

JOHNSON COUNTY DETENTION CENTER

PREA POLICY APPENDIX

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**Johnson County Detention Center
PREA Coordinator Assignment Form
DOJ § 115.11**

The PREA Coordinator will be the Jail Administrator of the Johnson County Detention Center. The Jail Administrator reserves the right to assign the task of PREA Coordinator to someone he/she feels has the skills and can dedicate the time necessary to help the agency become PREA compliant. The Jail Administrator must make the appointment of the PREA Coordinator in writing. The PREA Coordinator will be responsible for the following duties:

Develops

- Assists in the development of the agency plan for PREA implementation.
- Educates themselves about PREA and serves as the lead source for understanding PREA in the agency.
- Heads the team for policy review, analysis, and revisions.
- Works with training staff to develop education and training for staff, inmates, contractors, and volunteers.
- Coordinates with outside entities, such as victim advocates, sexual assault nurse examiners (SANE), medical and mental health providers, investigating agencies or bodies, prosecutors, and others as needed.
- Keeps up to date with all new information concerning PREA standards.
- Seeks, evaluates, and uses resources to ensure compliance.

Implements

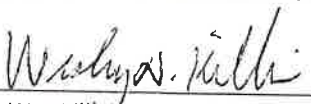
- Ensures that staff understand their duties and responsibilities.
- Implements training requirements, new policies, and operational procedures and practices.
- Maintains documentation as required by the standards.
- Manages by "walking around" to be available for questions and assistance.
- Works with the auditor and prepares for an audit.
- Maintains close contact with leadership concerning progress to ensure PREA compliance.
- Models the behavior and integrity that demonstrate agency commitment to zero tolerance.

Oversees

- Observes operations in the agency and identifies gaps in achieving PREA compliance.
- Conducts agency/facility assessments to evaluate compliance with standards.
- Is the main point of contact for the agency, both internally and externally, for all things PREA.
- Supervises and coordinates with PREA compliance managers (where there are multiple facilities).

Should the appointed PREA Coordinator fail to perform the required duties, resign from the position of PREA Coordinator or from the department, the position of PREA Coordinator will revert back to the Jail Administrator until a suitable replacement is assigned.

I Cpt. Wes Killian, Jail Administrator for the Johnson County Detention Center, do hereby, appoint Dawn Jones LPN, as the PREA Coordinator for the Johnson County Detention Center effective 03/22/2022


Cpt. Wes Killian – Jail Administrator


Dawn Jones LPN PREA Coordinator

The Johnson County Detention Center staffing plan was written by Jail Administrator/Captain Wes Killian and reviewed by Sheriff Rod Odenbach.

1. Generally accepted detention and correctional practices:

The following tools were utilized in the preparation of this plan:

- PREA Staffing Plan Template for Small Jails
- Department of Justice Staffing Analysis Workbook for Jails
- American Correctional Association Core Jail Standards, First Addition
- JCDC Master Activity Schedule
- Approved Staffing Budgeted allocated by the Johnson County Sheriff and Commissioners

This Staffing Plan was written to ensure that sufficient staff, including a designated supervisor, are provided at all times to perform all necessary functions relating to the safety, security, and orderly operation of the Johnson County Detention Center (JCDC).

The JCDC operates continuously, 24 hours per day, 365 days per year. The Detention Center is a high-risk setting housing both pretrial detainees and sentenced inmates. It is our duty to protect inmates from themselves, other inmates, and provide a safe environment for everyone who enters the Detention Center. Detention staff must be available to respond to inmate calls for assistance, ensure inmates have the opportunity to participate in essential activities, and provide necessary care.

Inmate Bookings require a significant amount of time and must be completed by trained Deputies. Bookings occur at all hours, and are impossible to predict. Documentation is required for all activities that occur within the Detention Center. Perimeter security and internal movement of inmates must be controlled at all times. Continuous inmate supervision is required, and consists of observation (video and direct) and interaction with inmates.

A constant minimum level of staffing is necessary to operate the Detention Center.

The Johnson County Commissioners have allocated nineteen full time positions to staff the Johnson County Detention Center. These positions consist of one Captain/Jail Administrator, one Sergeant, two Corporals, twelve Deputies, one Nurse, and two cooks.

2. Any judicial findings of inadequacy:

None. The staffing of the Detention Center and provision of inmate supervision is our duty and responsibility. There has never been a finding of inadequacy in the Johnson County Detention Center's staffing or supervision of inmates by any court.

3. Any findings of inadequacy from federal investigative agencies:

None.

4. Any findings of inadequacy from internal or external oversight bodies:

None.

