position Description

We then switched gears and asked about staff perpetrator position description in Item 43. See Figure 16 for the question text for Item 43

Figure 16: Item 43 Question Text: Staff Perpetrator Position Description

Item 43:

43. Staff #1: What was the primary position description of the staff perpetrator involved in the incident?
    01. Correctional officer or supervisory staff
    02. Maintenance and other facility support staff, including groundskeepers, janitors, cooks, and drivers
    03. Medical or healthcare staff, including counselors, doctors, dentists, psychologists, psychiatrists, social workers, nurses, and medical assistants
    04. Education staff, including instructors, teachers, librarians, and education assistants
    05. Administrator, including wardens, superintendents, assistants, and others in administrative positions
    06. Clerical staff, including secretaries, clerks, receptionists, and other administrative support
    07. Other program staff
    08. Volunteers or interns
    09. Other staff – specify [BOX]

Finding 17: Most participants found the list complete and agreed with the arrangement of response options.

Although the participants appear to find the listing complete, there may be additional categories to consider such as Program Staff, Internal and External movement staff, Quality assurance staff, clergy, or mentors. Additionally, participants recommended adding contractors as a specific option. However, this finding is limited in that "contract employee" is a response category in the 'Type of Employee' item, and that item was not tested in the redesign research.

Respondent quote:

"I would include contractors as categories other than that we capture everything."

Recommendation(s): Consider additional position descriptions such as "clergy."

Item 45: After Incident Actions for Staff Perpetrators

The next question, Item 45, asks about after incident actions for staff perpetrators. See for the question text.

Figure 17: Item 45 Question Text: After Incident Actions for Staff Perpetrators

Item 45:

45. Staff #1: After the incident, was the staff perpetrator–

	Yes	No
01. Sent to training or counseling		
02. Reprimanded or disciplined		
03. Demoted, diminished responsibilities, suspended temporarily, or placed on administrative leave		
04. Transferred to another facility or unit		
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 [BOX]		
13. No action taken		

➔ **If there were no other staff perpetrators involved, please skip to Notes on page 12 (if applicable) or submit form.**

Finding 18: Participants appear to agree with proposed changes, providing some additional recommendations for improvement**.**

About half of the participants agreed with the changes to the question. Participants had several recommendations for how to re-order the categories so that they appear in the order of less severe to most severe.

Respondent quotes:

"Move 5 past resigned because resignation seems nicer...move 4 to top of the list...most likely to occur while investigation happens"

"No action taken should go before 1."

"Being demoted is worse than being transferred to another facility. discharge is worse than resigning."

Recommendation(s): Consider arranging categories as indicated below and adding 'if known' to the legal outcome option

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

Sex and Gender of Inmates and Youths:

We asked respondents about identifying the sex and gender identity of inmates and youths. This section of the report outlines findings related to that topic.

Figure 18: Sex and Gender Identity Definitions

Sex and gender categories

Intersex: A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

Gender nonconforming: A person whose appearance or manner does not conform to traditional societal gender expectations.

Transgender: A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.

Finding 19: Definitions provided for sex and gender identity were understood. See Figure 18 above for definitions.

Most participants stated that the new sex and gender identity definitions provided (intersex, gender nonconforming, and transgender) were clear and easy to understand. Most participants understood the difference between sex and gender identity.

Recommendation(s): Revise probes for Round 2 moderated testing to glean more information. During the second round of testing participants should be probed as to whether they typically refer to the definitions in the back of the survey form.

After obtaining feedback on the definitions provided to participants for sex and gender identity, we looked at the two question approach for the victim's sex and gender identity as well as the response categories for these two items. See Figure 19 for the item on Sex of the victim. The item for Gender Identity of the victim can be found in Figure 20.

Figure 19: Item 9: Victim's sex

9. Victim #1: What was the victim's sex?
   01. Male
   02. Female
   03. Intersex

Figure 20: Item 10: Victim's gender identity

10. Victim #1: What was the victim's gender identity?
    01. Male
    02. Female
    03. Transgender
    04. Gender nonconforming
    05. Unknown

Finding 20: Categories for sex and gender identity may not be universal, matching to respondent records.

Many participants indicated that "intersex" and "gender nonconforming" are not terms used in their facility systems, records, or reports.

Recommendation(s): Consider adding the definitions for the sex and gender identity categories (intersex, gender nonconforming, and transgender) immediately after each question or beside each answer category to ensure that participants have these definitions available to them when answering these questions.

Finding 21: Participants records align with some of the response categories presented.

Most facilities mentioned that their records include sex and the categories of Male and Female. If an inmate/youth identifies as transgender, then there will be a note in their file.

Recommendation(s): Additional testing needed in Round 2 testing.

Finding 22: Additional context/reference period may be needed for reporting gender identity.

Some participants pointed out that gender identity can be fluid, especially for inmates and juveniles in correctional facilities.

Recommendation(s): Since gender identity can be fluid, consider adding the qualifier "at the time of the incident" to the gender identity question.

Finding 23: Reporting sex would not be problematic.

Participants stated that answering the question for sex would be easy and information would be readily accessible to them.

Recommendation(s): During the second round of moderated cognitive testing consider evaluating some variation of the question of 'what was the victim's biological sex or sex at birth?' This can be compared to the version asking about the sex of the victim.

Sex and Gender Identity of Staff Perpetrator

Here, we outline the first round of cognitive testing on sex and gender identity of staff perpetrators.

Finding 24: Definitions (see Figure 18) provided for sex and gender identity were understood.

Similar to the findings for the adult/juvenile, the new sex and gender identity definitions provided (intersex, gender nonconforming, and transgender) for staff perpetrators were understood by most

participants. The definitions were clear and easy to understand, and most participants understood the difference between sex and gender identity for staff perpetrators.

Recommendation(s): None

We also looked at the two question approach for the staff perpetrator's sex and gender identity as well as the response categories for these two items. See Figure 21 for the item on Sex of the staff perpetrator. The item for Gender Identity of the staff perpetrator can be found in Figure 22.

Figure 21: Staff perpetrator's sex

Staff #1: What was the staff perpetrator's sex?
01. Male
02. Female
03. Intersex

Figure 22: Staff perpetrator's gender identity

Staff #1: What was the staff perpetrator's gender identity?
01. Male
02. Female
03. Transgender
04. Gender nonconforming
05. Unknown

Finding 25: Categories for sex and gender identity may not be universal, matching to respondent records.

Many participants indicated that "intersex" and "gender nonconforming" are not terms used in their facility systems, records, or reports for staff perpetrators.

Recommendation(s): For the second round of content testing as well as on the actual SSV web instrument, the questions for sex and gender identity should appear on the same screen for the youth/inmate version. During the second round of testing, participants should be probed as to whether they typically refer to the definitions in the back of the survey form. We should consider adding the definitions for the Sex and Gender Identity categories (intersex, gender nonconforming, and transgender) immediately under each

question or beside each answer category to ensure that respondents have these definitions available to them when answering these questions.

Finding 26: Participants records align with some of the response categories presented.

Most facilities interviewed mentioned that records for staff perpetrators include the sex categories of Male and Female. Participants stated that answering the question for sex would be easy and that the information would easily available.

> **Recommendation(s):** During the second round of moderated cognitive testing consider evaluating some variation of the question of 'what was the victim's biological sex or sex at birth?' This can be compared to the version asking about the sex of the victim.

Race or Ethnicity of Inmate/Youth

Next, we asked respondents about reporting the race or ethnicity of inmates/youths. This section outlines those findings and recommendations. See Figure 23 for Version A of the race/ethnicity question with the minimum categories. For Version B of the race/ethnicity question with the detailed categories, see Figure 24.

Figure 23: Version A: Race/ethnicity item with minimum categories

Version A

What is the victim's race or ethnicity?
Select all that apply.

- ☐ White
- ☐ Hispanic or Latino
- ☐ Black or African American
- ☐ Asian
- ☐ American Indian or Alaska Native
- ☐ Middle Eastern or North African
- ☐ Native Hawaiian or Pacific Islander

Figure 24: Version B: Race/ethnicity item with detailed categories

Version B

What is the victim's race or ethnicity?
Select all that apply ***AND*** enter additional details in the spaces below.
Note, you may report more than one group.

☐ **WHITE** - *Provide details below.*
☐ German ☐ Irish ☐ English
☐ Italian ☐ Polish ☐ French
Enter, for example, Scottish, Norwegian, Dutch, etc.

☐ **HISPANIC OR LATINO** - *Provide details below.*
☐ Mexican or Mexican American ☐ Puerto Rican ☐ Cuban
☐ Salvadoran ☐ Dominican ☐ Colombian
Enter, for example, Guatemalan, Spaniard, Ecuadorian, etc.

☐ **BLACK OR AFRICAN AMERICAN** - *Provide details below.*
☐ African American ☐ Jamaican ☐ Haitian
☐ Nigerian ☐ Ethiopian ☐ Somali
Enter, for example, Ghanaian, South African, Barbadian, etc.

☐ **ASIAN** - *Provide details below.*
☐ Chinese ☐ Filipino ☐ Asian Indian
☐ Vietnamese ☐ Korean ☐ Japanese
Enter, for example, Pakistani, Cambodian, Hmong, etc.

☐ **AMERICAN INDIAN OR ALASKA NATIVE** - *Enter, for example, Navajo Nation, Black*
Mayan, Aztec, Native Village of Barrow Inupiat Tribal Government, Tlingit, etc.

☐ **MIDDLE EASTERN OR NORTH AFRICAN** - *Provide details below.*
☐ Lebanese ☐ Iranian ☐ Egyptian
☐ Syrian ☐ Moroccan ☐ Israeli
Enter, for example, Algerian, Iraqi, Kurdish, etc.

☐ **NATIVE HAWAIIAN OR PACIFIC ISLANDER** - *Provide details below.*
☐ Native Hawaiian ☐ Samoan ☐ Chamorro
☐ Tongan ☐ Fijian ☐ Marshallese
Enter, for example, Palouan, Tahitian, Chuukese, etc.

Finding 27: The shorter version of the Race & Ethnicity item (Version A) was preferred by participants.

Participants overwhelmingly preferred Version A (shorter) of the race or ethnicity question. Furthermore, most participants indicated that they could not answer Version B (longer) with any level of accuracy.

> **Recommendation(s):** Consider moving forward with the shorter version of the race and ethnicity question when it is released from OMB. Continue evaluating this in the second round of testing.

Finding 28: Confirmation of Race and Ethnicity may be difficult to obtain.

On occasion, the respondent may try to ask the victim or perpetrator a clarifying question on race and ethnicity. A majority of the participants cannot follow-up with inmates or juveniles due to access or protocol rules within the facility.

> **Respondent quote:**
>
> "Yes. If it's a long-term resident, then we have that ability. Usually, we try to... sometimes we have to go back and look through the investigative report. Going back and speaking to a resident has probably been very few opportunities to do that."
>
> **Recommendation(s):** None

Race or Ethnicity of Staff Perpetrator

Here we outline the first round cognitive testing results of reporting race or ethnicity of staff perpetrators. See Figure 25 for Version A of the race/ethnicity question with the minimum categories for staff perpetrators. For Version B of the race/ethnicity question with the detailed categories for staff perpetrators, see Figure 26

Figure 25: Version A: Race/ethnicity item with minimum categories for staff perpetrators

Staff #1: What was the staff's race or ethnicity? (Select [X] all that apply.)
01. White
02. Hispanic or Latino
03. Black or African American
04. Asian
05. American Indian or Alaska Native
06. Middle Eastern or North African
07. Native Hawaiian or Pacific Islander

Figure 26: Version B: Race/ethnicity item with detailed categories for staff perpetrators

*Select all that apply **AND** enter additional details in the spaces below.*
Note, you may report more than one group.

☐ **WHITE –** *Provide details below.*

☐ German ☐ Irish ☐ English
☐ Italian ☐ Polish ☐ French

Enter, for example, Scottish, Norwegian, Dutch, etc.

☐ **HISPANIC OR LATINO –** *Provide details below.*

☐ Mexican or Mexican American ☐ Puerto Rican ☐ Cuban
☐ Salvadoran ☐ Dominican ☐ Colombian

Enter, for example, Guatemalan, Spaniard, Ecuadorian, etc.

☐ **BLACK OR AFRICAN AMERICAN –** *Provide details below.*

☐ African American ☐ Jamaican ☐ Haitian
☐ Nigerian ☐ Ethiopian ☐ Somali

Enter, for example, Ghanaian, South African, Barbadian, etc.

☐ **ASIAN –** *Provide details below.*

☐ Chinese ☐ Filipino ☐ Asian Indian
☐ Vietnamese ☐ Korean ☐ Japanese

Enter, for example, Pakistani, Cambodian, Hmong, etc.

☐ **AMERICAN INDIAN OR ALASKA NATIVE –** *Enter, for example, Navajo Nation, Blackfeet Tribal, Mayan, Aztec, Native Village of Barrow Inupiat Tribal Government, Tlingit, etc.*

☐ **MIDDLE EASTERN OR NORTH AFRICAN –** *Provide details below.*

☐ Lebanese ☐ Iranian ☐ Egyptian
☐ Syrian ☐ Moroccan ☐ Israeli

Enter, for example, Algerian, Iraqi, Kurdish, etc.

☐ **NATIVE HAWAIIAN OR PACIFIC ISLANDER –** *Provide details below.*

☐ Native Hawaiian ☐ Samoan ☐ Chamorro
☐ Tongan ☐ Fijian ☐ Marshallese

Enter, for example, Palauan, Tahitian, Chuukese, etc.

EXAMPLE

Finding 29: The shorter version of the Race & Ethnicity item (Version A) was preferred by participants.

Most participants preferred Version A (short) of the race or ethnicity question with about 73% of participants indicating that they would not be able to provide the level of detail Version B (long)

requests. The longer format of the race and ethnicity question is considered burdensome by participants. Many mentioned that they would need to contact HR to obtain this information or consult the staff member.

> **Recommendation(s):** Consider moving forward with the shorter version of the race and ethnicity question when it is released from OMB. Continue evaluating this in the second round of testing.

Finding 30: Staff records are not as accessible as youth or inmate records.

Staff records are less accessible to SSV respondents than records for inmate/youth.

> **Recommendation(s):** None

Unmoderated Cognitive Testing

This section of the report outlines the results of unmoderated cognitive testing (UCT) performed to further test key of questions of interest. This testing can be split into two subsections: questions related to victim demographics and those related to staff demographics. The unmoderated cognitive testing protocol can be found in Appendix F. We will outline the results of testing for each of these sections, and report findings by respondent affiliation.

Background and methodology

Methodology

Unmoderated cognitive testing – sometimes called web probing, or online probing – is a method whereby probes are embedded into self-administered web surveys "to delve into the participants' process of comprehension and retrieval when answering survey questions" (Geisen and Murphy 2020: 305). In this way, web probes do not necessarily collect information on the response distribution to a test question, but rather information about the response process (including comprehension) to a test question. It is one of several "emerging" pretesting methods – not the traditional survey pretesting stalwarts of expert reviews, cognitive interviewing, and pilot testing (291), but those that use emerging technology to expand on traditional methods.

UCT does expand on these traditional existing methodologies – Neuert et al situate UCT within the cognitive response model, arguing that web probing "aims to gather information on respondents' thought processes when answering a survey question" and "to compare whether the survey question is understood as intended" (2023). It aims to answer the same questions as traditional cognitive testing: what is the comprehensibility and response process for answering the test question?

UCT has some methodological advantages compared to traditional survey pretesting. For one, UCT uses respondent-computer interaction to gain response, the same mode as the production instrument in the case of the SSV. We know that respondents are using a different response process interacting with web probes compared to survey questions – Fowler and Willis found in their work on web probing that "responses to web probes were more extensive than those to survey questions, suggesting that respondents do view them as different tasks, and likely as soliciting meaningful reflection, as intended" (2023). Mode of implementation also reduces social desirability pressures embedded in traditional cognitive testing. Hernandez et al (2022) found in their comparison of moderated and umoderated cognitive testing that respondents were more willing to express negative opinions during unmoderated testing compared to interviewer-administered cognitive testing. Finally, one of the most notable advantages of UCT is the higher volume of response relative to other methods. Online pretesting is cheaper, faster, and reaches a higher number of respondents than traditional methods (Geisen and Murphy 2020).

Methodological Limitations

UCT also has some methodological limitations to consider when reviewing the data in this report. First, for the most part, UCT fails to identify any additional question issues compared to interviewer-

administered cognitive testing (Fowler and B. Willis 2020). In fact, UCT as a methodology is best used in conjunction with other survey pretesting methods; Paul Scanlon argued that the combination of methods – qualitative from interviewer administered cognitive testing, and quantitative from web testing – is a means for survey programs to "target their question and questionnaire evaluation more effectively – leading to better survey outcomes" (2019).

Finally, and most importantly, we must consider that UCT results are a representation of response, not representative of response. That is, while we will present counts and percentage throughout this section of the report, these data are not official estimates, they do not represent the population of interest, and they cannot be used to predict survey response patterns. Instead, these numbers are presented to be descriptive of the response process to any given test question. We can only describe the response patterns of those who responded to this survey; we have not examined sources of nonresponse bias. Likewise, our sample was drawn with convenience – not representativeness – in mind.

For the remainder of this section of the report, response distributions are illustrative of the ways that respondents to the UCT instrument interacted with that instrument, and not representative of any wider sample. Interpret with care.

Sample selection and recruitment

Working in tandem with the survey area, we identified 500 facilities for inclusion in UCT. These facilities were identified as having responded to the 2021 SSV collection and had not participated in the Round 1 Cognitive Testing or the Exploratory Research described earlier. Survey staff identified 500 facilities that met these definitions. Of the overall 500 facilities, 150 were identified as housing juveniles and 350 were identified as housing adults.

In early June 2023, we sent an email to these 500 facilities notifying them that they would be receiving an invitation to participate in UCT (Appendix G). Then, five days later, we sent an email including a unique URL to each facility to access and respond to the test instrument (Appendix H). See Table 4 for an overview of response. The remainder of this section of the report will outline findings and recommendations for the 189 respondents to this unmoderated cognitive testing effort.

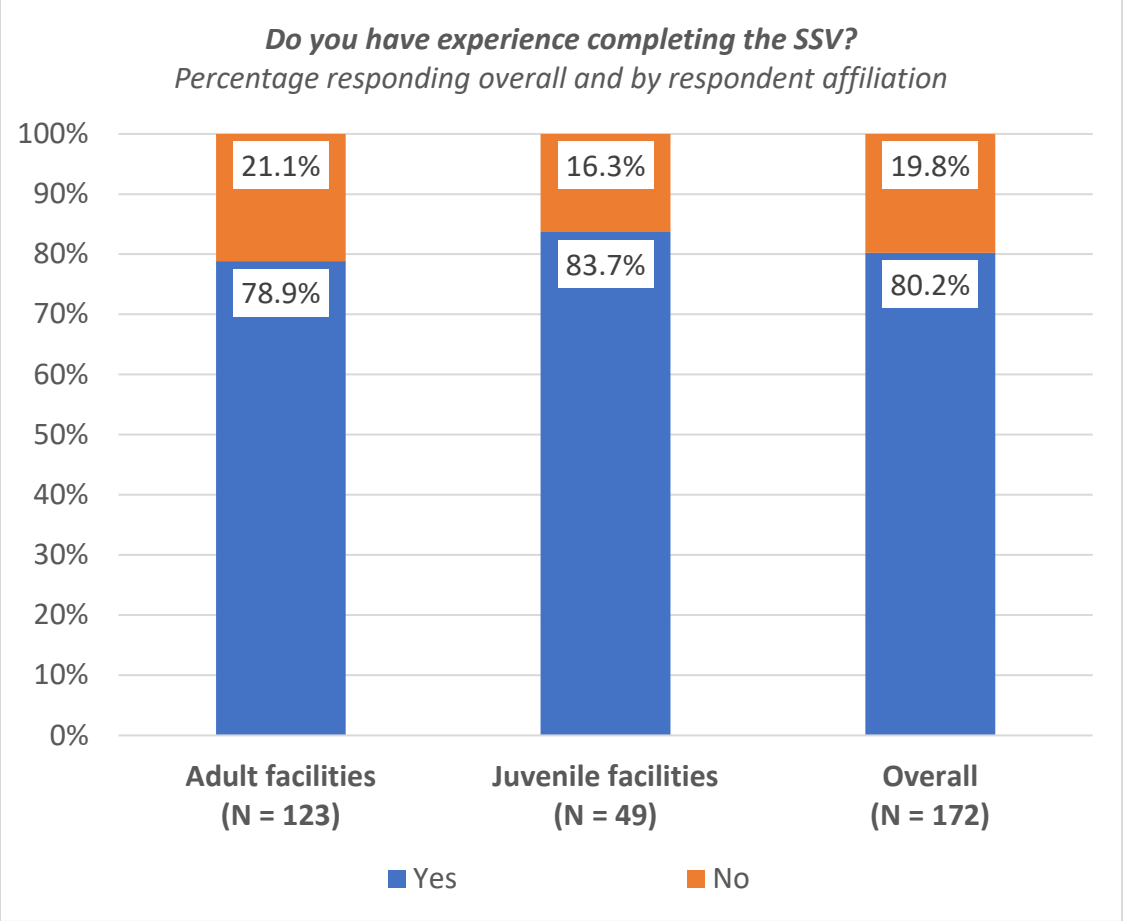
Table 4: SSV Unmoderated Testing Response Status by Respondent Affiliation

SSV Unmoderated Testing Response Status			
	Number selected	**Number responding**	**Percentage responding**
Adult facilities	350	134	38.3%
Juvenile facilities	150	55	36.6
Total	500	189	37.8

Upon opening the UCT instrument, we displayed a consent form to respondents, outlining the purpose of the testing, an estimate of respondent burden, and the confidentiality authority of the resultant data. Respondents gave active consent to participate in this testing.

Of those who completed the SSV UCT, 80.2 percent reported that they have experience completing the SSV. While 78.9 percent of responders at adult facilities report having experience completing the SSV, 83.7 percent of responders at juvenile facilities report having experience completing the SSV. See Figure 27 for an overview of previous SSV experience. Note that we did not compare their responses to actual response status for past administrations of the SSV, however, based on self-reporting, we expect that respondents to the SSV UCT are reflective of those that usually report to the SSV itself.

Figure 27: Self-reported Prior Experience with SSV, Overall and by Respondent Affiliation



Victim-Centered Questions

First, we presented respondents questions about the demographic characteristics of potential victims of sexual violence at their facilities. This includes a question series on victim sex and gender identity; one on victim race or ethnicity; and one on victim disability status.

Victim Sex and Gender Identity

We displayed for respondents a series of sex and gender categories and definitions for respondents to provide feedback, including intersex, gender nonconforming, and transgender. See Figure 28 for the terms and definitions displayed to respondents.

Figure 28: Sex and Gender Identity Terminology and Definitions

Sex and gender identity categories

Intersex: A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

Gender nonconforming: A person whose appearance or manner does not conform to traditional societal gender expectations.

Transgender: A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.

When asked, most respondents reported that these definitions are easy to understand, regardless of respondent affiliation. Fully 95 percent of adult facility respondents and 96 percent of juvenile facility respondents agreed that these definitions are easy to understand. We followed up with a question, "What would you like to see better explained?," and note that most respondents from both facilities left this response blank or entered 'none,' 'N/A', or some other indication that no additional explanation is needed. However, a few respondents pointed out that gender nonconforming could be confusing, with one saying that "gender nonconforming and transgender…seem to be very similar," and another saying that "gender nonconforming…has nothing to do with appearance. It has to do with the person's belief of what they are." See Table 5 for an overview of response patterns related to understanding these terms and definitions.

Table 5: Reported Understanding of Sex and Gender Categories, Number and Percentage by Respondent Affiliation

Do you find these [sex and gender identity category] definitions easy to understand?		
Number and percentage responding "Yes" by respondent affiliation		
	N	**Percentage**
Adult facilities	116	95.1%
Juvenile facilities	48	96.0

We then asked respondents about their usage of these four sex and gender identity categories in current facility records. Respondents could select all that apply, or select none of the above, or leave the question blank altogether. Fully 85 respondents at adult facilities and 30 at juvenile facilities report that their institution is currently using the term "transgender" in records to describe the sex and/or gender identity of inmates and youths (respectively). Likewise, 45 adult facilities and 17 juvenile facilities report currently using "intersex," while 41 adult facilities and 19 juvenile facilities report currently using "gender nonconforming" in records to describe the sex and/or gender identity of inmates. And, 36 facilities each at adult and youth facilities report not using intersex, gender nonconforming, or transgender in their current records to describe the sex and/or gender identity of inmates/youths. Note that 13 respondents from adult facilities and 5 from juvenile facilities did not select any option for this question, including 'none of the above.' See Table 6 for an overview of response.

Table 6: Reported Use of Each Sex and Gender Identity Term in Facility Records, Number by Respondent Affiliation

Do you use any of the following terms in your facility's records to describe the sex and/or gender identity of inmates/youth?		
Number responding by respondent affiliation*		
	Adult facilities (N = 134)	**Juvenile facilities (N = 55)**
Transgender	85	30
Intersex	45	17
Gender nonconforming	41	19
None of the above	36	36
No response	13	5
*Note: respondents could select all that apply.		

Next, we displayed two questions about victim's sex and gender identity, and asked respondents to reflect on the questions. See Figure 29 for the wording of the questions tested here.

Figure 29: Victim Sex and Victim Gender Identity Test Questions

<u>Test Question: Victim Sex</u>

What was the victim's sex?

