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| Decaturhttp://www.decaturcountyga.org/admin/cms/uploads/thumb/DCCI_Dec_Co_seal_002.jpg County Prison | **Decatur County Prison**  LOCAL OPERATING PROCEDURE  CHAPTER: Security Operations  TITLE: Prison Rape Elimination Act  Sexually Abusive Behavior Prevention and Intervention | NUMBER:  11.53  PAGE:  31  SUPERSEDES:  8/21/2015 |

1. Appointing authorities or their designees shall report all allegations of sexual assault with penetration and those with immediate and clear evidence or physical contact, to their Regional SAC or Warden and the facility’s PREA Coordinator immediately upon receipt of the allegation.
2. Where sexual assault is alleged and cannot be cleared at the local level (as indicated in G.2. of this section), the Regional SAC or Warden shall determine the appropriate response upon notification. If the appropriate response is to open an official investigation, the Regional SAC shall dispatch an agent or investigator who has received special training in sexual abuse investigations. The Decatur County Sheriff’s Office CID will be contacted in the event that the inmate is classified as a county inmate.
3. Agents and investigators shall gather and preserve direct and circumstantial evidence including any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator.
4. When the criminal investigation is completed pertaining to an employee, the investigation will be turned over to the Office of Professional Standards (OPS) to conduct any necessary compelled administrative interviews.
5. The credibility of the victim, suspect, or witness shall be assessed on an individual basis and will not be determined by the person’s status as offender or staff member. An offender who alleges sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.
6. At conclusion of each SART investigation, all SART investigations shall be referred to the Office of Investigations and Compliance (OIC) for an administrative review or the Decatur County Sheriff’s Office CID.
7. For investigations of allegations of sexual abuse, the facility shall follow a uniform evidence protocol that maximizes the potential for obtaining usable

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physical evidence for administrative proceedings and criminal prosecution in accordance with SOP 103.06*, Investigations of Allegations of Sexual Contact*, *Sexual Abuse, and Sexual Harassment of Offenders.*

1. Investigations, criminal and administrative, into allegations of sexual abuse shall be prompt, thorough and objective for all allegations, including those reported by third-party and anonymously.
2. Administrative investigations shall include an effort to determine whether staff member actions or failures to act contributed to the abuse. This shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind the credibility assessments, and investigative facts and findings.
3. Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and copies of all documentary evidence where feasible.
4. Substantiated allegations of conduct that appears criminal shall be referred for prosecution.
5. OPS shall maintain all such written reports for as long as the alleged abuser is incarcerated or employed by the facility plus five years.
6. The departure of the alleged abuser or victim from the employment or control of the facility shall not provide a basis for terminating the investigation.
7. Any state entity or facility or Justice component that conducts such investigations shall do so pursuant to the above requirements.
8. When outside agencies investigate sexual abuse, the facility shall cooperate with the outside investigators and shall endeavor to remain informed about the progress of the investigations.

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1. There shall be no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

Following the close of investigation into a offender’s allegation that he or she suffered sexual abuse in a facility, the facility shall inform the offender as to whether the allegation had been determined to be substantiated, unsubstantiated, or unfounded. This will be completed by a member of the local SART unless appointing authority delegates to another designee under certain circumstances. Such notifications or attempted notifications shall be documented on Attachment 5, Notification to Offender. The facility’s obligation to report under the standard shall terminate if the offender is released from the facility’s custody.