

# **Prison Rape Elimination Act (PREA) Response Plan**

## **Chapter 9 Addendum 1**

### **I. First Responder**

- a. Upon discovery or notification of an allegation the first responder, if not an officer, will notify security staff, and request victim not take any action that may destroy evidence.
- b. The officer will notify the supervisor and call for assistance, if needed. Confidentiality of the incident is paramount, incident details will only be discussed on a need to know basis within the agency.
- c. The officer will determine where the abuse occurred.
  - i. If the abuse occurred outside of the facility proceed to F.
  - ii. If it occurred inside the facility proceed to D.
- d. The immediate concern is for the safety and security of the victim. Only first aid will be provided.
- e. Secure the scene
  - i. Separate the victim and abuser, if known or suspected
  - ii. Take physical control of the area
    1. Secure the area
    2. Lock down all other inmates/detainees, if needed
    3. Restrict movement of any personnel or inmates/detainees to the area
    4. Establish a crime scene log
    5. Take initial photographs, if possible, of abuser, victim, and scene
- f. Preserve exigent evidence, defined as anything that if not immediately collected could be destroyed.
  - i. If the abuse occurred in the Detention Center isolate the victim/abuser in cells B117 and B120 in booking under constant surveillance. Cells B116 and B121 may be used if needed; however, the water must be turned off prior to the inmate entering the cell. In Community Corrections, Law Enforcement Cell Block, or Circuit Court holding Cell, the victim/abuser will be separated and placed under direct supervision until transferred, transported or relinquished to an investigator. Inform the victim and abuser that they may not use the bathroom, brush teeth, eat, drink, shower, etc.
  - ii. Secure clothing and store in a paper bag noting the time, date and officer collecting.
- g. Transport victim to Union Hospital for forensic examination and evidence collection.
- h. Gather information and write reports.

## **II. Supervisor**

- a. Upon discover/notification of an allegation the supervisor will ensure the first responder has followed protocol.
- b. Notify command staff.
- c. Allocate manpower to control the scene and/or transport the inmate/detainee.
- d. Ensure all reports are completed prior to the completion of the shift.

## **III. Leadership**

- a. Upon discovery/notification of an allegation the director/designee will determine if the abuse occurred in Sheriff's Office custody.
  - i. If so, the Director will review all response actions and ensure an investigation is initiated, criminal and/or administrative.
  - ii. If not, the Director will report the abuse to the appropriate agency- Law Enforcement, Child Protective Services, correctional facility, etc.
- b. Incidents of abuse by staff, volunteer, and/or contractors will be reported to the appropriate licensing bodies. Incidents involving victims under the age of 18 will be reported to the designated State or local services agency.
- c. To prevent retaliation, ensure that all parties are monitored.
- d. Ensure all reports are completed and submitted.
- e. While in agency custody, the victim will receive periodic updates on the progress throughout the investigation and actions taken. Upon the conclusion of the investigation, the victim will receive notification of all findings and appropriate notations will be made to the case file, regardless of incarceration status.
- f. Complete Incident review.

## **IV. Law Enforcement**

- a. Upon discovery/notification of allegation the officer will respond to the scene.
- b. Process the scene; utilize Crime Scene Technician if necessary.
- c. Collect all exigent and non-exigent evidence.
- d. Liaison with the Rape Crisis Advocate at Union Hospital.
- e. Locate, identify, and interview suspects, witnesses, staff and victims, if applicable.
- f. Conduct the investigation, criminal and/or administrative.
- g. Complete and submit reports. Forward a full and complete copy of the case file, including audio/video recordings, to the CCCF Investigator, when applicable.

**V. SART**

- a. Upon discovery/notification of allegation
- b. Provide all options for medical services to the inmate at no cost, to include but not limited to:
  - i. Forensic exam and Rape Kit
  - ii. Pregnancy tests
  - iii. STD tests and medication
- c. Provide advocate services based on the desire of the inmate at no cost, to include but not limited to:
  - i. Accompaniment for forensic exam
  - ii. Counseling, immediate and continuing
  - iii. Information/Referrals
  - iv. Legal Services
  - v. Education
  - vi. Court accompaniment