Internal Oversight: All allegations of sexual abuse or harassment at the Johnson County Detention Center, reported or suspected, are forwarded to the Buffalo Police Department Investigator James Kozisek or Johnson County Sheriff's Office Investigator Adrian Keeler. These investigations are focused on findings related to criminal misconduct or administrative rule violations by JCDC inmates or staff. All investigations are documented in writing and result in a post-incident review by the Captain and PREA Coordinator. This review may result in a recommendation for a change to this staffing plan.

All jail incidents, rule violations, and grievances are reviewed by Administrative staff in the jail (Captain, Sergeant, and Corporal) and may also result in recommendations for a change to this staffing plan.

5. All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated:

The Johnson County Detention Center is a newly constructed 22,450 square foot facility built in 2011. The Center is designed to house fifty six male and female inmates in General Population. Our average daily population during the past twelve months was twenty one inmates; 79% male and 21% female.

Our Control office is located in the middle of General Population, and allows for direct observation of all inmate blocks and camera observation of the majority of our Detention Center. The camera system is state of the art and works in tandem with our electronic doors and intercom system. It allows for excellent visual observation, while providing inmates privacy while they are showering, dressing, and using the toilet. The Control deputy observes all supervised movement of inmates, and all individuals entering or departing the Detention Center.

Detention deputies walk through every cell block every forty to sixty minutes at random intervals and check on every inmate. Inmates are prohibited from creating an obstruction, or inhibiting the deputy's line of sight at any time.

General Population has five separate cell blocks (A – E), an inmate Library/Meeting Room, and indoor Exercise Yard with a half-court basketball gym.

- A block is a dormitory style block consisting of two floors. There are four sets of bunk beds, a single shower, inmate telephone, and toilet on each floor. The day room, recreation area, video visitation system, and dining tables are located on the first floor. There is also an emergency intercom module located by the entrance door which connects the cell block directly to control.
- B block consists of two floors with a single shower and four double occupancy cells on each floor. Each cell has a separate toilet and desk. The day room, inmate telephone, video visitation system, recreation area, and dining tables are located on the first floor. There is an emergency intercom system connecting each cell to control and a separate module by the entrance door.
- C block consists of two floors with a single shower and four single occupancy cells on each floor. Each cell has a separate toilet and desk. The day room, inmate telephone, video visitation system, recreation area, and dining tables are located on the first floor. There is an emergency intercom system connecting each cell to control and a separate module by the entrance door.

- D block is a single floor cell block with and four double occupancy cells. Each cell has a separate toilet and desk. The day room, recreation area, single shower, inmate telephone, video visitation system, and dining tables are located directly outside of the cells. There is an emergency intercom system connecting each cell to control and a separate module by the entrance door. D block is our designated female block and architecturally designed to be out of sight of all male cell blocks.
- E block is a single floor "trustee style" block with four sets of bunk beds, single shower, toilet, day room, recreation area, inmate telephone, video visitation system, and dining tables. The emergency intercom module is located by the entrance door.

Inmates who are seen in the medical office by our Nurse or Medical Provider are supervised by a detention deputy until they are escorted back to their cell block. Detention deputies are never alone with an inmate in the medical office. In addition, every time an inmate leaves their cell block they are escorted by a Detention deputy, and both the deputy and inmate are monitored from point A to point B via camera by Control staff.

Our Booking office is separate from General Population and includes five individual short-term holding cells, one safety cell, a dressing/shower room, three storage rooms, fingerprint area, staff bathroom, inmate booking desk, professional visit room, no-contact visitation room, visitor sally-port, visitor window, and visitor video visitation room. Our Intoximeter room is located in the sally-port connecting Booking to our garage where arresting officers arrive with arrestee's.

In between Booking and General Population is our medical office, three administrative staff offices, one laundry room, two storage rooms, one staff bathroom, and full kitchen.

Our camera system is excellent, but we do have a few blind spots. There is no video coverage in our storage rooms, staff bathrooms, the medical office, or administrative offices. Inmates are prohibited from entering storage rooms, staff bathrooms, or administrative offices. All storage rooms and staff bathrooms are secured when not in use.

6. The composition of the inmate population:

During the past year we booked in three hundred inmates; two hundred thirty seven males and sixty three females. Of the three hundred, 95 % white, 2.5 % black, and 2.5 % American Indian or Alaskan Native. The average age of all inmates was thirty eight, and the average length of stay in the Detention Center was twenty five days. The vast majority, approximately 90%, of those arrested have substance abuse issues.

We have seen an increase in the need for medical and mental health services over the past several years, and have increased our capacity to ensure care for the inmates in our custody by:

- Hiring a full time nurse.
- Providing staff training related to the anticipated medical needs of inmates.
- Hiring a Medical Director to provide emergency on-call, routine medical care, and prescription services for inmates in our custody.
- Reaching an agreement (Memorandum of Understanding) with Volunteers of America relating to the provision of Mental Health Services in our Detention Center.

