



| INSPECTOR GENERAL | | |
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| Policy 1161.01 Criminal Investigations | Effective | 07/21/2020 |
| | Replaces | 1161.01 |
| | Dated | 02/14/2011 |

The Arizona Department of Juvenile Corrections (ADJC) Office of the Inspector General 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.

AUTHORITY

Arizona Revised Statutes (ARS)

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| §8-386 | Information provided to victim by law enforcement agencies |
| §13-3620 | Duty to report abuse, physical injury, neglect and denial or deprivation of medical or surgical care or nourishment of minors; medical records; exception; violation; classification; definitions |
| §13-4405 | Information provided to victim by law enforcement agencies |
| §15-514 | Reports of immoral or unprofessional conduct; immunity |
| 41-1750(G) | Central state repository; department of public safety; duties; funds; accounts; definitions |
| §41-2804 | Duties and powers of the director |

PROCEDURES

1. **SPECIAL INVESTIGATORS** assigned to the Office of the Inspector General for the purpose of investigating offenses, apprehending offenders and juvenile absconders, recovering stolen property and facilitating prosecution shall be Arizona Peace Officer Standards and Training (AZPOST) certified sworn police officers. **SPECIAL INVESTIGATORS** shall:
 - a. Investigate assigned cases to the fullest extent possible;
 - b. Make reports that reflect case activity (case status, arrests made, etc.); and
 - c. Comply with the Inspector General Case Management program in retaining cases for investigation and appropriate documentation.

2. **Crime Scene Management:**
 - a. The **FIRST ADJC EMPLOYEE** on the scene of a major crime or serious incident involving a criminal activity shall take the necessary precautions to:
 - i. Safely stabilize the situation and secure uninvolved juvenile(s);
 - ii. Notify the Shift Commander;
 - iii. Treat the injured; and
 - iv. Preserve the scene and potential items of evidence.
 - b. The **FIRST YOUTH CORRECTIONS OFFICER (YCO) ON THE SCENE** shall be in charge of the scene until the arrival of any YCO of supervisory status at which time the **SUPERVISOR** shall automatically assume control of the scene.

- i. If the **FIRST OFFICER ON THE SCENE IS AN OFFICER OF SUPERVISORY STATUS, S/HE** shall be in charge of the scene until the arrival of a higher-ranking supervisor or until s/he is relieved.
- c. The **HIGHEST RANKING OFFICER** at the scene shall be the supervisory authority for the scene until relieved of that responsibility by a higher ranking officer and/or the assigned investigator;
- d. In cases involving serious crimes (death, serious bodily injury, or other crimes of serious impact), the **HIGHEST RANKING SUPERVISOR ON DUTY** shall respond as soon as possible to the scene and assume management responsibilities. The **MANAGER ON SCENE** shall contact the Director and the Inspector General or their designees;
- e. The **INSPECTOR GENERAL OR DESIGNEE** shall assign special investigators to respond to the scene.

3. **Preliminary Investigations:**

- a. The **YCO** will normally be the first to respond to an incident.
 - i. Under normal circumstances, the **YCO** shall conduct a preliminary investigation by gathering field information relative to the incident which could include the following:
 - (1) Observing all conditions and events and noting all remarks at the scene;
 - (2) Locating and identifying witnesses;
 - (3) Preserving the scene and protecting evidence;
 - (4) Interviewing the complainant and all witnesses;
 - (5) Arranging for and/or collecting all evidence; and
 - (6) Writing an accurate and detailed Incident Report (IR).
 - ii. **SPECIAL INVESTIGATORS** shall conduct a follow-up investigation, if needed.
- b. Allegations involving sexual assault or sexual abuse by a juvenile, including third party and anonymous reports, shall be reviewed promptly and thoroughly:
 - i. If a juvenile discloses and/or was a witness to a sexual offense involving another ADJC juvenile in Secure Care, **ADJC EMPLOYEES** shall:
 - (1) Ensure the conversation is not conducted with other potential witnesses present;
 - (2) Obtain the information with the following non-leading questions listed below:
 - (a) Who did it?
 - (b) When this happen?
 - (c) Where did this happen? and
 - (d) Are you (victim only) in pain/bleeding?
 - (3) Document or remember the juvenile's exact words during the disclosure since these quotes will be included in the report to be authored by the recipient of the disclosure; and
 - (4) Notify the Shift Commander or On-Duty Administrator.
 - ii. If the juvenile appears to be a risk to his/her own safety or to the safety of others, or if s/he has been or is currently being neglected or abused physically, sexually, or emotionally, **ADJC EMPLOYEES** shall:
 - (1) Seek the assistance of a QMHP as soon as possible to aid in:
 - (a) Determining if the juvenile is in imminent danger; and
 - (b) How best to deal with the juvenile's current mental status.
 - (2) Report the abuse by completing an IR;
 - (3) If the victimization just occurred, do not leave the victim alone and request him/her to **not** wash, brush his/her teeth, shower, or change clothing;
 - (4) Do not contact and/or confront the suspect; and
 - (5) Follow the directions of the Inspector General before proceeding further.
 - iii. **ADJC EMPLOYEES** shall report the abuse in accordance with Policy 1162 Reporting and Investigating Suspected Child Abuse.

