

Arizona Department of Juvenile Corrections

Prison Rape Elimination Act

Criminal and Investigative Policies and Guidelines



PREA Standard § 115.322 Policies to ensure referrals of allegations for investigations

*(b) The agency shall have in place a policy to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. **The agency shall publish such policy on its website** or, if it does not have one, make the policy available through other means. The agency shall document all such referrals.*

The Arizona Department of Juvenile Corrections (ADJC) has an internal Investigations Bureau. The Investigations Bureau consists of criminal and administrative investigators that are specially trained in conducting investigations. Criminal investigators have the ability to make arrests. The Investigations Department is dedicated to abide by federal and state law and follows an investigation protocol that is consistent with ADJC Policy. The policy was updated to ensure that an efficient and effective investigation protocol was developed in accordance with PREA. The protocol covers but is not limited to: determining if the allegations made are PREA incidents, identifying all participants, analyzing findings, preserving evidence, and conducting forensic interviews.

Summary of protocol for conducting both administrative and criminal investigations are outlined below.

Policy 1160 Administrative Investigations and Policy 1161.01 Criminal Investigations

Policy Outline: The Arizona Department of Juvenile Corrections (ADJC) is committed to maintaining a positive work environment and to correcting any unacceptable actions, practices, or behavior on the part of ADJC employees. ADJC provides for administrative and operational programs that will result in efficient and effective criminal investigations.

The procedures used in a criminal investigation will vary as each incident creates its own special requirements. All investigations require the development and use of information. The manner in which this information evolves is normally the result of interviews, interrogations, and the collection and preservation of physical evidence. Criminal Investigators shall be aware of all of the legal ramifications of their actions and the guidelines within this policy and procedures.

ADJC Investigations Bureau and/or the local law enforcement agency shall conduct the criminal investigation in response to allegations of criminal misconduct involving juveniles, employees, volunteers, interns, and service providers under contract with ADJC.

ADJC Investigations Bureau will respond to all allegations of physical and sexual abuse regardless of the source. Anonymous reports will also be accepted. Persons may report abuse by using the following contact information.

Investigations Bureau (602) 542-5490
Zero Tolerance Phone line (602) 364-4051
Email: Zerotolerance@azdjc.gov

Investigative Protocol

The Investigative Protocol is a guideline in completing an investigation. The intent of this guideline is to provide the necessary steps that should be taken in order to document relevant information in the Investigation Report. The protocol is followed by our investigators and findings are documented in our automated investigations system.

- Step 1:** The investigator reviews the original complaint and may speak with the reporting source.
- Step 2:** The investigator reviews all available evidence.
- Step 3:** The investigator conducts timely interviews of persons with relevant information. This may include forensic interviews of children.
- Step 4:** Conclusions shall be based on sound investigative practices and documented in the investigations automated system.

Investigations Report Format

Report will be completed by ADJC Investigator. Report will be reviewed and approved by Investigations Bureau Administrator.

All allegations shall be documented in such a manner as to meet or exceed the standards set forth by AZPOST and the Maricopa County Interagency Protocol for the investigations of Physical and Sexual Abuse of Children.

All allegations of physical and sexual abuse shall be thoroughly investigated.

If warranted the matter shall be referred to the Office of the Maricopa County Attorney for criminal prosecution.

If the matter does not reach the level of a criminal it shall be reviewed administratively to determine if the act violated agency policy or the behavior expectations set forth in our Positive Behavior Interventions and Supports (PBIS) Framework.