

**Prison Rape Elimination Act (PREA)**  
**Appalachian Youth Service Policy Statement**

**Agency Policy**

Appalachian Youth Service (AYS) has a zero tolerance policy towards all forms of abuse. This means that all forms of prohibited behaviors to include physical abuse, emotional abuse, sexual abuse, sexual misconduct, sexual harassment, any form of retaliation, and sexual activity among clients of any kind are not tolerated. AYS will comply with and meet the standards of the Prison Rape Elimination Act (PREA) to address the prevention, detection, and response to sexual assaults and harassment.

**Data Review for Corrective Action and Publication**

In compliance with Section 115.388 of the PREA Standards, AYS annually reviews the data collected and aggregated pursuant to section 115.387 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including:

- Identifying problem areas;
- Taking corrective action on an ongoing basis; and
- Preparing an annual report of its findings and corrective actions.

In compliance with Section 155.389 of the PREA Standards, AYS shall make all aggregated sexual abuse data readily available to the public at least annually.

**Responsibility to Report**

AYS staff members, contractors, and volunteers have an affirmative duty to document and report all allegations or suspicions of sexual abuse or sexual harassment immediately. AYS shall require all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency; retaliation against residents or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

It is the policy of AYS that all allegations are immediately reported using an external method: ChildLine (800) 832-0313 or the Adult Protective Service Hotline (800) 490-8505. Following mandatory state reporting, all allegations are immediately reported to agency management.

An administrative or criminal investigation will be completed by an outside agency for all sexual abuse allegations at AYS.

It is the responsibility of AYS to:

- Immediately separate the victim from the abuser.
- Preserve and protect any crime scene or evidence until appropriate steps are taken to collect evidence from law enforcement. This includes the victim and the physical location where the alleged abuse occurred.
- If the alleged abuse occurred within a time frame that allows for the collection of physical evidence, staff will request that the alleged victim refrain from taking actions that could

destroy physical evidence. This would include not: bathing, washing, brushing their teeth, changing clothes, urinating, defecating, smoking, eating, or drinking.

- If the alleged abuse occurred within a time frame that allows for the collection of physical evidence, staff will ensure that the alleged abuser refrain from taking actions that could destroy physical evidence. This would include not: bathing, washing, brushing their teeth, changing clothes, urinating, defecating, smoking, eating, or drinking.
- Resident victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
- Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
- Apart from reporting to designated supervisors or officials and designated State or local service agencies, staff shall be prohibited from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions.
- Cooperate fully with outside investigative agencies by providing all requested information and access to staff and residents as appropriate.
- Request, at a minimum of once a month, information pertaining to the progress of the investigation.
- Request copies of completed investigative reports and inform the victim of the final determination.
- Maintain appropriate documentation pertaining to all PREA allegations and the results of corresponding investigations per PREA requirements.

It is the responsibility of the investigative agency to:

- Follow a uniform evidence protocol that is developmentally appropriate for youth and follows PREA requirements.
- Assume control of the crime scene and all evidence.
- Inform AYS of progress of the investigation and final determination.

### **Third-Party Reporting**

To report an allegation of sexual abuse or sexual harassment on behalf of a resident at AYS, the following external methods are available:

- Contact ChildLine at (800) 832-0313.
- Contact the Adult Protective Service Hotline (800) 490-8505 if the resident is over 18 years old.
- Contact Family Services Incorporated 24 hour helpline at (814) 944-3585.

Reports can also be made to AYS directly:

- Contact any AYS staff member at (814) 471-6909.

