

3420-08

Zero Tolerance of Sexual Misconduct

Policy

The Juvenile Services Center (JSC) is a therapeutic, learning environment in which all juveniles, staff members, contractors, volunteers/interns and visitors are safe and supported. The JSC mandates zero tolerance toward all forms of sexual misconduct.

Purpose

The purpose of this Policy is to ensure the safety of all JSC juveniles, visitors, County personnel, contractors, and volunteers/interns by enforcing zero tolerance of all forms of sexual misconduct.

Definitions

Sexual Misconduct Sexual Misconduct includes sexual assault, sexual abuse, sexual harassment, and consensual sex acts involving a juvenile. In addition, Sexual Misconduct includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or communication, whether written or verbal, of a sexual nature. Sexual Abuse includes actions of a juvenile on another juvenile, County personnel, contractor, volunteer/intern, or visitor. Sexual Abuse also includes actions of County Personnel, contractor, volunteer/intern, or visitor on a juvenile. Specific acts considered sexual abuse are defined in Section 115.6 of the PREA Juvenile Facility Standards.

Procedural Guidelines

- A. Any form of sexual misconduct between juveniles, juveniles and/or staff members, contractors, and volunteers/interns is prohibited.
- B. Dakota County staff will investigate or refer for investigation allegations of Sexual Misconduct involving juveniles, visitors, County personnel, contractors, volunteers/interns.
- C. The response to any violation of this Policy may include referral for administrative discipline and/or criminal prosecution consistent with this policy, County Policy 3042, as well as state and federal laws.
- D. Prison Rape Elimination Act ("PREA") training and education on the prevention of sexual misconduct to juveniles/detainees, staff members, contractors, volunteers/interns will be provided.

Authority/Reference

Authority for this policy resides in the statutory duty of the County Administrator (M.S. 375A.06) or designee, the Director of the Community Corrections Department, who is required to comply with County policies, meet statutory requirements and abide by State mandates.

This procedure is part of Dakota County's PREA plan, and is aligned with federal PREA standards for juvenile facilities.

DOC 2960.0070
DOC 2960.0080
DOC 2960.0160
DOC 2960.0260
DOC 2960.0570
JDAI Safety
PREA Standards - Juvenile

Approval

As approved by

Barbara J. Illsley
Community Corrections Director

Distribution

03/17/16 – Notification of policy revision to applicable department staff via Outlook email
11/02/15 – Notification of policy revision to applicable department staff via Outlook e-mail

Date Information

03/11/16 – Approved by Barbara J. Illsley, Community Corrections Director
10/30/15 – Approved by Barbara J. Illsley, Community Corrections Director
08/06/15 – Reviewed by County Attorney's Office
07/01/98 - Approved by Timothy B. Walsh, Director, Juvenile Services Center and Mark Carey, Director, Community Corrections.