



## DOUGLAS COUNTY JUVENILE SERVICES

### DETENTION CENTER

### PREA POLICIES & PROCEDURES

#### SECTION: RESPONSIVE PLANNING

#### SUBJECT: GENERAL CONSIDERATIONS FOR CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS

**STANDARD 115.321 & 115.322**

**APPROVED BY:**

**DATE REVISED 01/02/2020**

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#### **POLICY**

The Douglas County Juvenile Detention Facility does not conduct criminal or administrative investigations of sexual abuse.

#### **PROCEDURE**

The Douglas County Sheriff's Department and / or the Douglas County District Attorney's Office will conduct criminal investigations. Once the Sheriff's Department or the District Attorney's Office is notified of a Sexual Abuse Allegation, the Special Victims Response Team (SVRT) is initiated.

All Douglas County Juvenile Detention Staff will cooperate with Douglas County investigators and the SVRT and will remain informed of the process of the investigation.

**Per PREA Standard 115.321** the Douglas County Law Enforcement Agency conducting the criminal investigations will follow the requirements of Paragraphs (a) through (e) of the standard.

- When conducting a sexual abuse investigation, the investigators follow a uniform evidence protocol.
- The protocol is developmentally appropriate for youth
- The facility offers to all detainees who experience sexual abuse access to forensic medical examinations, at no cost to the victim. A Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE), through the Washoe County Child Advocacy Center, conducts these exams.
- Through the SVRT a Victim Advocate from a rape crisis center will be made available to the victim in person or by other means, such as a qualified member from a community based organization, or 3 Peaks Treatment, West Hills Hospital or Reno Behavioral Health.
- If requested by the victim, a victim advocate, from the Family Support Council, or qualified agency staff member or qualified community based organization staff member will accompany and support the victim through the forensic exam process and investigatory interviews and provide emotional support, crisis intervention, information and referrals.
- All of the above services will be offered whether the victim cooperates with the investigation or not.
- The Douglas County Juvenile Detention Facility will assume the financial obligations.



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- All efforts in achieving the above services will be documented in a report

Douglas County Juvenile Detention Center does not conduct criminal or administrative investigations. Once the facility staff is notified of an allegation, the staff will:

- Promptly notify the appropriate investigative authority. All Investigators have received special training in sexual abuse investigations pursuant to **PREA Standard 115.334**.
- Staff will secure the crime scene, in the event that there is any physical evidence, until the responding investigative agency is able to take control of the area / materials.
- Staff will cooperate with any of the investigation process, documenting all pertinent information relating to the allegation and the investigation process. This will be maintained through an incident report, signed and dated by all involved personnel.

Administrative Investigations will be conducted by a designated individual who has received the specialized training for investigations of sexual abuse / sexual harassment in a confinement setting.

#### **Refer to PREA STANDARD 115.334 Specialized Training**

The Administrative investigation will be conducted in any matter involving a staff member, volunteer or juvenile who is alleged to have committed sexual assault. This also includes sexual comments, gestures, or harassment. Care will be taken not to co-mingle the criminal case with the administrative case. If the Sheriff's department determines the investigation to be non-criminal, an administrative investigation will be conducted.

An investigation will also be conducted for an employee or volunteer failing to report an incident of sexual abuse, or limiting information regarding an investigation of sexual abuse, engaging in retaliation and or any other violation of PREA.

The Administrative Investigation will be fully documented, including a description of the physical and testimonial evidence.

The investigative agency will be required to file an initial finding or update regarding any alleged sexual abuse within 90 days of the filing of the initial complaint. If the agency is unable to complete the report by the 90 days, a written explanation must be given to the victim or their representative explaining the delay and asking for an extension.

The designated individual conducting the Administrative investigations will follow the requirements of Paragraphs (a) through (e) of the standard. (listed above)

#### **PREA STANDARD 115.322 Referrals of Allegations for Investigations**

The Douglas County Juvenile Detention Facility will ensure that an administrative or criminal investigation is completed for every allegation of sexual abuse or sexual harassment.



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**As stated in PREA Standard 115.321** The Douglas County Juvenile Detention Center does not conduct criminal or administrative investigations. Once the facility staff is notified of an allegation, the staff will:

- Promptly notify the appropriate investigative authority. All Investigators have received special training in sexual abuse investigations pursuant to **PREA Standard 115.334**.
- All allegations are referred to the SVRT, which has the legal authority to conduct criminal investigations.
- Juvenile Detention Staff will document all pertinent information relating to the allegation and the investigation process, including the referral to the criminal or administrative investigators. All documentation will be maintained through an incident report, signed and dated by all involved personnel.
- The jurisdiction for investigations lies with in Douglas County DA's Office and the Sherriff's Office resulting in the SVRT to conduct the criminal investigation. No state entity will be utilized for any type of investigation of sexual abuse or sexual harassment in the Juvenile Detention Facility.

**Policies related to the Special Victims Response Team and investigations, can be found on the Douglas County District Attorney's website.**

**PREA policy for the Douglas County Juvenile Detention Center can be found on the 9<sup>th</sup> Judicial Court of Nevada website.**

**Refer to the Douglas County Juvenile Detention Policies and Procedures the Administrative Section #1.5 Mandatory Child Abuse Reporting for more information on staff procedures and documentation in the case of any type of abuse alleged abuse.**