

**Title: A 115.5-6 Agency PREA Definitions**

Agency PREA Rules/Regulations/Standards	<b>Next Review:</b> 01/30/2026
	<b>Last Review:</b> 01/30/2023

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

**Definitions**

As used all Douglas County Agency and Facility Policies, the following definitions shall apply:

- **Administrative Investigation**  
Investigation conducted by the facility once the determination has been received from law enforcement that the law enforcement agency with jurisdiction will not conduct criminal investigation. This investigation requires a good working relationship with local law enforcement so that as new information is received, law enforcement is updated and a new determination is made with new piece of information as to if the investigation should be investigated criminally or administratively. Documentation is required for each new piece of information as to the determination.
- **Agency**  
Agency is defined as Ninth Judicial District Court.
- **Age Appropriate**  
Communicating, explaining, interviewing, and providing services to a youth, suitable for the youth’s age and level of emotional and cognitive development.
- **Allegation**  
An oral, written, or electronic statement sexual abuse or sexual harassment has occurred or might occur.
- **Assistant District Attorney (ADA)**  
China Spring Youth Camp and Douglas County Juvenile Detention are provided legal representation by the Douglas County District Attorney Office. This ADA is available for consultation on a variety of issues and will represent the facility and staff in the event of a business related legal issue.
- **Audit (PREA Audit)**  
Investigatory reviews of information, including written records and interviews with staff and youth, to determine whether and the extent to which an agency or facility complies with PREA Standards.
- **Board of County Commissioners [BOCC](#)**  
The Board of County Commissioners (BOCC) is the governing, legislative body for Douglas County. The five (5) members of the Board are elected at large, by district. BOCC is responsible for the financial and legislatively required oversight of County entities. BOCC is the County Executive Branch of Government.

**Title: A 115.5-6 Agency PREA Definitions**

- **Child Protective Services [NV CPS](#)**  
Child Protective Services (CPS) is the first step to ensure the safety and permanency of children who are reported as being abused or neglected. The focus of CPS is on protecting the child from harm or risk of harm.
- **China Spring Youth Camp [CSYC](#)**  
CSYC is part of the DCDC and reports to Douglas County District Court Department 2. CSYC Employees are Court employees operating under the DCDC Personnel Regulations. As Such as part of the Judicial Branch of Government. CSYC is contracted by the State of Nevada to provide bed to the sixteen counties served by CSYC. This State of Nevada contract forms the basis of the manner in which CSYC receives its legislatively appropriated budget.
- **Contractor**  
An individual or organization who has a formal service provider agreement with the Agency or facilities to provide a particular service at a juvenile facility.
- **Criminal Investigation**  
CSYC will ensure CSYC, DCJD, and contracted facilities will refer all PREA related investigations to a law enforcement department in their county for determination that either law enforcement will conduct criminal investigation or determine that the facility may pursue Administrative Investigation. Each time there is new information, the same procedure will be followed and the facility will seek law enforcement determination that wither they will conduct criminal investigation or that the facility may conduct administrative investigation. This communication will be documented.
- **Cross-Gender Search**  
Pertaining to the opposite gender of the person, for example, a female staff conducting a pat down search on a male youth in an exigent circumstance. This definition shall not apply to the search preference made by transgender or intersex youth if the preferred staff gender is opposite from the youth's sex assigned at birth or gender identity.
- **Department of Justice [DOJ](#)**  
The Mission of the Department of Justice is to uphold the rule of law, to keep our country safe, and to protect civil rights.
- **Douglas County Code [DCC](#)**  
Douglas County District Attorney maintained codes for Douglas County outlining various provisions for operation; including but not limited to China Spring Youth Camp 2.26 and County Personnel regulations 2.02
- **Douglas County District Attorney Office**  
Douglas County District Attorney will assign an Assistant District Attorney (ADA) to be a point of contact for CSYC and DCJPO/DCDC. This ADA is a resource and a consult for the departments.
- **Douglas County District Court Judge**  
CSYC: District Court Department 1: Honorable Nathan Tod Young  
DCJPO/DCJD: District Court Department 2: Honorable Thomas Gregory