4. **Follow-up Investigations:**
 - a. The **SPECIAL INVESTIGATOR ASSIGNED A CASE FOR FOLLOW-UP INVESTIGATION** shall thoroughly and completely investigate that case with the intent to clear it from the records.
 - i. The investigative procedures used will vary from case to case depending on the circumstances and accepted case management practices.
 - b. **SPECIAL INVESTIGATOR ASSIGNED A CASE FOR FOLLOW-UP INVESTIGATION** shall use the following basic steps in conducting a follow-up investigation. The **SPECIAL INVESTIGATOR** shall:
 - i. Review and analyze all previous reports prepared in the preliminary investigation if applicable and relative to the investigation.
 - (1) Information Development:
 - (a) Analyze all reports prepared in the preliminary investigation;
 - (b) If statements were made or taken, review these for completeness, consistent facts, and possible other witnesses to contact; and
 - (c) Review Departmental and other records available on the victims, witnesses, or suspects.
 - ii. Conduct interviews and interrogations;
 - iii. Plan, organize, and conduct searches as appropriate;
 - iv. Identify and apprehend suspect(s);
 - v. Check the criminal history of the suspect(s);
 - vi. Collect physical evidence;
 - vii. Process all evidence:
 - (1) Crime scene photographs and their documentation;
 - (2) Crime scene sketch;
 - (3) Dusting for fingerprints;
 - (4) Evidence collection; and
 - (5) Package evidence.
 - viii. Release the scene to the Shift Commander;
 - ix. Forward the results of lab tests to the original case file;
 - x. Submit evidence photo line-ups in accordance with established procedures in Best Practices in the Law Enforcement Community and Evidence Policy;
 - xi. Determine involvement of suspect(s) in other crimes;
 - xii. Obtain additional information from YCOs, informants, etc. to aid in case investigation;
 - xiii. Conduct all surveillance in a lawful manner;
 - xiv. Arrange for dissemination of information, as appropriate;
 - xv. Prepare case for court presentation; and
 - xvi. Assist in prosecution.
5. **Victims' Rights:**
 - a. Once it is determined, based upon an investigation, that a criminal offense has occurred and the victim of the criminal offense is identified and is not an in-custody juvenile, The **SPECIAL INVESTIGATOR** shall notify the victims of their rights in accordance with the Arizona Victims' Rights Statute § 8-386.
6. **Special Consideration for Death Investigations:**
 - a. The **INSPECTOR GENERAL ADMINISTRATOR** shall:
 - i. Contact the Department of Public Safety Identification Division requesting a response to the scene;
 - ii. If needed, request the assistance of the secure facilities Security Team in securing the scene, and/or any other assistance in order to complete the investigation;
 - iii. Notify The Law Enforcement Liaison for the Maricopa County Attorney's Office; and
 - iv. Designate an investigator to attend the autopsy.

7. **Government and Public Affairs Administrator or designee :**
 - a. The **GOVERNMENT AND PUBLIC AFFAIRS ADMINISTRATOR OR DESIGNEE** shall respond in accordance with established written guidelines; and
 - b. **NO ADJC EMPLOYEE INCLUDING THE GOVERNMENT AND PUBLIC AFFAIRS ADMINISTRATOR OR DESIGNEE** shall release any information to anyone outside the scope of an investigation without the approval of the Director or designee.

8. If the **SPECIAL INVESTIGATOR** intends to arrest and book the juvenile suspect into a county jail or juvenile detention, the **SPECIAL INVESTIGATOR** shall:
 - a. Notify the facility Health Unit directly within one hour of the transport of the juvenile to request Form 1161.01A Medical Summary;
 - b. Obtain the medical summary from the Health Unit prior to transport of the juvenile;
 - c. Take a three day supply of the juvenile's medication when going to any facility;
 - d. If the juvenile presents an immediate, direct danger to anyone in the facility in that transportation needs to occur without delay, notify the Health Unit directly of the destination and the phone number of where the juvenile will be transported.
 - i. The **QUALIFIED HEALTH CARE PROFESSIONAL (QHCP)** shall contact the receiving county jail/detention medical unit and fax the completed Form 1161.01A 01B Medical Summary.
 - e. Notify the Qualified Mental Health Professional (QMHP) from the sending unit/facility. The **QMHP** shall:
 - i. Complete Form 4250.01E Transfer/Discharge Summary; and
 - ii. Forward the summary to the receiving county jail or juvenile detention center through email or by fax.

