



# Volunteers of America Greater Ohio PREA Investigation Protocols

## Administrative Investigations:

Staff will report any knowledge of an incident of sexual assault and abuse or retaliation to the Program Director of their facility.

If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable person's statute, the agency shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws.

Administrative investigations are conducted for behaviors that do not potentially violate the local/ state/ federal laws.

1. Immediately report knowledge of sexual abuse or harassment to the supervisor, who then reports it to the PREA Coordinator.
2. Ensure that the victim(s) are safe. Refer to *Response Protocols*
3. The PREA coordinator will arrange for a trained staff investigator within the agency to conduct the investigation.
4. The investigator will interview all persons involved including residents, staff, witnesses, as well as review video surveillance if available, within 24 hours of receipt of the allegations.
5. Victim(s) will be offered :
  - a. Referral for medical treatment/ examination
  - b. Victim Advocate/ Support
  - c. Referral for mental health treatment
6. The investigator will record all information collected and forward to the PREA coordinator who will then determine the disposition/ outcome of the investigation—unsubstantiated, unfounded, substantiated.
7. Based upon the disposition, further action will occur, including but not limited to:
  - a. notifying the alleged victim(s) of the investigation disposition
  - b. monitoring alleged victim(s) for retaliatory behaviors
  - c. program removal or discipline of alleged perpetrator(s)
  - d. referrals for victim(s) for ongoing medical/ mental health care
8. A review of a *substantiated* incident of sexual abuse or harassment will be conducted by the Sexual Abuse Response Team (SART) within 30 days following the disposition.
  - a. The SART shall include the PREA coordinator, the Program Director, Clinical Supervisor, QI Manager if available, and with input from line supervisors, investigators, and medical or mental health practitioners.
  - b. The SART will determine whether procedural, operational, environmental (physical plant) or training improvements are necessary and document findings on the SART Checklist report.
  - c. The victim(s) will be monitored for 90 days after substantiated incidents of sexual abuse or harassment.

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## Criminal Investigations:

Staff will report any knowledge of an incident of sexual assault and abuse or retaliation to the Program Director of their facility.

If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable person's statute, the agency shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws.

1. Immediately report knowledge of sexual abuse or harassment to the supervisor, who then reports it to the PREA Coordinator.
2. Ensure that the victim(s) are safe. Refer to *Response Protocols*.
3. The PREA Coordinator or Program Director will contact local law enforcement having jurisdiction, reporting the allegations and requesting officers. Agency staff will NOT conduct an investigation, instead will wait for law enforcement to arrive.
4. Victim(s) will be offered :
  - a. Referral for medical treatment/ examination
  - b. Victim Advocate/ Support
  - c. Referral for mental health treatment
5. The PREA Coordinator or Program Director will convey and request that local law enforcement investigators follow the steps below when conducting an investigation:
  - a. Investigators will gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data.
  - b. The investigating agency will interview alleged victims, suspected perpetrators, and witnesses; and will review prior complaints and reports of sexual abuse involving the suspected perpetrator.
  - c. When the quality of evidence appears to support criminal prosecution the investigators will conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
  - d. The credibility of an alleged victim, suspect, or witness will be assessed on an individual basis and will not be determined by the person's status as resident or staff.
6. Based upon the investigation, further action will occur, including but not limited to:
  - a. arrest or program removal of the alleged perpetrator(s)
  - b. notifying the alleged victim(s) of the investigation status/disposition
  - c. monitoring alleged victim(s) for retaliatory behaviors
  - d. referrals for victim(s) for ongoing medical/mental health care
7. If law enforcement determines that the allegation is NOT criminal in nature, the allegation will be investigated as administrative by the agency PREA investigator. See *Administrative Investigation Protocol*.