

<p align="center">Pinal County Department of Juvenile Court Services</p>	<p align="center">Policy and Procedure Number: 3.902</p>	<p align="center">Page 1</p>
<p>Chapter:</p> <p align="center">Youth Justice Center</p> <p align="center">Prison Rape Elimination Act</p>	<p align="center">Related PREA Standards: 115.331-115.335</p> <hr/> <p align="center">Subject: PREA Training and Education</p>	

I. Authority:

Presiding Juvenile Court Judge
Director of Juvenile Court Services
Division Director of Youth Justice Center

Forms:

N/A

II. Purpose:

The sexual abuse of juveniles who are placed in our care, custody or control; or who are confined within the Pinal County Youth Justice Center (PCYJC) violates these juveniles' basic human rights, impedes the likelihood of their successful reentry into the community, and violates our obligation to provide them with safe and humane conditions. A core priority of PCYJC, as we provide for the care, custody, and/or control of juveniles, must be safety: which means protecting the safety of all - the public, the staff, and the juvenile population. In recognition of the need for this kind of priority throughout the United States, Congress formed the National Prison Rape Elimination Commission (NPREC), to develop national standards that help eliminate prison rape and other forms of sexual abuse in confinement. The Prison Rape Elimination Act (PREA) of 2003 requires PCYJC to comply with the national standards. Fundamental to our success in this endeavor will be our commitment to a zero tolerance policy towards the sexual abuse of minors.

III. Applicability:

All employees and youth of the Pinal County Youth Justice Center (PCYJC).

IV. Definitions:

Graphic Novels: Books made up of comics content pertaining to sexual abuse and sexual harassment.

Sexual abuse: Encompasses (1) resident-on-resident sexual abuse, (2) resident-on-resident sexual harassment, (3) staff-on-resident sexual abuse, and (4) staff-on-resident sexual harassment.

Sexual harassment: Repeated and unwelcome sexual advances, requests for sexual favors, verbal comments, or gestures or actions of a derogatory or offensive sexual nature by one person directed toward another.

Zero-tolerance: The policy or practice of not tolerating undesirable behavior, such as sexual abuse and sexual harassment.

V. Policy:

It is the policy of the department to ensure that all employees, volunteers, and contractors receive PREA training and education.

VI. Procedure:

A. Employee training:

1. PCYJC trains applicable employees to be able to fulfill their responsibilities under PCYJC's sexual abuse policies and procedures; the PREA standards; and under relevant Federal, State, and local law.
2. PCYJC maintains certified PREA instructors, per the direction of the Arizona Office of the Courts (AOC), and sends staff to recertification training as required. These instructors provide the AOC's approved PREA training.
3. The AOC's approved PREA training provides employees with the knowledge and skills needed to:
 - a. Understand zero tolerance for sexual abuse and sexual harassment;
 - b. Prevent sexual abuse from occurring;
 - c. Identify signs that sexual abuse may be occurring;
 - d. Take the appropriate actions when they learn of recent or historical incidents of sexual abuse;
 - e. Communicate effectively and professionally with all juveniles, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents;
 - f. Understand a juvenile's right to be free from sexual abuse;
 - g. Understand the rights of juveniles and employees to be free from retaliation for reporting sexual abuse;

- h. Understand the dynamics of sexual abuse in confinement;
 - i. Detect and respond to signs of threatened and actual sexual abuse and how to distinguish between consensual sexual contact and sexual abuse between juveniles;
 - j. Avoid inappropriate relationships with juveniles;
 - k. Comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities;
 - l. Relevant laws regarding the applicable age of consent.
- 4. Training will be tailored to the unique needs and attributes of juveniles in the facility and to the gender of the juveniles within the facility.
 - 5. New employees will be provided this training at time of orientation.
 - 6. Current employees will receive a minimum of two hours of PREA training annually.
 - 7. Training will be documented, through employee signature, that the employees understand the training they have received. Such documentation shall be filed in the training records.