The composition of those arrested is representative of the jurisdiction we serve.

7. The number and placement of supervisory staff:

The Johnson County Detention Center operates two 12 hour shifts per day; Day Shift and Night Shift. Three Detention Deputies are scheduled on each shift. One deputy is required to remain in Control to operate the door/camera/intercom system, leaving two deputies available to complete all jail operations in all locations throughout the Detention Center. The three deputies work together and rotate responsibilities throughout their shift.

The Johnson County Detention Center has two Corporals. One Corporal is scheduled to work a 12 hour shift daily, and they divide their time between the Day and Night shift. The Corporal works directly with inmates as well, but their primary responsibility is to provide deputies with supervision, assistance, and direction as necessary. The Corporal is the first line supervisor at the Johnson County Detention Center.

The Sergeant works 8 hour shifts Monday through Friday. The Sergeant splits his time with Administrative work and supervision of Detention staff and both Corporals. It is routine for the Sergeant to work "on the floor" with inmates, Corporals, and Deputies to assist with routine jail operations.

The Captain works 8 hour shifts Monday through Friday, and is responsible for the overall operation of the Detention Center. Although most of his time is spent completing Administrative responsibilities, he routinely provides supervision and direction to all Detention staff members. The Detention Center is classified as a small jail and our Detention staff is limited in size. Therefore, it is not unusual for the Captain to work "on the floor" with inmates and Detention staff to assist with daily jail operations.

Our Nurse works 8 hour shifts Monday through Friday. She operates out of the medical office and is responsible for ensuring that inmate's receive care for all serious medical needs. The Nurse never sees inmates alone, as they are always supervised by Detention staff during their visit to the Medical Office. Our Nurse is also our PREA Coordinator.

8. Institutional programs occurring on a particular shift:

The Johnson County Detention Center offers various programs to assist inmates with issues related to substance abuse, and decrease the likelihood of recidivism. **Alcoholics Anonymous** and **Celebrate Recovery** Groups are offered weekly to all inmates. These groups are led by Counselors or Peers, and inmates participate in these groups in our multipurpose or professional visit room. The Groups are supervised by a Control deputy via camera at all times. Detention deputies escort inmates to and from these Groups, and can respond to the multipurpose or professional visit room quickly if necessary.

We are in Contract with the Wyoming Department of Corrections to house Probationers and Parolees while they complete ninety days of **Intensive Outpatient** (IOP) therapy for drug and alcohol abuse. Counselors from *Volunteers of America* enter the Detention Center and provide Individual and Group therapy for inmate participants. The Groups and Individual sessions are completed in our multipurpose or professional visit room, and supervised via camera by our Control deputy. Detention deputies escort inmates to and from their sessions, and can respond to the multipurpose or professional visit room quickly if necessary.

Non-Denominational Church Services are offered weekly to all inmates. The services are conducted in the multipurpose or professional visit room, and supervised via camera by our Control deputy. Detention deputies escort inmates to and from these services, and can respond to the multipurpose or professional visit room quickly if necessary.

Inmates have scheduled access to the **Library** several times weekly. They are escorted to and from the library by Detention deputies, and the deputy remains in the library with the inmates while they return and select new books. Inmates and Detention deputies are also supervised via camera by our Control deputy during their time in the library.

Inmates have random access to the **Exercise Yard** several times weekly. They are escorted to and from the exercise yard by Detention deputies and are supervised via camera by our Control deputy. Detention deputies can respond to the exercise yard quickly if necessary.

All of the inmate Group activities mentioned above are conducted separately by cell block. In other words, inmates from one cell block will never have contact with inmates from another block. This allows us to separate males from females, as well as inmates in Protective Custody.

All Group leaders, individual Counselors, and spiritual leaders must pass a thorough Background screening and receive PREA training prior to receiving authorization to have contact with inmates.

9. Any applicable State or local laws, regulations, or standards:

The Johnson County Detention Center meets or exceeds all State and Federal standards or regulations related to jail operations. We subscribe to the National Institute for Jail Operations Wyoming Jail Standards and actively use their reference material and guidelines to maintain compliance. We are also in compliance with the National Commission on Correctional Health Care Standards for jails (NCCHC), and the Prison Rape Elimination Act standards.

Deficiencies, if any, will be addressed in a timely manner and within known State and Federal guidelines. There are no legally mandated staffing ratios applicable to the Johnson County Detention Center.

10. The prevalence of substantiated and unsubstantiated incidents of sexual abuse:

The Johnson County Detention Center had zero reported incidents of sexual abuse or harassment during the past year. If we were to have a reported incident of sexual abuse or harassment, substantiated or not, we will review our staffing plan to determine if it is adequately meeting the supervision needs of our inmates and Detention staff.

