

POLICY 1.22 CONDUCTING INVESTIGATIONS IN JR

Policy Committee Chair

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Approved



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Authorizing Sources

DCYF AP 11.21
DCYF AP 5.01
WAC Chapter 357
WAC 110-700-0005
28 CFR Part 115 PREA, Juvenile Facility
Standards

Information Contact

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I. PURPOSE AND SCOPE

The policy outlines a fair and equitable process for investigations conducted in Juvenile Rehabilitation (JR). All investigations will be timely and will include the due process requirements. Juvenile Rehabilitation will maintain a team of trained investigators available to conduct investigations across the administration.

All staff, contractors, volunteers, and interns working in or for Juvenile Rehabilitation (JR) are responsible for reviewing and complying with JR policies.

II. POLICY

1. JR is authorized to conduct investigations. JR may conduct:

- 1.1. Administrative investigations (such as allegations of criminal incidents or abuse/neglect) following the closure of an investigation by an external entity.
- 1.2. Internal investigations in alignment with DCYF and JR policies.

2. Appointing authorities will refer investigations to the Human Resources Division consistent with DCYF AP 5.01.

¹ 11/18/19 Technical Edit: Changed DSHS references to DCYF.

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- 3. JR will support the needs of the external investigators such as Washington State Patrol (WSP), local law enforcement (LE) or Child Protective Services (CPS) when they are conducting an investigation.**
 - 4. The appointing authority will determine the need to initiate an investigation.**
 - 4.1. Investigators will be assigned by the appointing authority or designee.
 - 4.1.1. Investigations will be conducted by a neutral investigator, to minimize conflicts of interest.
 - 4.2. The Division Director will be notified of administrative investigations.
 - 5. Investigations conducted by Juvenile Rehabilitation will be timely.**
 - 5.1. When investigations are referred to external agencies for investigation, JR will place the investigation on hold. Time on hold will not count toward the time allotted for completion.
 - 5.2. Assigned investigators must be allowed sufficient time to complete the investigation and reporting process.
 - 6. Investigations must include due process requirements in accordance with DCYF Administrative Policy and the Collective Bargaining Agreement.**
 - 7. Investigators must complete Core Investigation training, which includes Just Cause principles, prior to being assigned or conducting investigations.**
 - 7.1. Designated investigators who conduct PREA-related investigations must complete specialized training specific to conducting PREA investigations in the confinement setting in addition to Core Investigation training (PREA Standard 115.334 (a)).
 - 7.2. JR must maintain documentation designated investigators completed the required specialized training in conducting sexual abuse investigations. (PREA Standard 115.334 (c))
 - 8. All staff-related investigations must be documented in the Employee Investigations Management System (EIMS). Investigations will be entered at the time the decision is made to investigate. Every stage of the investigation must be documented in the EIMS.**
 - 9. Disciplinary actions, if warranted, will be applied by the appointing authority in accordance with DCYF AP 11.21, WAC Title 357, or the provisions of an applicable Collective Bargaining Agreement.**
 - 10. JR must assign staff to serve as the Investigation Point of Contact (IPOC) for the administration.**
- INVESTIGATIONS REGARDING ALLEGATIONS OF SEXUAL ABUSE OR HARASSMENT**
- 11. JR will ensure that all allegations of sexual abuse or sexual harassment, regardless of source, are referred for investigation.**
 - 12. PREA Investigations in JR will be completed in accordance with the requirements in Policy 5.90, *Applying the PREA Juvenile Standards*.**

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III. DEFINITIONS

Administrative Investigation²: A non-PREA related investigation that determines a cause and potential personnel action.

External Entity: may include, but is not limited to, other areas within DCYF but outside of the Juvenile Rehabilitation (such as HRD or Child Welfare), other executive branch agencies (such as Department of Health or Labor & Industries), or law enforcement (at the state or local level).

PREA Investigation³: An investigation of an PREA allegation to determine a finding such as substantiated, unsubstantiated, or unfounded.

IV. REFERENCES

Collective Bargaining Agreements

V. RELATED JR POLICIES

Policy 1.20 – Establishing Standards of Conduct
for Staff

Policy 1.31 – Responding to the Death of a
JR Youth

Policy 1.30 – Reporting Serious and Emergent
Incidents

Policy 5.90 – Applying PREA Juvenile
Standards in JR

² 5/9/19 Technical Edit: Added definition of Administrative Investigation following PREA Audit.

³ 5/9/19 Technical Edit: Added definition of PREA Investigation following PREA Audit.