



Protocol: First Responder Guidelines for Sexual Assaults

Supplemental to: DCS Policy 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse, Assault or Rape Incidents and Prison Rape Elimination Act (PREA)

1. In general, if a sexual assault has taken place you will learn of it after the fact. To witness or unexpectedly walk upon an assault taking place is rare but it can happen. If you do respond to a sexual assault in progress, the first thing you'll need to do is to ensure that you can safely take action; get help if necessary. If you are not security personnel, call security or other protocol **immediately**.
2. You and other available staff will need to separate the victim and perpetrator as quickly as possible. If it is immediately apparent that someone else has taken part in or witnessed the assault, you may need to separate that individual as well. Maintain separation of all the individuals involved to prevent them from collaborating on the details of the incident or pressuring the victim to change his or her story.
3. As you control the situation, make sure that no one is tampering with the scene or with any evidence. This means immediately notifying a supervisor, controlling child/youth movement, securing or locking up the crime scene and calling the local police as outlined in DCS policy/Private Provider Manual. It is unlikely, but if you feel reporting to your supervisor will compromise the integrity of the report, find another appropriate authority and report the incident. Also maintain a log of who is present, what time they entered and what time they departed.
4. Ask the victim the following:
 - ◆ **Are you injured?**
 - ◆ **Do you need medical attention?**
 - ◆ **Do you believe that you or someone else is in immediate danger?**
5. Emergency medical attention for the victim must be the first priority of the response. Call for facility nursing personnel if the YDC clinic is open, or transport child/youth to the nearest emergency facility.
6. Medical experts dealing with sexual assault consider "recent" to mean up to 72 hours from the time of the assault. This is relevant to the collection of medical evidence. If the assault was more than 72 hours but less than 96 hours, call your local hospital for direction. If facility nursing personnel is on duty, they can make the call and relay direction.
7. Both the victim's and the perpetrator's bodies should be treated as crime scenes. In addition, their clothing, bedding, towels, and other personal objects may be considered part of the crime scene and should be secured for the investigator. If you're responding to an assault that was recent, you'll need to do your best to ensure that the victim and perpetrator involved don't compromise the evidence by immediately showering, washing, using the toilet, changing their clothes, eat or drink, brush their teeth, or rinse their mouth until all physical evidence is obtained. Also do not allow any bedding or sheets to be removed and do not allow any fluids to be cleaned up. Safe guard any items found at the scene or given to you by the victim.

Effective Date: 09/01/10

Revised: 08/12/2013

Supplemental to: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse, Assault or Rape Incidents and Prison Rape Elimination Act (PREA)

8. Your initial observations of the crime scene can be very helpful to the investigation. The following are some questions you should contemplate:
 - ◆ **Are there multiple crime scenes?**
 - ◆ **Is anything out of place in those areas?**
 - ◆ **Are there any objects of note such as clothing or bedding?**
 - ◆ **Are there suspicious items on the floor?**
 - ◆ **Are there any obviously missing objects?**
 - ◆ **Are there puddles or stains?**
 - ◆ **Is there a handprint?**
 - ◆ **What time is it?**
 - ◆ **Are the lights on or off in the area?**
 - ◆ **Who is present in the area?**
9. You will also need to take note of the victim's appearance and demeanor. Because people respond differently to trauma, it's important to withhold judgment about what happened. Instead, you should observe the facts in anticipation of communicating them to the police and any other authorized investigators. Take note of the behavior of those involved.
 - ◆ ***Can you accurately paraphrase what was told to you?***
 - ◆ ***Can you describe the physical appearance of those involved?***
10. The importance of documentation can't be overstated. In order to protect yourself, you should fully document known details of the incident as soon as possible after insuring the safety and health of the victim and securing the scene. Information that is added at a later time may not have the same level of credibility during legal proceedings. Like other incident reports, remember that your opinion, assumptions, or guesses must not be included. Document only what you can see and only what you are told. Review DCS policy [1.4 Incident Reporting](#) and [Incident Reporting Manual for YDC's](#).
11. Document the victim's exact words with quotes as precisely as you can.
12. Document all that you've observed including the names of those with whom you've spoken since the response and exactly what was said during the interactions. You should also document who else was at the scene even if you didn't speak with them. If the victim is seen by medical, mental health, or other staff, document their names, job titles, and contact information for your report.
13. What you do as a responder is critical for setting up the basis for an effective, formal investigation – yet there are limits to your responsibilities. Be sure that you do not launch your own investigation in any form such as collecting evidence, interviewing additional witnesses about the abuse, or getting more than the basic facts. When the initial response stage is complete, you can aid the investigator most by providing him or her with your documentation.
14. You may be called upon as a major contributor to the investigation. By following these guidelines you can feel confident that your role has added to and not jeopardized the outcome of the investigation or your exposure to liability.

Effective Date: 09/01/10

Revised: 08/12/2013

Supplemental to: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse, Assault or Rape Incidents and Prison Rape Elimination Act (PREA)