11. Any other relevant factors:

As previously noted, Detention deputies complete inmate checks every forty to sixty minutes. These checks are documented in our In Custody system. We also complete thorough Safety Checks, previously referred to as "shake downs" at least monthly in every cell block and Booking to check for contraband, manufactured weapons, and compliance with our Inmate Rules of Conduct.

Unannounced and irregular supervisory rounds are conducted to deter incidents of sexual abuse. These rounds are completed on all days and both shifts. Administrative team members rotate this responsibility to ensure an extended Administrative staff presence on evenings and weekends. All supervisory rounds are documented in accordance with our PREA Policy.

Detention staff have been provided training related to the Prison Rape Elimination Act. PREA review information is provided annually and refresher training is provided every two years. Detention staff are vigilant to identify, detect, and prevent any form of sexual abuse, misconduct, and harassment. Staff are also well equipped to respond to any incident or report of sexual abuse. Any information brought to our attention related to the safety of any person within the Detention Center will be addressed immediately.

Detention Policies and Procedure

APPENDIX C

Policy No: **D37**

Title: **Youthful Offenders**

Effective Date: 12/4/2021

Updated / Reviewed Date: 12/4/2021

By: Sheriff Rod Odenbach / Captain Wes Killian

Definitions:

- A **Juvenile** is a person under the age of 18.
- An **Accused Status Offender** is a juvenile who has been accused of committing an offense that would not be criminal if committed by an adult. Examples include: runaways, truants, or curfew violators.
- An **Adjudicated Status Offender** is a juvenile who has been found guilty by a judge of committing a Status Offense.

"Status offenders who fail to appear for court hearings remain status offenders; they cannot be upgraded to (accused) delinquent offenders for their failure to appear. Similarly, status offenders who violate probation by committing another status offense remain status offenders." (OJJDP 2010, p.20) Therefore, a Status offender would have to commit a new delinquent act to become an Accused Offender. Status offenders charged with contempt of court (FTA, FTC), which is considered a delinquent offense may be held in secure custody.

- A **Non-Offender** is a juvenile who is a victim of neglect or abuse, or on a mental health hold. Emergency Detention in the JCDC is not an option for juveniles.
- An **Accused Delinquent** is a juvenile that is accused of an offense that would be a crime if committed by an adult. This crime is also referred to as a **delinquent** act when committed by a juvenile.
- An **Adjudicated Delinquent** is a juvenile who has been found guilty by a judge of committing a delinquent act.
- **Secure Custody** or Detention of a juvenile occurs when they are "physically detained or confined in a locked room, set of rooms, or a cell that is designated, set aside, or used for the specific purpose of securely detaining a person who is in law enforcement custody". (OJJDP, 1988, p. 44366)

If the Juvenile is in the booking area for 15 minutes or less to complete the following, they are not considered held in secure custody.

Policy:

- It is the Detention Officers responsibility to determine the status of the juvenile before allowing entry into the JCDC.
- The Johnson County Detention Center (JCDC) will not allow **Status Offenders** (Accused or Adjudicated), **Non-Offenders**, or **Adjudicated Delinquents** into the JCDC to be held in secure custody.
- **Adjudicated Delinquents** may be held in a Court Holding cell to facilitate their appearance in Court.
- The Johnson County Detention Center may hold **Accused Delinquents** in secure custody for a limited period of time.
- If an **Accused Delinquent** is held securely in the Johnson County Detention Center, the following procedures will be followed to comply with all Wyoming State Statutes and the Juvenile Justice and Delinquency Prevention Act of 2002.

Procedure:

- **STATUS OFFENDERS and NON-OFFENDERS**
 - A. Detention staff will ensure that Status Offenders and Non Offenders are not brought into the Johnson County Detention Center or held in secure custody.
 - B. Detention staff will not take custody of or supervise Status Offenders or Non Offenders inside or outside of the JCDC.
 - C. It is the arresting officer's responsibility to follow their procedure related to Status Offenders and Non Offenders.
- **ACCUSED DELINQUENT**
 - A. **Accused Delinquents** may be admitted into the JCDC for processing, and held securely.
 - B. Absent extenuating circumstances, cooperative non-combative juveniles will not be held in secure custody. These juveniles will be supervised in a non-secure area of the Johnson County Justice Center (JCJC), preferably the Training Room.
 - C. If a juvenile must be held in secure custody for any reason (inability to supervise in a non-secure setting due to staffing, uncooperative or combative behavior, etc.). They will be held in Booking, and Booked into *In Custody*.

- D. **Accused Delinquents** will be held **Sight** and **Sound** separated from all adult inmates.

