

Volunteers of America RRC Sexual Abuse Response Team Protocol

A. FOLLOWING A REPORTED RISK OF IMMINENT SEXUAL ABUSE

Staff First Responder (who is not a security staff member):

1. Gather basic information about the risk of imminent sexual abuse.
2. Notify the ***PREA Coordinator***.
3. Take immediate action to protect the resident from imminent harm, if necessary.

PREA Coordinator:

1. Review information related to the potential risk of imminent abuse to the resident.
2. If the risk of imminent sexual abuse is credible, determine what actions should be taken to protect the resident from harm.

B. FOLLOWING SUSPECTED OR ALLEGED INCIDENT OF SEXUAL ABUSE

Security Staff First Responder:

1. Notify ***PREA Coordinator***.
2. Separate the alleged victim and alleged perpetrator(s).
3. Secure the crime scene, preserve evidence, including on the alleged victim's and alleged perpetrator's bodies or clothes, and maintain custody of evidence until released to law enforcement officials.
4. Escort the alleged resident perpetrator(s) to an isolated area, preferably in a dry cell with restricted access to a toilet or water, until the arrival of law enforcement.
5. Request that the alleged victim — and ensure that the alleged perpetrator — refrain from actions that could destroy evidence, such as bathing, brushing teeth, changing their clothes, urinating, defecating, smoking, drinking, or eating until they have been examined by qualified medical personnel.
6. Share information related to the incident with only those people who need to know in order to ensure the survivor's safety, conduct the investigation, or provide treatment to the survivor or alleged perpetrator.
7. Complete ***IR***.

PREA Coordinator:

1. Coordinate and oversee the coordinated response process.
2. Conduct an initial assessment of the allegation.
3. Ensure preservation of any potential evidence.
4. Ensure that any alleged staff perpetrators are immediately separated from contact with residents.
5. Call 911 for law enforcement response.
6. Call 911 for EMT response.
7. In cases where the need for a medical forensic exam is not immediately apparent, confer with law enforcement investigator to determine if the medical forensic exam is necessary.
8. Ensure that the alleged victim is seen by a medical provider immediately, at an outside hospital for a medical forensic exam. If requested by the alleged victim, a victim advocate shall accompany or meet the alleged victim at the hospital.

9. Offer the alleged victim the option to speak with an advocate. If requested by the alleged victim, set up the call in a private location.
10. Arrange for law enforcement investigators to meet privately with the alleged victim and alleged perpetrator(s), if necessary.
11. Share information related to the incident with only those people who need to know in order to ensure the survivor's safety, conduct the investigation, or provide treatment to the survivor or alleged perpetrator.
12. Complete any necessary reports.

Law Enforcement Investigator:

1. Respond in person to the Volunteers of America or to the forensic exam site, either immediately or as arranged with Volunteers of America.
2. Guide facility staff on evidence preservation.
3. Coordinate all actions with the **PREA Coordinator**.
4. Share information related to the incident with only those people who need to know in order to ensure the alleged victim's safety, conduct the investigation, or provide treatment to the alleged victim or alleged perpetrator.

C. PRIOR TO TRANSPORT TO A MEDICAL FORENSIC EXAM

PREA Coordinator:

1. If an unclothed search is determined to be necessary and/or the alleged victim is asked to change clothing prior to transport, BOP must be notified for further instruction. At no time shall VOA conduct such search; this shall be reserved for medical professional.
2. Ensure that the alleged victim is comfortably clothed for transport.
3. Cooperate with the investigating law enforcement agency to ensure all evidence is preserved.
4. Cooperate with EMT for safe transport of alleged victim to the hospital.

D. IF A FORENSIC EXAM IS NOT CONDUCTED

PREA Coordinator:

1. Ensure that the alleged victim receives timely emergency medical and mental health care at no cost to the victim and regardless of whether the alleged victim names the abuser or cooperates with the investigation.
2. Arrange for the alleged victim to speak with a rape crisis advocate in as confidential a manner as possible.

E. FOLLOWING THE EXAM/AFTER ACUTE CARE IS PROVIDED

PREA Coordinator or designee:

1. Review and compile all relevant documentation related to the incident for the Sexual Assault Incident Review.
2. Cooperate with the investigating law enforcement agency regarding the collection of evidence and interviews with the alleged victim, alleged perpetrator(s) and witnesses. Provide any required reports or documentation, as requested.
3. At the request of the alleged victim, facilitate communication between the alleged victim and advocate for emotional support services.

4. Offer the alleged victim follow-up medical services.
5. Offer the alleged victim follow-up mental health services.

Retaliation Officer:

1. Monitor for retaliation against the alleged victim and any witnesses or reporters.

Law Enforcement Investigator:

1. Make requests to the facility for additional information pertinent to the investigation.
2. Keep the facility updated on the progress of the investigation.

F. FOLLOW-UP/LONG-TERM DUTIES

PREA Coordinator:

1. Complete a written report of the administrative investigation that includes a description of the physical and testimonial evidence, the reasoning behind any credibility assessments, and investigative facts and findings.
2. Cooperate with the investigating law enforcement agency on the criminal investigation.
3. Maintain contact with the investigating law enforcement agency to remain informed about the progress of the investigation.
4. Confer with the investigating law enforcement agency prior to conducting compelled interviews with staff or administering *Garrity* warnings. Any interviews with staff members for an Internal Affairs investigation should be coordinated with the investigating law enforcement agency in order to ensure that statements collected will not become inadmissible in the criminal case.
5. In cases of alleged staff sexual abuse, notify the alleged victim if the staff member has been charged or indicted on a criminal offense related to the allegation of sexual abuse within the facility or if the staff member has been convicted of a charge related to the allegation of sexual abuse within the facility.
6. In cases of alleged staff sexual abuse, notify the alleged victim whenever the staff member is no longer posted within the unit or the staff member is no longer employed at the facility.
7. In cases of alleged resident perpetrator, notify the alleged victim if the resident has been charged or indicted on a criminal offense related to the allegation of sexual abuse within the facility or if the resident abuser has been convicted of a charge related to the allegation of sexual abuse within the facility.
8. Document any of the notifications or attempted notifications from numbers 4-7 above.
9. If any credibility assessments are conducted, document the reasoning behind them.
10. Assess whether staff actions or failures contributed to the incident.
11. Conduct Sexual Assault Incident Review meetings with the Incident Review members within 30 days of the conclusion of the investigation for all substantiated and unsubstantiated incidents.
12. Consider the following factors during the Sexual Abuse Incident Review team meeting: whether the allegation or investigation indicates a need to make changes in policy or practice; whether staff actions or failures contributed to the sexual abuse; whether the incident or allegation was motivated by group or individual identity or dynamics; the area in the facility where the abuse occurred to assess whether physical barriers in the area may enable abuse; and the adequacy of staffing levels and video technology.
13. Prepare a report of the Sexual Abuse Incident Review team's findings and any recommendations for improvement.

14. Approve and implement any corrective action plans based upon the Sexual Assault Incident Review or document the reasons for not doing so.
15. Convene and attend regular meetings of the Jail Incident Review Team.
16. Offer the alleged victim follow-up medical services.
17. Offer the alleged victim follow-up mental health services.