



Sacramento County

Probation Department

Youth Detention Facility OPERATIONS ORDER

SEXUAL ASSAULT– TITLE XV 1453

Purpose and Scope

The Sacramento County Probation Department is committed to providing a safe, humane, secure environment, free from sexual misconduct. The Department maintains a zero tolerance for sexual misconduct.

A sexual assault that occurs in the Youth Detention Facility shall be given top priority for investigation. Timeliness is crucial when reporting and investigating sexual assaults. Staff shall not hesitate to report any such findings of sexual misconduct.

All employees are responsible for protecting youth in their custody/care and are responsible for the immediate and confidential reporting to the duty supervisor any information and/or suspicion that indicates a youth is being, or has been sexually assaulted.

Affected Personnel

All Sworn Personnel - YDF

Effective Date

December 9, 2019

Authority

Prison Rape Elimination Act

I. Guidelines

- A. Once an employee becomes aware a sexual assault has occurred or allegedly occurred, the following protocol shall be observed when treating the victim, preserving the evidence and contacting local law enforcement.
 1. Separate the victim and suspect immediately and ensure that the victim and suspect have no contact with one another (no access to toilet – see #5 below).

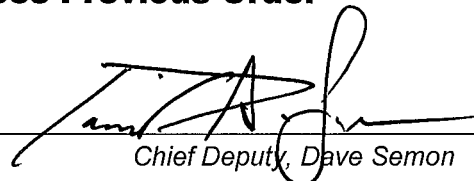
Approved by: Dave Semon
Last revised: 12/09/2019
Effective: 04/25/2013
Authority: Prison Rape Elimination Act

2. Immediately notify the Supervisor on duty. The Supervisor on Duty shall notify a facility Chief Deputy or Assistant Chief Deputy.
3. Unit staff shall protect the crime scene (youth's room/shower area/laundry room, etc.) by sealing off the area and not allowing access by other staff or youth.
4. Prevent the victim and suspect from showering.
5. If possible, keep the victim and suspect from using the bathroom. If they use the bathroom, the toilet tissue shall be collected as evidence.
6. The duty supervisor shall take an initial statement from the victim and suspect. All suspects involved in a sexual assault shall be read a "Miranda Warning", prior to any questioning.
7. When interacting with the alleged victim of sexual assault, staff are expected to be professional and display sensitivity towards the victim as the trauma may affect them both physically, emotionally and mentally.
8. If after initial inquiry it is believed a sexual assault occurred, the Sheriff's Department will be notified immediately by the duty Supervisor in order to take a report.
9. All incidents of sexual assault shall be reported to Child Protective Services verbally within 24 hours. A formal written report shall be completed and forwarded to Child Protective Services within 36 hours of receiving information concerning the incident.
10. The reporting/investigating officer (usually a Supervisor) shall brief the responding Sheriff's officers upon their arrival. Sheriff's officers will be provided with a room to conduct any interviews.
11. If the Sheriff's Department, C.S.I. (Crime Scene Investigations) or detectives cannot respond immediately, the duty supervisor may need to collect evidence. The following protocol shall be followed:
 - a. Photograph crime scene.
 - b. After putting gloves on, collect evidence, clearly marking date, time, location, ownership and description of item.
 - c. Seal all evidence bags and envelopes, log items and place evidence in the evidence locker located in the Property Room at Intake/Booking.

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12. Non-consensual sexual assault suspects shall undergo a "suspect rape exam", which shall be the responsibility of the Sheriff's Department as the investigating agency.
13. All identified victims involved in a non-consensual sexual assault shall be transported by a Transportation Officer, or designated staff appointed by the duty Supervisor (taking gender into consideration), to a local medical facility for an evidentiary exam. Pursuant to Section 264.2 of the California Penal Code, a sexual assault victim has the right to have a victim advocate and/or victim support person, of the victim's choosing, present during their medical examination. In most cases, the victim advocate will be from a local Rape Crisis Center. Sheriff's Officers will follow Youth Detention Facility staff to the Med Center and fill out all necessary paperwork. Pursuant to Section 679.04, a sexual assault victim has the right to have a victim advocate and/or victim support person, of the victim's choosing, present during all investigatory interviews conducted by law enforcement, the district attorney, or defense counsel.
14. If a consensual sex act occurred, all discovery and investigative reports are to be forwarded to the Supervising District Attorney and the Sacramento Sheriff's Sexual Assaults Unit.
15. At the conclusion of the sexual assault investigation, an incident review shall be conducted by upper management officials, with input from supervisors, investigators, and medical or mental health practitioners. A report shall be generated and forwarded to the PREA coordinator and Department Chief.

Amends/Replaces Previous Order

Authorized By  **Date** 11/26/19
Chief Deputy, Dave Semon