To maintain sight and sound separation from the adult inmates, the holding of a juvenile in secure custody must be **TIME PHASED**. This would require the removal of all adult inmates in the Booking to another location in the jail prior to the juvenile entering the area. You may utilize the Multipurpose Room, exercise yard, a single cell in General Population, etc. depending on level of intoxication, behavior, or criminal history of the adult inmate.

- E. **Accused Delinquents** accepted into this facility may be held in secure custody for a maximum of **6 HOURS**. There are certain circumstances that may require this Juvenile to stay more than 6 hours. Inclement weather conditions and road closures are examples of these circumstances. If it is necessary to hold a juvenile longer than 6 hours, Detention Staff will contact a supervisor for further instructions.

- F. **Accused Delinquents** may only be fingerprinted for a Felony level offense or for identification/evidence purposes. **Accused Delinquents** may only be photographed for identification/evidence purposes.

Examples: Fingerprinting a Juvenile to compare with latent prints collected at a crime scene or for identification. Videotaping the Intoximeter testing of a juvenile arrested for Youthful Offender DUI.

- G. It is the Arresting Officer's responsibility to contact the County Attorney at the time of arrest for directions (Ex. transport to Juvenile Detention, release to parent, etc.), and to communicate these directions with Detention Staff.

If necessary, Detention staff will contact the County Attorney or Assistant County Attorney for directions.

- H. If the Arresting officer is advised to release the juvenile to their parent(s) or guardian, they will supervise the juvenile in a **non-secure** location at the CJC until they are picked up by their parent/guardian. Typically the Training Room is used for this purpose.

If necessary, the arresting officer can contact the Juvenile Probation Officer and request he report to the CJC to sit with the Juvenile in the Training room or other **non-secure** location at the JCJC until their release.

In the event of extenuating circumstances, Detention staff may be asked to supervise the juvenile in the training room until the Juvenile Probation Officer or parent/guardian arrives.

- I. If Detention staff is directed to transport the Juvenile to a Juvenile Detention Center, Detention staff will contact the Juvenile Detention Center to make arrangements for admission, and transport the Juvenile to their facility.

The Arresting officer or County Attorney is responsible to provide the Juvenile Detention Center with all necessary arrest documents.

- **TRANSPORTATION OF JUVENILES:**

- A. When possible, two Detention Deputies will transport Juveniles to and from all juvenile detention facilities. Prior to transport, Juveniles will be searched and restraints applied. The restraints include handcuffs, belly chain, and leg shackles. Beginning and ending mileage will be reported to Dispatch on all transports. Transporting a juvenile in a vehicle is not considered secure custody.
- B. If necessary, a juvenile may be brought into the Booking area, searched, restraints applied and then moved immediately out of the secure area to the transport vehicle. Sight and sound separation between juvenile and adult inmates must be maintained at all times. This is not considered secure custody as long as this process is accomplished within 15 minutes.

- **ADJUDICATED DELINQUENT**

- A. Adjudicated delinquents may not be held securely in the Johnson County Detention Center.
- B. Adjudicated delinquents may be held securely in a **Court Holding Cell** under the following conditions.
 - i. Sight and sound separation from Adult inmates is maintained at all times.
 - ii. Their time in a Court Holding cell (secure custody) is only related to their court appearance and is not punitive in nature.
 - iii. The court holding area is not residential and only operates during the normal judicial day (8:00 am to 5:00 pm, Monday through Friday).

- **COURT HOLDING:**

- A. **Accused** juvenile offenders and **Adjudicated Delinquents** must be kept sight and sound separated from adult inmates at all times while they are being held in a Court Holding cell (Circuit or District).
- B. This will be accomplished by **Time Phasing** the movement of both the juvenile and adult inmates. This may require the removal of adult inmates from Court Holding cells, the Circuit Court Holding Hallway, or the District Court Holding stair/elevator landing prior to the juvenile entering the area.
- C. Accused Juvenile Offenders and Adjudicated Delinquents will not be held in a Court Holding cell any longer than necessary. Detention will attempt to limit this time, before and after their Court Hearing, to 15 minutes or less.

Johnson County Detention Center

PREA Team Coordinated Response Plan

Appendix D

The following details the Detention Center's written plan for the coordinated actions that will take place in responses to a reported risk of imminent sexual abuse or an incident of sexual assault that occurs within the Johnson County Detention Center. The Plan specifies the responsibilities and actions to be taken by detention staff first responders, detention medical staff, mental health practitioners, investigator, PREA Coordinator, Facility Leadership, and County Attorney in response to a reported risk of imminent sexual abuse or an incident of sexual assault.

A. FOLLOWING A REPORTED RISK OF IMMINENT SEXUAL ABUSE

Detention Staff First Responder:

1. Take immediate action to protect the inmate from imminent harm, if necessary.
2. Gather basic information about the risk of imminent sexual abuse.
3. Notify a detention supervisor or the Jail Administrator.