- Male
- Female
- Intersex

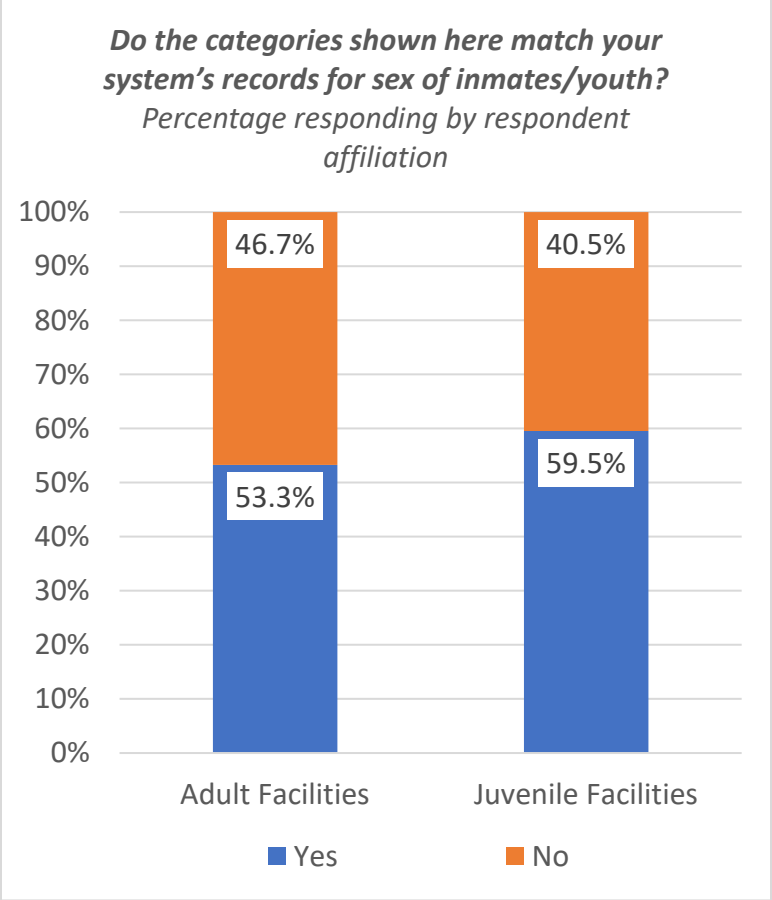
<u>Test Question: Victim Gender Identity</u>

What was the victim's gender identity?

- Male
- Female
- Transgender
- Gender nonconforming
- Unknown

Looking at the sex categories, we note that more than half of respondents – regardless of institutional affiliation indicated that their current system records match the sex categories displayed in the UCT. Whereas 53.3 percent of respondents at adult facilities said that their current system records collect the displayed sex categories, 59.5 percent of respondents at juvenile facilities said that their current system records collect the displayed sex categories. See Figure 30 for an overview.

Figure 18: Sex Categories and Current System Records, Percentage Responding by Respondent Affiliation



Those who indicated that these categories do not match the current way that they collect sex for inmates were asked a follow up question, "What are the answer categories in your system's records for the sex of inmates/youth?" Most respondents, regardless of institutional affiliation, indicated a binary capture of gender, male/female. A few mentioned transgender and intersex as sex categories in their records, as well as categories for unknown, other, and refused.

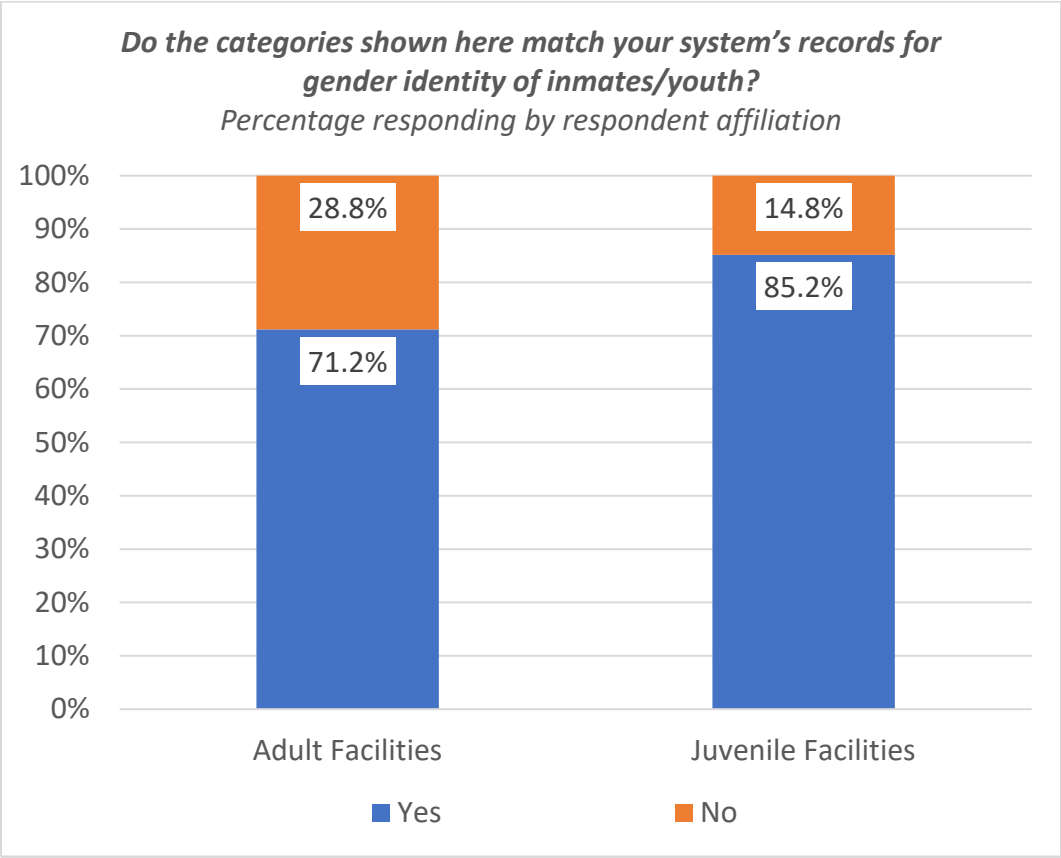
Next, we asked respondents if they collect gender identity in their institutional records, and if so, if their categories match what we displayed on screen: Male, Female, Transgender, Gender nonconforming, and Unknown. More than half of respondents – regardless of institutional affiliation – indicated that their facility's record system currently includes gender identity of inmates or youths, depending on affiliation. Fully 57.1 percent of respondents from adult facilities and 65.1 percent of respondents from juvenile facilities indicated that their record system currently includes gender identity of inmates or youth, respectively. See Table 4 for an overview of response.

Table 7: Capturing Gender Identity in Records, Number and Percentage Responding by Respondent Affiliation

Does your record system include the gender identity of inmates/youth?				
Number and percentage responding by respondent affiliation				
	Adult Facilities (N = 105)		**Juvenile Facilities (N = 43)**	
	Number	**Percentage**	**Number**	**Percentage**
Yes	60	57.1	28	65.1
No	45	42.9	15	34.9

Of those who indicated that they are currently capturing gender identity in facility records, most responded that their records currently match the categories displayed on screen. Fully 71.2 percent of respondents from adult facilities and 85.2 percent of those from juvenile facilities indicated that their current inmate or youth gender category records match the gender category records displayed in the UCT. See Figure 31 for more information.

Figure 31: Gender Identity Categories and Current System Records, Percentage Responding by Respondent Affiliation



Of those who reported that their current system records do not match the categories we provided for gender identity, we asked a follow up question, "What other categories are included in your system's

records?" Most respondents again indicated binary construction of gender identity in records, responding that the current categories are "Male and Female." A few indicated that they collect categories like transgender, nonbinary, and gender nonconforming in some combination other than what was displayed on screen.

At the conclusion of this section, we asked respondents one last open-ended question, "Do you have any thoughts about a two-question format for reporting sex and gender identity of an/a inmate/youth?" Generally, we found that most respondents – regardless of affiliation – preferred a two-question format. Said one, "I believe these should be in a two-question format. Sex and gender identity are two separate entities. Therefore, there should be two separate questions." Another echoed this sentiment, saying that a two-question series is "more descriptive," while another mentioned it is "beneficial" because it "allows all bases to be covered when reporting."

A few mentioned that a two-part question is unnecessary or overly burdensome. Said one, a two-part question series "should not be needed" because "you are either male or female." Said another, this is "too political to answer at this point," suggesting that these data are particularly sensitive, while a third mentioned "I feel it may violate the rights of the youth if stored on a data base that could possibly be hacked," again highlighting the sensitive nature of these data. Said a fourth, "disagree…inmates are housed depending on their genitalia," suggesting that these data may not be collected because they are not institutionally relevant.

Finally, a number of respondents mentioned that their current systems would need to be updated to handle reporting any changes in sex categories on the SSV. Said one, "our current system…appears to only accept male or female; I am not sure if you can enter any other term manually." Said another, "this is not information our facility tracks so it would increase the burden of data collection when trying to complete the survey." One respondent explicitly described the burden this change would introduce, saying:

> *We would have to modify our data collection system as we [currently] capture only male, female, unknown at this time for sex/gender, and we ask only a question as to sex. We do not capture gender per se. While we are intending to change these demographic questions/responses in a new data collection/case management system, that system is not expected to be online until the end of 2027 at the earliest.*

Recommendation: Overall, we note that most respondents to UCT understand the sex and gender identity categories we displayed. About half of respondents report that their record-keeping practices already match the categories for sex, though those that do not currently match use a binary construction of male/female. At the same time, more than half of respondents are collecting gender identity in their current system records, and of those, most reported that their system matches the categories we used in testing. Generally, the two-question series on sex and gender identity is well received, but there will be a lag between rolling out the categories and the records infrastructure catching up.

The recommendation is to move forward with the two-question series, but provide respondents as much upfront information about the change as possible. Consider question previews and/or a Frequently Asked Question about the new question series. And, expect the resultant data to be of varying quality as the facility record-keeping systems catch up to the new categories.

Victim Race or Ethnicity

Next, we tested two versions of victim race or ethnicity with respondents. First, version A was displayed on screen with a series of follow-up questions; then all respondents saw version B with a series of follow-up questions. We ended by asking respondents their preferences for reporting.

Test Question Version A is a select all that apply survey item that asks "What is the victim's race or ethnicity?" Then, seven race and ethnicity categories – the standard five race categories currently in alignment with the Office of Budget and Management (White, Black or African American, Asian, American Indian or Alaska Native, and Native Hawaiian or Other Pacific Islander) – as well as two additional categories under consideration for inclusion in this question (Hispanic or Latino and Middle Eastern or North African). See Figure 23 for the text of Test Question A.

Figure 32:Victim Race or Ethnicity Test Question A

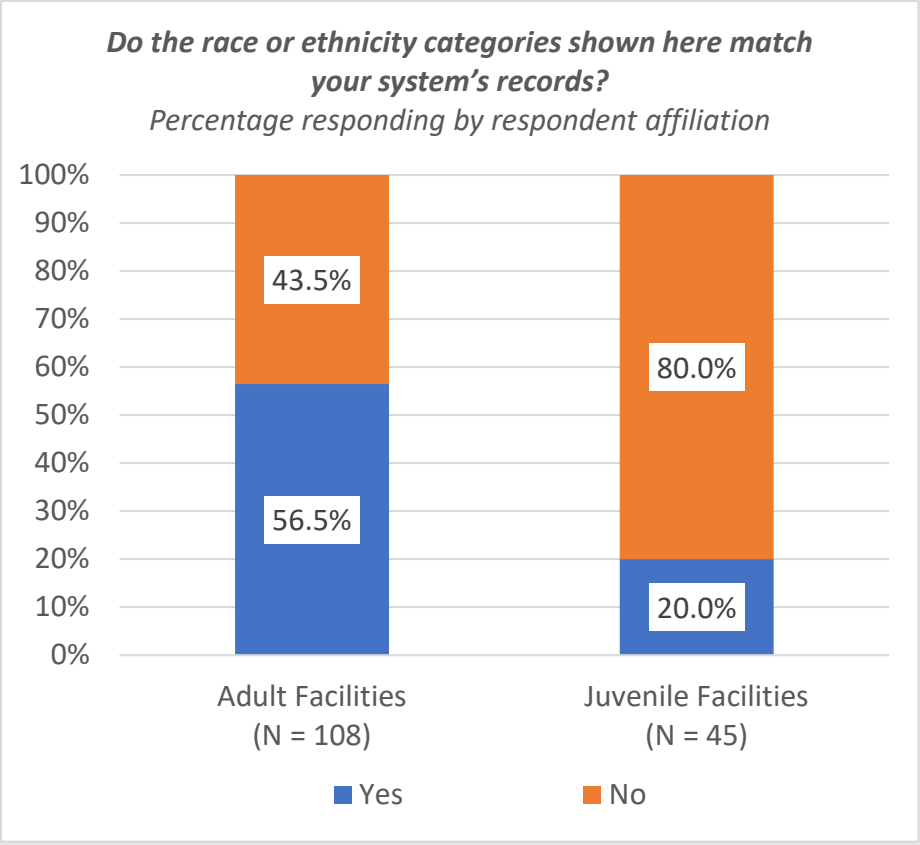
Test Question A: Victim Race or Ethnicity

What is the victim's race or ethnicity? (Select [X] all that apply.)

- ☐ White
- ☐ Hispanic or Latino
- ☐ Black or African American
- ☐ Asian
- ☐ American Indian or Alaska Native
- ☐ Middle Eastern or North African
- ☐ Native Hawaiian or Pacific Islander

We asked respondents, "Do the race or ethnicity categories shown here match your system's records?" More than half of respondents from adult facilities answered affirmatively: the race and ethnicity categories match the way they currently keep the data in their records. However, just 20 percent of respondents from juvenile facilities said the same thing. See Figure 33 for more information.

Figure 33: Race or Ethnicity Categories and Current System Records, Percentage Responding by Respondent Affiliation



We asked as follow-up question for those that indicated their records do not match these categories, "What are the race or ethnicity categories in your system's records?" Some mentioned analogous categories, for example one respondent mentioned that they collect "Indian- Not Native American." Some said their system includes capture for "biracial." Others mentioned including 'other' or 'unknown' categories, while others still mentioned more specific categories, like Cuban, Filipino, and others. Finally, some respondents mentioned not specifically capturing Middle Eastern or North African (MENA), or collecting Hispanicity as a separate question.

In fact, we asked respondents if they currently include MENA as a category in their system's records. About two in ten respondents said yes here, with 24 percent of those at adult facilities and 20 percent of those at juvenile facilities affirming that their current records include a MENA category. See Table 5 for more information.

Table 8: Middle Eastern or North African Racial Category Record-Keeping, Number and Percentage Responding by Respondent Affiliation

Do your system's records include the category of Middle Eastern or North African for inmates/youth?				
Number and percentage responding by respondent affiliation				
	Adult facilities (N = 109)		**Juvenile facilities (N = 45)**	
	Number	**Percentage**	**Number**	**Percentage**
Yes	26	23.9	9	20.0
No	83	76.1	36	80.0

We also asked if respondents current record keeping practices allow for multiple select of racial or ethnic categories, "Does your record system for inmates/youth allow you to select more than one category for race or ethnicity?" Most respondents from adult facilities (68.8 percent) indicated that their current record-keeping systems do not allow for multiple selection for race and ethnicity categories. Note that about one in ten respondents at adult facilities (11.9 percent) indicated that they don't know if their records currently collect multiple select racial and ethnic categories. At the same time, just over one in three respondents from juvenile facilities (35.6 percent) reported that their record-keeping practices currently do allow for multiple selection of racial categories, though 22.2 percent indicated that they don't know if multiple selection is captured. See Table 6 for more information.

Table 9: Multiple Selection of Racial or Ethnic Categories in Current Record Systems, Number and Percentage Responding by Respondent Affiliation

Does your record system for inmates/youth allow you to select more than one category for race or ethnicity?				
Number and percentage responding by respondent affiliation				
	Adult facilities (N = 109)		**Juvenile facilities (N = 45)**	
	Number	**Percentage**	**Number**	**Percentage**
Yes	21	19.3	16	35.6
No	75	68.8	19	42.2
Don't know	13	11.9	10	22.2

We followed up with respondents who indicated that these are not the categories they are currently used to track victim race or ethnicity, asking "How would you answer this question if your race or ethnicity categories differ from the ones shown here?" Respondents gave generally three answers to this question. First, some respondents said they would select the category from their records that most closely relates to the category on the survey. Said one, "I'd answer as closely to what our records show." Said another, "I would choose the one most closely related to what our system shows or select unknown." Next, some respondents said that they would look for an "other" category and put

mismatches in that category. Said one, “I would answer with ‘other’ and list the race.” Said another, “It would be ‘some other race in our system.” Finally, some respondents said that if there is a mismatch between their records and the survey categories, they would leave the response blank. Said one, “I would leave it blank if possible.” Said another, “we would not respond to this question as it is not something we track.”

Then, we moved on to Test Question Version B. This question still includes a multiple selection instruction, but each topline racial category includes subcategories and a write-in capture for identities outside of the prelisted subcategories. See Figure 34 for an overview of Test Question Version B.

Figure 3419: Victim Race or Ethnicity Test Question B

Victim Race or Ethnicity Test Question B:

Proposed long-form race and ethnicity question.

Victim #1: What was the victim's race or ethnicity?
*Select all that apply **AND** enter additional details in the spaces below.*
Note, you may report more than one group.

☐ **WHITE –** *Provide details below.*
☐ German ☐ Irish ☐ English
☐ Italian ☐ Polish ☐ French
Enter, for example, Scottish, Norwegian, Dutch, etc.

☐ **HISPANIC OR LATINO –** *Provide details below.*
☐ Mexican or Mexican American ☐ Puerto Rican ☐ Cuban
☐ Salvadoran ☐ Dominican ☐ Colombian
Enter, for example, Guatemalan, Spaniard, Ecuadorian, etc.

☐ **BLACK OR AFRICAN AMERICAN –** *Provide details below.*
☐ African American ☐ Jamaican ☐ Haitian
☐ Nigerian ☐ Ethiopian ☐ Somali
Enter, for example, Ghanaian, South African, Barbadian, etc.

☐ **ASIAN –** *Provide details below.*
☐ Chinese ☐ Filipino ☐ Asian Indian
☐ Vietnamese ☐ Korean ☐ Japanese
Enter, for example, Pakistani, Cambodian, Hmong, etc.

☐ **AMERICAN INDIAN OR ALASKA NATIVE –** *Enter, for example, Navajo Nation, Blackfeet Tribal, Mayan, Aztec, Native Village of Barrow Inupiat Tribal Government, Tlingit, etc.*

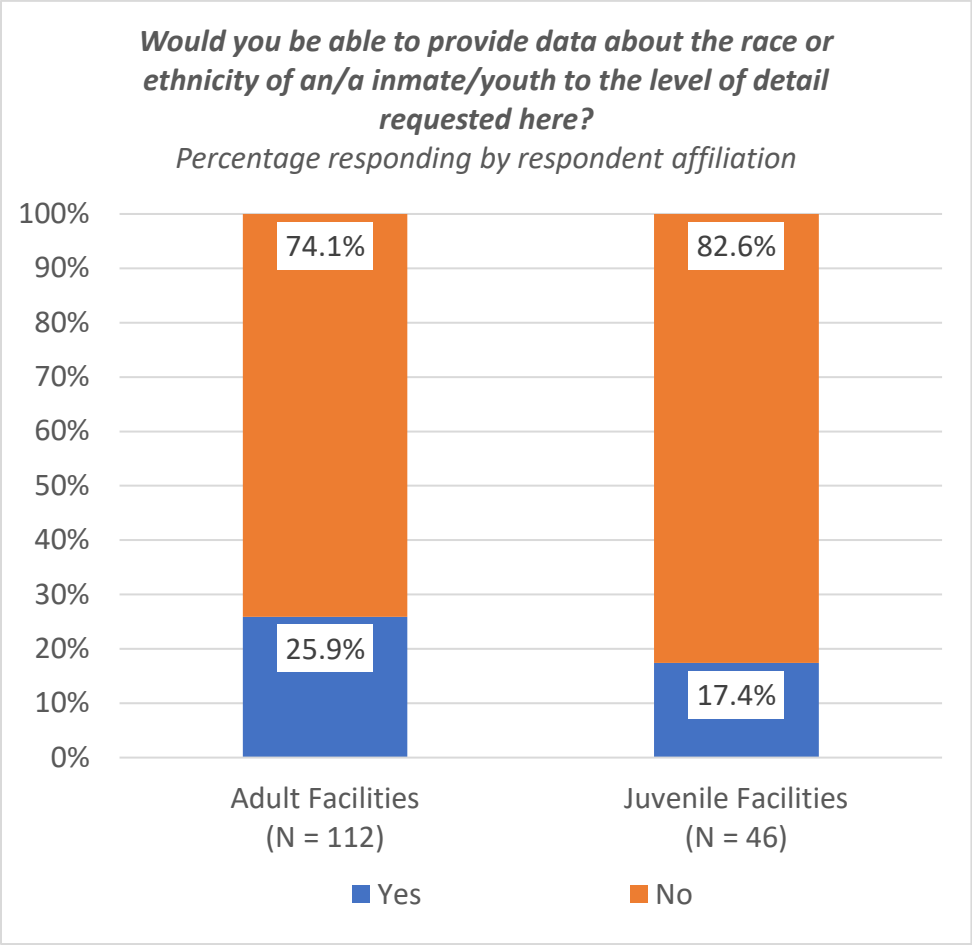
☐ **MIDDLE EASTERN OR NORTH AFRICAN –** *Provide details below.*
☐ Lebanese ☐ Iranian ☐ Egyptian
☐ Syrian ☐ Moroccan ☐ Israeli
Enter, for example, Algerian, Iraqi, Kurdish, etc.

☐ **NATIVE HAWAIIAN OR PACIFIC ISLANDER –** *Provide details below.*
☐ Native Hawaiian ☐ Samoan ☐ Chamorro
☐ Tongan ☐ Fijian ☐ Marshallese
Enter, for example, Palauan, Tahitian, Chuukese, etc.

EXAMPLE

We asked respondents, "Would you be able to provide data about the race or ethnicity of an/a inmate/youth to the level of detail requested here?" Just 25.9 percent of respondents from adult facilities and 17.4 percent of respondents from juvenile facilities answered affirmatively. See Figure 35 for more information.

Figure 35: Reported Ability to Answer Test Question B, Percentage Responding by Respondent Affiliation

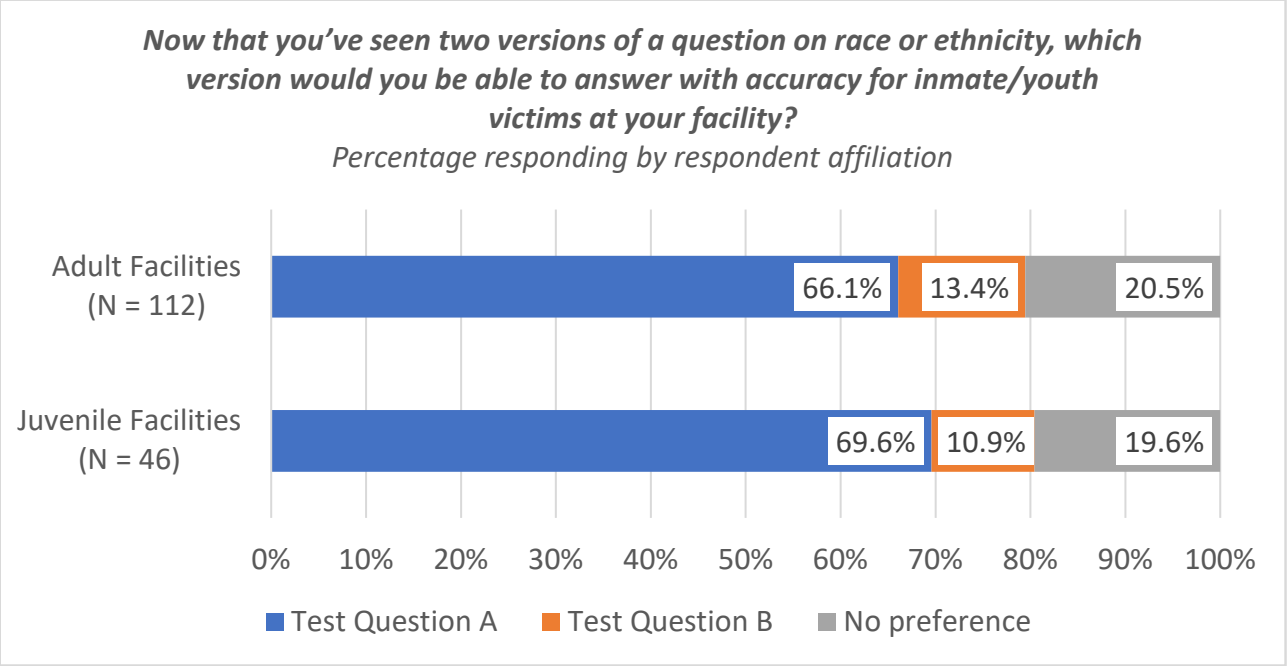


Those respondents who indicated that they could not provide a response to Test Question B were then asked a follow-up question, "How would you go about answering this question if it appeared on the SSV?" Some respondents – particularly those at adult facilities – said that they would have to ask the victim for this information. Said one, "we would have to ask each inmate their descent." Said another, "I would have to interview the inmate and ask specifically." Others talked about looking for an "unknown" or "other" category to record responses that are outside of these categories; said one, "I would answer what I could and check unknown for any information that we do not capture." A few said they would assign a category based on the information they do have available, for example, "I would group them based on the categories in our system." Many respondents said that they would provide

data at the general racial category where available but leave off detailed information as it is not available. Said one respondent, "I would be able to select the category, but would likely be unable to respond to the subcategory." Said another, "only the race would be provided; we may not know any other details."

