


POLICY NUMBER 3.11-2	JUVENILE RESIDENTIAL CENTER OF NORTHWEST OHIO	
	POLICY AND PROCEDURE – PREA Coordinated Response & Criminal Investigations	
	A.C.A. Reference:	3-JCRF-3D-04-4
	PREA Standard:	115.322 (a-e) 115.361 (a, e1-3, & f) 115.362 115.364 (a1-4, & b) 115.371 (a-m) 115.372
	OAC Standard:	Not Applicable
	Effective/Revised:	8-1-19
	Review Date:	1-12-24
	Approved By:	 , Director

POLICY:

The Juvenile Residential Center of Northwest Ohio shall ensure that all allegations of sexual abuse and sexual harassment are referred for Administrative Review or Criminal Investigation. At all times, the victim shall be treated with dignity and respect and fully informed of their rights, responsibilities, and options as a victim of crime. Measures will be immediately taken to protect residents who are at a substantial risk of imminent sexual abuse.

JRCNWO shall ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations unless the allegation does not involve potentially criminal behavior. When the agency conducts its own investigations, it shall do so promptly, thoroughly, and objectively. The facility shall publish this policy in its lobby, resident handbook, parent handbook, and through other means.

JRCNWO requires that all staff report immediately and according to policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred at the facility; any knowledge of retaliation against residents or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

JRCNWO shall have a written plan to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership.

PROCEDURE:

Investigative Body

1. The Bowling Green Police Division (BGPLD) has the legal authority to conduct criminal investigations within the facility.

2. BGPD shall follow the Wood County Sexual Assault Protocols for Adolescent and Adult victims. These protocols address areas such as interviewing, evidence collection, victim services, notification, and prosecution of sexual assault cases.
 - A. BGPD employs investigators with specialized training in juvenile sexual abuse investigations pursuant to PREA standard 115.334.
 - B. BGPD shall be responsible for the collection of any physical and/or DNA based evidence when available.
 - C. BGPD shall conduct compelled interviews only after consulting with prosecutors as to whether they may be an obstacle for criminal prosecution.
 - D. BGPD shall maintain communication with the facility regarding the progress of the investigation and to properly notify the victim.
3. All investigations shall be conducted promptly, thoroughly, and objectively.
 - A. Investigations shall not be terminated solely because the source recants the allegation.
 - B. The departure of the alleged abuser or victim from the employment or control of the facility shall not provide a basis for terminating and investigation.

Medical and Mental Health Services

1. Immediate medical services will be provided by the facility nurse during normal business hours. Outside of normal business hours, the victim will be transported to the Wood County Hospital for emergency care.
2. The Wood County Hospital employs Sexual Assault Forensic Examiners (SAFE) and Sexual Assault Nurse Examiners (SANE) to conduct forensic medical examinations and medical interviews.
3. Services shall be provided in accordance with facility policies 3.13 and 4.05-2.

Victim Advocacy

1. The COCOON shall provide victim advocacy services to any resident that has been a victim of sexual assault.
2. Services shall be provided in accordance with facility policy 3.13 and the Memorandum of Understanding with The COCOON.

Coordinated Response Plan

1. In the event of an incident of sexual abuse, the facility shall implement the Coordinated Response Plan developed for staff first responders, medical and mental health practitioners, investigators, and facility leadership in order to respond professionally and effectively.
 - A. If the first responder is not a security staff member, they shall immediately report the incident to direct staff to ensure the necessary steps to preserve evidence are taken.
2. In the event of a witnessed incident of sexual abuse, or an administrative finding of criminal action, the following steps will be followed:

- A. The facility shall be placed under a Code Red status to separate the victim and abuser
 - B. Supervision or the Administrative Investigator shall contact 911 to notify BPGD
 - C. The victim will be transported to the Wood County Hospital for examination and services
 - D. The Director, Administration, and medical personnel shall be notified immediately
 - E. The victim's parent/guardian(s), the referring court, and Administrative Judge will be notified
 - F. The COCOON shall be notified to provide a victim advocate
 - G. The Supervisor shall ensure the preservation of evidence and protection of the crime scene
 - H. BPGD will collect evidence and conduct any necessary interviews
 - I. All facility staff will cooperate with the investigative process and maintain confidentiality
3. A flow chart of the facility Coordinated Response Plan, which outlines the agencies and their responsibilities is attached as an addendum to this policy.

Documentation

1. Documentation shall include as necessary, but are not limited to: incident reports, medical reports, counseling notes, third party reports, voluntary witness statements, the criminal investigation checklist, special watch forms, etc.
2. To maintain confidentiality, all reports will be given to the Director or PREA Coordinator. Copies will not be made and placed in the Incident Report log as outlined in facility policy 8.08.
3. All staff members involved in the incident shall complete their incident report prior to their departure from shift.

Victim Notification

1. Victims shall be notified pursuant to facility policy 3.12-2 which outlines resident notification procedures.

Incident Review

1. All incidents involving sexual abuse shall be reviewed in accordance with facility policy 12.01.

Record Retention

1. The facility shall retain all written reports referenced in PREA standard 115.371 (g) and (h) for as long as the alleged abuser is incarcerated or employed at the facility, plus five (5) years, unless the abuse was committed by a juvenile resident and applicable law requires a shorter period of retention.
2. All documentation pertaining to the Criminal Investigation shall become part of the resident's permanent file and subject to the facility's record retention policy.

STANDARD(S):

This policy is in accordance with applicable American Correctional Association (ACA), Prison Rape Elimination Act (PREA), and Ohio Administrative Code standards.