Detention Supervisor or Jail Administrator:

1. Review information related to the potential risk of imminent abuse to the inmate.
2. If the risk of imminent sexual abuse is credible, determine what additional actions should be taken to protect the inmate from harm.

B. FOLLOWING SUSPECTED OR ALLEGED INCIDENT OF SEXUAL ABUSE

Detention Staff First Responder:

1. Separate the alleged victim(s) and perpetrator(s).
2. Escort the alleged inmate perpetrator to a secure location with restricted access to a toilet or water (Professional Visit Room), if possible. If it is necessary to place the suspect in a Booking cell, turn off water and advise the suspect not to do drink, urinate, defecate or do anything that will destroy evidence. No food, drink, access to personal hygiene activities, or clean jail clothing will be provided until authorized by the Investigator. If more than one suspect, isolate each suspect.
3. If the victim(s) requires emergency medical care, contact Dispatch and request an ambulance. Provide necessary first aid and accompany the victim(s) to the hospital.
4. If emergency medical care is not necessary, escort the alleged victim(s) to the Medical Room and stay with them. Advise the victim(s) that they will be unable to shower, brush teeth, urinate, defecate, eat, drink, change clothes or anything that will destroy evidence until they can be medically assessed.
5. Place the Detention Center on lockdown, and secure the crime scene.
6. Notify a detention supervisor and the Jail Administrator.
7. Start a RIMS report.

DOJ § 115.65, 115.64, 115.82, 115.21A, B, C, F, H 115.22, 115.72,
115.73, 115.86

8. Share information related to the incident only with those people who need to know in order to ensure the victim's safety, conduct the investigation, or provide treatment to the victim or alleged perpetrator.

Detention Supervisor or Jail Administrator:

1. Ensure that the victim(s) and perpetrator(s) have been separated, the Detention Center is on lockdown, and the crime scene has been secured.
2. If the victim is in route to the hospital:
 - a. Ensure that the alleged victim the opportunity to have a rape crisis advocate with them at the hospital during the forensic medical exam.
 - b. Contact the Investigator to begin the investigation.
3. If the victim is not already in route to the hospital, and medical staff is not on-site, determine if it would be best to contact medical staff or immediately transport the victim to the hospital for necessary medical care including a forensic medical exam.
4. In every case, ensure that the victim is seen by medical as soon as possible.
5. In cases where the need for a medical forensic exam is not immediately apparent, confer with the investigator, detention medical staff, or medical director to determine if a medical forensic exam is necessary. If a forensic medical exam is necessary, ensure that the victim has the opportunity to have a rape crisis advocate with them at the hospital during the forensic medical exam
6. Coordinate and oversee the coordinated response process.
7. Conduct an initial assessment of the allegation.
8. Ensure preservation of any potential evidence.
9. Arrange for the investigator to meet privately with the alleged victim(s) and perpetrator(s).
10. Complete any necessary reports.
11. Share information related to the incident with only those people who need to know in order to ensure the victim's safety, conduct the investigation, or provide treatment to the victim or alleged perpetrator.

Detention Medical Staff:

1. If on site at the time of the allegation, collect basic information from the victim and conduct a cursory exam to assess for injuries and suicide risk.
2. Provide basic medical care for acute injuries.
3. Preserve forensic evidence, to the extent possible.
4. Advise the victim of his or her right to a medical forensic exam at no cost.
5. Contact the Johnson County Health Care Center to provide the victim with additional information regarding the forensic exam process, as needed.
6. Confer with the Johnson County Health Care Center, as needed, to determine whether a medical forensic exam is medically necessary.
7. Inform the Jail Administrator if a medical forensic exam is medically necessary.
8. Send a Records Release Authorization Form with the victim to the exam site.
9. Document that the alleged victim and inmate perpetrator(s) were examined.
10. If the victim is immediately transported for a medical forensic exam, conduct a follow-up with the victim within 24 hours of the allegation.

11. Refer the alleged victim for mental health follow-up within 48 hours.
12. Share information related to the incident as permitted by law and with only those people who need to know in order to ensure the victim's safety, conduct the investigation, or provide treatment to the victim or alleged perpetrator.
13. If not on site at the time of the allegation, respond to the jail within an hour of being contacted, or upon the victim's return to the facility.

Investigator:

The Johnson County Sheriff's Office has a Memorandum of Understanding with the Buffalo Police Department to utilize their Investigator for all investigations of Sexual Abuse that occur within the Johnson County Detention Center.