For additional clarity, we asked respondents their preference between Test Question A and Test Question B, "Now that you've seen two versions of a question on race or ethnicity, which version would you be able to answer with accuracy for inmate/youth victims at your facility?" About two in three or more respondents – regardless of institutional affiliation – prefer Test Question A, the general race or ethnicity question. About one in ten respondents from juvenile facilities and 13.4 percent of respondents from adult facilities indicated that Test Question B is their preferred way of answering victim race or ethnicity. And, about one in five respondents at both adult facilities (20.5 percent) and at juvenile facilities (19.6 percent) said that they do not have a preference between the two versions. See Figure 36 for more information.

Figure 36: Respondent Preference in Race or Ethnicity Test Question, Percentage Responding by Respondent Affiliation



Recommendation: We tested two versions of race or ethnicity questions for victim demographic information. We note that respondents at adult facilities report being more likely than those at juvenile facilities to already be using the race categories as listed in Test Question A, with the exception of MENA – most respondents, regardless of affiliation, do not currently have MENA in their record-keeping practices. Respondents indicated that they would allocate or otherwise 'fit' their data to match the categories to the best of their abilities. Fewer respondents indicated that they could answer Test

Question B using the records they already have on hand, and many said that they would provide data for general racial categories and leave the subcategories blank.

We recommend moving forward with Test Question A, as it is more accessible in existing records. We note, however, that the categories MENA and Hispanic or Latino will continue to be challenging for respondents as their current record keeping practices may not include these categories in racial data. We suggest additional communications to let respondents know that these categories are being added, and to expect the lag between asking for these categories and facilities adding them to their record keeping practices to be slow moving.

Victim Disability Status

Finally, we asked a series of questions about victim disability status. First, we showed respondents a three-part question series on victim disability status, as shown in Figure 37.

Figure 37: Victim Disability Test Question

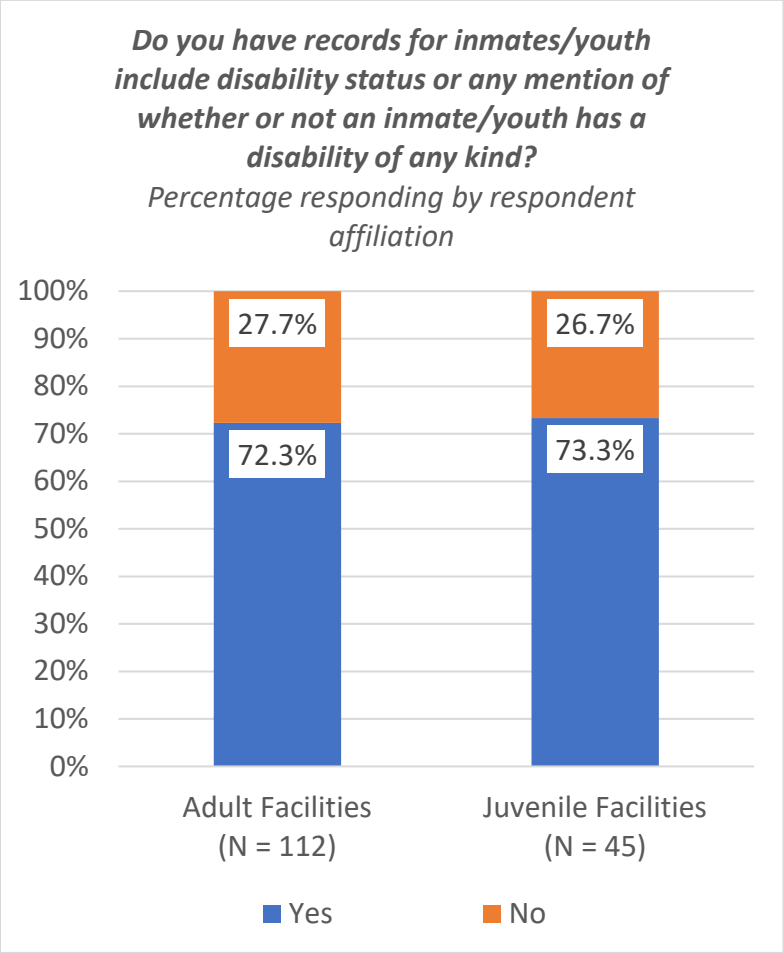
Disability Status Question:

At the time of the incident, had the victim been identified as having –

1. A serious and persistent mental illness
   - Yes
   - No
2. A cognitive impairment or intellectual disability
   - Yes
   - No
3. A physical impairment or disability
   - Yes
   - No

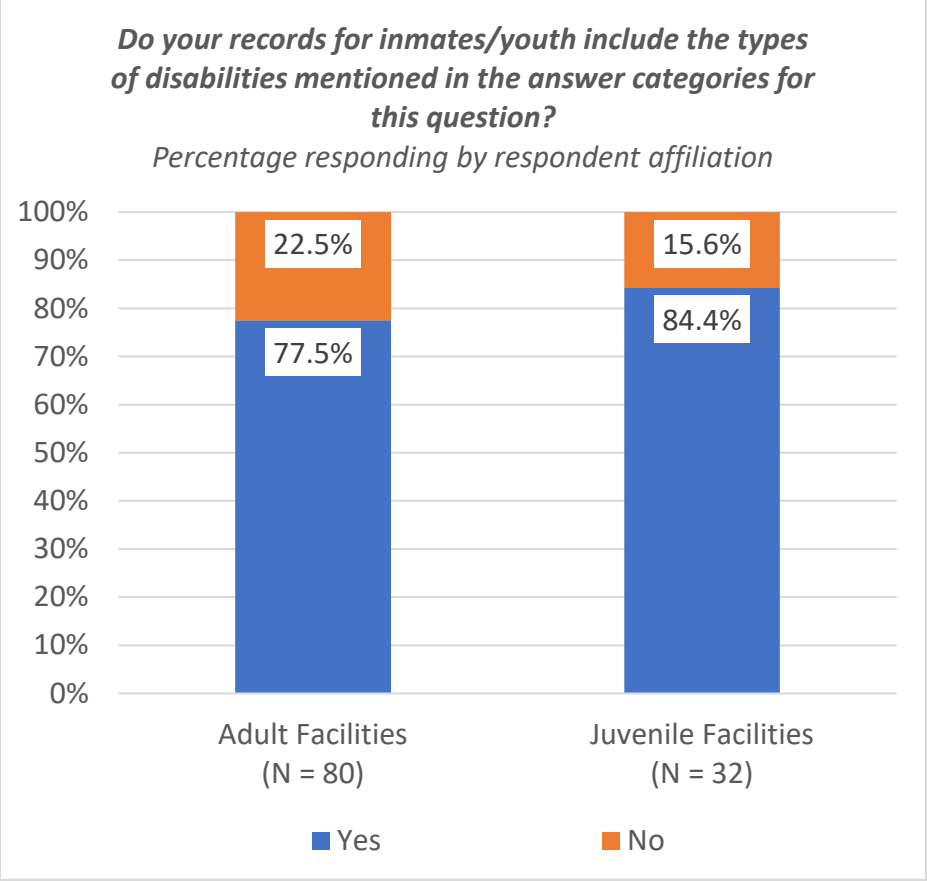
We asked respondents, "Do you have records for inmates/youth include disability status or any mention of whether or not an inmate/youth has a disability of any kind?" Most respondents – regardless of affiliation – said that their facility has records for inmates/youths on disability status, or that their records have any mention of disability of any kind. Fully 72.3 percent of respondents at adult facilities and 73.3 percent of respondents at juvenile facilities indicated that their facility is currently keeping records on victim disability status. See Figure 38for more information.

Figure 38: Current Record Keeping Practices for Disability Status of Victims, Percentage Reporting by Respondent Affiliation



Of those who said that their facility is currently tracking disability status of respondents, we asked "Do your records for inmates/youth include the types of disabilities mentioned in the answer categories for this question?" Fully 77.5 percent of respondents at adult facilities and 84.4 percent of respondents at juvenile facilities indicated that their records on victim disability status includes the types of disabilities mentioned in the Test Question. See Figure 39 for more information.

Figure 20: Victim Disability Status and Record Keeping, Percentage Responding by Respondent Affiliation



Of those who said that their facility is not currently tracking disability status of respondents, we asked "How would you go about answering this question about an inmate/youth's disability status?" Generally, respondents gave answers that fit into two categories: find out the information or skip the question. Those that said they would research the answer mentioned reaching out to others on staff, especially medical staff. Said one, "I would have to reach out to mental health and get the answer from them" as "these records are restricted access." Said another, he would "discuss with medical staff," while a third said "I would be forced to contact medical about each offender" to provide response. Others mentioned asking the victims themselves, said one, "If the person was still in our custody, I would make contact with that person and ask them in-person or look through their chart for any type of disabilities." A few mentioned that the records exist but are not accessible, with one saying she is "unable" to provide response as "this is normally protected by HIPPA and not provided," suggesting that she would not provide response to this question. Said another, simply, "I wouldn't answer the question."

Finally, we asked respondents generally "Which terms that you would like to see further defined or explained in this question?" Most respondents had no feedback here, but a few mentioned needing a definition of "serious and persistent" in the stem: *A serious and persistent mental illness*. Said one,

"serious and persistent…what is the standard to define or judge this?" Said another respondent at a juvenile facility, "Is 'serious and persistent mental illness' specific to adults, or are you using it with children, as SPMI generally is not used with children." A handful of respondents mentioned wanting a definition of the stem *A cognitive impairment or intellectual disability*, for example, one respondent said "cognitive impairment or intellectual disability needs to be specifically defined," and another mentioned needing a "cognitive impairment definition."

Recommendation: We tested a three-part question on victim disability status. We note that most respondents to the UCT reported that they are currently tracking disability status in victim records, and of those, most are using the same or similar categories to the ones we tested. Those that are not mentioned that they would need to obtain the information from others within their facility, or that they would leave the question blank if it was on the survey. And, most said that the terms did not need additional definition, though the terms "serious and persistent" was ambiguous for a handful of respondents.

Given this, we recommend moving forward with the three-part disability status question. We expect some item non-response given that not all facilities are tracking these data, but those that are expressed confidence in their ability to report these data on a survey.

Staff-Centered Questions

In the second half of the UCT, we tested a series of questions about staff perpetrator demographic characteristics. This section of the report outlines the findings and recommendations from that testing.

Staff Perpetrator Sex and Gender Identity

First, we showed respondents a two-step sex and gender identity question series about staff perpetrators. The first question asks about sex, using three categories, and the second question asks about gender identity, using five categories. See Figure 40 for an overview of the question series.

Figure 40: Staff Perpetrator Sex and Gender Identity Test Question

Staff Perpetrator Sex and Gender Identity Test Questions

What was the staff perpetrator's sex?

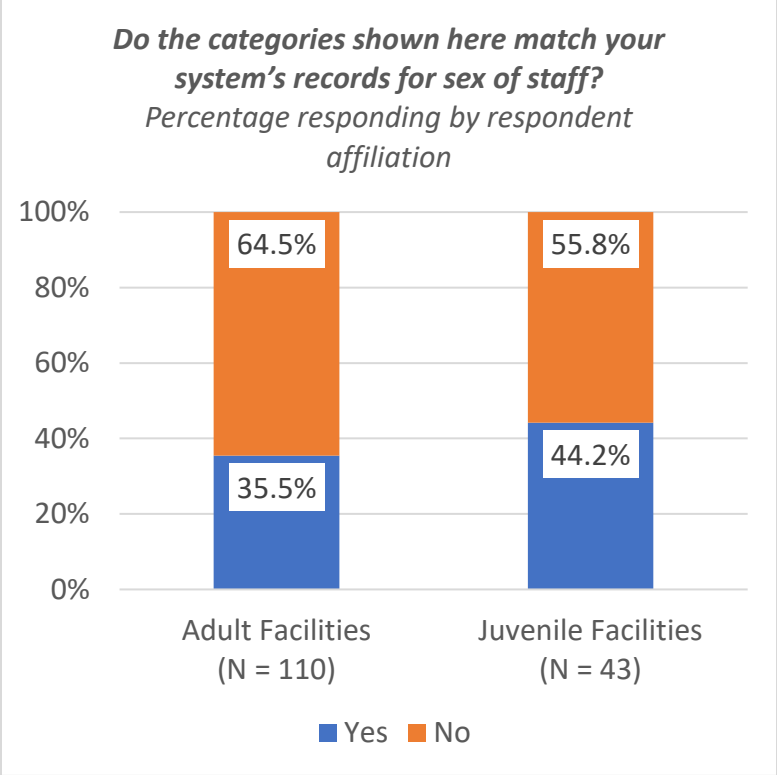
- Male
- Female
- Intersex

What was the staff perpetrator's gender identity?

- Male
- Female
- Transgender
- Gender nonconforming
- Unknown

We find that most respondents indicate that they do not track staff perpetrator sex using the categories in the Test Question, regardless of institutional affiliation. Almost two in three respondents from adult facilities (64.5 percent) and more than half of those at juvenile facilities (55.8 percent) indicated that they are not currently tracking staff perpetrator sex and gender identity using the categories in the Test Question. See Figure 41 for more information.

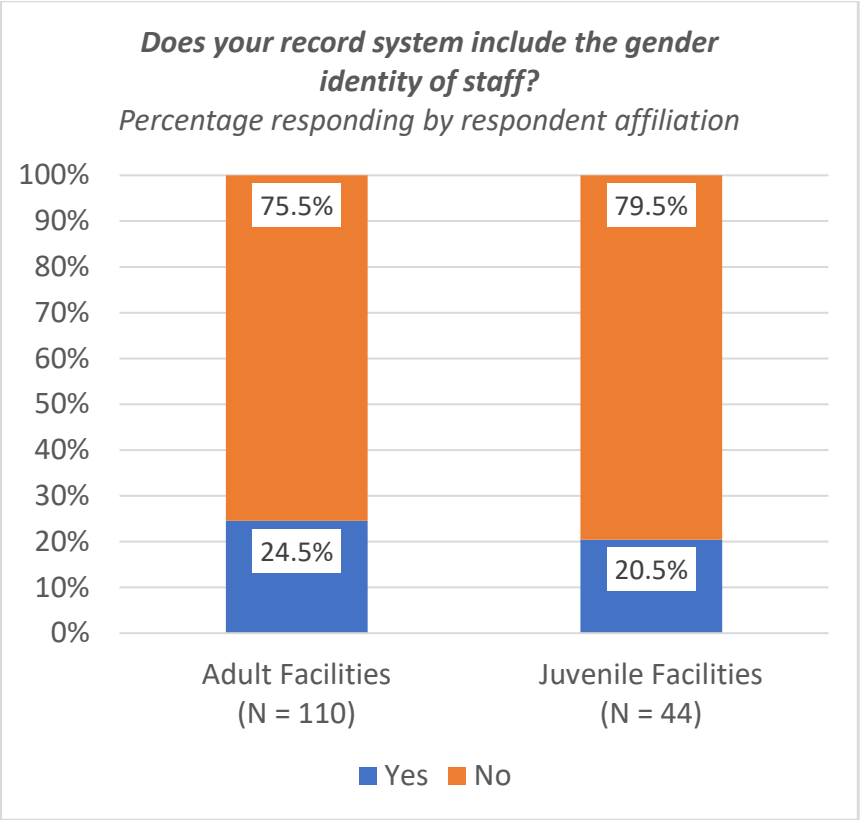
Figure 41: Current Record Keeping Practices for Staff Perpetrator Sex, Percentage Reporting by Respondent Affiliation



Those that indicated that their current record keeping practices on staff perpetrator sex did not match the categories given were then displayed a follow up question, "What are the answer categories in your records system for the sex of staff?" As with victim sex, we note that most respondents indicated a binary capture of sex categories, male/female. Some mentioned that they simply do not track staff perpetrator sex; said one respondent, "we do not record that information in the report" of the incident. Said another, simply, "it does not ask that question."

We then followed-up with a question about tracking gender identity of staff perpetrators. Just 24.5 percent of respondents at adult facilities and 20.5 percent of those at juvenile facilities indicated that their current record system includes gender identity of staff perpetrators, illustrated in Figure 42.

Figure 21: Current Record Keeping Practices for Staff Perpetrator Gender Identity, Percentage Reporting by Respondent Affiliation



Of those respondents who reported that they are tracking gender identity of staff perpetrators, we asked, "Do the categories shown here match your system's records for gender identity of staff?" Because of the high proportion of respondents who are not tracking this information, there is very high missingness for this question. Just 13.4 percent of all respondents at adult facilities and 10.9 percent of respondents at juvenile facilities indicated that the categories in their current systems records for tracking staff perpetrator gender identity match those displayed in the Test Question. See Table 7 for more information. Of those that indicated that their records categories do not match those in the Test Question, most again indicated a binary male/female capture of gender identity in current records.

Table 10: Reported Match of Gender Identity Categories with Current Record Keeping Practices, Number and Percentage Reporting by Respondent Affiliation

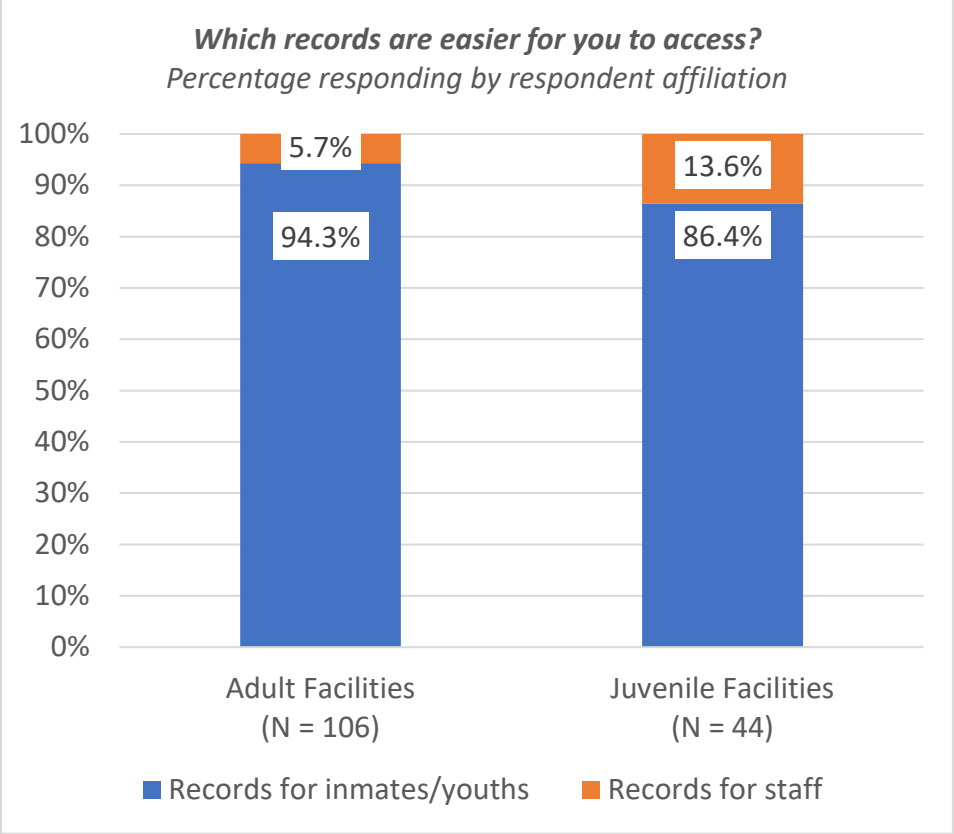
Do the categories shown here match your system's records for gender identity of staff?				
Number and percentage responding and missing by respondent affiliation				
	Adult Facilities (N = 134)		**Juvenile Facilities** (N = 55)	
	Number	**Percentage**	**Number**	**Percentage**

Yes	18	13.4%	6	10.9%
No	9	6.72	3	5.5
Not tracking	83	61.9	35	63.6
Missing	24	17.9	11	20.0

We ended this section with two additional questions. First, we asked respondents, "What are your thoughts about a two-question format for reporting sex and gender identity of staff?" Many respondents indicated that they agree with the collection or have no opinion about it. Said one, "Its important to have [sex and gender identity] separate as the answers can also be different." Said another, "the two-question format works," while another simply said "sounds like a good idea to me." Other respondents noted that they are simply not tracking this information, no matter how it is asked. Said one, "the department does not track this" while another added "you are asking for information that is not easily accessible." One gave the suggestion that the "two-part question is ok, as long as unknown is an option for gender identity as we do not track that category and have no plans to." Finally, some respondents raised concerns that the topic is too sensitive, that the data are protected or restricted, or that the information is housed in systems that are not accessible. Said one, "we cannot ask staff their gender identity and would only know if they self-disclose." Said another, "for me, this would require Human Resources [Department] to report the information," but added, "I feel this would be a violation of the individual's privacy, whether or not a crime was committed."

Finally, we asked, "Which records are easier for you to access?" and gave the options of records for inmates/youth (depending on respondent affiliation) and records for staff. Across the board, respondents indicated that records for the institutionalize population – adults or youths – are more accessible than those for staff. Fully 94.3 percent of those from adult facilities and 86.4 percent of those from juvenile facilities reported that records for the institutionalized population are easier to access than those of the staff. See Figure 43 for more information.

Figure 43: Respondent Reported Record Accessibility, Percentage Responding by Respondent Affiliation



Recommendation: We tested a two-part sex and gender identity of staff perpetrators question series. We found that most respondents indicated that they are using a binary male/female capture if they are tracking gender of staff perpetrator, and that most are not tracking gender identity of staff perpetrator. Respondents raised concerns with the sensitivity, availability, and accessibility of these data.

Given that, we recommend not pursuing sex or gender identity of staff perpetrator at this time. We believe that these data are not maintained in records, and so any reported information would be on a case-by-case basis or would be the respondents' best guess. We recommend additional research into capturing this information if it is necessary to the program.

Staff Perpetrator Race or Ethnicity

We ended the UCT instrument by testing two versions of questions on race or ethnicity of staff perpetrator. We asked a series of follow-up questions about each, and then asked respondent preference.

Test Question A is a multi-select question, "What is the staff perpetrator's race or ethnicity?" It includes seven categories – the five race categories promulgated by the Office of Management and Budget (White, Black or African-American, Asian, American Indian or Alaska Native, and Native Hawaiian or

Pacific Islander) and two additional categories of interest, Middle Eastern or North African (MENA) and Hispanic or Latino. See Figure 44 for the text of Test Question A.

Figure 44: Staff Perpetrator Race or Ethnicity Test Question A

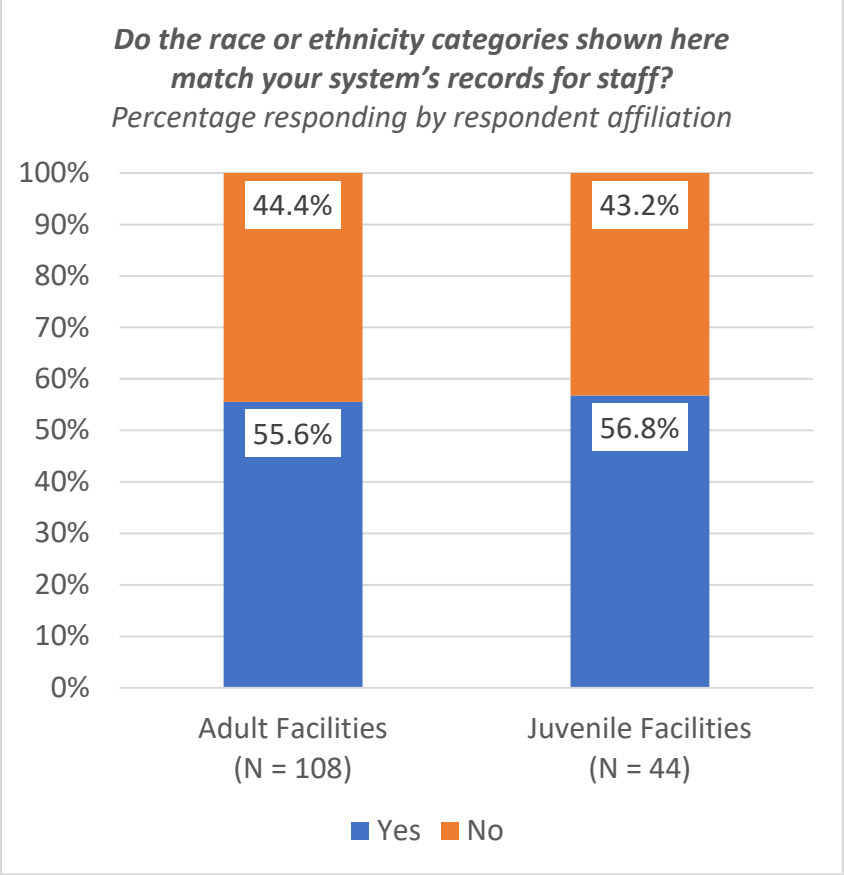
Test Question A: Staff Perpetrator Race or Ethnicity

What is the staff perpetrator's race or ethnicity? (Select [X] all that apply.)