**Title: A 115.5-6 Agency PREA Definitions**

- **Douglas County Human Resources (DCHR/HR)**  
Department responsible for employee relations. Acts as a resource for CSYC and DCJPO/DCJD. DCHR “consults” on employee manners. Employee decisions ultimately rest with the Director/Chief.
- **Douglas County Juvenile Detention (DCJD)**  
Facility operated under the Ninth Judicial District County by the Juvenile Probation Department and as part of the Agency will comply with PREA Coordinator, PREA Standards and have assigned a facility PREA Compliance Manger.
- **Douglas County Juvenile Probation Office (DCJPO/JPO)**  
Douglas County Juvenile Probation Department responsible for administration of the DCJD and Juvenile Probation services. DCJPO reports to District Court Department 2.
- **Direct Care Staff**  
Staff responsible for the direct supervision of youth under the care and custody of Juvenile Facility.
- **Douglas County Sheriff Office [DCSO](#)**  
DC Sheriff Office is responsible for determining the investigation category for PREA Allegations. DCSO Investigations will determine and be in communication with the facility as to the initial process of determining if initial allegation will be investigated criminally or administratively. Additionally, ongoing communication will be documented when new information is discovered and a new determination will be made by DCSO Investigations as to if the allegation will be investigated criminally or administratively. At any point if DCSO determines the allegation is criminal in nature, Administrative actions will cease until a new determination is reached by DCSO.
- **Exigent Circumstances**  
Any set of temporary and unforeseen circumstances requiring immediate action in order to combat a threat to the security or order at a facility.
- **Exhaustion of Administrative Remedies**  
The doctrine of exhaustion of administrative remedies says that a person challenging an agency decision must first pursue the agency's available remedies before seeking judicial review. It was created by courts in order to promote an efficient justice system and autonomous administrative state.
- **External Staff**  
A paid employee through contract/on call/part-time status or other who does not have daily contact with the youth. External staff include PREA Investigator and/or Background Investigator. This investigator may be a retired DCSO officer.
- **Facility**  
A place, institution, building (or part thereof), set of buildings, structure, or area (whether enclosing a building or set of buildings) used by an agency for the confinement of individuals committed to the juvenile justice system.

**Title: A 115.5-6 Agency PREA Definitions**

- **Frequently Asked Questions [FAQ](#)**  
Department of Justice has FAQ on the National PREA Resource Center website to try to address some of the nuances of standards.
- **Garrity**  
Warning which is notice to the staff member being questioned that their statements in an administrative investigation cannot be used against them in a criminal proceeding. Failure to participate in an administrative investigation may be grounds for disciplinary action pursuant to NAC 284.650.
- **Gender Identity**  
A person's internal sense of being male or female, regardless of their sex assigned at birth.
- **Gender Nonconforming**  
A person whose appearance or manner does not conform to traditional societal gender expectations.
- **Grooming**
  - (1) The action by a person of training, preparing or conditioning someone.
  - (2) Grooming is a form of abuse that involves manipulating someone until they are isolated, dependent, and more vulnerable to exploitation.
  - (3) Grooming is when someone builds a relationship, trust and emotional connection with a child or young person so they can manipulate, exploit and abuse them. Grooming can take many forms and can include initiating unwanted contact, using a relationship with a power differential to establish contact, and/or using previous official relationship to maintain contact. Children and young people who are groomed can be sexually abused, exploited.
  - (4) Anyone can be a groomer, no matter their age, gender or race.
  - (5) Grooming can be in person, via the internet/social media.
- **Explicit**  
Definite and/or clearly stated.
- **Implicit**  
Implied capable of being understood for something else (i.e., photos, notes, cards, e-mail, gifts) or thorough non-verbal or unexpressed conduct.
- **Intersex**  
A person whose sexual or reproductive anatomy or chromosomal pattern does not fit typical definitions of male or female as determined by medical examination or review of medical records. Intersex medical conditions are sometimes referred to as disorders of sexual development. Note: this term is preferred by advocates and intersex people over the term disorders of sex development (DSD) because the term disorder is stigmatizing.
- **Juvenile Facility**  
Includes Douglas County Detention (DCJD), Western Nevada Regional Youth Center (WNRYS) and China Spring Youth Camp (CSYC). A facility primarily used for the confinement of juveniles, pursuant to the juvenile justice system, in which the movements and activities of youth are

**Title: A 115.5-6 Agency PREA Definitions**

restricted or subject to control through the use of physical barriers and/or intensive staff supervision.