1. Respond in person to the jail or to the Johnson County Health Care Center, either immediately or as arranged with the jail.
2. Guide detention staff on evidence preservation.
3. Catalogue any physical and forensic evidence.
4. Interview the victim, alleged perpetrator(s), and any witnesses privately and separately.
5. Advise the victim of his or her right to a medical forensic exam at no cost.
6. Determine whether a medical forensic exam may be necessary, in consultation with the Johnson County Health Care Center.
7. Inform the Jail Administrator if a medical forensic exam is evidentiarily necessary.
8. Confer with the County Attorney's Office regarding the case and any search warrants that may be necessary.
9. Coordinate all actions with the Jail Administrator or designee.
10. Share all information related to the incident with only those people who need to know in order to ensure the victim's safety, conduct the investigation, or provide treatment to the victim or alleged perpetrator.

County Attorney or Designee:

1. Confer with the Investigator regarding the criminal investigation.
2. Review search warrants, if necessary.
3. Share information related to the incident with only those people who need to know in order to ensure the victim's safety, conduct the investigation, or provide treatment to the victim or alleged perpetrator.

C. PRIOR TO TRANSPORT TO THE JOHNSON COUNTY HEALTH CARE CENTER

Jail Administrator or designee:

1. If an unclothed search is determined to be necessary and/or the victim is asked to change clothing prior to transport, document the search and steps taken to preserve evidence in the RIMS report for review by the Jail Administrator and PREA Coordinator.
2. Cooperate with the Investigator to ensure all evidence is preserved.

DOJ § 115.65, 115.64, 115.82, 115.21A, B, C, F, H 115.22, 115.72, 115.73, 115.86

Detention Deputy:

1. Coordinate with the Jail Administrator or designee to ensure timely transport of the victim to the Johnson County Health Care Center.
2. Ensure that the victim is comfortably clothed for transport.
3. Use absorbent pads or a paper bag to contain any evidence that may be lost during transport, to include gloves or other materials used during the pat down of the victim.
4. Assure the victim's safety during transport.
5. Use the least restrictive restraints possible on the victim, based on his or her classification status.

D. DURING THE MEDICAL FORENSIC EXAMINATION**Detention Deputy:**

1. Ensure security at the Johnson County Health Care Center.
2. Supervise the inmate victim.
3. Ensure the safety of the Johnson County Health Care physician performing the forensic exam and the rape crisis advocate, and facilitate their exit from the room during the exam, if necessary.
4. Provide as much privacy for the victim during the exam as possible. When safety and security needs permit it, the detention Deputy will remain outside the exam room. If the Deputy must remain in the exam room, he or she will stand behind the victim's head.
5. Ensure that the victim has an opportunity to speak with the rape crisis advocate from the Crisis Center as privately as is possible.
6. Coordinate with the Johnson County Health Care Physician, Investigator, and the Crisis Center advocate to make sure all necessary components of the medical forensic exam are completed before returning the victim to the detention center.

Investigator

1. Refrain from entering the exam room in order to respect the victim's privacy.
2. Provide the victim with a medical waiver granting permission to obtain his or her medical records.

E. IF A FORENSIC EXAM IS NOT CONDUCTED**Jail Administrator:**

1. Ensure that the victim receives timely emergency medical and mental health care.
2. Arrange for the victim to speak with a rape crisis advocate from the Crisis Center in as confidential a manner as possible.

Detention Medical Staff:

1. Provide the victim with immediate medical care for acute injuries.
2. Obtain referrals from the jail physician for HIV and STI prophylaxis and emergency contraception, if necessary.

3. Offer tests for STIs, as medically appropriate.
4. Provide medical treatment to the victim at no cost and regardless of whether the victim names the abuser or cooperates with the investigation.
5. Collect and preserve any evidence.
6. Notify Volunteers of America (VOA) to ensure emergency mental health care.

F. FOLLOWING THE EXAM/AFTER ACUTE CARE IS PROVIDED

Jail Administrator:

1. Review and compile all relevant documentation related to the incident for the Sexual Assault Incident Review.
2. Cooperate with the Investigator regarding the collection of evidence and interviews with the victim, alleged perpetrator(s) and witnesses. Provide any required reports or documentation, as requested.

Investigator:

1. Take custody of the sealed medical forensic exam and any other evidence collected by other deputies.
2. Collect and transport evidence for storage.
3. Take preliminary statements from the victim, witnesses, and alleged perpetrator(s).
4. Inform the victim about next steps in the investigation, such as in-depth interviews and the potential of court process.
5. Notify the victim of his/her rights during the criminal investigation, including: the right to be informed of and be present at all critical stages of the criminal justice process; the right to be notified of any arrests and court dates related to the case; and the right to have a rape crisis advocate present during all follow-up interviews.
6. Provide the victim with written information about their rights enumerated in the Victim Rights Act, including the availability of financial resources such as victim compensation benefits, protective court orders, and a free copy of the initial incident report. Also provide the victim with a victim's rights pamphlet, business card, and the case number.
7. Remind the victim that visible evidence of an injury may appear later, and to contact a detention deputy or medical staff to document the injuries.

