

**Title: A 115.321 Agency Evidence Protocol and Forensic Medical Examinations**

Agency Policies PREA Procedures Rules/Regulations/Standards	<b>Next Review:</b> 01/10/2026
	<b>Last Review:</b> 01/10/2023

**Printed copies are for reference only. Please refer to the electronic copy for the latest version.**

**Purpose:** To ensure the sexual safety of facility(ies) inmates and staff through a comprehensive agency wide approach to prevention, detection and response to sexual abuse and sexual harassment in all facilities operated or contracted by the Ninth Judicial District Court (aka Agency).

**Policy:** The Agency is not responsible for investigating allegations of sexual abuse but refers out to an Investigatory Agency.

**Procedure:****I. General**

- A. Investigations are referred to Douglas County Sheriff's Office (DCSO) Investigations.
- B. The agency shall request DCSO Investigations follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions. The protocol shall be developmentally appropriate for youth and, as appropriate, shall be adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011.
- C. The Agency will request that DCSO Investigations follows PREA Standard 115.321 a –e.
- D. A qualified agency staff member or a qualified community-based staff member shall be an individual who has been screened for appropriateness to serve in this role and has received education concerning sexual assault and forensic examination issues in general.

**II. Crisis Services/Advocacy**

- A. Special Victims Response Team with Douglas County partners is available for crisis and advocacy services.
- B. Family Support Council is available for crisis and advocacy services (also part of Special Victims Response Team).
- C. Services for any youth who has ever experienced sexual abuse:
  1. Reporting abuse/harassment
  2. Forensic Examination
  3. Advocacy
  4. Emotional support
  5. Crisis Intervention
  6. Information
  7. Referrals

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- A. Upon receiving news of an allegation, the Director/Chief or designee shall immediately report the allegation to:
  - 1. Local law enforcement (DCSO).
  - 2. The parent or legal guardian of the youth, both victim and perpetrator (unless there is documentation they should not be notified).
  - 3. If the youth is under Division of Child and Family Services (DCFS) or county custody, the youth's case manager or social worker shall be notified.
  - 4. Attorneys for the youth, both perpetrator and victim, shall be notified within ten (10) days of the allegation.
  - 5. Child Protective Services (CPS), if the allegation involves a staff member and a youth under the age of eighteen (18).
  - 6. Douglas County Human Resources (DCHR) and Assistant District Attorney (ADA) if the alleged perpetrator is a staff member.

**III. Forensic Medical Investigation**

- A. Any victim or alleged victim of sexual abuse shall have timely and unimpeded access to emergency medical treatment.
- B. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible.
  - 1. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners.
  - 2. The agency shall document its efforts to provide SAFEs or SANEs.
- 3. Victims or alleged victims shall be requested not to shower, change clothing, use the bathroom, brush teeth, or consume food or beverage prior to seeking emergency medical treatment if it is still possible to collect evidence.
- 4. Perpetrators or alleged perpetrators shall not be permitted to shower, change clothing, use the bathroom, brush teeth, or consume food or beverage until possible evidence is collected.
- 5. Evidence collection should take place within two (2) hours.
- 6. Emergency medical treatment may be the nearest hospital, outside facility, or clinic.
- 7. A qualified medical practitioner shall perform forensic medical examinations to determine the nature and scope of the abuse and collect any evidence related to the alleged abuse.
- 8. The facility is responsible for all costs associated with emergency medical treatment and forensic medical examinations.
- 9. Upon return to the facility, the Director/Chief or designee and the Facility's PREA Compliance Manager shall review the youth's current housing situation and make changes if necessary.

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1. The safety, security, and well-being of the alleged victim shall be the primary concern.
2. Under no circumstances may an alleged victim be housed in the same room as the alleged perpetrator.
3. If a staff member is the alleged perpetrator, they may not work in the same housing unit as the alleged victim.
4. If a youth requires ongoing medical care related to the alleged abuse outside of the facility, the Director/Chief shall ensure the youth receives all services required.
5. The facility is responsible for all costs associated with these services.

**Related Documents**

[DCSO Evidence Chapter 9 145](#)

[DCSO MOU](#)

[Agency Youth Reporting](#)