- ☐ White
- ☐ Hispanic or Latino
- ☐ Black or African American
- ☐ Asian
- ☐ American Indian or Alaska Native
- ☐ Middle Eastern or North African
- ☐ Native Hawaiian or Pacific Islander

First, we asked respondents, "Do the race or ethnicity categories shown here match your system's records for staff?" We see about an even split between those that match and those that do not – whereas 55.6 percent of respondents at adult facilities said that the race or ethnicity categories match their current system's staff records, 56.8 percent of respondents at juvenile facilities responded the same way. See Figure 45 for more information.

Figure 45: Current Record Keeping for Staff Race or Ethnicity, Percentage Responding by Respondent Affiliation

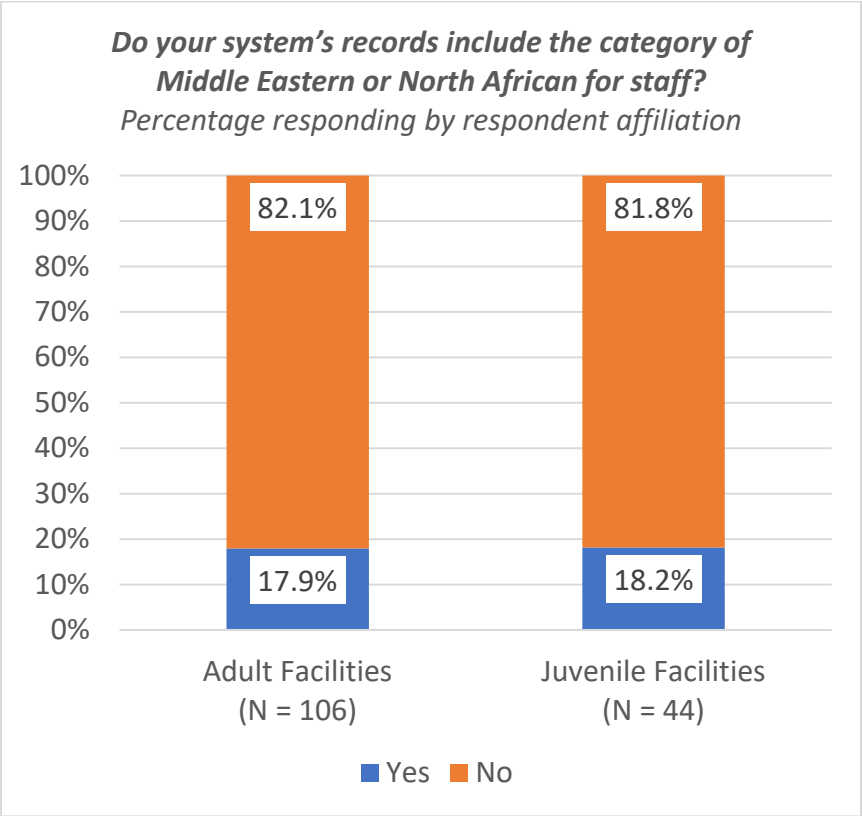


For those that indicated that their current records do not match Test Question A, we asked "What are the race or ethnicity categories in your system's records for staff?" We found that most respondents indicated that they are currently not capturing the MENA category. Respondents also suggested additional categories like multiracial, unknown, and other. Finally, a few respondents indicated that they do not know what racial categories for staff are in current records as they do not have access to those systems.

We then asked of those who indicated that their current records do not match Test Question A, "How would you answer this question if your race or ethnicity categories for staff differed from the ones shown here?" And, we see the same strategies as were expressed for tracking victim race or ethnicity. Some respondents said they would answer the question to the best of their ability and select categories they saw as analogous with the categories on the survey. Said one, she would answer "as closely to whatever our records indicate." Said another, he would simply "try to pick [the] closest response." Others said they would skip the question rather than try to fit to the categories on the survey. Said one respondent, "I would leave it blank." Said another, she "would need an 'other' category" in order to answer this question.

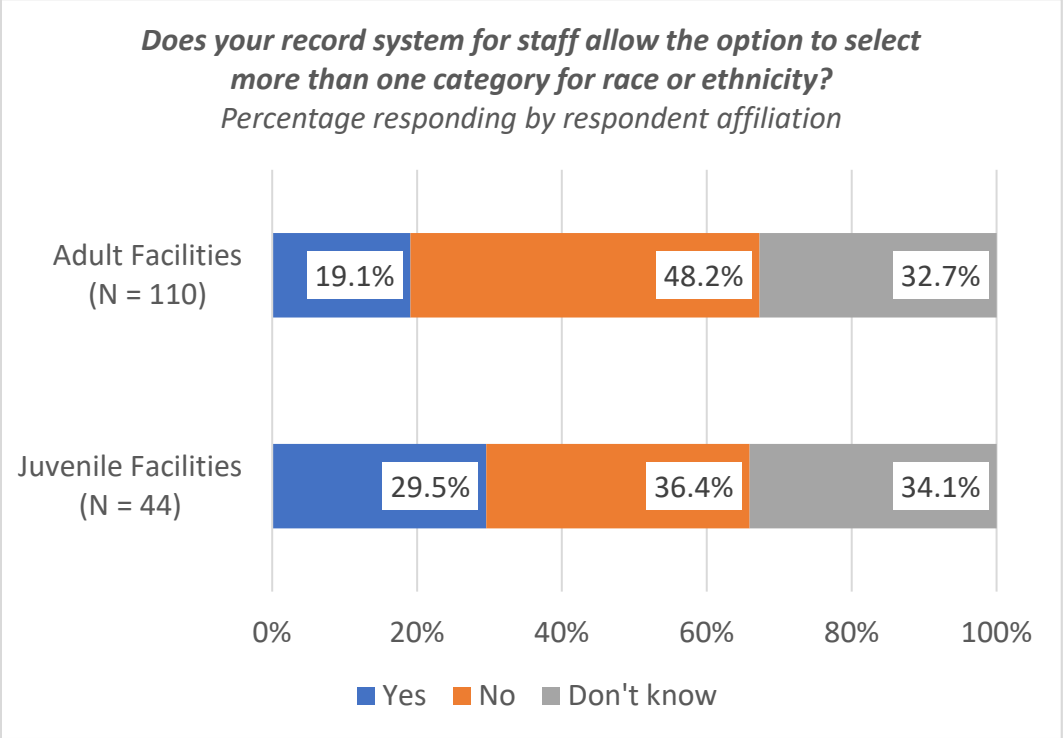
We asked respondents specifically about tracking MENA for staff perpetrators, "Do your system's records include the category of Middle Eastern or North African for staff?" We find that about four in five respondents, regardless of respondent affiliation, indicated that their system's records do not currently include the category of Middle Eastern or North African for staff. See Figure 46 for more information.

Figure 46: Inclusion of MENA Category for Staff in Current System Records, Percentage Responding by Respondent Affiliation



We then asked respondents about multiple selection of racial or ethnic categories, "Does your record system for staff allow the option to select more than one category for race or ethnicity?" About one in three respondents regardless of affiliation indicated that they do not know if the current record keeping practices for staff race or ethnicity allows for the option to select more than one category. For respondents at adult facilities, 19.1 percent indicated that records for staff do allow for more than one category of race or ethnicity, and 29.5 percent of respondents at juvenile facilities answered the same way. See Figure 47 for more information.

Figure 47: Multiple Selection of Race and Ethnicity Categories for Staff Records, Percentage Responding by Respondent Affiliation



Then, we moved on to Test Question Version B. This question still includes a multiple selection instruction, but each topline racial category includes subcategories and a write-in capture for identities outside of the prelisted subcategories. See Figure 48 for an overview of Test Question Version B.

Figure 48: Staff Perpetrator Race or Ethnicity Test Question B

Staff Race or Ethnicity Test Question B:

Select all that apply ***AND*** *enter additional details in the spaces below.*
Note, you may report more than one group.

☐ **WHITE –** *Provide details below.*

☐ German ☐ Irish ☐ English
☐ Italian ☐ Polish ☐ French
Enter, for example, Scottish, Norwegian, Dutch, etc.

☐ **HISPANIC OR LATINO –** *Provide details below.*

☐ Mexican or Mexican American ☐ Puerto Rican ☐ Cuban
☐ Salvadoran ☐ Dominican ☐ Colombian
Enter, for example, Guatemalan, Spaniard, Ecuadorian, etc.

☐ **BLACK OR AFRICAN AMERICAN –** *Provide details below.*

☐ African American ☐ Jamaican ☐ Haitian
☐ Nigerian ☐ Ethiopian ☐ Somali
Enter, for example, Ghanaian, South African, Barbadian, etc.

☐ **ASIAN –** *Provide details below.*

☐ Chinese ☐ Filipino ☐ Asian Indian
☐ Vietnamese ☐ Korean ☐ Japanese
Enter, for example, Pakistani, Cambodian, Hmong, etc.

☐ **AMERICAN INDIAN OR ALASKA NATIVE –** *Enter, for example, Navajo Nation, Blackfeet Tribe, Mayan, Aztec, Native Village of Barrow Inupiat Tribal Government, Tlingit, etc.*

☐ **MIDDLE EASTERN OR NORTH AFRICAN –** *Provide details below.*

☐ Lebanese ☐ Iranian ☐ Egyptian
☐ Syrian ☐ Moroccan ☐ Israeli
Enter, for example, Algerian, Iraqi, Kurdish, etc.

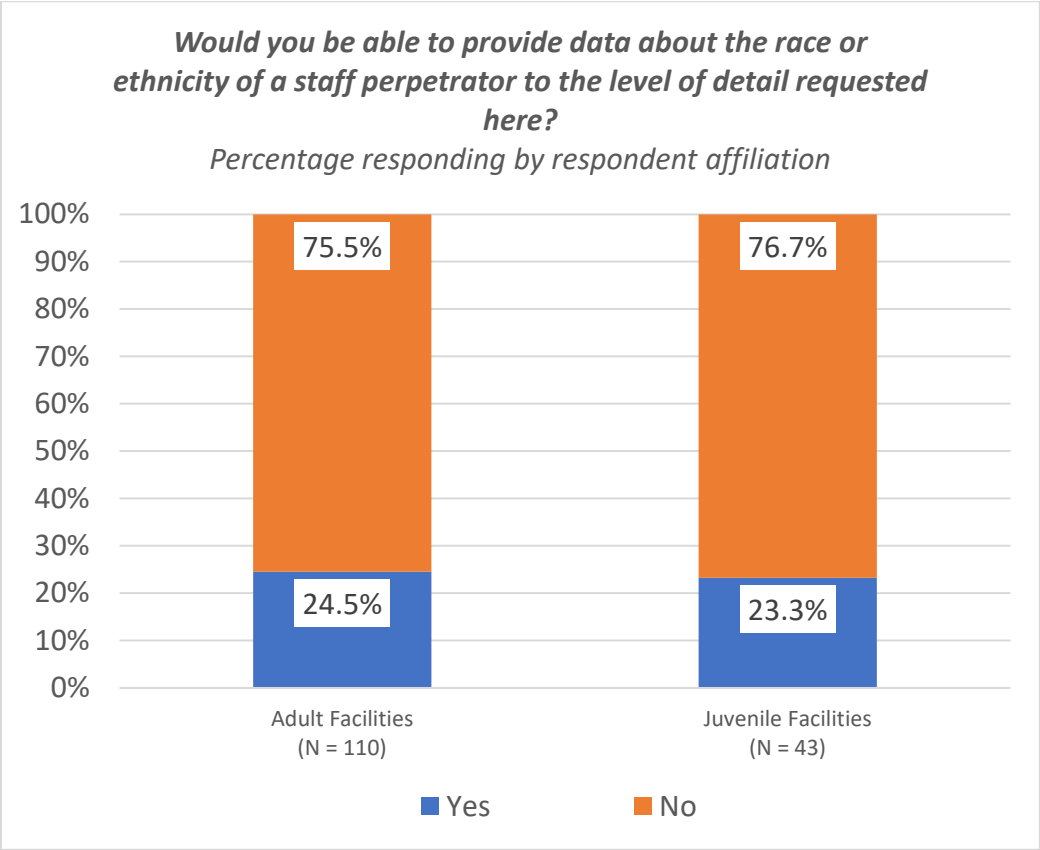
☐ **NATIVE HAWAIIAN OR PACIFIC ISLANDER –** *Provide details below.*

☐ Native Hawaiian ☐ Samoan ☐ Chamorro
☐ Tongan ☐ Fijian ☐ Marshallese
Enter, for example, Palauan, Tahitian, Chuukese, etc.

EXAMPLE

We asked respondents, "Would you be able to provide data about the race or ethnicity of a staff perpetrator to the level of detail requested here?" Just 24.5 percent of respondents from adult facilities and 23.3 percent of respondents from juvenile facilities answered affirmatively. See Figure 49 for more information.

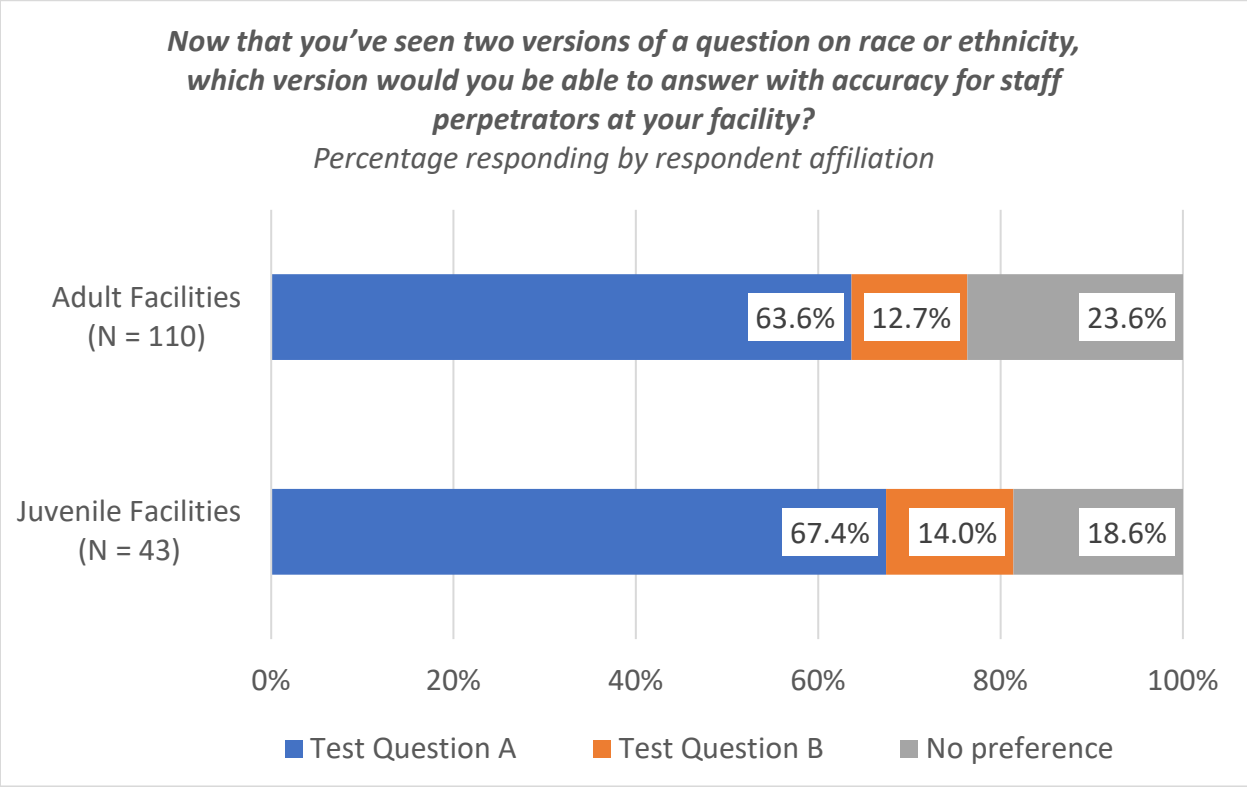
Figure 49: Reported Ability to Provide Detailed Race or Ethnicity of Staff Perpetrator, Percentage Responding by Respondent Affiliation



We followed up with respondents who indicated that they could not provide the race or ethnicity of staff perpetrators to the level of detail in Test Question B, "How would you go about answering this question if it appeared on the SSV?" We note the same response strategies as for this question for victims: respondents would make best guesses or allocate response based on available categories, or they would opt to leave the question blank. Said one, "Again, whatever they have listed on their onboarding paperwork would be selected from the list of options. If it's unavailable I would select the closest option." Said another, "I couldn't" answer this question. Others mentioned providing response to the general race and ethnicity categories but not the detailed sub-categories. Said one, he could provide "selection of main categories only, unable to provide detail selections." Said another, "We would be able to provide the main subject, not the subcategory."

Finally, we asked respondents about their preference between Test Question A and Test Question B. We note that 23.6 percent of respondents from adult facilities and 18.6 percent of those at juvenile facilities responded that they do not have a preference. However, about two in three respondents at both types of facilities expressed a preference for Test Question A, the general race or ethnicity question – 63.6 percent of those at adult facilities and 67.4 percent of those at juvenile facilities preferred Test Question A. See Figure 50 for more information.

Figure 50: Respondent Reported Preference for Race or Ethnicity of Staff Perpetrator Reporting, Percentage Responding by Respondent Affiliation



Recommendation: We tested two version of capturing race or ethnicity of staff perpetrators. About half of respondents indicated that they could provide response to Test Question A, the general race or ethnicity question, compared to about a quarter who said that they could answer Test Question B, the detailed race or ethnicity question. Most respondents said that they are not tracking MENA. Asked about preference, about two in three said that they preferred Test Question A.

We recommend moving forward with Test Question A as it more closely matches more of respondents' existing records. We note that the first years of collection may see underreporting of the MENA category as this is not currently tracked in records. We encourage preparing respondents for this change through prenotifications, survey FAQs, and other means of respondent communications.

Cognitive Testing Interviews – Round 2

Background and Methodology

Background: The findings from the first round of moderated cognitive tested and the unmoderated cognitive testing were used to inform the development of the cognitive testing protocol for the second round (Appendix I).

Research Objectives: A second round of cognitive interviews were conducted to gain a better understanding of how respondents interpret the format and language of both the summary and incident forms as well as to identify burden to determine what improvements should be implemented into survey. Content included in this round of testing included:

- Definitions on the summary forms
- Incident forms
    - Feasibility of a yes/no response selection format
    - Date of incident when repeated behaviors
    - Victimization type navigation instructions
    - Number of victims
    - Victim sex
    - Victim gender identity
    - Victim age
    - Victim race or ethnicity – minimum category question only
    - Victim citizenship status (newly introduced in this testing round)
    - Victim disability (introduced in moderated cognitive testing in the second round)
    - Victim injuries
    - Victim testing/treatment
    - Victim sanctions/changes in custody
    - Nature of the allegation
    - Number of staff perpetrators
    - Staff sex
    - Staff race or ethnicity
    - Staff position
    - Staff sanctions
- General feedback on the SSV

Methodology:

For methodological information on cognitive interviewing, please refer back to page 30 of this report.

In July of 2023, we met with 15 respondents in sample for the SSV to conduct the first round of cognitive testing interviews. One interview was conducted in September 2023 with a participant that rescheduled for a later date. Respondents were sent a recruitment e-mail (Appendix J) via Qualtrics with an invitation to participate in this testing phase. The table below illustrates the number of respondents participating in the second round of moderated cognitive testing by facility type.

Table 11: Participants in second round of moderated cognitive testing by respondent affiliation

Respondent affiliation	**Number of participants interviewed for round 2 of moderated cognitive testing**
Federal BOP	0
State DOCs	5
Local jails	1
Private prisons, & jails, ICE facilities, U.S. military, tribal jails	3
State juvenile systems	3
Local or private juvenile facilities	4
Total	**16**

Findings and Recommendations from the Cognitive Testing Interviews – Round 2

This section highlights findings and recommendations from the second round of cognitive testing for the Survey of Sexual Victimization (SSV). Round 2 testing occurred in July 2023 with one interview conducted in September and consisted of moderated interviews (n=16) as described in this section. Round 2 testing was modified to get additional feedback on reporting to proposed *Sex and Gender identity* and *Race/Ethnicity* survey items. General findings and recommendations are presented followed by item-specific findings and recommendations.

General Findings

This section of the report outlines the general findings and recommendations from the second round of cognitive testing.

Finding 1: Incorporating PREA definitions in the SSV was well received by participants.

Participants found the proposed definitions (which are consistent with the PREA definitions) to be clear. They also mentioned that their records could accommodate the change citing that they currently use such definitions already. See Figure 51 for the definitions list.

Figure 51: Definitions in line with the PREA

PREA Definitions:

DEFINITIONS

Sexual Victimization

Inmate-on-inmate sexual abuse: Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;

2) Contact between the mouth and the penis, vulva, or anus;

3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and

4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Inmate-on-inmate 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 inmate, detainee, or resident directed toward another.

Staff-on-inmate sexual abuse: Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;

2) Contact between the mouth and the penis, vulva, or anus;

3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;

4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;

5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;

6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)–(5) of this section;

7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and

8) Voyeurism by a staff member, contractor, or volunteer.

Staff-on-inmate sexual harassment: Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

There may be some additional clarification needed as one participant commented about items 6-8 being difficult to report. The participant mentioned that there needs to be a clearer distinction for misconduct and things that are punishable by law. The participant stated that it would be harder to distinguish amongst these categories as they often require touch/penetration to help make the distinction.

Recommendation(s): None.

Finding 2: Yes/No response format was not preferred and was misunderstood by some participants.

Most participants understood the need to select yes or no for each item presented in the response format shown above, but some failed to realize. These participants indicated that they would only

identify yes to affirm selections. Furthermore, some participants indicated that they do not always have the information in their records or access to such information to definitively report to each item. See Figure 52 for the question text.

Figure 52: Question Text for Victim Injuries

Victim #1. Did the victim sustain any physical injury during the incident? [ ] Yes [ ] No

If "Yes" → a. Did the following injuries occur?

	Yes	No
01. Bruises, black eye, sprains, cuts, scratches, swelling, welts		
02. Bites		
03. Burns		
04. Chipped or knocked out teeth		
05. Anal or vaginal tearing		
06. Knocked unconscious		
07. Broken bones		
08. Knife or stab wounds		
09. Internal injuries		
10. Other – specify [BOX]		

→ b. Did the victim receive medical treatment for these injuries? [ ] Yes [ ] No

To some, selecting No would require more effort than just affirming applicable items. Additionally, requesting that respondents respond to each item in a Yes/No format would sometimes require respondents to reach out to other staff (i.e., medical, investigators, etc.) to obtain information – which may not result in the information being disclosed to them - and would be more burdensome overall.

> **Recommendation(s):** Maintain the existing Select all that apply response selection format and do not implement the Yes/No response selection format for the benefit of data quality and reduced respondent burden.

Finding 3: Reporting online would not be problematic

There was at least one respondent who indicated that they do not complete the form online due to technical issues with the system, however, most participants reported that they did not anticipate any issues in completing the survey online if reporting for more than two staff perpetrators.

Recommendation(s): Provide instructions or guidance to respondents on how to submit the form when there are two or more perpetrators and if they encounter technical issues in completing the form online.

Content-Specific Findings

This next section of the report outlines findings and recommendations relative to specific items tested in round two of cognitive interviewing.

Finding 4: Most participants understood the purpose and instructions for Item 1, however, a few participants needed additional clarification.

Some participants mentioned the desire for an Unknown option if they did not know the actual date. Other participants reported being unclear of how to report if the date was unknown or occurred over a period of time. See Figure 53 for the question text of Item 1.

Figure 53: Question Text for Item 1: Date of Incident

Item 1:

On what date did the incident occur?
(If more than one date, report the most recent, check the box, and indicate on how many approximate different dates the behaviors occurred.)

MM DD YYYY ☐ multiple dates → Approximately _____ different dates

Recommendation(s): Consider adding an option for *Unknown* or provide instructions for respondents on how to respond when the date is unknown. Revise the instructions and/or format of this item to be clearer to respondents.

We recommend modifying the format and instructions with any of the following options:

- Approximately, how many different dates did this incident occur? _____
- Approximately, how many different dates did behaviors associated with this incident occur? _____
- On what date did the incident occur? If more than one date, what is the most recent date of the incident? _____

Alternatively, if this item format remains as is, modify the instructions to read *"If more than one date, report the most recent, check the box, and indicate a number of how many different dates the behaviors occurred."*

Finding 5: Victimization type instructions were clear and easily understood by all participants in the testing.

Participants understood the intent of the item and which sections they were to complete based on the incident type. See Figure 54 for the question text.

Figure 54: Question Text for Type of Victimization

What was the type of sexual victimization incident?
01. Inmate-on-inmate sexual abuse
→ **Complete sections A and B**
02. Inmate-on-Inmate sexual harassment
→ **Complete sections A and B**
03. Staff-on-inmate sexual abuse
→ **Complete sections A and C**
04. Staff-on-inmate sexual harassment
→**Complete sections A and C**

Recommendation(s): None at this time.

Finding 6: Reporting online would not be problematic, but may be unlikely for respondents who report each victim separately.

There was at least one respondent who indicated that they do not complete the form online due to technical issues with the system, however, most participants reported that they did not anticipate any issues in completing the survey online if more than two victims. Additionally, at least two participants indicated that they would be completing reports separately if more than on victim (i.e., one report per victim). See Figure 55 for the question text.

Figure 55: Question Text: Number of Victims

How many victims were involved in the incident?

Number of victims _____

➔ **If more than two victims were involved, please complete this form online.**

Recommendation(s): Provide instructions or guidance to respondents on how to submit the form when there are two or more victims if they encounter technical issues in completing the form online.

Finding 7: Question wording and definitions appearing with response categories were helpful for Sex and Gender identity items.

