

**Title: A 115.313 Agency Supervision and Monitoring**

Agency Policies PREA Rules/Regulations/Standards	<b>Next Review:</b> 01/18/2026
	<b>Last Review:</b> 01/18/2023

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**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 shall ensure each facility it operates shall develop, implement and document staffing plans to protect residents against sexual abuse.

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

A. Each Agency Facility shall create a Standard Operating Procedure consistent with this policy.

**I. SUPERVISION AND MONITORING****A. Staff and Staffing Ratios****1. Staffing Plan**

- a. Each facility PREA Compliance Manager shall develop and implement a staffing plan.
- b. Staffing plan must be approved by PREA Agency Coordinator, CSYC Director and Chief Juvenile Probation officer.
- c. The facility shall provide a staffing plan update to the Agency annually, or more often if required.
- d. Plan will provide for adequate levels of staffing
- e. Plan will, where available, include video monitoring capabilities addressing all required elements of PREA Standard 115.313.
- f. The facility shall maintain a staffing plan, which provides for adequate levels of staffing to ensure for the protection of each youth against sexual abuse and sexual harassment.
- g. Staff shall comply with facility policy when they are with a youth so they can be observed by another staff member directly or through video monitoring system.

**2. Staffing Plan Considerations**

- a. Generally accepted detention and correctional practices;
- b. Any judicial finds of inadequacy;
- c. Any findings of inadequacy from Federal investigative agencies;
- d. Any findings of inadequacy from internal or external oversight bodies;
- e. All components of the facilities physical plant (including blind spots or areas where staff or inmates may be isolated);
- f. The composition of the inmate population;
- g. The number and placement of supervisory staff;
- h. Institution programs occurring on a particular shift;
- i. Any applicable State or local laws, regulations or standards;
- j. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and

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- k. Any other relevant factors:
  - aa. Facility Mission;
  - bb. Population census numbers and the extent to which the population exceeds facility design capacity;
  - cc. Specific characteristics of the population such as gender, age, vulnerability prior victimization or abusiveness;
  - dd. Availability of education and programming opportunities;
  - ee. Access to medical and mental health care;
  - ff. Physical plant characteristics that can affect line of sight and visibility;
  - gg. Temperament of staff and youth;
  - hh. Privacy considerations and limits to cross-gender viewing and searches.

**3. Deviation from Staffing Plan**

- a. Each time the staffing ratio set forth in the Facility(ies) staffing plan are not met, the facility shall document this on the Deviations from Staffing Plan Report
- b. In situations where additional staffing is needed, the Director/Chief JPO shall be notified and best efforts will be made to make additional staffing available.
- c. Documentation must include a justification.

**4. Staffing Patterns shall consider**

- a. The youth population
- b. The composition of the youth population, and
- c. Applicable Federal, State, and local laws.
- d. Secure Facility shall
  - aa. Maintain a minimum staffing ratio
  - bb. 1:8 during youth waking hours and
  - cc. 1:16 during youth sleeping hours
  - dd. Except during limited and discrete exigent circumstances.
  - ee. Such circumstances shall be documented.
- e. Staff Secure Facility shall
  - aa. Maintain a minimum staffing ratio;
  - bb. 1:10 during youth waking hours;
  - cc. 1:16 during youth sleeping hours;
  - dd. Except during limited and discrete exigent circumstances.
  - ee. Such circumstances shall be documented.

**5. Annual Facility Assessment**

- a. The facility PREA Compliance Manager, in coordination with the Director/Chief Probation Officer conduct an annual facility assessment.
- b. To determine if the facility has available adequate staff and technology to ensure the protection of youth/resident against sexual abuse and harassment.
- c. Annual Assessment shall include a review of:
  - aa. Staffing patterns
  - bb. Video monitoring systems
  - cc. Other Technologies and Resources
  - dd. Documented deviations from staffing pattern
  - ee. Any unusual or infrequent circumstances not covered in the staffing plan.