B. Volunteer and Contractor training:

- 1. PCYJC ensures that all volunteers and contractors who have contact with juveniles have been trained on their responsibilities under the PCYJC's sexual abuse policies and procedures; the PREA standards; and relevant Federal, State, and local law.
- 2. All volunteers and contractors who have contact with juveniles must be notified of PCYJC's zero-tolerance policy regarding sexual abuse, and will be provided the PREA Volunteer Handbook.
 - a. Documentation will be maintained by the YJC Training Coordinator.
- 3. PREA zero-tolerance pamphlets will be available in the main lobby of the facility.
- 4. All visitors, volunteers, and contractors will sign in on the log acknowledging their understanding of the agencies zero-tolerance policy. This signature sheet will be maintained in the reception's log book.
- 5. Juvenile Court Employees, Detention staff, contract personnel and volunteers are required to:

- a. Immediately inform detention management should you have any reasonable suspicion a juvenile is or has been a victim of abuse, sexual misconduct, or any violation of PREA.
 - b. Report or cause reports to be filed with law enforcement or Child Protective Services pursuant to A.R.S. § 13-3620.
6. A failure of a Juvenile Court Employee, Detention staff, contract personnel and volunteers to report incidents of suspected abuse considered a violation of the Juvenile Court's obligation and duty in the care of juveniles may be considered a violation of PREA and/or criminal or civil law.
 7. Any person who is a Juvenile Court Employee, Detention staff, contract personnel or volunteer who violates this policy or fails to report a suspected violation of PREA may be subjected to administrative action, up to and including termination of employment, civil damages and prosecution for a violation of Arizona Revised Statutes.

C. Juvenile Education:

1. During intake processing, juveniles shall be given a comprehensive PREA training explaining, in an age appropriate fashion, the agency's zero tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual harassment.
2. The juvenile will also be provided with a Youth Handbook during intake. This handbook will be reviewed with the juvenile by the officer.
3. The juvenile will sign the Intake Orientation Sheet to acknowledge they understand and agree with the agency's PREA policy. This form will be maintained in the juvenile's file.
4. PREA posters in English and Spanish will be visible in all area of the facility that juveniles have access too.
5. Graphic Novels will be accessible in each housing unit, medical office, intake and school for juveniles to read.
6. Juveniles who are Limited English Proficient (LEP), deaf, or disabled must receive these instructions in a manner which they can understand.

D. For language translation services, American Sign Language interpreter services, or for services for the blind, staff will utilize the Pinal County Superior Court's Interpreter's Office contractual services. Information on services is maintained in the Intake Unit.

E. Specialized training: Investigations

1. The Florence Police Department must receive training in conducting such investigations in confinement settings.
2. Specialized training shall include techniques for interviewing juvenile sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a cause for administrative action or prosecution referral.
3. Documentation of such training shall be maintained in the employee training file and/or available upon request through the Florence Police Department Human Resources Department.

F. Specialized training: Medical and Mental Health Care

1. All Medical and Mental Health staff assigned to the PCYJC will receive training in:
 - a. How to detect and assess signs of sexual abuse and sexual harassment;
 - b. How to preserve physical evidence of sexual abuse and sexual harassment,
 - c. How to respond effectively and professionally to young victims of sexual abuse and sexual harassment;
 - d. How and to whom to report allegations of sexual abuse and sexual harassment;
 - e. Zero tolerance for sexual abuse and sexual harassment;
 - f. Prevent sexual abuse from occurring;
 - g. Identify signs that sexual abuse may be occurring;
 - h. Take the appropriate actions when they learn of recent or historical incidents of sexual abuse;
 - i. Communicate effectively and professional with all juveniles, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents;
 - j. Understand the rights of juveniles and employees to be free from retaliation for reporting sexual abuse;

- k. Understand the rights of juveniles and employees to be free from retaliation for reporting sexual abuse;
 - l. Understand the dynamics of sexual abuse in confinement;
 - m. Understand the common reactions of sexual abuse and sexual harassment victims;
 - n. Detect and respond to signs of threatened and actual sexual abuse and how to distinguish between consensual sexual contact and sexual abuse between juveniles;
 - o. Avoid inappropriate relationships with juveniles;
 - p. Comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities;
 - q. Relevant laws regarding the applicable age of consent.
2. Training will be documented, through employee signature, that the employees understand the training they have received. Such documentation shall be filed in the training records.