Definitions included for sex and gender identity were understood and helpful. Participants overwhelmingly preferred that the definitions appear with the applicable items rather than having to look elsewhere for them. A participant said "I'd like to see these definitions right here [with the question] because having to bounce back and forth to see the definition would be cumbersome in answering questions." See Figure 56 for the question wording.

Figure 56:Victim Sex and Gender Identity Questions

Victim #1: What was the victim's sex assigned at birth?

Sex is a multidimensional construct based on a cluster of anatomical and physiological traits that include external genitalia, secondary sex characteristics, gonads, chromosomes, and hormones.

01. Male
02. Female
03. Intersex [A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as differences in sex development.]

Victim #1: What was the victim's gender identity?

Gender identity is a person's core internal understanding or sense of who they are regardless of sex assigned at birth.

01. Male
02. Female
03. Transgender [A person whose gender identity is different from the person's sex assigned at birth.]
04. Gender nonconforming [A person whose gender identity does not conform to traditional societal gender expectations.]
05. Unknown

Additionally, participants expressed that the language *"assigned at birth"* used in the question wording was helpful in clarifying what the sex item was intending to capture, especially for inmates/youth who may have had sex changes.

Participants indicated that the response options available for these questions were consistent with the terminology found in PREA, although some reported not having all categories in their records (e.g., intersex). Furthermore, participants often mentioned that they would have information on an inmate or youth's gender identity if it was disclosed to the facility, especially on the PREA Risk Assessment. Some participants also indicated that there are gender identities that fall outside of the response options provided for this item that may need to be considered (e.g., gender non-binary). A few respondents suggested the addition of a gender identity response category for "two spirit." A participant said "we have a significant Native American population and we could run into 'two spirit' with our Native American individuals."

Recommendation(s): Include the definitions with the applicable response category. Also, maintain the language *"assigned at birth"* in the question wording for the Sex item. Include an *"Other – specify"* response category for the gender identity item for instances

in which an inmate or youth's gender identity is not captured by the response categories listed. Consider the addition of a category for "two spirit." Add an "Unknown" response category for the gender identity item to account for instances when the respondent does not know the gender identity of the inmate or youth.

Finding 8: Reporting victim's age was not problematic for most participants.

Although providing a victim's age at the time of the incident would require an extra step of calculating the age at the time of the incident, most participants did not anticipate issues in being able to provide this information. See Figure 57 for the question wording.

Figure 57: Question Text for Victim Age

Victim #1: What was the victim's age at the time of the incident?
_____ years

Furthermore, a few participants indicated that they felt more comfortable providing age at the time of the incident rather than date of birth-as providing the latter would raise concerns about it being personal identifiable information (PII). A couple participants raised the issue of not knowing the victim's exact age that the time of the incident if the incident was reported years later and perhaps at a different facility-without a clear timeframe.

Recommendation(s): Consider adding instructions or an *"Unknown"* option for instances when the victim's exact age at the time of the incident is not certain.

Finding 9: Response categories for the item tested on race/ethnicity may not match respondents' records.

Participants understood the question and response categories and could likely use the information in their records to respond to this item. See Figure 58 for the tested question text.

Figure 58: Victim Race or Ethnicity Question Text

Victim #1: What was the victim's race or ethnicity? (Select [X] all that apply.)
01. White
02. Hispanic or Latino
03. Black or African American
04. Asian
05. American Indian or Alaska Native
06. Middle Eastern or North African
07. Native Hawaiian or Pacific Islander

However, the facilities' records for race/ethnicity data does not exactly match the proposed categories for the race/ethnicity question that was tested. Nearly all facilities reported that they do not collect data on the category for Middle Eastern or North African. Additionally, some participants indicated that data for the Hispanic/Latino category is recorded separately from Race in their systems/records. For some facilities, their records only allow the option of selecting one racial/ethnic category. Some facilities reporting using an Other or Other specify category for race/ethnicity for inmates and youth who have more than one Race or Ethnicity.

Recommendation(s): Since guidance on collecting data on race/ethnicity on federal surveys and plans for implementation of the changes will not be released until Summer 2024, it is recommended that the previous version of the question and response categories for race/ethnic origin not change for the 2023 SSV.

After guidance has been released and decisions have been made regarding this item, provide adequate notice to respondents so that they can capture the data being requested in the new race/ethnicity question and response categories. This advance guidance will be especially helpful with the addition of the Middle Eastern or North African category and removal of an Other specify option for write-in responses.

Finding 10: Some facilities reported that they may have to infer information on an inmate or youth's citizenship status.

For facilities not collecting information on citizenship, many indicated they collect information on an inmate or youth's country or place of birth. With that information, participants expressed that they

could infer or deduce that an inmate or youth was a U.S. citizen if they were born in the United States. See Figure 59 for the question text.

Figure 59: Victim Citizenship Question Text

Victim #1: Was the victim –
01. A U.S. citizen
02. Not a U.S. citizen
03. Of unknown citizenship status

Participants noticed and appreciated the option for Unknown for instances in which citizenship status is not known. A few participants were not in favor of this item being added to this survey and mentioned that policy does not even allow direct inquiry about citizenship status.

> **Recommendation(s):** Consider adding an option for Declined in addition to the Unknown response option.

Finding 11: Availability of requested information may vary.

The information requested for the disability item would be dependent on whether an inmate or youth had disclosed a disability/condition or whether a medical professional has provided documentation of it. See Figure 60 for the question text.

Figure 60: Victim Disability Status Question Text

Disability according to the ADA is defined as (a) A physical or mental impairment that substantially limits one or more of the major life activities of [an] individual; (b) a record of such an impairment; or (c) being regarded as having such an impairment.

At the time of the incident, had the victim been identified as having--

	Yes	No
01. A serious and persistent mental illness (e.g., bipolar disorder, major depression, obsessive compulsive disorder, post-traumatic stress disorder, schizophrenia, etc.)		
02. A cognitive impairment or intellectual disability (e.g., ADHD, autism spectrum disorder, dementia, a learning disability, etc.)		
03. A physical impairment or disability (e.g., back or spinal injury, blindness or low vision, deafness or hearing loss, diabetes, epilepsy, heart disease, mobility impairments, etc.)		

Some participants indicated that they would have to reach out to others in the facility, such as medical personnel or therapists/counselors, in order to obtain the data needed to answer this item which may increase respondent burden and take more time to complete the survey. According to one participant, "mental health records are sealed to us and we would have to go through medical as we don't have access to their diagnoses because of HIPAA."

Participants have a strong preference for definitions and examples appearing with the question and response categories.

Participants interpreted "been identified as having" in the question stem as being written documentation in an inmate or youth's record or file. Some facilities will need to have internal discussions to address privacy and disclosure issues before providing disability-related data.

A couple of participants mentioned that they would have to add this to their existing template for reporting incidents.

For some of the juvenile facilities, it was noted that there are distinctions in how disabilities are referenced for youth and that the wording they would use is slightly different. For instance, "serious and persistent" may be more applicable for adults whereas "seriously emotionally disturbed" would be more consistent with the terminology used for youth.

Recommendation(s): Consider adding response options for *"Unknown"* and *"Declined to answer"* for instances in which respondents do not have access to this information or do not have permission from the facility to report the information.

Finding 12: Reporting injuries may require reaching out to other sources.

Most participants indicated that they could respond to the item on the victim injuries as this information would be on their incident report, if known. See Figure 61 for the question text.

Figure 61: Victim Physical Injury Question Text

Victim #1. Did the victim sustain any physical injury during the incident? [ ] Yes [ ] No

If "Yes" → a. Did the following injuries occur?

	Yes	No
01. Bruises, black eye, sprains, cuts, scratches, swelling, welts		
02. Bites		
03. Burns		
04. Chipped or knocked out teeth		
05. Anal or vaginal tearing		
06. Knocked unconscious		
07. Broken bones		
08. Knife or stab wounds		
09. Internal injuries		
10. Other – specify [BOX]		

→ b. Did the victim receive medical treatment for these injuries? [ ] Yes [ ] No

However, some participants indicated that responding to this item may pose additional burden as they may have to reach out to medical/health services to attempt to obtain some of these details.

> **Recommendation(s):** Add an option for "Unknown" to account for instances in which the respondent does not have (access to) documentation to be able to answer.

Finding 13: Reporting injuries may require reaching out to other sources and respondents may not be familiar with all categories listed.

Most participants indicated that they could respond to the item on the victim testing/treatment as this information would be in their records. See Figure 62 for the question text.

Figure 62: Victim Injury Post Incident Question Text

Victim #1: After the incident was reported, was the victim –

	Yes	No
01. Provided with counseling or mental health treatment		
02. Given a medical examination		
03. Administered a rape kit		
04. Given post-exposure prophylaxis (PEP) and/or emergency contraception		
05. Tested for HIV/AIDS		
06. Tested for other sexually transmitted infections		
07. Offered but declined testing, treatment and/or counseling		
08. Already released/discharged		
09. None of the above		

However, some participants indicated that responding to this item may pose additional burden as they may have to reach out to medical/health services in order to obtain this information. A couple of participants were unfamiliar with *"post-exposure prophylaxis (PEP)"* referenced in line 4.

> **Recommendation(s):** Add an option for "Unknown" to account for instances in which the respondent does not have (access to) documentation in order to be able to answer.

Finding 14: Wording of response categories may need to be revised.

Nearly all participants understood response categories provided and agreed with the order in which the categories are arranged. There were some concerns about the items in response option 3 being listed together. Some respondents expressed that administrative segregation, protective custody, and disciplinary segregation are very different things and that there is a distinction between punishment versus protection. See Figure 63 for the question text.

Figure 63: Victim Sanctions and Changes in Custody Question Text

Victim #1: After the incident was reported, was the victim –

	Yes	No
01. Separated from perpetrator		
02. Confined to own cell or room		
03. Placed in or returned to administrative segregation, protective custody, or disciplinary segregation		
04. Placed in a medical unit, ward, or hospital		
05. Placed in a camera room, under close surveillance, or increased supervision		
06. Transferred to another housing unit or dorm, or given a single room or cell		
07. Given a higher custody level or different unit within the facility		
08. Transferred to another facility		
09. Issued a disciplinary report or loss of privileges		
10. Other – specify [BOX]		
11. None of the above		

There were some wording recommendations for the listed categories, including the following:

- A couple of participants mentioned that the use of the word *"cell"* (found in option two and six) would not be appropriate for youth in juvenile facilities.
- One respondent suggested that *"administrative segregation"* should be changed to *"restrictive housing."*
- A respondent noted that *"transferred to another facility"* (option 8) is more severe than *"issued a disciplinary report or loss of privileges"* and should be reordered (option 9).

Recommendation(s): Consider suggested revisions made by participants for response categories outlined in the question.

Finding 15: Reporting the nature of staff allegations was not difficult.

Participants indicated no issues regarding their understanding of this item or ability to respond to it.

Figure 64: Nature of Staff Allegations Question Text

Did the following occur as part of the substantiated incident?

	Yes	No
01. Repeated suggestive, derogatory, or obscene verbal comments or gestures of a sexual nature		
02. Wrote letters, showed pictures, talked on the phone, or through video conferencing		
03. Exhibited grooming or manipulative behaviors such as providing gifts, special privileges, or favors to inmate		
04. Indecent exposure, invasion of privacy, or voyeurism		
05. Any attempt, threat, or request related to abusive sexual contact or sexual acts		
06. Any touching or kissing for sexual gratification		
07. Pressure or abuse of power resulting in a sexual act		
08. Physical force resulting in a sexual act		
09. Other – specify [BOX]		

Recommendation(s): None.

Finding 16: Reporting staff sex may require input from Human Resources

Participants indicated that information on a staff's sex is by self-identification and is collected during the application or onboarding stage. See Figure 65 for the question text.

Figure 65: Staff Perpetrator Sex Question Text

Staff #1: What was the staff perpetrator's sex assigned at birth?
01. Male
02. Female

Respondents often must reach out to Human Resources (HR) to gather this information for staff and that the categories in their systems are Male and Female.

Recommendation(s): None

Finding 17: Reporting staff Race & Ethnicity may require the use of alternative sources.

Participants reported that they must reach out to Human Resources (HR) to gather data for staff Race & Ethnicity as it's often stored in personnel records. Additionally, these data are maintained differently for inmate and youth files. For some facilities, HR records only allow the option of selecting one racial/ethnic category. See Figure 66 for the question text.

Figure 66: Staff Perpetrator Race or Ethnicity Question Text

Staff #1: What was the staff's race or ethnicity? (Select [X] all that apply.)
01. White
02. Hispanic or Latino
03. Black or African American
04. Asian
05. American Indian or Alaska Native
06. Middle Eastern or North African
07. Native Hawaiian or Pacific Islander

Facilities reported that they do not collect data on the category for *Middle Eastern or North African*. Some facilities have an *Other* or *Other specify* category for Race & Ethnicity for staff to capture more than one. The facilities' records for staff race/ethnicity data does not exactly match the proposed categories for the question tested but participants reported that they could likely answer this question on a staff perpetrator's race and ethnicity using the information in HR's personnel records.

> **Recommendation(s)**: Await guidance on collecting data on race/ethnicity on federal surveys expected Summer 2024. Maintain the previous version of the question and response categories for race/ethnic origin.

Finding 18: Some response categories may not be applicable to juvenile facilities

Participants found this item easy to understand and respond to. Some participants, particularly those responding for juvenile facilities, mentioned that some of their staff position titles do not match some of the job titles listed. However, they would be able to translate job roles/titles in their facilities to options listed when responding to this item. For instance, some participants in juvenile facilities mentioned that they do not have wardens.

Figure 67: Staff Perpetrator Position Question Text

Staff #1: What was the primary position description of the staff perpetrator involved in the incident?

01. Correctional officer, supervisory staff, or direct care staff
02. Maintenance and other facility support staff, including groundskeepers, janitors, cooks, and drivers
03. Medical or healthcare staff, including counselors, doctors, dentists, psychologists, psychiatrists, social workers, nurses, and medical assistants
04. Education staff, including instructors, teachers, librarians, and education assistants
05. Member of the clergy or chaplaincy
06. Administrator, including wardens, superintendents, assistants, and others in administrative positions
07. Clerical staff, including secretaries, clerks, receptionists, and other administrative support
08. Other program staff
09. Volunteers or interns
10. Other staff – specify [BOX]

Recommendation(s): None

Finding 19: Legal outcomes (line 10) may not be known to respondents.

Participants understood the response categories provided for this item.

Figure 68: Staff Perpetrator Sanctions Question Text

Staff #1: After the incident, was the staff perpetrator–

	Yes	No
01. Sent to training or counseling		
02. Reprimanded or disciplined		
03. Demoted, diminished responsibilities, suspended temporarily, or placed on administrative leave		
04. Transferred to another facility or unit		
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 [BOX]		
13. No action taken		

The addition of “awaiting a legal outcome” was well received. However, some participants indicated that it is sometimes difficult for them to know what the legal outcome was when a case has been handed off to investigators- impacting their ability to report to line item 10.

Recommendation(s): Consider the addition of an *Unknown* response option for instances when the outcome is unknown by the respondent.

BJS Decisions on Changes to Implement

Summary Forms (SSV-1, SSV-2, SSV-3, SSV-4, SSV-5, SSV-6)

1. Change the definitions of type of victimizations to align with the PREA standards (see the table for current definitions and the new definitions that will be used).
    A. The biggest change to the summary form will be to collapse the categories of nonconsensual sexual acts and abusive sexual contacts into a single measure of "inmate on inmate sexual abuse". Respondents note that the distinction made in the SSV unnecessarily complicates their data collection processes and does not align with the 2012 PREA standards. Therefore, we would like this to be consistent with this guidance.
    B. Additionally, we will be changing "staff sexual misconduct" to "staff sexual abuse" to align with the definitions of the standards. The behaviors covered are still the same, but the terminology will be different.
    C. Because we will no longer measure nonconsensual sexual acts or abusive sexual contact, the items associated with these that ask about attempted versus completed NCSAs or whether respondents separate the two types of victimization will not be included on the forms. Forms will continue to ask if they record all allegations or only those that have been substantiated for each of the four types of victimization.

Previous SSV definitions	**PREA standard definitions for types of sexual victimization** – new SSV victimization types to be measured
Inmate-on-inmate sexual victimization – Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse; AND …	Inmate-on-inmate sexual abuse – Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

Nonconsensual sexual acts – 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; OR Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument	(1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight; (2) Contact between the mouth and the penis, vulva, or anus; (3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and (4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.
Abusive sexual contact – Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person. EXCLUDE incidents in which the contact was incidental to a physical altercation	
Staff sexual misconduct – Any behavior or act of sexual nature directed toward an inmate by an employee, volunteer, contractor, official visitor or other agency representative (exclude family, friends or other visitors). Sexual relationships of a romantic nature between staff and inmates 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 the intent to abuse, arouse, or gratify sexual desire; OR Completed, attempted, threatened, or requested sexual acts; OR Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for reasons unrelated to official duties or for sexual gratification.	Staff-on-inmate sexual abuse – Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident: (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight; (2) Contact between the mouth and the penis, vulva, or anus; (3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire; (4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire; (5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire; (6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)-(5) of this section; (7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia,

	buttocks, or breast in the presence of an inmate, detainee, or resident, and (8) Voyeurism by a staff member, contractor, or volunteer.
Inmate-on-inmate 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 inmate directed toward another.	Inmate-on-inmate 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 inmate, detainee, or resident directed toward another.
Staff sexual harassment – Repeated verbal comments or gestures of a sexual nature to an inmate by an employee, volunteer, contractor, official visitor, or other agency representative (exclude 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.	Staff-on-inmate sexual harassment – Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

2. Remove the checkbox for “None” that appears next to the lines for reporting counts

A. The current SSV form had both a line for entering a number and a checkbox that could be marked if a respondent was reporting “none” of a certain type of victimization; directions stated that a respondent could either write “0” or check the “None” box. This was unnecessarily complicating the form. We are removing the checkbox and adjusting the directions to write “0” on the line provided.

Not all recommendations to the summary form are being implemented. For example, items that ask whether state DOC and juvenile systems (SSV-2 and SSV-5 forms) are including allegations from local or private facilities will be retained on the form for further data quality checks in the future. Discussion of those recommendations not being implemented, and the reasons why, can be found in the relevant sections related to the research method in which they were examined.

Incident Forms (SSV-IA, SSV-IJ)

This section includes changes to incident form that we are proposing after the expert review, early stage scoping interviews, two rounds of cognitive interviews and a single unmoderated survey asking about selected items. These are summaries of the final recommendations that have been adopted from those suggested in the various sections of this report. For details on changes tested but not ultimately recommended, please see the earlier sections.

Overall structure of form

The form will now have 4 main sections. The first contains basic incident-level details that apply regardless of the type of victimization (date, facility, location, video monitoring, time, reporting party, and general type of victimization). The next section asks about the number of victims and about victim-level information for up to two victims. The purpose of this change was to be able to link outcomes for a victim (injury, treatment, sanction) to their demographic details and give exact specifics of people who experienced each outcome rather than describe these at the incident level. The next section asks about details for an inmate-perpetrated sexual victimization incident, starting with incident-level items that ask about the nature of the incident; types of pressure, coercion or forced used; and the number of inmate perpetrators involved. The section then asks for demographic details and sanctions for up to two inmates. This again allows us to link demographic details to specific outcomes for the perpetrator. The final section relates to staff-perpetrated incidents. There are two incident-level items that ask about the nature of the incident and number of staff involved. Then, for up to two staff members, there are items for demographic details, employment details, and sanctions. Again, this will allow for analysis that links outcomes to person-level details and characteristics. The form itself will only have space for two victims, perpetrators, and staff. If there are more than two individuals, they will be instructed to complete the form online.

Participants in cognitive interviews indicated that they would not have any problems providing outcomes/effects per victim/perpetrator. There were notes that they may need to contact HR to get information about specific employment details of the staff, but this is likely something already done when completing these forms.

Substantial changes and entirely new items are shown in red. Question numbers on the form relate to the first instance of the set of questions, but don't reference the questions shown if there was a second victim or perpetrator (questions repeat and are the same for victim #2, perpetrator #2, staff #2).

Item-level changes

1. Repeated incidents and date of incident – Question 1
    a. Addition of a filter question to indicate whether the incident form being completed is for a series of repeated behaviors (Y/N response options). Because the definition of sexual harassment stipulates the behaviors are repeated, we want to establish this at the outset of the form.
    b. If the incident was repeated, they are asked to provide approximately how many different times this behavior occurred and on what most recent date. Approximate numbers of events associated with abuse or harassment will help understand severity and persistence of the victimization.
    b. If the incident doesn't include repeated behaviors, they are asked to provide the date the single incident occurred.
2. Facility name and location – Question 2
    a. Changed "City/Place" to "City/State" of the facility in which the incident occurred. It was not clear what is meant by "Place" and we think "State" is more logical in this context.
3. Location of incident – Question 3

a. Addition of a response option of "Location not applicable (e.g., involved written, phone, or virtual communication)". This was based on write-in responses to the "other-specify" option in the question.

4. Area under surveillance – Question 4
   a. Changed "don't know" response option to "unknown" as it may better reflect that lack of information is a result of the investigation and reporting quality more generally, not necessarily tied to the individual completing the form not personally having knowledge.
5. Who reported incident – Question 6
   a. Item moved up in the form (it was previously after the section on victim details) and now follows the item that asks about time of incident. This is to put all incident-level characteristics that will be reported regardless of the type of victimization together on the first part of the form.
   b. The response option of "legal guardian" removed from the pairing with the "attorney" response and instead added to the "victim's friend or family" and "perpetrator's friend or family". It was felt a legal guardian was more akin to someone personally close to the inmate or youth while an attorney's relationship is more professionally defined.
6. Type of sexual victimization – Question 7
   a. Item moved up into the "general incident" section and the types now align with PREA standards definitions (inmate-on-inmate sexual abuse, inmate-on-inmate sexual harassment, staff-on-inmate sexual abuse, staff-on-inmate sexual harassment). There are also revised directions about which of the following sections they should complete based on the characteristics of the perpetrators and incidents.
7. How many victims involved – Question 8
   a. Paper version of the form will only allow for 2 victims' details to be included and the instruction has been revised to tell them to fill out the form online instead.
8. Victim sex assigned at birth and gender identity – Questions 9 & 10
   a. Provide definitions of sex, gender identity, intersex, transgender, and gender nonconforming with the questions and the answer categories in the first instance on the form.
   b. Split into two-part question that asks about sex assigned at birth of victim first followed by gender identity of victim. Sex has response options of male, female, and intersex.
   c. Addition of the response option "gender nonconforming" which is a direct term from the PREA Standards for inmates whose "whose appearance or manner does not conform to traditional societal gender expectations." This is a term used in most state's PREA policies as well, however we received feedback that some facilities use other terms such as non-binary.
   d. Addition of the option to select "Other – specify" to use a different term for how an inmate may identify. Many respondents noted they allow inmates/youth to self-identify and may use other terms.
   e. Addition of "unknown" as a gender identity response option to be used if necessary.
9. Victim age – Question 11

a. Respondents asked to provide an exact age rather than answer by category groupings. This allows for more flexibility in reporting and respondents did not express any issues with doing so. Age categories can then be collapsed during analysis into varied groupings.

10. Victim ethnicity and race – Question 12
    a. 3/28/2024, OMB released final recommendations for measurement of race and ethnicity and this item was revised to comply with this directive, specifically adopting the short version of the question tested. However, the option of "Other racial category in your information system - specify" was retained given respondent feedback.
    b. Response option of "Black" was revised to "Black or African American".
    c. Response option of "American Indian/Alaska Native" was revised to "American Indian or Alaska Native".
    d. Response option of "Native Hawaiian or Other Pacific Islander" was revised to "Native Hawaiian or Pacific Islander"
    e. Response option of "Middle Eastern or North African" was added.
    f. The bracketed wording of "*(not of Hispanic origin)*" was removed from response options.
11. Victim citizenship – Question 13
    a. Answer options of if the victim was a US citizen, not a US citizen, or was of unknown citizenship status.
    b. Citizenship was noted as a potentially correlate with victimization risk and vulnerability and many participants said they had access to this information. Some expressed that they only hold U.S. citizens, so would be easy to answer.
12. Victim disability – Question 14
    a. Asks at the time of the incident if the victim had been identified as having any of the following disabilities: a serious and persistent mental illness, a cognitive impairment or intellectual disability, or a physical impairment or disability. Respondents are instructed to select all that apply.
    b. With the item, the word "disability" is defined using the ADA definition and examples of each of the three types of disabilities are listed in alphabetical order.
    c. Respondents noted some concern for privacy and limitations with medical records, however many noted disability was part of a PREA risk assessment at intake and they would have this information.
13. Physical injury – Question 15
    a. Add an option to allow respondents to select "unknown" for if the victim sustained physical injuries (previously only a Y/N). This was based on respondents indicating that time is occasionally a factor in whether or not they are aware of injuries, or the inmate/youth being sent elsewhere for exams and not having access to a record of injuries.
    b. Addition of "bites" and addition of "burns" as response options based on analysis of write-in responses to the "other-specify" category.
    c. Changed order to reflect the severity or lethality or the injury type.
    d. Add an option to allow "unknown" to the follow-up question of whether the victim received medical treatment for the injuries indicated in the above list.

e. Additional note – it was considered whether to add secondary mental/emotional injuries to this list (e.g., post-traumatic stress, anxiety, depression, insomnia), but it was determined it would be too difficult to disentangle such impacts from potential pre-existing issues or conclusively link them to the incident being reported.