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- a. Upper-level staff designated by PREA Compliance Manager(s).
- b. Shall make at least three (3) unannounced rounds per week.
- c. Must cover each shift (day, swing and graveyard).
- d. Must be in different areas of the facility.
- e. Must be at differing times.
- f. For the purpose of:
  - aa. Verifying staffing ratios.
  - bb. Deterring any behavior qualified as sexual harassment or sexual abuse.
  - cc. Identifying any behavior qualified as sexual harassment or sexual abuse.
  - dd. Staff shall not alert other staff members these rounds are occurring.
  - ee. This shall be documented on the PREA Unannounced Round Log.
  - ff. Completed logs shall be given to the facility PREA Compliance Manager.
  - gg. Other Purposes:
    1. The facility shall ensure all classrooms, day rooms, or offices where youth may interact with other youth or staff have unobstructed views.
    2. Windows may not be covered.
    3. The only exceptions
      - aa. Medical examination rooms
      - bb. Single occupancy restrooms, and
      - cc. Personal living quarters.
    4. Facilities may have a facility, specific policy regarding group restrooms and allowances for obstructed views of personal living quarters.
    5. The facility shall ensure all parts of the facility are monitored daily.
    6. The facility shall ensure areas such as staff offices, staff restrooms, and janitor closets are secure with staff following key control policy.

**B. Limits to Cross Gender Viewing and Searches**

1. The facility shall implement procedures which enable youth to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks.
2. Such policies and procedures shall require staff of the opposite gender to announce their presence when entering a youth housing unit.
3. If facility does contain discrete housing units, staff of the opposite gender shall be required to announce their presence when entering an area where youth are likely to be showering, performing bodily functions, or changing clothing.
4. No staff member, including medical staff, may physically examine the genital area of a transgender or intersex youth solely to determine the sex of the youth.
5. The facility shall not conduct cross-gender strip searches or cross-gender visual body cavity searches except in exigent circumstances, or when conducted by a medical professional and in the presence of a secondary same-gendered as the youth being searched or preferred-gendered staff.

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6. Cross-gender pat-down searches are prohibited, except in exigent circumstances, and shall be documented on the Exigent Circumstances for Cross-Gender Pat-Downs and Searches Form (Attachment F).
7. The preferred gender for searches made by a transgender or intersex youth via the Statement of Search Preference Form shall not constitute a cross-gender pat-down search or an exigent circumstance for a cross-gender pat-down search.
  - a. If a transgender or intersex youth marks 'No Preference' on this form, the youth shall be searched by the same gender of staff as the youth's gender identity, per guidance from NRS 62B.212.
8. Staff shall be trained, at hire and annually, in conducting cross-gender, intersex, or transgender pat-down searches in a respectful manner and in the least intrusive manner as possible, per NAC 62B.085 2(e).
9. Staff shall be trained, at hire and annually, in conducting cross-gender, intersex, or transgender pat down searches in a respectful manner and in the least intrusive manner as possible, per NAC 62B.085 2(e).

**C. Lesbian, Gay, Bisexual, Transgender and Intersex Youth**

1. Housing assignments and facility placement for youth who are transgender or intersex shall be made in alignment with the youth's gender identity, taking into consideration the wishes of the child per NAC 62B.085.1(b).1(I-II), while, at the same time, ensuring the health and safety of the youth.
  - a. These placement decisions must be reassessed, at a minimum, every six (6) months.
2. Denied Preferred Bed Placement
  - a. If the facility PREA Compliance Manager determines the youth's wishes as to their preferred bed placement creates a safety concern; and
  - b. denies their request, the facility shall document those safety concerns; and
  - c. The Director shall reassess the youth's placement at least every sixty (60) days.
3. LGBTI youth shall not be placed in a particular housing unit or other assignment based solely on this classification, nor shall this classification be considered an indication of sexual aggressiveness.
4. While in the facility, transgender and intersex youth shall have the ability to shower separately and have access to privacy when changing clothes or using the bathroom facilities per NAC 62B.085.1(b) 2.
5. Staff shall not use any language or behavior, which may put a youth at risk of sexual victimization.
6. Staff shall maintain confidentiality, including around other youth, who are not aware of the youth's SOGIE or intersex status.
7. Staff shall maintain confidentiality when discussing allegations of sexual abuse and sexual harassment with family members, courts, lawyers, child welfare workers, or anyone who is not aware of the youth's SOGIE or intersex status.

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- a. Coordinate the investigation and monitor progress;
- b. Ensure referral to advocate agency, as required and requested;
- c. Ensure the Incident Review Team meets, as required, and any recommendations are carried out;
- d. Notification of Allegations and Assaults
  - aa. Ensure PREA Coordinator is notified, by the next business day, of all allegations
  - bb. Sexual assault, will be reported once the scene is contained, secure, and safe to do so.
- e. Ensure the PREA Coordinator has all required investigative documentation.
- f. Facility Training Officer
  - aa. Each facility Training Officer shall keep a record of PREA training dates for all facility employees, to include refresher training.
  - bb. Each Facility Training Officer shall provide this data to the PREA Coordinator quarterly.