

Conducting PREA Criminal Investigations

The Washington State Juvenile Justice and Rehabilitation Administration (JR) works in collaboration with local law enforcement agencies, Washington State Patrol, and Child Protective Services to investigate allegations of sexual abuse and sexual harassment in its facilities across the state. JR will ensure that all allegations of sexual abuse and sexual harassment are referred for investigation to an agency with the legal authority to conduct such investigations (e.g., Washington State Patrol, Local Law Enforcement, and/or Child Protective Services), unless the allegation does not involve potentially criminal behavior. Overall, responsibilities include:

1. *Juvenile Rehabilitation (JR)*

Upon an allegation of sexual abuse or sexual harassment JR staff will:

- Promptly notify appropriate law enforcement agency and Child Protective Services.
- Document all information obtained.
- Cooperate with law enforcement and CPS on all investigations.
- Not terminate an investigation solely because the source of the allegation recants
- Not terminate an investigation due to the departure of the alleged abuser or victim

In cases where there is still a possibility for collecting physical evidence, staff first responders will:

- Separate the alleged victim and abuser
- Preserve and protect the crime scene until appropriate law enforcement agency can collect any evidence.
- Request that the alleged victim and ensure that the alleged perpetrator not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.
- If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.

2. *Washington State Patrol (WSP)*

- Will be contacted on any criminal investigation involving a JR staff member or in cases where there is no local law enforcement agency.
- Has been asked to utilize an evidence collection procedure that complies with, or exceeds, PREA standards.
- Will be responsible for collecting, analyzing, and reporting on criminal referrals WSP investigates, and
- Will refer for prosecution any criminal referral that is found to be substantiated.

3. *Local Law Enforcement (LLE)*

- Will be contacted on any criminal investigation involving residents and non-JRA staff members
- Has been asked to utilize an evidence collection procedure that complies with, or exceeds, PREA standards.
- Will be responsible for collecting, analyzing, and reporting on criminal referrals LLE investigates.
- Will refer for prosecution any criminal referral that is found to be substantiated.

4. *Child Protective Services (CPS)*

- Will be contacted for any and all allegations involving resident victims.
- Will work in cooperation with WSP and/or LLE to ensure allegations are fully investigated.
- Has been asked to utilize an evidence-collection procedure that complies with, or exceeds, PREA standards.
- Will be responsible for collecting, analyzing, and reporting on all child abuse allegations.
- In collaboration with WSP and/or LLE refer for prosecution any criminal referral that is found to be substantiated.