



ARLINGTON COUNTY, VIRGINIA
JUVENILE AND DOMESTIC RELATIONS DISTRICT
COURT SERVICES UNIT
1425 N. COURTHOUSE ROAD, SUITE 5100
ARLINGTON, VIRGINIA 22201



GEORGE D. VAROUTSOS
CHIEF JUDGE

ROBIN L. ROBB
JUDGE

EARL J. CONKLIN
DIRECTOR OF COURT SERVICES
(703) 228-4600

Memorandum of Understanding Between
Arlington Juvenile and Domestic Relations District Court Services Unit and the Arlington
County Police Department

Purpose

This memorandum of understanding is being executed by Arlington Juvenile and Domestic Relations District Court Services Unit (JDR) and the Arlington County Police Department (ACPD). JDR and ACPD jointly and separately agree to abide by the terms and provisions of this memorandum of understanding throughout the term of this agreement unless terminated by one or more parties. The purpose of this agreement is to establish that the ACPD has the legal authority and shall be the investigating authority for all allegations of sexual abuse or sexual harassment as defined by the Department of Justice (DOJ) (See Appendix A) referred for investigation by JDR's Andrew B. Ferrari Argus House (Argus) unless the allegation does not involve potentially criminal behavior.

Background

The Andrew B. Ferrari Argus House residential program FCA under the United States Department of Justice National Standards to Prevent, Detect, and Respond to Prison Rape under the Prison Rape Elimination Act (PREA):

This agreement establishes the role of the ACPD in conducting criminal investigations related to allegations of sexual abuse thereby ensuring that the ARGUS residential program is in compliance with the below listed PREA Juvenile Regulations:

- § 115.321 Evidence protocol and forensic medical examinations.
- § 115.322 Policies to ensure referrals of allegations for investigations.
- § 115.353 Resident access to outside support services and legal representation.
- § 115.354 Third-party reporting.
- § 115.371 Criminal and administrative agency investigations.
- § 115.373 Reporting to residents.

Details of the PREA Juvenile Regulations are represented in Appendix A of this memorandum.

General Agreement

1. JDR and ACPD shall identify qualified persons to respond to and conduct initial investigations into all allegations of sexual harassment or sexual abuse to determine if the issue is to be handled administratively or referred to ACPD as a criminal matter.
2. ACPD will be responsible for conducting criminal investigations into any allegations of a sexual assault that occurs at or is reported from Argus House.
3. Upon the request of the ACPD, Argus House will provide detectives unrestricted access to any physical area under their control in order to conduct their criminal investigation.
4. A resident of the residential program may obtain access to outside victim advocates for emotional support services related to sexual abuse by calling the Arlington County Special Victims Unit at any time day or night at 703-228-4410 . Upon conclusion of the criminal investigation, the ACPD will provide a copy of the case file to Argus House, JDR, and ACPD for its administrative investigation. Law enforcement records concerning juveniles are confidential pursuant to Va. Code Ann. 16.1-301 and are not to be open to inspection or disclosed except as provided in Va. Code Ann. 16.1-301.

Release of Public Information

1. Arlington County Police will be responsible for the release of any information to the public concerning the criminal investigation.
2. Arlington County Manager's Office will be responsible for the release of any information to the public concerning its administrative investigation.
3. Law enforcement records concerning juveniles are confidential pursuant to Va. Code Ann. 16.1-301 and are not to be open to inspection or disclosed except as provided in Va. Code Ann. 16.1-301. With the exception of criminal incident information related to felony offenses, criminal investigative files, including but not limited to police reports, are exempt from mandatory disclosure under the Virginia Freedom of Information Act (VFOIA), Va. Code Ann. § 2.2-3706(A)(2)(a). JDR and ACPD will refer any VFOIA requests for criminal investigation information and materials to the Arlington County Freedom of Information Officer in the County Manager's office. FOIA information can be found at: <https://foia.arlingtonva.us/>

Notification Procedures

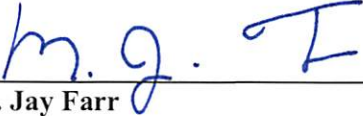
1. Argus House or JDR shall immediately notify the ACPD Dispatcher when an allegation of a sexual assault has been reported and a referral determination has been made.
2. Upon being notified of an incident, the Arlington Emergency Communication Center will dispatch patrol officers to identify the scene, identify witnesses, preserve evidence to be collected, and contact the ACPD on-call supervisor. During normal business hours, Argus House or JDR may directly notify the ACPD on-call supervisor.
3. The lead detective assigned to the case will be responsible for notifying the Special Victim Unit of the ACPD to have a victim specialist accompany the victim during the investigative process.

Termination

This MOU may be terminated by JDR or ACPD by giving thirty (30) days written notice to the other departments.

Participating Agencies

The Chief, ACPD representing the investigating authority of ARLINGTON COUNTY as stipulated in Purpose, shall ensure that all applicable requirements of the PREA Juvenile Regulations presented in Appendix A of this memorandum are satisfied. By signing this MOU, ARLINGTON COUNTY agrees to follow the PREA Juvenile Regulations set forth above under "Background" to the extent that such regulations are applicable to the agency responsible for criminal investigations regarding allegations of sexual abuse. Signatures contained on this MOU acknowledge the participation by the department represented and affirmation that the participating department and all members of that department will adhere to this MOU to their best ability.



M. Jay Farr

Chief

Arlington County Police Department



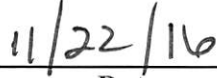
Date




Earl Conklin

Director of Court Services

Arlington Juvenile and Domestic Relations District Court



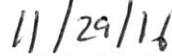
Date



Christopher Edmonds

Group Home Manager

Andrew B. Ferrari Argus House



Date