



Tennessee Department of Children's Services Protocol for DCS Statewide PREA Coordinator

Supplemental to DCS Policy: 18.8 Zero-Tolerance Standards and Guidelines for Sexual Abuse, Sexual Harassment Incidents and Prison Rape Elimination Act (PREA)

The Department of Children's Services (DCS) is required to designate an upper-level, Statewide PREA Coordinator (SPC) with sufficient time, resources, and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities and contract providers that meet the PREA requirement. The DCS SPC monitors PREA requirements for all applicable state-owned facilities and contract agencies and provides PREA oversight by ensuring the completion of the responsibilities below:

Documentation Requirements:

Obtains a copy of the signed [CS-1045, Staffing Plan Assessment](#) at least **annually** from the agencies/facilities that meet the PREA requirement of having an average of 51% or more juvenile justice youth. The SPC maintains these documents electronically.

PREA Incidents and Investigations:

1. Reviews and responds to PREA related incidents in the Incident Reporting System and through screen outs received by the Child Abuse Hotline.
2. Assigns all cases to the DCS PREA Investigator that meets the PREA definition for sexual harassment and/or abuse and has not been assigned to the Special Investigators Unit (SIU). SPC and SIU Director may consult and approve PREA and SIU investigators to work with one another on cases involving PREA facilities as necessary.
3. For cases screened out by the Child Abuse Hotline (CAH) and referred to law enforcement that meet the PREA definition for sexual harassment and/or abuse, the SPC consults with the law enforcement agency within seven (7) business days of notification by the CAH to determine if an investigation has been or will be opened. Whether a case has been opened or not for the same allegation, the case is assigned to a PREA Investigator.
4. Reviews all closed sexual abuse and sexual harassment cases both from SIU and the PREA Investigator.

3/23

Supersedes: 10/28/20
Supplemental to: DCS 18.8
RDA SW22

5. Maintains a log with the outcomes of all PREA investigations.

Effective Date:

***Subject:* Protocol for DCS Statewide PREA Coordinator**

6. Follows up with all agencies/facilities with results from investigations that involve their youth by providing them a copy of form [CS-4232, Investigation Outcome of Allegations of Sexual Abuse/Harassment](#) at the close of each PREA Investigation. The SPC request all agencies to complete and submit form [CS-4233, Sexual Abuse/Harassment Juvenile Notification Investigation Outcome](#) confirming the youth has been notified of the investigation results.
7. Supervises the DCS PREA Investigators and ensures that cases are opened and closed in a timely manner.
8. Serves as the approving authority for the investigations conducted by the PREA Investigator and has the right to overturn an outcome based on evidence in the case.

Facility/Agency Audits and Review Teams:

1. Assists with the development and implementation of all PREA related trainings. Also, provides training, support, consultation, and technical assistance as needed for all applicable agencies and facilities.
2. Assists with preparing for federally required audits, when requested. Provides technical assistance and answers auditor questions, as needed, to assist the agency/facility with being in full compliance with PREA.
 - ☐ If an agency has an identified finding from their federal audit that requires a corrective action, the SPC works with the agency to correct it.
3. Conducts a comprehensive review of the residential contract agencies which meet the PREA requirement of 51% or more juvenile justice youth, state operated facilities and the Youth Development Center prior to the facilities three-year audit cycle. The purpose of this visit is to ensure they are complying with the PREA standards, to address any issues and concerns, and to review their PREA Investigations. Results are submitted and documented on form [CS-424, PREA Site Visit](#)
4. When requested or needed, the SPC/designee conducts an on-site mini mock audit for the agency/facility which would include the following:
 - ☐ Reviews paper and electronic files and documents ☐ Conducts Interviews; and ☐ Tours the facility.
5. Attends the Provider Quality Team meeting weekly:
 - ☐ Reports any PREA concerns to the team;
 - ☐ Maintains a log of all issues that are brought before the team; and

3/23

Supersedes: 10/28/20
Supplemental to: DCS 18.8
RDA SW22

- Develops a quarterly progress report to review with the supervisor and the team for the purpose of reducing risks.

Effective Date:

***Subject:* Protocol for DCS Statewide PREA Coordinator**

Wilder Youth Development Center (YDC):

In addition to completing all responsibilities in the previous sections for Wilder (YDC), the SPC/designee is also the official PREA Coordinator for the facility. The SPC/designee works alongside the PREA Compliance Manager at Wilder to prepare for the federal audits and ensure that the facility is in full compliance.

Data Collection:

Maintains and provides data for the annual Governor's Compliance Report and the Survey of Sexual Victimization Report for the Bureau of Justice.

3/23

Supersedes: 10/28/20

Supplemental to: DCS 18.8

RDA SW22

Effective Date:

3/23

Supersedes: 10/28/20

Supplemental to: DCS 18.8

RDA SW22