

**SECOND JUDICIAL DISTRICT**  
**DEPARTMENT OF CORRECTIONAL SERVICES**

PREA: Standards 115.221 and 115.222

POLICY: Responsive Planning 102

**POLICY**

Second Judicial District Department of Correctional Services will provide a safe, humane and secure environment, free from the threat of sexual violence and sexual harassment for all offenders by maintaining a response plan to all reports of sexual violence and sexual harassment. The Second Judicial District Department of Correctional Services has zero tolerance for sexual violence of any kind. This policy applies to all employees, prospective employees, interns, volunteers and contractors of the Second Judicial District Department of Correctional Services.

**PROCEDURES:**

1. Evidence protocol and forensic medical examinations § 115.221
  - A. To the extent the Department is responsible for investigating allegations of sexual abuse; the Department shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.
  - B. The protocol shall be adapted from or otherwise based on comprehensive and authoritative protocols developed after 2011.
  - C. The Department shall offer all victims of sexual abuse access to forensic medical examinations at an outside facility, without financial cost, where evidentiary or medically appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The agency shall document its efforts to provide SAFEs or SANEs.
  - D. The Department shall attempt to make available to the victim a victim advocate from a rape crisis center. Department shall document efforts to secure services from rape crisis centers.
  - E. As requested by the victim, the victim advocate, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals.
  - F. To the extent the Department itself is not responsible for investigating allegations of sexual abuse; the Department shall request that the investigating agency follow the requirements of paragraphs (1) through (5) of this section.
  - G. The requirements of paragraphs (1) through (6) of this section shall also apply to:
    1. Any State entity outside of the Department that is responsible for investigating allegations of sexual abuse; and
    2. Any Department of Justice component that is responsible for investigating allegations of sexual abuse.
2. Policies to ensure referrals of allegations for investigations § 115.222
  - A. An administrative and/or criminal investigation will be completed for all allegations of sexual abuse and/or sexual harassment.
  - B. Allegations of sexual abuse or sexual harassment will be referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. The agency shall publish such policy on its Web site. All referrals for investigation will be documented and tracked.
  - C. If a separate entity is responsible for conducting criminal investigations, such publication shall describe the responsibilities of both the Department and the investigating entity.
  - D. Any State entity responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in community confinement facilities shall have in place a policy governing the conduct of such investigations.