- **LGBTQI**  
The acronym for Lesbian, Gay, Bisexual, Transgender, and Intersex.
- **Mental Health Staff**  
A psychiatrist, psychologist, social worker, licensed clinical social worker, professional counselor, marriage and family therapist, or clinical nurse specialist who specialize in the mental health field.
- **Miranda**  
Advisement of rights administered by law enforcement subject to a criminal investigation to ensure any statements are voluntary.
- **National Institute of Corrections [NIC or NICIC](#)**  
The NIC Learn Center provides training and education to staff of state, local, and federal corrections. Browse the E-Courses catalog for courses related to prisons, jails, community services, and professional development. NIC Functions best in the Internet Browser "Edge".
- **National PREA Resource Center [PREA Academy](#)**  
Provides access to Training through their website.
- **Non Intensive Scanning Devices**  
Handheld wands.
- **Pat-Down Search**  
Running of the hands over the clothed body of a youth by a trained staff member to determine whether the youth possesses contraband.
- **Prison Rape Elimination Act (PREA) [PREA Resource Center](#)**  
The Prison Rape Elimination Act (PREA) of 2003 is a Federal law established to address the elimination and prevention of sexual assault and rape in correctional systems. A federal law supporting the prevention, detection, and response to sexual abuse and sexual harassment within facilities. This law applies to all federal, state, county, local, and private facilities housing adults and juveniles.
- **PREA Compliance Manager (PCM)**  
A designated facility staff member who coordinates the facility's efforts to comply with the PREA standards. The Agency shall ensure Douglas County Detention, Western Nevada Regional Youth Center and China Spring Youth Camp each has assigned a PREA Compliance Manager.
- **PREA Coordinator (PC)**  
A full-time, upper-level, agency-wide position with the authority and responsibilities to develop, implement, and oversee the agency's efforts to comply with PREA Standards. Currently assigned to the CSYC Director.

**Title: A 115.5-6 Agency PREA Definitions**

- **PREA Investigator**  
A facility staff person with adequate training, experience, and authorization to conduct sexual abuse and sexual harassment administrative investigations involving youth within facilities.
- **PREA Misconduct**  
Staff youth relationships in a facility setting are particularly vulnerable to sexual misconduct, in part, because of the increased power differential in the relationship. There are two basic types of staff sexual misconduct in this setting. The first involves a staff member who is preyed upon by a resident who understands manipulation. This type is often caused by being overly familiar or friendly with facility youth. In the second type, the staff member is a predator and uses their power to coerce or persuade youth to engage in some type of sexual contact. In this scenario, the staff member is preying on weaker/vulnerable persons. PREA Misconduct is only determined after an allegation has been investigated criminally and is found not to be criminal; administratively and is found to have violated only departmental policies and procedures.
- **PREA Standards** [PREA Juvenile Standards](#)  
Guidelines established by the United States Department of Justice to prevent, detect, and respond to sexual abuse and sexual harassment in all covered facilities.
- **Preponderance of Evidence**  
The burden of proof where one can reasonably believe something occurred when more than fifty percent (50%) of the evidence favors it.
- **Probable Cause**  
The sufficient knowledge to believe contraband or other unauthorized items deemed detrimental to the youth or the facility.
- **Questioning**  
Individuals who are questioning their relationship to sexual identity, sexual behavior, or sexual gender identity.
- **Retaliation**  
Derogatory actions taken against a person for reporting possible misconduct. Retaliation occurs when an inmate or staff injures, harms, or intimidates a person who has reported sexual abuse and assault — or attempts to do so — in response to the report.
- **Resident**  
Any youth referred or placed at a juvenile facility/institution including future, current or former.
- **Room Search**  
A search of a youth's individual living space for the presence of contraband or other unauthorized items deemed detrimental to the youth or facility.
- **Safety**  
Freedom from danger.
- **Security**  
Measures taken to guard against harm to a person or location.

**Title: A 115.5-6 Agency PREA Definitions**

- **Sexual Abuse**
  - A. Sexual abuse includes
    1. Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
    2. Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.
  - B. Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:
    1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
    2. Contact between the mouth and the penis, vulva, or anus;
    3. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
    4. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.
  - C. Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:
    1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
    2. Contact between the mouth and the penis, vulva, or anus;
    3. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
    4. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
    5. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
    6. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)-(5) of this section;
    7. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
    8. Voyeurism by a staff member, contractor, or volunteer.
- **Voyeurism**

Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

**Title: A 115.5-6 Agency PREA Definitions**○ **Sexual Harassment****Includes:**

1. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and
2. Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

○ **Sexual Conduct**

1. Kissing;
2. Sexual intercourse;
3. Anal intercourse;
4. Fellatio, cunnilingus or other oral genital contact;
5. Physical contact by a person with the genitals or pubic area of another person for the purpose of arousing or gratifying the sexual desire of either person;
6. Penetration, however slight, by a person of an object into the genital or anal opening of the body of another person for the purpose of arousing or gratifying the sexual desire of either person;
7. Masturbation or the lewd exhibition of unclothed genitals;
8. Sado-masochistic abuse; or
9. Any lewd or lascivious act upon or with the body, or any part or member thereof, of another person.

