

**ATASCOSA COUNTY JUVENILE JUSTICE CENTER**  
**REFERRALS OF ALLEGATIONS FOR INVESTIGATIONS**

**PREA Standard:** §115.322

**Policy Number**

18.9

**Effective Date:** 08/01/2015

**Revised Date:** 08/19/2015

**POLICY**

ACJJC will ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment. The ACJJC Chief Juvenile Probation Officer (CJPO) will assure that all allegations of sexual abuse or sexual harassment are investigated for administrative or criminal charges. Further, the CJPO will assure that every ACJJC staff member (to include contractors and volunteers) fully cooperates in any investigation. It is the policy of ACJJC to ensure that all allegations of sexual abuse and sexual harassment are referred for investigation to JPD or TJJD as these agencies have the legal authority to conduct criminal investigations of sexual abuse and criminal sexual harassment in juvenile facilities. The CJPO shall assure that an administrative and/or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.

**PROCEDURE**

- (a)ACJJC understands that every staff member, contractor, or volunteer share in the responsibility to protect ACJJC residents from harm. Every staff member, contractor, or volunteer has a duty to report any suspected case of child abuse or neglect.
- (b)Every staff member, contractor, or volunteer is required by State of Texas law to report any and all cases of sexual abuse occurring at this facility to the TJJD hotline at 1-877-786-7263 and to local law enforcement.
- (c)ACJJC staff will notify the Detention Superintendent and PC immediately after notifying TJJD and JPD. The ACJJC PC is responsible for ensuring that all allegations of sexual abuse, occurring at this facility, are reported to the JPD or TJJD immediately, but no later than 1 hour from the time there was reasonable cause to believe a resident had been abused. In the absence of the PC, the Detention Superintendent will act on behalf of the PC in receiving and reporting allegations of sexual abuse.
- (d)Reasonable cause of abuse is established when, upon a review of the totality of the circumstances and the evidence (such as Youth Injury Reports, video evidence, witness statements, etc.), an ordinary and prudent person would conclude that the child has been abused.
- (e)The PC, or in his/her absence their assigned designee, will document all contacts with JPD or TJJD on ACJJC's Incident Report form.
- (f)The Incident Report regarding all contact with JPD or TJJD will be completed by the PC, or in the event of his/her absence, their assigned designee, within 1 hour of contacting JPD and/or TJJD. A copy of the completed form will be submitted to the ACJJC Detention Superintendent within 1 hour of completion of the form.

(g) If the allegation does not involve potentially criminal behavior, the PC shall ensure that a thorough and comprehensive investigation is conducted to determine if any administrative action is required. All referrals for investigation will be documented on an incident report.

(h) All administrative investigations will be handled by the CJPO, the Assistant CJPO and the Detention Superintendent unless the allegation involves any of the administrative investigators. In the event the allegation involves the Detention Superintendent, the CJPO or the Assistant CJPO, the Detention Supervisor and the PC will be responsible for conducting and completing the investigation.

(i) The PC shall ensure that a complete copy of this policy is published on the ACJJC website at [www.atascosacounty.texas.gov](http://www.atascosacounty.texas.gov).

(j) When a report of sexual abuse or sexual harassment is made the following will occur:

**Jourdanton Police Department (JPD) or TJJD Responsibilities:**

1. JPD or TJJD staff will take the lead in all criminal investigations;
2. JPD or TJJD staff will have access to all records and files as legally permissible; and
3. The JPD or TJJD will be responsible for completing the criminal investigation consistent with their policies governing the conduct of such investigations and for referring any individual or individuals for criminal prosecution.

**ACJJC Responsibilities:**

1. Providing access to all legal permissible records and files, to include video records;
2. Providing space for JPD or TJJD staff to conduct interviews and/or to review records and files; and
3. Ensuring that all ACJJC staff, contractors, and volunteers fully cooperate in the investigation.

(k) The ACJJC CJPO will request from any State entity responsible for conducting administrative or criminal investigations of sexual abuse and sexual harassment in juvenile facilities a copy of the agency's policy governing the conduct of such investigations.

(l) Documentation of this request by the CJPO to the State entity responsible for conducting administrative or criminal investigations of sexual abuse and sexual harassment in juvenile facilities will be maintained by the CJPO and the PC.

(m) The CJPO will request from any Department of Justice component responsible for conducting administrative or criminal investigations of sexual abuse and sexual harassment in juvenile facilities a copy of the agency's policy governing the conduct of such investigations. Documentation of this request by the CJPO to the Department of Justice will be maintained by the CJPO and the PC.