9. **Case Clearances:**

The **SPECIAL INVESTIGATORS** shall clear criminal cases by the following:

 - a. Unfounded: These cases are those that have been found to be falsely reported and/or no criminal activity occurred;
 - b. Arrested: Actual physical arrest and/or citation;
 - c. Cleared Exceptional: Cases cleared where the suspect is known, but for whatever reasons, the suspect will not be charged (i.e. victim does not desire prosecution, turndown by the County Attorney, cases used as an aid to prosecution, does not meet filing criteria of the County Attorney's Office, mutual combat, or misdemeanor assault, etc.);
 - d. Submitted to the County Attorney: Cases that have been submitted to the County Attorney for a complaint and the investigator is waiting a return. When returned, they revert to cases filed, turned down, or returned for further investigation:
 - i. Turndown: Case does not meet County Attorney filing criteria (i.e. no reasonable likelihood of conviction);
 - ii. Filed: Case does meet County Attorney filing criteria and will be processed through the Criminal Justice System; and
 - iii. Further Investigation: Case returned to the Investigator for additional information and/or investigation.
 - e. Information Only: Instances where information is received about crimes that occurred outside of ADJC jurisdiction. The information is documented and shared with the appropriate law enforcement jurisdiction.

10. **Notifications:** It is essential that the victim's parent/guardian, Arizona Department of Child Safety (DCS) caseworker, or sentencing judge be briefed on the allegations and outcome of the investigation as soon as practical without endangering the juvenile or impeding the investigation.
 - a. When sexual or physical abuse is alleged the **SECURE CARE BUREAU ADMINISTRATOR OR DESIGNEE** shall:
 - i. Notify the victim's parent or guardian as soon as practical so long as it does not impede the investigation or endanger the victim. The notification shall include:

- (1) The nature of the allegation and the status of the investigation without detail; and
 - (2) The case number and a point of contact for the parent or guardian to communicate with for updates.
 - ii. Ensure that notifications or attempts at notification are documented in the ADJC investigative report.
 - b. If the victim is a ward of the court the **LEGAL SERVICES BUREAU ADMINISTRATOR OR DESIGNEE** shall:
 - i. Notify the DCS case worker, the juvenile's attorney, and/or committing judge of the allegation;
 - ii. Document such notification in the victim's ADJC contact notes;
 - iii. Provide the victims DCS case worker, juvenile's attorney or committing judge with the case number and a point of contact for the DCS caseworker or judge to communicate with for updates; and
 - iv. Refer questions concerning treatment, programming, placement and release to the victim's case worker.
 - c. The **INSPECTOR GENERAL OR DESIGNEE** shall brief the victim's case manager and Psychology Associate through the Secure Care Administrator so that they may field questions from the victim's parent, guardian, or DCS case worker.
11. It is essential for persons involved with juveniles committed to the ADJC to understand that not all allegations result in a criminal complaint or accountability. Often times there is insufficient information or evidence to proceed with a criminal complaint or a victim may refuse to cooperate. In addition, the possibility of false or erroneous allegations may occur.
- a. At the conclusion of the investigation the **INSPECTOR GENERAL OR DESIGNEE** shall:
 - i. Notify the victim's parent or guardian as to the outcome of the investigation as soon as practical but not later than one business day after the investigation is concluded;
 - ii. Document such notification or attempts at notification in the victim's contact notes; and
 - iii. If the investigation resulted in an arrest or a case submitted to the Office of the Maricopa County Attorney for review, refer questions concerning prosecution to the Office of the Maricopa County Attorney.
 - b. If the victim is a ward of the court, the **LEGAL SERVICES BUREAU ADMINISTRATOR OR DESIGNEE** shall notify the DCS case worker and/or the committing judge of the outcome of the investigation.

Signature Date

07/17/2020

Approved by

Original Signature on File

Ryan Brezina, Inspector General

Signature Date

07/21/2020

Approved by

Original Signature on File

Jeff Hood, Director

Effective Date

07/21/2020

FORMS

1161.01A

Medical Transition Summary



Medical Transition Summary

Name:

K#:

JCRB/Transport Date:

Facility:

Housing Unit:

Current and significant past diagnoses and health issues:

Medications and treatments:

PLEASE RETURN ANY UNUSED MEDICATIONS

Recommendations/restrictions needed:

Consultations Needed:

Medication not required Medication sent **Quantity sent:**

Copy of immunizations sent

Medication accepted **Name:** **Date:**

Medication denied **Name:** **Date:**

QHCP signature: **Date:**

QHCP printed/stamp signature:

Please contact the following for any further information:

AMS Health Unit
Phone: (623) 869-9050 Ext 4220
Fax: (623) 869-9486

(Pending appointments if being release to the community on the next page)

Pending Appointments

Provider: _____ **Date:** _____ **Time:** _____

Address: _____ **Phone #:** _____

Provider: _____ **Date:** _____ **Time:** _____

Address: _____ **Phone #:** _____

Provider: _____ **Date:** _____ **Time:** _____

Address: _____ **Phone #:** _____

Provider: _____ **Date:** _____ **Time:** _____

Address: _____ **Phone #:** _____

Provider: _____ **Date:** _____ **Time:** _____

Address: _____ **Phone #:** _____

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Address: _____ **Phone #:** _____