○ **Sexual Misconduct**

Sexual misconduct is a type of violence that uses power, control, and/or intimidation to harm another. It includes sexual harassment, sexual assault, domestic violence, dating violence, grooming and stalking.

○ **Stalking**

Intentional and/or repeated harassment or following (physically or virtually) of another person, which places that person in reasonable fear of their safety.

○ **Sexual Orientation, Gender Identity, and Gender Expression SOGIE**

The acronym for Sexual Orientation, Gender Identity, and Gender Expression. [SOGIE Basic Definitions](#)

○ **Staff**

Any employee of Ninth Judicial District Court including medical and mental health personnel, who conduct work activities in a state facility.

○ **Security Staff**

Line Staff/Detention Staff in a facility responsible for the direct supervision of youth.

○ **Staff Secure Facility aka Non-Secure**

China Spring Youth Camp (CSYC) is considered by the State of Nevada to be a "Staff Secure" or non-secure facility, meaning there are no bars or locked doors (no physical barriers) and the youth have access to the community through a variety of activities and programs. China Spring



**Title: A 115.5-6 Agency PREA Definitions**

Youth Camp meets the definition of non-secure due to the youth having daily access to school district employees during the school day. Additionally, youth participate in community details, community service and other community events. The youth are free to leave the facility (aka runaway, absent without leave, or wandering) staff may follow and try to talk to youth about returning, but ultimately, the staff does not give chase or arrest youth since CSYC staff are not peace officers and facility participation is generally considered "voluntary".

**Title: A 115.5-6 Agency PREA Definitions**

- **State of Nevada [NV PREA](#)**  
Provided Contract to CSYC to provide beds to the State of Nevada's sixteen counties (all counties except Clark County). As such, CSYC will provide required PREA reports to the State of Nevada including compliant PREA Audit Report, Reports of Allegations, Investigations and findings, as required by the contract to the State PREA Coordinator.
- **Substantiated Allegation**  
An investigated allegation, which was determined to have occurred by a preponderance of the evidence.
- **Transgender**  
A person whose gender identity is different from the person's biological sex assigned at birth. This may include non-binary youth who do not identify with any one gender.
- **Unclothed Body Search**  
Also referred to as strip search. This is a professional sterile search requiring a person to remove or arrange some or all of their clothing to permit a visual inspection of the person's breasts, buttocks or genitalia.
- **Unfounded Allegation**  
An investigated allegation, which was determined not to have occurred.
- **Unsubstantiated Allegation**  
An investigated allegation where the investigation produced insufficient evidence to make a final determination as to whether the event occurred.
- **Unlawful Harassment**  
Includes unwanted verbal, written, graphical, or physical acts that denigrate or show hostility or aversion toward an individual or a group of individuals in a protected class.
- **Volunteer**  
An individual who donates time and effort on a *recurring* basis to enhance the activities and programs of the agency. This includes interns, programs that are recurring (Discovery on the Fly, Church, etc.).
- **Voyeurism**  
Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.
- **Western Nevada Regional Youth Center [WNRVC](#)**  
Contracted facility under the Ninth Judicial Court through Douglas County Juvenile Probation Department. WNRVC is a standalone facility in Lyon County and will provide CSYC required documentation including compliant PREA Audit Report, Reports of Allegations, Investigations and findings, as required by the contract to the State PREA Coordinator.
- **Youth**

**Title: A 115.5-6 Agency PREA Definitions**

Any individual under eighteen (18) years old.

○ **Zero Tolerance**

The Agency (Ninth Judicial District Court) and its facilities have a Zero Tolerance policy for any form of sexual misconduct to include staff/contractor/or volunteer on youth/resident or inmate on youth/resident sexual harassment, sexual assault, sexual abusive contact and consensual sex. Any staff member/contractor/volunteer who engages in, fails to report, or knowingly condones sexual harassment or sexual contact with or between inmates shall be subject to disciplinary action and may be subject to criminal prosecution. The Agency shall take a proactive approach regarding the prevention, detection, response and punishment of any type of sexual contact.