14. Post-incident medical treatment – Question 16
    a. Response option of "provided with counseling or mental health treatment" was moved up in the order of response options. It was felt that this was a distinct from other physical medical treatment and should be placed before the physical exams and tests given that it is a type of treatment that may be more widely applicable given different types of victimization.
    b. Addition of a response option of "given post-exposure prophylaxis (PEP) and/or emergency contraception" was added between items related to a rape kit and testing for HIV/AIDS
    c. Changed "administered a rape kit" to "sexual assault kit" as respondents indicated this terminology was preferred.
    d. Response option altered slightly to read "Tests for other sexually transmitted infections" rather than "diseases" to be consistent with medical terminology used currently.
    e. Response option altered to include that victim declined counseling in addition to testing or treatment.
15. Victim sanction/custody change – Question 17
    a. Responses reordered to reflect the permanence or ease of the custody change, with temporary measures and placements at the start of the list and transfers toward the end. The only sanction in the list was also placed at the end.
    b. The options of "administrative segregation, protective custody, or disciplinary segregation" were removed and replaced with a single term of "restrictive housing". This was determined to be an all-encompassing term that includes any reason for separation and simplifies the response.
16. Nature of inmate-on-inmate incident - Question 27
    a. Changed order to flow from least severe to most severe.
    b. Removed the option of "Horseplay" as respondents noted this was an unclear term and inappropriate to include as it trivialized the incident.
    c. Added the word "Repeated" to response option 1 that references verbal comments or gestures. In order to meet the definition of harassment, the behaviors must be repeated.
    d. Response options 1-3 detail specific actions/behaviors that fall under the definition of sexual harassment. Response option 4 is the definition of abusive sexual contact, now falling under the least extreme cases of sexual abuse. Response options 5 and 6 relate to nonconsensual sexual acts and are the most extreme cases of sexual abuse.
17. Type of pressure in an inmate-on-inmate incident – Question 28
    a. Added the word "coercion" to the question wording to more accurately reflect the options shown.
    b. Removed "sexual harassment" as this option more aligned with the question that asked about the nature of the incident and did not necessarily reflect a type of pressure or force.

c. Added the distinction of the victim being incapacitated in addition to touching/groping by surprise or while asleep.

d. Combined two response options about threats and added examples because previous items were overly-specific as write-in responses and expert interviews revealed there were other types of threats that could be included (such as threats to family or threats to well-being).

e. Added additional clarification about how victim was restrained in the incident based on expert interviews.

18. Number of inmate perpetrators – Question 29
    a. Same as with victims, if there are more than two they are directed to complete the form online.
19. Inmate perpetrator sex assigned at birth and gender identity – Questions 30 & 31
    a. Two-part sex and gender identity question.
    b. Added the option of "gender nonconforming", "other – specify", and "unknown" for gender identity.
20. Inmate perpetrator age – Question 32
    a. Asks for an exact age rather than an ordinal variable of ages grouped together.
21. Inmate perpetrator race or ethnicity – Question 33
    a. Same as described for victim race or ethnicity, the item was changed to comply with the final version of the SPD 15 recommendation for a short form version.
22. Inmate perpetrator sanction/custody change – Question 34
    a. Reordered the responses to flow from temporary measures to more permanent changes in custody, followed by sanctions related to their current incarceration, and then criminal consequences.
    b. Replaced the terms "solitary confinement or disciplinary segregation" with "restrictive housing" and included that they could be placed in or also "returned to" this housing type. The response option is simplified and matches the change in custody option shown for victims.
    b. Split the item of "Sent to counseling or treatment team" was split into two response options and additional clarification and examples were provided. The responses are now "sent to counseling or mental health treatment" and "given medical treatment or testing (e.g. post-exposure prophylaxis (PEP, HIV/AIDS)".
    c. Added "plead guilty" to the response option that details a criminal sanction so it matches with the outcome in the staff sanction item.
    d. Added "Awaiting a legal outcome" so respondents may indicate that there is an ongoing criminal proceeding at the time the form is being filled out. Most cognitive interview participants understood when to use this option and believed it was useful.
23. Nature of staff-on-inmate victimization – Question 40
    a. Response options reworded and reorder to flow from the least extreme cases of sexual harassment thru sexual abuse.
    b. Response 1 is the definition of staff sexual harassment.
    c. Responses 2 and 3 form the basis of an inappropriate abusive relationship between staff and inmate (communication and grooming activities).
    d. Responses 4-8 cover behaviors outlined in the definition of staff sexual abuse.

e. Eliminated the word “nonconsensual” from the response options as this makes it sound like there is a possibility for a consensual relationship between staff and inmates/youth, which there is not. All sexual acts are nonconsensual.

24. Staff gender – Question 42
    a. While we did test asking about sex assigned at birth and gender identity separately, most respondents indicated this was not something they knew or could find out because of employment laws, therefore we have elected to keep this as gender (which is how employment disclosure works, PREA cross-gender policies are worded, and is our current wording on the form) and have options of male and female only.
25. Staff age – Question 43
    a. Rather than ordinal categories, we are asking the respondent to provide the exact age of the perpetrator at the time of the incident.
26. Staff perpetrator race or ethnicity – Question 44
    a. Same as described for the inmate/youth level measurement, the item revised to comply with final version of the OMB SPD 15.
27. Staff position description – Question 46
    a. Reordered response options so that the more commonly positions held by staff perpetrators are listed first and the least common are last.
    b. Added “direct care staff” to the list in the “correctional officer” category and included “security staff” here as well to be inclusive of terms used in the juvenile justice and community-based setting.
    c. Added the option of “member of the clergy or chaplaincy” based on respondent feedback that it was a missing position type that could be relevant.
28. Staff sanction – Question 48
    a. Sanctions are ordered by severity, with training being the least severe option and criminal consequences the most severe.
    b. Addition of “awaiting a legal outcome” to account for a lack of final legal outcome at the time the form was filled out. This was suggested by expert interview participants as a means of allowing respondents to clarify that there is an outstanding criminal action that may be taken against the perpetrator.

Definitions

There are several definitions that have been added or amended in the forms. These are as follows.

1. The definitions for types of victimization reflect the overall shift to measure sexual abuse and sexual harassment as defined by the PREA standards (see “Summary Forms” subsection above for a table of these definitions).
2. There is a new section dealing specifically with sex and gender identity definitions. These terms are defined in this section as well as in their first instance on the forms.
    a. The definition of “transgender” is altered slightly from the previous SSV forms and the PREA standards definition in 115.5. In the previous definition, the term gender identity was included and defined as an “internal sense of being male or female”.

Acknowledging that individuals may not identify as either male or female, we have excluded this text in the definition.

   b. The definition of “gender nonconforming” was added and amended from the wording used in the PREA standards definition in section 115.5 (the reference to “appearance or manner” was replaced with “gender identity”).
   c. In the definition of intersex, also taken from the PREA standards 115.5, the word “disorders” was replaced with the word “differences” to describe sex development.

3. The definition of disability is added. This definition is sourced from the from the Americans with Disabilities Act (ADA).

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Appendix A: Economic Directorate Guidelines on Questionnaire Design

Economic Directorate Guidelines on Questionnaire Design

Note: The template below was completed during the expert review phase of this project.

Guideline	Is the guideline followed?	Recommendation
Wording		
1. Phrase data requests as questions or imperative statements, not sentence fragments or keywords.	Yes	
2. Break down complex questions into a series of simple tasks.	Yes	
3. Use a consistent reference period.	Yes	
4. Avoid jargon and terms that may be unfamiliar to respondents.	Sometimes	Some of the terminology could be interpreted differently by respondents. Provide definitions where possible.
5. Use consistent terms throughout the question (Use the same terms consistently throughout the questionnaire).	Yes	
6. For Web instruments, consider using automatic	Yes	

calculations for questions that require calculations		
7. For Web instruments, use automatic fills when questions reference information reported on earlier screens or available only on paper questionnaires (e.g., mailing labels).	Yes	Not certain about this one. Getting a walkthrough of the electronic instrument would be helpful.
Response Options and Answer Spaces		
8. Use similar answer spaces when requesting the same type of information.	Yes	
9. Use consistent response across similar items.	Yes	
10. Clearly indicate the unit of measurement for each data item.	N/A	
11. Decide whether to provide previously reported data to respondents after weighing the potential data quality benefits and risks and the potential disclosure and security risks.	N/A	
12. Provide "Mark X if None" checkboxes only if it is necessary to differentiate between item nonresponse and	Yes	Consider if this is the best choice or if adding an edit if left blank would be better. Ensure these are used consistently.

reported values of zero.		
Visual Features and Layout		
13. Use font variations consistently and for a single purpose with a questionnaire.	Yes	
14. Group data items and their answer spaces / response options.	Yes	
15. Evaluate the necessity of any graphics, images, and diagrams to ensure that they are useful for respondents.	N/A	
Navigation		
16. Use a consistent page or screen layout.	Yes	
17. Clearly identify the start of each question and section.	Yes	
18. Group similar data items together.	Sometimes	For SSV-IA & SSV-IJ form does not group definitions where appropriate like for forms 1-6.
19. Use blank space to separate questions and make it easier to navigate within questionnaires.	Yes	
20. Align questions and answer spaces / response options.	Yes	
21. Use strong visual features to	Yes	Should verify this.

emphasize skip instructions.		
22. Inform respondents of the navigational path when a question continues on another page.	N/A	
Instructions		
23. Use mode-specific instructions.	Yes	
24. Incorporate question-specific instructions into a survey instrument where they are needed. Avoid placing instructions in a separate sheet / booklet / webpage.	Yes	Are there any separate instructions? It seems most are incorporated.
25. Consider reformulating important instructions as questions.	N/A	Might consider this in certain instances.
26. Convert narrative paragraphs to bulleted lists.	Yes	
27. When possible, use an actual date, rather than a vague timeframe, to reference due dates.	Yes	
Matrices		
28. Limit the use of matrices. Consider the potential respondent's level of familiarity with	Yes	

tables when deciding whether to use them.		

Appendix B: Early Stage Scoping Interview Protocol

Early Stage Scoping Interview Protocol

Protocol for Exploratory Research Interviews
Survey of Sexual Victimization (SSV)
(Final July 21, 2022)

Background on SSV

The Survey of Sexual Victimization is sponsored by the Bureau of Justice Statistics (BJS) of the U.S. Department of Justice. BJS is the principal federal agency responsible for measuring crime, criminal victimization, criminal offenders, victims of crime, correlates of crime, and the operation of criminal and civil justice systems at the federal, state, tribal, and local levels.

Purpose

Exploratory interviews will be conducted to gain a better understanding of how respondents interpret the format and language of the instrument as well as to identify burden to determine what improvements should be implemented.

Population of Interest for Exploratory Research Interviews

Various Departments of Corrections (DOCs) / correction systems
Possibly facilities of various sizes, functions, operators (public and private), and types (confinement and community based, Adult and Juvenile Systems)

Interview Recruitment

A total of 9 participants will be recruited for initial interviews via email.

Introduction

- Thank you very much for taking the time to join us today. We are considering some changes to the Survey of Sexual Victimization, and we'd like to get your feedback and input on the survey and its level of burden.
- Any information you provide will be kept confidential.

About the Respondent

- What is your job title, and can you describe your main duties?
- Can you give a brief description of this facility and how it is organized?
    - Could you tell me about the functions of this facility?
- How much experience do you have completing the Survey of Sexual Victimization?
- Do you work with anyone else in your facility to gather data for this survey?
    - If yes, what is their job title? And what was their role in gathering/providing data?

General Areas of Interest/ All Forms

- How do you gather data for our survey?
    - How are your records systems organized?
        - Third-party reporting files, reports, investigative files, sexual abuse incident review files?
        - Do you have a reporting system? Is it 3rd party? Tell us about that process.

            - Does it have some sort of output from the system that includes the type of information we request on our forms?
    - Have you ever made any changes to your records to be able to answer our survey?
        - Do your systems reflect the requirements of the Prison Rape Elimination Act (PREA) standards?
            - Have you been audited recently (PREA)?
            - Has SSV data been a part of the auditing? Has the audit affected your SSV reporting?
        - How often are your data files audited for their integrity?

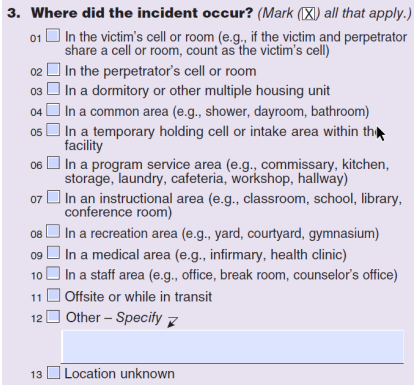
- How much time do you spend completing the SSV each year (including gathering data, answering questions, and submission)?
- What are some of the difficulties or challenges of this survey for you?
- What would you like to be different if we revised the survey as a whole?
- Do you find the forms has enough space for you to report your responses adequately?

General Areas of Interest/ Summary Forms

- Do you find the reporting instructions, which can be found on page 1 of the summary form, provided on the form are helpful? If not, what would make them easier to understand?
- Do you find the definitions provided, which can be found on page 2 of the summary form, are adequate? If not, what would you like to see better explained on the survey?
- Are you reporting all incidents whether substantiated, unsubstantiated, or unfounded?
- Are you familiar with the 5 types of victimization incidents covered by the SSV?***
    - Do you use those definitions provided to assist classifying the allegations that occur?

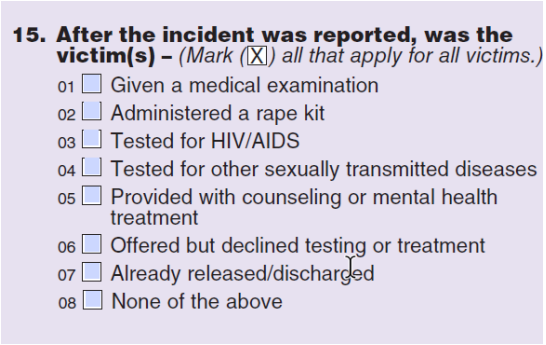
General Areas of Interest/ Incident Forms

- Probes for IA & IJ forms
    - Now we are going to talk about the incident forms and your experience with them. Could you tell me how easy or challenging the form is to fill out?
- Do you find the definitions provided, which can be found on page 5, are adequate? If not, what would you like to see better explained on the survey?
    - How did/would you report multiple victims on the form?
        - What would be helpful on the SSV to help you report multiple victims?
    - How did/would you report repeated incidents on the form (repeated as a pattern of behaviors that happen multiple days, times, places, etc.)?
        - What would be helpful on the SSV to help you report repeated incidents?
    - How did/would you report for more than one perpetrator on the form?
        - What would be helpful on the SSV to help you report multiple perpetrators?
    - Q3: Where did the incident occur?
        - When choosing options, does the order of the categories on the list help with your selection?
        - Let me ask a hypothetical question, if you were to check multiple options when answering this question, could you explain the reasons that would prompt you to do so?

- 

  3. Where did the incident occur? *(Mark (☒) all that apply.)*

  01 ☐ In the victim's cell or room (e.g., if the victim and perpetrator share a cell or room, count as the victim's cell)
  02 ☐ In the perpetrator's cell or room
  03 ☐ In a dormitory or other multiple housing unit
  04 ☐ In a common area (e.g., shower, dayroom, bathroom)
  05 ☐ In a temporary holding cell or intake area within the facility
  06 ☐ In a program service area (e.g., commissary, kitchen, storage, laundry, cafeteria, workshop, hallway)
  07 ☐ In an instructional area (e.g., classroom, school, library, conference room)
  08 ☐ In a recreation area (e.g., yard, courtyard, gymnasium)
  09 ☐ In a medical area (e.g., infirmary, health clinic)
  10 ☐ In a staff area (e.g., office, break room, counselor's office)
  11 ☐ Offsite or while in transit
  12 ☐ Other – *Specify*
  13 ☐ Location unknown

- Q15: After the incident was reported was the victim(s) (this question deals with medical treatment/ follow-up for the victim)
  - When choosing options, does the order of the categories on the list help with your selection?
  - Were you reporting for what actions were taken or for if they were offered?
  - Let me ask a hypothetical question, if you were to check multiple options when answering this question, could you explain the reasons that would prompt you to do so?
    - Is it because there were multiple victims who received different medical treatment?
    - Was it the same victim who needed multiple different types of medical follow-up for a single incident?
    - Was it the same person who was repeatedly victimized and needed different medical follow-up for each event covered by this form?"
    - 

      15. After the incident was reported, was the victim(s) – *(Mark (☒) all that apply for all victims.)*

      01 ☐ Given a medical examination
      02 ☐ Administered a rape kit
      03 ☐ Tested for HIV/AIDS
      04 ☐ Tested for other sexually transmitted diseases
      05 ☐ Provided with counseling or mental health treatment
      06 ☐ Offered but declined testing or treatment
      07 ☐ Already released/discharged
      08 ☐ None of the above

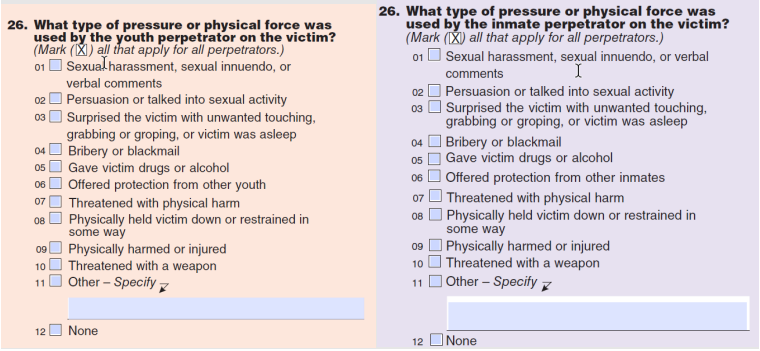
- Q16: After the incident was reported was the victim(s)
  - When choosing options, does the order of the categories on the list help with your selection?
  - Were you reporting for what actions have actually been taken or for if they were offered?
  - Let me ask a hypothetical question, if you were to check multiple options when answering this question, could you explain the reasons that would prompt you to do so?

- **16. After the incident was reported, was the victim(s) –** *(Mark (☒) all that apply for all victims.)*
  - 01 ☐ Placed in or returned to administrative segregation, protective custody, or disciplinary segregation
  - 02 ☐ Placed in a medical unit, ward, or hospital
  - 03 ☐ Confined to own cell or room
  - 04 ☐ Given a higher custody level or different unit within the facility
  - 05 ☐ Transferred to another facility
  - 06 ☐ Transferred to another housing unit or dorm, or given a single room or cell
  - 07 ☐ Separated from perpetrator
  - 08 ☐ Issued disciplinary report or loss of privileges
  - 09 ☐ Placed in camera room, under closer surveillance, or increased supervision
  - 10 ☐ Other – *Specify* _____
  - 11 ☐ None of the above

- Q25: What was the nature of the incident?
  - When choosing options, does the order of the categories on the list help with your selection?
  - How do you define horseplay?
  - What types of responses did you include in the "other" field?
  - Are there other types of incidents that should be included in the answer categories?
    - Should Kissing be included?
    - How do you interpret the category, "unwanted touching **for sexual gratification**"?

- **25. What was the nature of the incident?** *(Mark (☒) all that apply.)*
  - 02 ☐ Sexual harassment
  - 03 ☐ Indecent exposure, masturbation, or voyeurism
  - 04 ☐ Horseplay
  - 05 ☐ Repeated and unwelcome sexual advances or requests for sexual favors
  - 06 ☐ Unwanted touching for sexual gratification or abusive sexual contact
  - 07 ☐ Pressure or coercion (without force) resulting in a nonconsensual sexual act
  - 08 ☐ Physical force (or the threat of force) resulting in a nonconsensual sexual act
  - 09 ☐ Other – *Specify* _____

- Q26: What type of pressure or physical force was used by the (inmate/youth) perpetrator on the victim?
  - When choosing options, does the order of the categories on the list help with your selection?
  - Are there other types of incidents that should be included in the answer categories?
  - What types of responses did you include in the "other" field?

- 

26. What type of pressure or physical force was used by the youth perpetrator on the victim?
(Mark (X) all that apply for all perpetrators.)

01 ☐ Sexual harassment, sexual innuendo, or verbal comments
02 ☐ Persuasion or talked into sexual activity
03 ☐ Surprised the victim with unwanted touching, grabbing or groping, or victim was asleep
04 ☐ Bribery or blackmail
05 ☐ Gave victim drugs or alcohol
06 ☐ Offered protection from other youth
07 ☐ Threatened with physical harm
08 ☐ Physically held victim down or restrained in some way
09 ☐ Physically harmed or injured
10 ☐ Threatened with a weapon
11 ☐ Other – *Specify*
12 ☐ None

26. What type of pressure or physical force was used by the inmate perpetrator on the victim?
(Mark (X) all that apply for all perpetrators.)

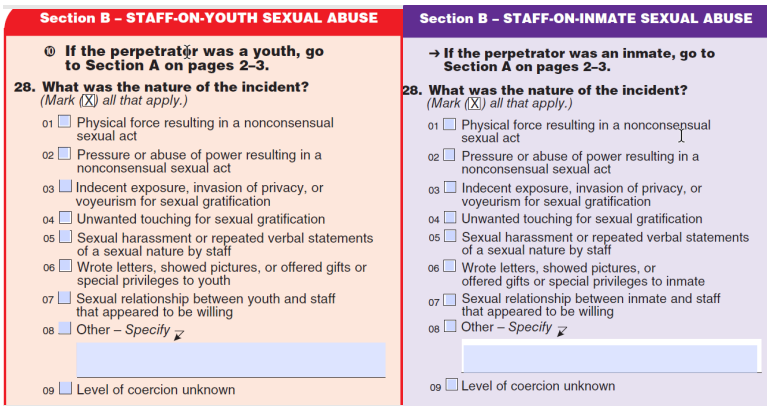
01 ☐ Sexual harassment, sexual innuendo, or verbal comments
02 ☐ Persuasion or talked into sexual activity
03 ☐ Surprised the victim with unwanted touching, grabbing or groping, or victim was asleep
04 ☐ Bribery or blackmail
05 ☐ Gave victim drugs or alcohol
06 ☐ Offered protection from other inmates
07 ☐ Threatened with physical harm
08 ☐ Physically held victim down or restrained in some way
09 ☐ Physically harmed or injured
10 ☐ Threatened with a weapon
11 ☐ Other – *Specify*
12 ☐ None

- Q27: What sanction was imposed on the perpetrator(s)?
  - When choosing options, does the order of the categories on the list help with your selection?
  - What types of responses did you include in the "other" field?
  - How are you responding if you have multiple perpetrators?
  - *Are they only selecting the most severe sanction? Do you only select the most severe of the sanctions that are there? (Maybe start asking about ALL of the sanctions and then ask what you would select to see if they would just pick and choose the worst or if they would select all.)*
  -

27. What sanction was imposed on the perpetrator(s)?
(Mark (X) all that apply for all perpetrators.)

01 ☐ Placed in solitary confinement or disciplinary segregation
02 ☐ Confined to own cell or room
03 ☐ Placed in higher custody level, restricted unit or program, within the same facility
04 ☐ Transferred to other unit/cell or separated from victim
05 ☐ Transferred to another facility
06 ☐ Loss of "good/gain" time, increase in "bad" time or delayed release
07 ☐ Given extra work
08 ☐ Loss of privileges, disciplinary report or conduct violation, or other reprimand
09 ☐ Sent to counseling or treatment team
10 ☐ Arrested or referred to law enforcement agency
11 ☐ Referred for prosecution or indicted
12 ☐ Convicted, given new sentence, or fined
13 ☐ Other – *Specify*

- Q28: What was the nature of the incident?
  - When choosing options, does the order of the categories on the list help with your selection?
  - What types of responses did you include in the "other" field?
  - Are there other types of incidents that should be included in the answer categories?
    - Do you think Telephone Calls/Video Conferencing should be included?

- 

Section B – STAFF-ON-YOUTH SEXUAL ABUSE

If the perpetrator was a youth, go to Section A on pages 2–3.

28. What was the nature of the incident?
(Mark (X) all that apply.)

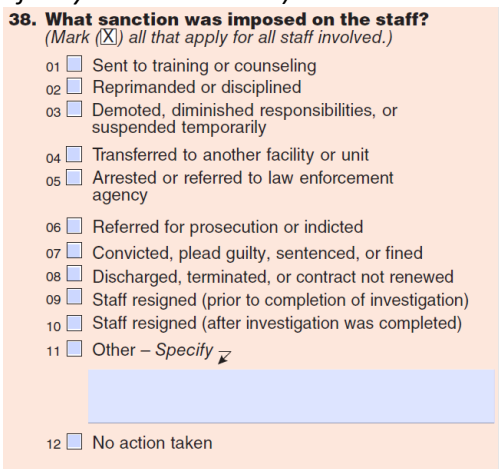
01 ☐ Physical force resulting in a nonconsensual sexual act
02 ☐ Pressure or abuse of power resulting in a nonconsensual sexual act
03 ☐ Indecent exposure, invasion of privacy, or voyeurism for sexual gratification
04 ☐ Unwanted touching for sexual gratification
05 ☐ Sexual harassment or repeated verbal statements of a sexual nature by staff
06 ☐ Wrote letters, showed pictures, or offered gifts or special privileges to youth
07 ☐ Sexual relationship between youth and staff that appeared to be willing
08 ☐ Other – *Specify*
09 ☐ Level of coercion unknown

Section B – STAFF-ON-INMATE SEXUAL ABUSE

→ If the perpetrator was an inmate, go to Section A on pages 2–3.