Detention Medical Staff:

1. Provide medical treatment to the victim related to the sexual assault at no cost and regardless of whether the victim names the abuser or cooperates with the investigation.
2. Offer a pregnancy test to all female victims of sexual abuse, if not previously administered.
3. Coordinate with the Johnson County Health Care Physician regarding follow-up instructions and care for the victim.
4. Provide follow-up medical care, including testing and treatment for STIs and HIV.
5. Arrange for the victim to have follow-up services with a rape crisis advocate from the Crisis Center, if desired.
6. Offer mental health counseling and contact Volunteers of America (VOA) to set up appointment.

G. FOLLOW-UP/LONG-TERM DUTIES

Jail Administrator:

1. Complete a written report of the administrative investigation that includes a description of the physical and testimonial evidence, the reasoning behind any credibility assessments, and investigative facts and findings.
2. Cooperate with the Investigator on the criminal investigation.
3. Confer with the Investigator prior to conducting compelled interviews with staff or administering *Garrity* warnings. Any interviews with staff members for an Internal Affairs Investigation should be coordinated with the Investigator in order to ensure that statements collected will not become inadmissible in the criminal case.
4. If any credibility assessments are conducted, document the reasoning behind them.
5. Assess whether staff actions or failures contributed to the incident.
6. In cases of alleged staff sexual abuse, notify the victim whenever the staff member is no longer posted within the facility, or the staff member is no longer employed by the agency. Document the notifications or attempted notifications.
7. Conduct Sexual Assault Incident Review meetings within 30 days of the conclusion of the investigation for all substantiated and unsubstantiated incidents. The Incident Review Team will consist of:
 - The Jail Administrator
 - The PREA Coordinator
 - A Detention Center Medical Staff Member
 - The Investigator
 - A Johnson County Detention Corporal or Sergeant
8. Consider the following factors during the Sexual Abuse Incident Review team meeting: whether the allegation or investigation indicates a need to make changes in policy or practice; whether staff actions or failures contributed to the sexual abuse; whether the incident or allegation was motivated by group or individual identity or dynamics; the area in the facility where the abuse occurred to assess physical barriers in the area may enable abuse; and the adequacy of staffing levels and video technology.
9. Prepare a report of the Sexual Abuse Incident Review Team's findings and any recommendations for improvement.
10. Approve and implement any corrective action plans based upon the Sexual Assault Incident Review.
11. Convene and attend regular meetings of the Johnson County Detention Center PREA Team.
12. Participate in court proceedings, as needed.
13. In cases of alleged staff sexual abuse, notify the victim if the staff member has been charged or indicted on a criminal offense related to the allegation of sexual abuse within the facility or if the staff member has been convicted of a charge related to the allegation of sexual abuse within the facility.
14. In cases of alleged inmate perpetrator, notify the victim if the inmate has been charged or indicted on a criminal offense related to the allegation of sexual abuse within the facility or if the inmate abuser has been convicted of a charge related to the allegation of sexual abuse within the facility.
15. Document any of the above notifications or attempted notifications.
16. Retain investigative records for ten years, or longer if required by law.

Detention Medical Staff:

1. Provide follow-up medical evaluation and treatment, including treatment plans, necessary care, and referrals for continued care following a victims transfer to other facilities or their release from custody.
2. Offer tests for STIs, as indicated medically.
3. Offer pregnancy test to all female victims of sexual abuse, when necessary.
4. Ensure the victim receives medical services consistent with the community level of care.
5. Attend PREA Team Meetings and Sexual Abuse Incident Review Meetings.

County Attorney or Designee:

1. Review the investigative report and/or search or arrest warrants.
2. Notify and interview witnesses and secure evidence for the prosecution.
3. Determine whether there is sufficient evidence for prosecution and refer charges, as appropriate.
4. Prepare the victim for court and provide notices as delineated by the Victim Rights Act.
5. Promptly notify the Sheriff's Office if there is not sufficient evidence to prosecute the case.
6. Educate the PREA Team about prosecutorial practices, provide legal definitions and explanations, assist with case reviews, and provide case updates to reduce case closures.
7. In cases of alleged staff sexual abuse, notify the victim if the staff member has been charged or indicted on a criminal offense related to the allegation of sexual abuse within the facility or if the staff member has been convicted of a charge related to the allegation of sexual abuse within the facility.
8. In cases of alleged inmate perpetrator, notify the victim if the inmate has been charged with a criminal offense related to the allegation of sexual abuse within the facility or if the inmate abuser has been convicted of a charge related to the allegation of sexual abuse within the facility.