28. What was the nature of the incident?
(Mark (X) all that apply.)

01 ☐ Physical force resulting in a nonconsensual sexual act
02 ☐ Pressure or abuse of power resulting in a nonconsensual sexual act
03 ☐ Indecent exposure, invasion of privacy, or voyeurism for sexual gratification
04 ☐ Unwanted touching for sexual gratification
05 ☐ Sexual harassment or repeated verbal statements of a sexual nature by staff
06 ☐ Wrote letters, showed pictures, or offered gifts or special privileges to inmate
07 ☐ Sexual relationship between inmate and staff that appeared to be willing
08 ☐ Other – *Specify*
09 ☐ Level of coercion unknown

  - Q38: What sanction was imposed on the staff?
    - When choosing options, does the order of the categories on the list help with your selection?
    - What types of responses did you include in the "other" field?
    - How are you responding if you have multiple staff involved?
    - *Are they only selecting the most severe sanction? Do you only select the most severe of the sanctions that are there? (Maybe start asking about ALL of the sanctions and then ask what would you select to see if they would just pick and choose the worst or if they would select all.)*
    - 

38. What sanction was imposed on the staff?
(Mark (X) all that apply for all staff involved.)

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

- Are there sexual victimization allegations occurring in your facilities that you believe are not being captured by our survey?
  - If so, what types of incidents are these?

Web Instrument

- Did you find the web instrument easy to use?
  - Are there any improvements would you like to see in the web instrument?
- Did you use the upload feature?
  - If not, did you know that this was an option that you could use?
  - If yes, why did you choose this option? How did this function work for you? Is there anything that we could do to improve this feature?

Wrap-Up

- That is all the questions I have for you today
    - Is there any additional information that you would like to share?
- Thank you so much for your time and assistance!

Appendix C: Cognitive Interview Protocol for Round 1

Cognitive Interview Protocol for Round 1

Protocol for Cognitive Interviews
2023 Survey of Sexual Victimization (SSV)
(Draft February 8, 2023)

Background on SSV

The 2023 Survey of Sexual Victimization (SSV) includes forms SSV-1, SSV-2, SSV-3, SSV-4, SSV-5, SSV-6, SSV-IA, & SSV-IJ. The SSV is sponsored by the Bureau of Justice Statistics (BJS) of the U.S. Department of Justice. BJS is the principal federal agency responsible for measuring crime, criminal victimization, criminal offenders, victims of crime, correlates of crime, and the operation of criminal and civil justice systems at the federal, state, tribal, and local levels.

Purpose

Cognitive interviews will be conducted to gain a better understanding of how respondents interpret the format and language of both the summary and incident instruments as well as to identify burden to determine what improvements should be implemented into survey.

Population of Interest for Cognitive Interviews

State prison systems; state juvenile correctional systems; the federal prison system; U.S. Immigration and Customs Enforcement (ICE); the U.S. military; local or privately-operated jail jurisdictions; privately-operated prisons; locally or privately-operated juvenile facilities; and facilities in Indian country.

Interview Recruitment

Respondents will be recruited via email and will be able to choose their preferred date for interviewing through Qualtrics. Respondents will be informed that their participation is voluntary and will receive a form for consent via Qualtrics.

Introduction

- Thank you very much for taking the time to join us today. We are considering some changes to the latest version of the Survey of Sexual Victimization, and we'd like to get your feedback and input on the survey and its level of burden.
- Any information you provide will be kept confidential under U.S. Code 34 § 10231.

About the Respondent

1. Name
2. Job Title/Duties?
3. Do you recall if you completed the SSV when it was last conducted? If yes, could you tell me about your experience?
    a. (Or how much experience do you have completing the Survey of Sexual Victimization?
4. Do you work with anyone else in your facility to gather data for this survey?
    a. If yes, what is their job title? And what was their role in gathering/providing data?
5. How much time do you spend on the SSV (from gathering data, answering questions, and submission)?

Summary Forms

Now let us take a look at the summary forms. Please open the summary form sent to you via email prior to this meeting.

If you take a look at the summary form, you will notice some changes. I will give you time to look over the form before asking the next set of questions.

Reporting Instructions

1. Overall, do you find that the instructions provided on the summary form are straightforward? If not, what would make them easier to understand?
2. A change to the summary form is the removal of the check box option for reporting the value of 'none' or 'zero'. Are the instructions located on page '1' for reporting the value of 'none' or 'zero' clear and concise? If not, how would this instruction be better explained?

Definitions

This survey now utilizes the PREA Standards definitions for the different types of victimizations. I will give you time to review the definitions.

The definitions can be found on two separate pages of the summary form. Please notice the Inmate-on-Inmate Sexual Victimization definitions located (Section 1 for the SSV-1 or 2, Section 2 for SSV-3,4,5, or 6), and Staff-on-Inmate Sexual Victimization definitions located (Section 2 for the SSV-1 or 2, Section 3 for SSV-3,4,5, or 6).

1. With the change in definitions for the SSV, do you find the definitions provided are clear and concise? If not, what would you like to see better explained?
2. Now that the definitions provided in the SSV mirror the PREA Standards definitions, do your records accommodate these changes?

General

1. Do you find the form has enough space for you to report responses adequately?
2. Are you reporting all allegations whether substantiated, unsubstantiated, or unfounded?
3. Are there any additional comments you would like to provide regarding SSV Summary Forms before moving on?

Incident Forms

Now let us take a look at the incident form. Please open the incident form sent to you via email prior to this meeting.

If you take a look at the incident form, you will notice the format has changed a bit. I will give you time to look over the form before asking the next set of questions.

Definitions

This survey now utilizes the PREA Standards definitions for the different types of victimizations. Similar to the Summary forms you just reviewed, we also changed the definitions for the SSV Incident forms. We would like you focus on the definitions regarding sex and gender on page 14. I will give you time to review the definitions.

1. In regard to the definitions for sex and gender categories, do you find those definitions easy to understand? If not, what would you like to see better explained?

Formatting

If you take a look, the incident forms now utilize the responses of yes or no for some questions.

1. Do you find the 'yes'/ 'no' format easy to understand?
2. For questions that utilize the 'yes'/'no' format, are the instructions clear and concise? If not, what would make them easier to understand?
3. How would you respond to questions that utilize the 'yes'/'no' format?

Incident Form Questions

Question #1

1. We have added the option to check a box for incidents occurring on multiple dates. Is the meaning of this check box clear and do you understand when to use it?

Question #7

1. Instructions now will navigate you through the survey questionnaire. You will see that for every victimization type, you must complete Section A. Section A asks about the victim(s). It then directs you to complete either Section B (if an inmate/youth perpetrator) or Section C (if a staff perpetrator).
2. Do you find that the instructions provided for question #7 clear and concise? If not, what would make them easier to understand?

Section A

Question #8

1. If more than 2 victims, you will be required to complete the online version of the survey instrument. Will this be difficult for you in completing the survey?
2. We will also be asking about victimization effects and outcomes per victim as opposed to outcomes that applied to all victims involved, as in prior years' collections. Will this be difficult for you in completing the survey?

Questions #9-16 are for Victim #1 only. This is new. You will be completing them only for victim #1 and then starting with #17, answering for Victim #2. Is this problematic?

Sex and Gender Identity Questions

Question #9

1. What was the victim's sex?
2. What record would you consult to answer this question?
3. How easy or hard would it be to access that record?

a. If there are challenges, how would you attempt to gather the data? Or would the question be skipped?

Question #10

1. What was the victim's gender identity? (on gender identity): How would you report gender identity generally?
2. How do you usually know this information? (Examples, if necessary: from interactions with a victim, what they tell you, administrative records of gender identity, or consulting someone else?)
3. Are the categories listed exhaustive? Do your records differ from these?
4. Do you have any thoughts on the two-question approach?
5. Do you foresee any issues associated with reporting about gender identity separately from sex?

Question #11

1. This question asks you to provide the victim's exact age in years at the time of the incident. Do you have any problems answering this question?

Race and Ethnicity Questions

Question #12

1. This question asks about the race or ethnicity of the victim.
    a. What are the race or ethnicity categories that you have in your records?
        i. How would you manage categories in your system that are not shown here?
    b. You will notice that there is a new response category of "Middle Eastern or North African". Does your information system include this race category?
    c. There is no longer an option of "other" and a space to write in different race or ethnicity categories. Would this be a problem for you? Does your information system include another option not listed here?
    d. This question instructs you to select multiple race or ethnicity options. Do your information systems also have the option for multiple race and ethnicities to be recorded?
2. I'd like to show you an alternative option for this question that includes additional information.

    [Show the long form version]

Proposed long-form race and ethnicity question.

Victim #1: What was the victim's race or ethnicity?
*Select all that apply **AND** enter additional details in the spaces below.*
Note, you may report more than one group.

☐ **WHITE –** *Provide details below.*

☐ German ☐ Irish ☐ English
☐ Italian ☐ Polish ☐ French
Enter, for example, Scottish, Norwegian, Dutch, etc.

☐ **HISPANIC OR LATINO –** *Provide details below.*

☐ Mexican or Mexican American ☐ Puerto Rican ☐ Cuban
☐ Salvadoran ☐ Dominican ☐ Colombian
Enter, for example, Guatemalan, Spaniard, Ecuadorian, etc.

☐ **BLACK OR AFRICAN AMERICAN –** *Provide details below.*

☐ African American ☐ Jamaican ☐ Haitian
☐ Nigerian ☐ Ethiopian ☐ Somali
Enter, for example, Ghanaian, South African, Barbadian, etc.

☐ **ASIAN –** *Provide details below.*

☐ Chinese ☐ Filipino ☐ Asian Indian
☐ Vietnamese ☐ Korean ☐ Japanese
Enter, for example, Pakistani, Cambodian, Hmong, etc.

☐ **AMERICAN INDIAN OR ALASKA NATIVE –** *Enter, for example, Navajo Nation, Blackfeet Tribal, Mayan, Aztec, Native Village of Barrow Inupiat Tribal Government, Tlingit, etc.*

☐ **MIDDLE EASTERN OR NORTH AFRICAN –** *Provide details below.*

☐ Lebanese ☐ Iranian ☐ Egyptian
☐ Syrian ☐ Moroccan ☐ Israeli
Enter, for example, Algerian, Iraqi, Kurdish, etc.

☐ **NATIVE HAWAIIAN OR PACIFIC ISLANDER –** *Provide details below.*

☐ Native Hawaiian ☐ Samoan ☐ Chamorro
☐ Tongan ☐ Fijian ☐ Marshallese
Enter, for example, Palauan, Tahitian, Chuukese, etc.

EXAMPLE

Would you be able to provide information about the victim's race or ethnicity to this level of detail?

Question #13

1. We ask if Victim #1 had any injuries. Is this list problematic to answer yes or no to each injury? We also rearranged these so that they appear in an order of least to most potentially severe or lethal Do you agree with this arrangement? Is it easier to follow?
2. The current part b. of this question asks about medical treatment for any injuries. Would you be able to answer which specific injuries noted in part a. required medical treatment?

Question #14

1. We ask if Victim #1 had any treatment. Is this list problematic to answer yes or no to each? We rearranged the order of these and added a new selection at 04. Do you agree with this arrangement and are you ok with this additional category?

Question #15

1. We ask if Victim #1 had any sanctions or changes in custody. Is this list problematic to answer yes or no to each? We rearranged the order of these to flow from temporary measures to more permanent changes in the victim's custody. Do you agree with this arrangement?

Section B – Inmate/youth perpetrated victimizations

Question #23

We ask about the nature of the incident between the victim and the perpetrator. We have rearranged the response options so they are sorted from least to most severe and also will be asking yes or no for each selection.

1. Does this arrangement make sense to you? Is it easy to follow?

Question #24

We ask about the types of pressure, coercion, or force that occurred as part of the inmate/youth perpetrated incident. We have rearranged this question with verbal and situational pressures being first on the list and physical pressures following. It also asks yes or no for each selection.

1. Do you agree with this arrangement?
2. Is it easier to follow?
3. We have added some further explanations under selection 07. Do you agree with this addition?

Question #26

Just like the inmate/youth victim section, we will now ask about each individual inmate/youth perpetrator – their demographic details and the sanctions that they faced after the incident.

Questions #26-30 are for perpetrator #1 only. This is new. You will be completing only for perpetrator #1 and then starting with #31, answering each question for perpetrator #2. Is this problematic? If there

are more than 2 perpetrators, you will be directed to complete this form online. Would you be able to do so?

QUESTION #26

1. What was the inmate/youth perpetrator's sex? What record would you consult to answer this question?
2. How easy or hard would it be to access that record?
    a. If there are challenges, how would you attempt to gather the data? Or would the question be skipped?

QUESTION #27

1. How do you usually know this information? (Examples, if necessary: from interactions with an inmate/youth, what they tell you, administrative records of gender identity, or consulting someone else?)
2. Are the categories listed exhaustive? Do your records differ from these?
3. Do you have any thoughts on the two-question approach?
4. Do you foresee any issues associated with reporting about gender identity separately from sex?

Question #30

We ask about the sanctions for inmate/youth perpetrator #1. We have rearranged this question so responses flow from temporary to permanent custody changes, to sanctions related to their current incarceration, to the most severe criminal consequences. It also asks for you to respond yes or no for each selection.

1. Do you agree with this arrangement?
3. Is it easier to follow?
4. We have added some further explanations under selection 06 and a new option of 13 ("awaiting a legal outcome"). Do you agree with these additions and understand when to select them?
5. Would you be able to use these?
6. Are they valid?

Section C – Staff-perpetrated victimization

Question #36

We ask about the nature of the incident between the victim and the staff perpetrator. We have rearranged this question according to severity and also will be asking yes or no for each selection.

1. Do you agree with this arrangement? Is it easier to follow?
2. Are there any terms listed in these response options that are unclear or need clarification?

Question #37

We will be asking how many staff were involved in the incident and if there were more than 2 staff, directing you to fill out the form online. Questions #38-45 are for staff perpetrator #1 only. This is new.

1. You will be answering questions about the demographic details, employment details, and sanctions for each staff member individually if two or more are involved. What records do you need to consult to find this information? Is this problematic?

QUESTIONS #38 AND #39

As with Sections A and B that ask about the sex and gender identity of the inmate/youth involved in this incident, here we have a two-question measure for staff.

1. Do you record both the sex and gender identity of staff members?
2. Are the categories reflective of your records or do you use different categories?
3. Do you see any challenges to reporting both sex and gender identity of staff perpetrators?
    a. If there are challenges, how would you attempt to gather the data? Or would the question be skipped?
    b. Are your staff records maintained in a different filing system?
4. Is it easier to retrieve this information from staff filing records vs inmate filing records?

QUESTION #41

1. As with the question related to inmate/youth ethnicity and race, we have included a revised question about the involved staff member's race or ethnicity.
    a. Do your records or staff race or ethnicity align with the categories shown here? If not, how would you go about answering this question?
    b. An option for "Middle Eastern or North African" has been added. Is this a category in your staff information system?
    c. The option for reporting an "other" race category has been removed. Do your information systems collect a different racial category that you may need to specify?
2. As you will recall when we discussed the inmate/youth victim's characteristics, I showed you an extended version of this question that contained detailed information about the country of origin within larger racial and ethnic categories. Would you be able to provide this level of detail for staff?

Question #43

We have reordered the position description according to positions with the most to least contact with inmates/youth for the staff perpetrator #1.

1. Is this exhaustive?
2. Do you agree with the rearrangement?

Question #45

We ask about the sanctions for staff perpetrator #1. We have rearranged this question according to severity of the sanction and also will be asking yes or no for each selection.

2. Do you agree with this arrangement?
3. Is it easier to follow?
4. We have added some further explanations under selection 11. Do you agree with this addition? Would you be able to use it?
5. Is it valid?

Web Instrument

1. Do you find the web instrument easy to navigate?
2. If any, what improvements would you like to see in our online survey?

Wrap-Up

That is all the questions I have for you today. Is there any additional information that you would like to share?

Thank you so much for your time and assistance!

Appendix D: OMB's Proposed New Race or Ethnicity Items

OMB's Proposed New Race or Ethnicity Items

Proposed New Item: "Minimum"

What is your race or ethnicity?
Select all that apply.

- ☐ White
- ☐ Hispanic or Latino
- ☐ Black or African American
- ☐ Asian
- ☐ American Indian or Alaska Native
- ☐ Middle Eastern or North African
- ☐ Native Hawaiian or Pacific Islander

EXAMPLE

Proposed New Item: "Detailed"

What is your race or ethnicity?
Select all that apply ***AND*** *enter additional details in the spaces below.*
Note, you may report more than one group.

☐ **WHITE** – *Provide details below.*

☐ German ☐ Irish ☐ English
☐ Italian ☐ Polish ☐ French
Enter, for example, Scottish, Norwegian, Dutch, etc.

☐ **HISPANIC OR LATINO** – *Provide details below.*

☐ Mexican or Mexican American ☐ Puerto Rican ☐ Cuban
☐ Salvadoran ☐ Dominican ☐ Colombian
Enter, for example, Guatemalan, Spaniard, Ecuadorian, etc.

☐ **BLACK OR AFRICAN AMERICAN** – *Provide details below.*

☐ African American ☐ Jamaican ☐ Haitian
☐ Nigerian ☐ Ethiopian ☐ Somali
Enter, for example, Ghanaian, South African, Barbadian, etc.

☐ **ASIAN** – *Provide details below.*

☐ Chinese ☐ Filipino ☐ Asian Indian
☐ Vietnamese ☐ Korean ☐ Japanese
Enter, for example, Pakistani, Cambodian, Hmong, etc.

☐ **AMERICAN INDIAN OR ALASKA NATIVE** – *Enter, for example, Navajo Nation, Blackfeet Tribe, Mayan, Aztec, Native Village of Barrow Inupiat Tribal Government, Tlingit, etc.*

☐ **MIDDLE EASTERN OR NORTH AFRICAN** – *Provide details below.*

☐ Lebanese ☐ Iranian ☐ Egyptian
☐ Syrian ☐ Moroccan ☐ Israeli
Enter, for example, Algerian, Iraqi, Kurdish, etc.

☐ **NATIVE HAWAIIAN OR PACIFIC ISLANDER** – *Provide details below.*

☐ Native Hawaiian ☐ Samoan ☐ Chamorro
☐ Tongan ☐ Fijian ☐ Marshallese
Enter, for example, Palauan, Tahitian, Chuukese, etc.

EXAMPLE

Appendix E: Round 1 Participant Recruitment E-mail

Round 1 Participant Recruitment E-mail

SUBJECT: Action Requested: 2023 Survey of Sexual Victimization (SSV) Phone Meeting Invitation

Hello,

The Bureau of Justice Statistics (BJS) and its data collection partner, the U.S. Census Bureau, are working to revise the 2023 Survey of Sexual Victimization (SSV). Importantly, before we implement any changes to this survey, we need to obtain direct feedback from a small number of facilities to ensure the survey questions and instructions are as clear as possible. I'm writing to ask for your facility's participation in providing feedback. You were specifically selected to ensure input from different types of facilities across the country, and I sincerely hope that you will participate.

If you agree to support this data collection effort by providing feedback, we will schedule a 1-hour virtual meeting (maximum) with Census Bureau staff to discuss a revised version of the SSV form. We hope to collect this feedback throughout March and April, and our team will be flexible to accommodate your schedule. If you are willing to provide feedback on the 2023 SSV, please visit the link below to schedule a day and time that works best for you.

[LINK TO QUALTRICS SCHEDULER]

If you have additional questions about the SSV, please contact Emily Buehler using the information provided below.

Sincerely,

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Appendix F: Unmoderated Testing Protocol

Unmoderated Testing Protocol

Introduction to the unmoderated cognitive testing:

- Provide consent form with background on Census Bureau/BJS research. State that the pretest is voluntary and include the authority, confidentiality, and burden statement.
- Thank respondent for responding to 2021 Survey of Sexual Victimization (SSV).
- Explain purpose of the pre-test.

Before we look at a few questions with new items we are considering for the SSV, we will ask a few background questions.

Do you have experience completing the SSV? Y/N.

[If Yes, Do you have experience completing the SSV] When completing the SSV, about how many hours do you spend working on the SSV? This estimate, in hours, should include the time spent gathering, entering, and submitting the data. [OPEN ANSWER – allow numeric values only]

SSV-IA/SSV-IJ: [If R completes the IA incident form for adult inmates, they will see the word "inmate" in the question. If R completes the IJ incident form for juveniles, they will see the word "youth." Their form path will depend on their e-mail address and link from the scheduler.]

We will now show you some new items that we are considering for the SSV.

We are considering adding some new categories for sex and gender identity in addition to the categories for Male and Female. Below are definitions for some of the new answer categories. Please read over the definitions and answer the questions below.

Definitions

Sex and gender identity categories **Intersex:** A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development. **Gender nonconforming:** A person whose appearance or manner does not conform to traditional societal gender expectations. **Transgender:** A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.	Do you find these definitions easy to understand? Y/N. If No, what would you like to see better explained? [OPEN ANSWER] Are there any other sex or gender identity terms you would like to see included and defined here? [OPEN ANSWER] Do you use any of the following terms in your facility's records to describe the sex and/or gender identity of inmates/youth? Please select all that apply. [Intersex, Gender nonconforming, transgender, None]

Victim sex and gender identity

1. What was the victim's sex? ☐ Male ☐ Female ☐ Intersex	Do the categories shown here match your system's records for sex of inmates/youth? Y/N. If No, what are the answer categories in your system's records for the sex of inmates/youth? [OPEN ANSWER]
2. What was the victim's gender identity? ☐ Male ☐ Female ☐ Transgender ☐ Gender nonconforming ☐ Unknown	Does your record system include gender identity of inmates/youth? Y/N. If yes, do the categories shown here match your system's records for gender identity of inmates/youth? Y/N. If No, what other categories are included in your system's records? [OPEN ANSWER] Do you have any thoughts about a two-question format for reporting sex and gender identity of an/a inmate/youth? Y/N. If Yes, [OPEN ANSWER]

Victim race or ethnicity

1. What is the victim's race or ethnicity? (Select [X] all that apply.) ☐ White ☐ Hispanic or Latino ☐ Black or African American ☐ Asian ☐ American Indian or Alaska Native ☐ Middle Eastern or North African ☐ Native Hawaiian or Pacific Islander	Do the race or ethnicity categories shown here match your system's records? Y/N. If No, how do your categories differ? [OPEN ANSWER] If no to the previous question, How would you answer this question if your race or ethnicity categories differ from the ones shown here? [OPEN ANSWER] Do your system's records include the category of Middle Eastern or North African for inmates/youth? Does your record system for inmates/youth allow you to select more than one category for race or ethnicity? Y/N/Don't Know

Proposed long-form race and ethnicity question. **Victim #1: What was the victim's race or ethnicity?** *Select all that apply **AND** enter additional details in the spaces below.* *Note, you may report more than one group.* ☐ **WHITE** – *Provide details below.* ☐ German ☐ Irish ☐ English ☐ Italian ☐ Polish ☐ French *Enter, for example, Scottish, Norwegian, Dutch, etc.* ☐ **HISPANIC OR LATINO** – *Provide details below.* ☐ Mexican or Mexican American ☐ Puerto Rican ☐ Cuban ☐ Salvadoran ☐ Dominican ☐ Colombian *Enter, for example, Guatemalan, Spaniard, Ecuadorian, etc.* ☐ **BLACK OR AFRICAN AMERICAN** – *Provide details below.* ☐ African American ☐ Jamaican ☐ Haitian ☐ Nigerian ☐ Ethiopian ☐ Somali *Enter, for example, Ghanaian, South African, Barbadian, etc.* ☐ **ASIAN** – *Provide details below.* ☐ Chinese ☐ Filipino ☐ Asian Indian ☐ Vietnamese ☐ Korean ☐ Japanese *Enter, for example, Pakistani, Cambodian, Hmong, etc.* ☐ **AMERICAN INDIAN OR ALASKA NATIVE** – *Enter, for example, Navajo Nation, Blackfeet Tribal, Mayan, Aztec, Native Village of Barrow Inupiat Tribal Government, Tlingit, etc.* ☐ **MIDDLE EASTERN OR NORTH AFRICAN** – *Provide details below.* ☐ Lebanese ☐ Iranian ☐ Egyptian ☐ Syrian ☐ Moroccan ☐ Israeli *Enter, for example, Algerian, Iraqi, Kurdish, etc.* ☐ **NATIVE HAWAIIAN OR PACIFIC ISLANDER** – *Provide details below.* ☐ Native Hawaiian ☐ Samoan ☐ Chamorro ☐ Tongan ☐ Fijian ☐ Marshallese *Enter, for example, Palauan, Tahitian, Chuukese, etc.* EXAMPLE	Would you be able to provide data about the race or ethnicity of an/a inmate/youth to the level of detail shown here? Y/N. If No, how would you go about answering this question if it appeared on the SSV? [OPEN ANSWER] Now that you've seen two versions of a question on race or ethnicity, which version would you be able to answer with accuracy for inmate/youth victims at your facility? [Version A, Version B, No preference]

Victim disability

1. At the time of the incident, had the victim been identified as having –

	Yes	No
01. A serious and persistent mental illness		
02. A cognitive impairment or intellectual disability		
03. A physical impairment or disability		

Probes:

Do you have records for inmates/youth include disability status or any mention of whether or not an inmate/youth has a disability of any kind? Y/N

If Yes, Do your records for inmates/youth include the types of disabilities shown here? Y/N

If No, how would you go about answering this question if your records about an inmate/youth's disability status? [OPEN ANSWER]

Are you able to easily access information about an inmate/youth's disability at the time of the incident? Y/N

Are there any terms that you would like to see further defined or explained in this question? Y/N

If Yes, which terms? [OPEN ANSWER]

Do you have any additional comments you would like to share about this question? [OPEN ANSWER]

Now let's look at some questions about staff perpetrators.

Staff sex and gender identity

1. What was the staff perpetrator's sex? ☐ Male ☐ Female ☐ Intersex	Do the categories shown here match your system's records for sex of staff? Y/N. If No, what are the categories in your system for sex of staff? [OPEN ANSWER]
2. What was the staff perpetrator's gender identity? ☐ Male ☐ Female ☐ Transgender ☐ Gender nonconforming ☐ Unknown	Does your record system include gender identity of staff? Y/N. If Yes, do the categories shown here match your system's records for gender identity of staff? Y/N. If No to previous question, what categories are included in your system's records for gender identity of staff? [OPEN ANSWER] Do you have any thoughts about a two-question format for reporting sex and gender identity of a staff perpetrator? Y/N. If Yes, [OPEN ANSWER] Which records are easier for you to access? [Records for Inmates/Youth or Records for Staff]

Staff race or ethnicity

1. What is the staff perpetrator's race or ethnicity? (Select [X] all that apply.) ☐ White ☐ Hispanic or Latino ☐ Black or African American ☐ Asian ☐ American Indian or Alaska Native ☐ Middle Eastern or North African ☐ Native Hawaiian or Pacific Islander	Do the race or ethnicity categories shown here match your system's records? Y/N. If No, what are the race or ethnicity categories in your system's for staff? [OPEN ANSWER] If No to previous question, How would you go about answering this question if the categories in your system's records for staff differ? [OPEN ANSWER] Do your system's records include the category of Middle Eastern or North African for staff? Does your record system for staff allow you to select more than one category for race or ethnicity? Y/N/Don't Know

Proposed long-form race and ethnicity question. **Victim #1: What was the victim's race or ethnicity?** *Select all that apply **AND** enter additional details in the spaces below.* *Note, you may report more than one group.* ☐ **WHITE –** *Provide details below.* ☐ German ☐ Irish ☐ English ☐ Italian ☐ Polish ☐ French *Enter, for example, Scottish, Norwegian, Dutch, etc.* ☐ **HISPANIC OR LATINO –** *Provide details below.* ☐ Mexican or Mexican American ☐ Puerto Rican ☐ Cuban ☐ Salvadoran ☐ Dominican ☐ Colombian *Enter, for example, Guatemalan, Spaniard, Ecuadorian, etc.* ☐ **BLACK OR AFRICAN AMERICAN –** *Provide details below.* ☐ African American ☐ Jamaican ☐ Haitian ☐ Nigerian ☐ Ethiopian ☐ Somali *Enter, for example, Ghanaian, South African, Barbadian, etc.* ☐ **ASIAN –** *Provide details below.* ☐ Chinese ☐ Filipino ☐ Asian Indian ☐ Vietnamese ☐ Korean ☐ Japanese *Enter, for example, Pakistani, Cambodian, Hmong, etc.* ☐ **AMERICAN INDIAN OR ALASKA NATIVE –** *Enter, for example, Navajo Nation, Blackfeet Tribal, Mayan, Aztec, Native Village of Barrow Inupiat Tribal Government, Tlingit, etc.* ☐ **MIDDLE EASTERN OR NORTH AFRICAN –** *Provide details below.* ☐ Lebanese ☐ Iranian ☐ Egyptian ☐ Syrian ☐ Moroccan ☐ Israeli *Enter, for example, Algerian, Iraqi, Kurdish, etc.* ☐ **NATIVE HAWAIIAN OR PACIFIC ISLANDER –** *Provide details below.* ☐ Native Hawaiian ☐ Samoan ☐ Chamorro ☐ Tongan ☐ Fijian ☐ Marshallese *Enter, for example, Palauan, Tahitian, Chuukese, etc.* EXAMPLE	Would you be able to provide data about the race or ethnicity of a staff perpetrator to the level of detail shown here? Y/N. If No, how would you go about answering this question? [OPEN ANSWER] Now that you've seen two versions of a question on race or ethnicity, which version would you be able to answer with accuracy for staff perpetrators at your facility? [Version A, Version B, No preference]

Is there anything else that you would like to share about the items or about the SSV in general?

If Yes, [OPEN ANSWER]

Thank you for you for your time. We appreciate your feedback.

Appendix G: Unmoderated Testing Pre-Notification Message

Unmoderated Testing Pre-Notification Message

Heading:
Survey of Sexual Victimization Data Request - [Template][UNITINFOS_FACNAME_TEMPLATE], [STATE_TEMPLATE][Template]

Body:
Dear Administrator or PREA Coordinator-

In a few days, you will be receiving an email from this email address asking for your participation in a short survey from the Bureau of Justice Statistics and the US Census Bureau. Our two agencies are working together to Redesign the Survey of Sexual Victimization (SSV) for the 2023 collection and would like your feedback.

We will be sending out a survey asking for your input on proposed changes to questions on the SSV incident forms. We anticipate this survey should take less than 15 minutes to complete and we ask that you submit your responses by June 9, 2023. Please be on the lookout for this very important survey.

Thank you for all of your input and participation,

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Appendix H: Unmoderated Testing Participant Recruitment E-mail

Unmoderated Testing Participant Recruitment E-mail

SUBJECT: Action Requested: Feedback for the 2023 Survey of Sexual Victimization (SSV)

Hello,

The Bureau of Justice Statistics (BJS) and its data collection partner, the U.S. Census Bureau, are working to revise the 2023 Survey of Sexual Victimization (SSV). Importantly, before we implement any changes to this survey, we need to obtain feedback from facilities to ensure the survey questions and instructions are as clear as possible. You were specifically selected to ensure input from different types of facilities across the country, and your participation would be appreciated. Your participation is voluntary, and we estimate that it will take no longer than 15 minutes to complete. If you are willing to provide feedback on some draft questions for the 2023 SSV, please visit the link below to the short set of questions we are seeking feedback on.

[LINK TO WEB SURVEY IN QUALTRICS]

If you have additional questions about the SSV, please contact Emily Buehler using the information provided below.

Sincerely,

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Appendix I: Cognitive Interview Protocol for Round 2

Cognitive Interview Protocol for Round 2

2023 Survey of Sexual Victimization (SSV) – Draft Protocol for Round 2 of Cognitive Testing

7.12.23

About the Respondent/ Warm-Up Questions

- What is your job title or role within the facility?

Summary Form

Definitions

This survey now utilizes the PREA Standards definitions for the different types of victimizations. I will give you time to review the definitions which can be found on two separate pages of the summary form.

[For Adult Summary Forms] Please notice the Inmate-on-Inmate Sexual Victimization definitions located (Section 1 for the SSV-1 or 2, Section 2 for SSV-3 or 4), and Staff-on-Inmate Sexual Victimization definitions located (Section 2 for the SSV-1 or 2, Section 3 for SSV-3 or 4,).

[For Juvenile Summary Forms] Please notice the Youth-on-Youth Sexual Victimization definitions located (Section 2 for SSV-5 or 6), and Staff-on-Youth Sexual Victimization definitions located (Section 3 for SSV-5 or 6).

- As for the change in definitions for the SSV, do you find the definitions provided are clear and concise? If not, what would you like to see better explained?
- Now that the definitions provided in the SSV mirror the PREA Standards definitions, do your records accommodate these changes? If not, could you please tell us a little more about that?

Incident Form

Incident Forms

Now let's look at the Incident Form and review some of the potential changes being considered.

Formatting

In the future for some questions on the SSV, the response selection may be in a 'yes/no' format. [Interviewer note: Use the injuries question as an example to present to the respondent]

- How would you go about responding to questions on the SSV for which the response selection is in a 'yes/no' format? (Interviewer note: Please probe on and note whether or not it is clear to the respondent that they are supposed to select yes or no for each answer category)
- What are your thoughts, if any, on the 'yes/no' response selection format?

Item #1

On what date did the incident occur? (If more than one date, report the most recent, check the box, and indicate on how many approximate different dates the behaviors occurred.)

- We have added the option to check a box for incidents occurring on multiple dates. Is the meaning of this check box clear and do you understand when to use it?
- We have also added a field to enter the approximate number of different dates the behaviors occurred and the purpose of this is to give us an idea of the intensity associated with a repeated act. What, if any, are your thoughts on this addition?

Item #2

What was the type of sexual victimization incident?

[For Adult Incident Forms]

01. Inmate-on-inmate sexual abuse

◊-> Complete sections A and B

02. Inmate-on-inmate sexual harassment

◊-> Complete sections A and B

03. Staff-on-inmate sexual abuse

◊ ->Complete sections A and C

04. Staff-on-inmate sexual harassment

◊ ->Complete sections A and C

[For Juvenile Incident Forms]

01. Youth-on-youth sexual abuse

◊-> Complete sections A and B

02. Youth-on-youth sexual harassment

◊-> Complete sections A and B

03. Staff-on-youth sexual abuse

◊ ->Complete sections A and C

04. Staff-on-youth sexual harassment

◊ ->Complete sections A and C

- Instructions now will navigate you through the survey questionnaire. You will see that for every victimization type, you must complete Section A. Section A asks about the victim(s). It then directs you to complete either Section B (if an inmate/youth perpetrator) or Section C (if a staff perpetrator).
- Do you find that the selections and instructions provided for this question are clear and concise? If not, what would make them easier to understand?

Item #3

How many victims were involved in the incident?

- If more than 2 victims, you will be required to complete the online version of the survey instrument. Do you foresee any challenges in completing the survey online? If so, please explain.
- In prior years' collections, we asked about the victimization effects and outcomes that applied to all victims involved, however, we will now be asking about the victimization effects and outcomes per victim. For example, we will be asking about injuries, treatment, and sanctions, per victim now.

Since we will be asking about the victimization effects and outcomes per victim, there are some changes to how the questions are arranged. **The first set of questions** would be for Victim #1 only. You would

complete a set of questions about the demographic characteristics and outcomes for victim #1 then, if there is a second victim, complete a new set of the same questions for that victim.

- Do you anticipate any challenges with reporting about the victimization effects and outcomes per victim? If so, please describe.
- Is this instruction easy or difficult to understand? If difficult to understand, what could we do to clarify this instruction?

Items #4 & 5: victim Sex and Gender Identity

Definitions

We have added some definitions for Sex and Gender to the incident form. Please take a moment to review these definitions. (show definitions)

1. Regarding the definitions for Sex and Gender, can you explain how you interpret the presented definitions? In your own words, what is the difference between Sex and Gender per the definitions provided here?
2. Are the definitions provided here for intersex, gender nonconforming, and transgender clear? If not, what would you like to see better explained?
3. Do you find the definitions and examples provided here to be helpful? If not, what could we change to make them more helpful?
4. If definitions or explanations were shown in a separate 'terms and definitions' box, would you reference it?
5. When answering these questions, where would your preference be for the definitions of intersex, gender nonconforming, and transgender to appear (i.e., immediately under each question, beside each answer category, or at the back or the last page of the incident form like a glossary)?
6. Which, if any, of these terms does your facility use?
7. Are there any standards your facility uses on collecting or reporting for the Sex and/or Gender Identity of inmates/youth? If yes, could you please tell us more about that?

Item #4 – victim sex

What was the victim's sex assigned at birth?

- In your own words, what is this question asking?
- If we asked "what was the victim's sex?" would that change your interpretation of what information is being requested in this question?
- Does the qualifier "assigned at birth" help clarify what exactly is being asked in this question? Do you have any concerns about being able to answer the question about an inmate/youth's sex assigned at birth?
- How does your facility collect information on Sex for inmates/youths (i.e., intake, police records, etc.)?
- When answering about an inmate/youth's sex, what kind of records or reports would you refer to?
- What are the categories for Sex (i.e., Male, Female, etc.) of inmates/youth in your records or reports?
- How easy or hard would it be to access that record?
- Can you think of any instances when you would select the category of Intersex?
- Do you think that there are any answer categories missing from this question?
- Do you have any thoughts on this question or answer categories that we have not already discussed?

Question #5 – victim gender

What was the victim's gender identity?

- In your own words, what is this question asking?
- Does your facility have information on the Gender Identity of inmates/youth?
    a. If yes, how does your facility collect information on Gender identity? (i.e., intake, police records, etc.)
    b. Is it by self-identification?

c. What are the current categories for Gender Identity (i.e., Male, Female, Transgender, etc.) of inmates/youth in your records or reports?

d. When answering about an inmate/youth's Gender identity, what kind of records or reports would you refer to? Where is this information stored/maintained? How easy or difficult would it be for you to access this information when completing the SSV?

- Can you think of any answer categories missing from our question asking about the inmate/youth's gender identity?
- If Transgender and Gender nonconforming are added as answer categories to the question on Gender, how (if at all) would it impact the way you record the Gender of inmates/youth in your facility?
- Do you have any thoughts on the two-question approach in which we ask about Sex and then Gender?
- Do you foresee any issues associated with reporting about gender identity separately from sex?
- Do you have any thoughts on this question or answer categories that we have not already discussed?

Item #6 – Victim's Age

This question asks you to provide the victim's exact age in years at the time of the incident.

- Do you foresee having any issues answering this question? If yes, please describe.

Race or Ethnicity

There are changes proposed for the way in which we collect data on race or ethnicity. Please look over this question and answer categories and then we will discuss.

ITEM #7 – victim race or ethnicity

What was the victim's race or ethnicity? (Select [X] all that apply.)

01. White 02. Hispanic or Latino 03. Black or African American 04. Asian 05. American Indian or Alaska Native 06. Middle Eastern or North African 07. Native Hawaiian or Pacific Islander

- Does your facility have information on the Race or Ethnicity of inmates/youth? If yes, how does your facility collect information on Race or Ethnicity? (i.e., intake, police records, etc.) Is it by self-identification?
- When answering about an inmate/youth's Race or Ethnicity, what kind of records or reports would you refer to?
- Do your record systems allow the option to select multiple racial or ethnic categories for an inmate/youth? If not, how do you determine which racial or ethnic category to select / report for an inmate/youth if they are multi-racial or multi-ethnic?
- In your records or reports, is the category of Hispanic or Latino reported separately from the other racial and ethnic categories?
- Do your records or reports include a category for Other (specify) for race or ethnicity? If yes, what kinds of write-ins do you see here?
- What are your thoughts, if any, on not having an Other specify category for race or ethnicity? Do you foresee any issues with not having this as a response option?
- Does your facility have a category for Middle Eastern or North African (MENA) or collect this information?
- If this version of the race or ethnicity question was on a future SSV, how (if at all) would it impact the way you record the Race or ethnicity of inmates/youth in your facility?
- If an inmate/youth identified as multi-racial or multi-ethnic, how would you go about answering this question?
- Are there any standards your facility uses on collecting or reporting for the Race or Ethnicity of inmates/youth? If yes, could you please tell us more about that?
- Do you have any thoughts on this question or answer categories that we have not already discussed?

Item #8 – victim Citizenship status

This question would be new to this survey and it asks about the victim's citizenship status. (Show the question)

- Does your facility have records on citizenship status for inmates/youths? If yes, how is this information collected or obtained? If not, how would you go about answering a question on citizenship status for inmates/youths at this facility?
- Do you have access to records on citizenship status for inmates/youths? If not, what process would you go through in order to answer this question?
- Do you perceive this question to be sensitive? Why or why not?
- Do you have any concerns or anticipate any potential issues in providing the citizenship status for inmates/youths?
- Do you have any thoughts on this question or answer categories that we have not already discussed?

Item #9 - Victim Disability

This question would be new to this survey. Please look over the question and response categories and then we will discuss. (Show the question)

The question is as follows: At the time of the incident, had the victim been identified as having--

	Yes	No
04. A serious and persistent mental illness		
05. A cognitive impairment or intellectual disability		
06. A physical impairment or disability		

- Do you have records for inmates/youth include disability status or any mention of whether an inmate/youth has a disability of any kind? If yes, do your records for inmates/youth include the types of disabilities shown here? If no, how would you go about answering this question if your facility's records do not contain information about an inmate/youth's disability status?
- Are you able to easily access information about an inmate/youth's disability at the time of the incident?
- Is the definition for disability provided with this question helpful?
    - Would providing this definition be helpful – 'Disability' according to the ADA – "(a) A physical or mental impairment that substantially limits one or more of the major life activities of [an] individual; (b) a record of such an impairment; or (c) being regarded as having such an impairment" ?

- If yes, where would you like to see this definition – with this question or at the back of the incident form with other definitions? If no, what could we do to improve the definition of disability?

- In your own words, what is this question asking?
  - In the context of this question, how do you interpret "had the victim been identified as having?" (Interviewer note: Probe to figure out how respondent is interpreting "identified as having" – is it by record of official medical diagnosis, is it by self-identification, is it by medication prescribed, is it by assistive devices, is it by accommodations, etc.)
  - What does "a serious and persistent mental illness" mean to you? Could you please provide some examples?
  - What does "a cognitive impairment or intellectual disability" mean to you? Could you please provide some examples?
  - What does "a physical impairment or disability" mean to you? Could you please provide some examples?
- Are the examples provided for each category helpful?
  - a. "A serious and persistent mental illness (e.g., bipolar disorder, major depression, obsessive compulsive disorder, post-traumatic stress disorder, schizophrenia)" – would providing this example be helpful? Does your facility have records on whether inmates/youths have these conditions?
  - b. "A cognitive impairment or intellectual disability (e.g., ADHD, autism spectrum disorder, dementia, a learning disability)" would providing this example be helpful? Does your facility have records on whether inmates/youths have these conditions?
  - c. "A physical impairment or disability (e.g., back or spinal injury, blindness or low vision, deafness or hearing loss, diabetes, epilepsy, heart disease, mobility impairments)" would providing this example be helpful? Does your facility have records on whether inmates/youths have these conditions?
  - Where would you like to see these examples provided – with this question or at the back of the incident form with the definitions?
- Do you perceive this question to be sensitive? Why or why not?
- Do you have any concerns or anticipate any potential issues in providing the disability status for inmates/youths?

- Do you have any thoughts on this question or answer categories that we have not already discussed?

Item #10 – Victim Injuries

Victim #1. Did the victim sustain any physical injury during the incident?

We ask if Victim #1 had any injuries. Please look over the question and answer categories. (Show the question)

- Do you have records – and access to those records – in order to answer this question? Given the information in your records, would you be able to answer Yes or No for each of the categories in this question?
- We have rearranged the answer categories so that they appear in an order of least to most potentially severe or lethal. Do you agree with this arrangement? If not, what arrangement would be more appropriate?
- Can you think of any answer categories that might be missing from this question?
- Do you have any thoughts on this question or answer categories that we have not already discussed?

Item #11: Victim Testing/Treatment

Victim #1: After the incident was reported, was the victim –

We ask if Victim #1 had any treatment. Please look over the question and answer categories. (Show the question)

- Do you have records – and access to those records – in order to answer this question? Given the information in your records, would you be able to answer Yes or No for each of the categories in this question?
- We rearranged the order of the answer categories. Do you agree with this arrangement of the answer categories?
- We have added a new selection at 04. Do you agree with the addition of this category?
- Can you think of any answer categories that might be missing from this question?
- Do the answer categories for this question make sense to you? If not, please explain.

- Do you have any thoughts on this question or answer categories that we have not already discussed?

Item #12: Victim Sanctions/Changes in Custody

Victim #1: After the incident was reported, was the victim –

We ask if Victim #1 had any sanctions or changes in custody. Please look over the question and answer categories. (Show the question)

- Do you have records – and access to those records – in order to answer this question? Given the information in your records, would you be able to answer Yes or No for each of the categories in this question?
- We rearranged the order of the answer categories so that they flow from temporary measures to more permanent changes in the victim's custody. Do you agree with this arrangement of the answer categories?
- Can you think of any answer categories that might be missing from this question?
- Do the answer categories for this question make sense to you? If not, please explain.
- Do you have any thoughts on this question or answer categories that we have not already discussed?

Staff perpetrator questions

We are now going to skip the inmate/youth perpetrator section and turn our attention to some of the questions in the Staff Perpetrator section.

Item #13: Nature of the Staff Allegation

Did the following occur as part of the substantiated incident--

In this question, we ask about the nature of the incident between the victim and the staff perpetrator. We have rearranged the response categories according to severity and you will notice that this question asks the respondent to select yes or no for each response category.

- Do you have records – and access to those records – in order to answer this question? Given the information in your records, would you be able to answer Yes or No for each of the categories in this question?
- We rearranged the order of the answer categories according to severity. Do you agree with this arrangement of the answer categories? If not, how would you suggest that these categories be arranged?
- Can you think of any answer categories that might be missing from this question?
- Do the answer categories for this question make sense to you? If not, please explain.
- Do you have any thoughts on this question or answer categories that we have not already discussed?

Item #14

How many staff perpetrators were involved in the incident?

We will be asking how many staff were involved in the incident and if there were more than 2 staff, directing you to fill out the form online. There will be separate sets of questions that ask demographic, employment and outcomes for each staff member involved in the incident. *This is new.*

- Do you anticipate any challenges in completing the survey online if there are more than 2 staff perpetrators? If so, please explain.

Item #15 – Staff Sex

What was the staff perpetrator's sex? (show the question)

- Does your facility keep records on the Sex of staff? If yes, how does your facility collect information on Sex for staff (i.e., HR records, via self-identification on employment application, etc.)?
- When answering about a staff perpetrator's Sex, what kind of records would you refer to? Would you need to reach out to perhaps someone in a different department in order to answer about the Sex of a staff perpetrator (i.e.., Human Resources)? Do you foresee any issues with obtaining this information?
- What are the categories for Sex (i.e., Male, Female, etc.) of staff in your records or reports?

- Do you have any thoughts on this question or answer categories that we have not already discussed?

Item #16 – Staff Race or Ethnicity

What was the staff's race or ethnicity? (Select [X] all that apply.) (Show the question)

01. White 02. Hispanic or Latino 03. Black or African American 04. Asian 05. American Indian or Alaska Native 06. Middle Eastern or North African 07. Native Hawaiian or Pacific Islander

- Does your facility have information on the Race or Ethnicity of staff? If yes, how does your facility collect information on Race or Ethnicity (i.e., employment records.)? Is it by self-identification?
- When answering about an staff's Race or Ethnicity, what kind of records or reports would you refer to?
- How easy or difficult would it be for you to obtain information on the race or ethnicity of a staff? Please describe the process for obtaining this information.
- Do your record systems allow the option to select multiple racial or ethnic categories for a staff? If not, how do you determine which racial or ethnic category to select / report for a staff if they are multi-racial or multi-ethnic?
- If a Staff identified as multi-racial or multi-ethnic, how would you go about answering this question?
- In your records or reports, is the category of Hispanic or Latino reported separately from the other racial and ethnic categories?
- Do your records or reports include a category for Other (specify) for race or ethnicity? If yes, what kind of write-ins do you see here?
- What are your thoughts, if any, on not having an Other specify category for race or ethnicity? Do you foresee any issues with not having this as a response option?
- Does your facility have a category for Middle Eastern or North African (MENA) or collect this information for staff?
- If this version of the race or ethnicity question was on a future SSV, how (if at all) would it impact the way you record the Race or ethnicity of Staff in your facility?

- Are there any standards your facility uses on collecting or reporting for the Race or Ethnicity of staff? If yes, could you please tell us more about that?
- Do you have any thoughts on this question or answer categories that we have not already discussed?

Item #17 Staff Position

Staff #1: What was the primary position description of the staff perpetrator involved in the incident?

We have reordered the position description according to positions with the most to least contact with inmates/youth for the staff perpetrator #1. Please look over the question and answer categories.

- Do you agree with the order in which the answer categories are presented? If not, how do you suggest it be arranged?
- Are there any staff positions missing that you believe should be included? Please describe.
- Do you have any thoughts on this question or answer categories that we have not already discussed?

Item #18 – Staff Sanctions

Staff #1: After the incident, was the staff perpetrator–

We ask about the sanctions for staff perpetrator #1. We have rearranged the response options according to severity of the sanction and the question asks the respondent to select yes or no for each response option.

- Do you agree with the arrangement of the response options? If not, how do you suggest it be arranged?
- We have added some further explanations for response category line 11 (Awaiting a legal outcome). Do you agree with the addition of this category? And do you think you would be able to use this response option?
- Do you have any thoughts on this question or answer categories that we have not already discussed?

Wrap-Up

Our session is almost complete. Is there any additional information that you would like to share about any of the items we have looked at today or about the SSV in general?

Thank you so much for your time and assistance!

Appendix J: Round 2 Participant Recruitment E-mail

Round 2 Participant Recruitment E-mail

Subject: Action Requested: 2023 Survey of Sexual Victimization (SSV) Phone Meeting Invitation

Hello,

The Bureau of Justice Statistics (BJS) and its data collection partner, the U.S. Census Bureau, are working to revise the 2023 Survey of Sexual Victimization (SSV). Importantly, before we implement any changes to this survey, we need to obtain direct feedback from a small number of facilities to ensure the survey questions and instructions are as clear as possible. I'm writing to ask for your facility's participation in providing feedback. You were specifically selected to ensure input from different types of facilities across the country, and I sincerely hope that you will participate.

If you agree to support this data collection effort by providing feedback, we will schedule a 1-hour virtual meeting (maximum) with Census Bureau staff to discuss a revised version of the SSV form. We hope to collect this feedback in July, and our team will be flexible to accommodate your schedule. If you are willing to provide feedback on the 2023 SSV, please visit the link below to schedule a day and time that works best for you.

[LINK TO QUALTRICS SCHEDULER]

If you have additional questions about the SSV, please contact Emily Buehler using the information provided below.

Sincerely,

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