

WASHINGTON STATE JUVENILE REHABILITATION

Policy 3.20 – Assessing Sexually Aggressive or Vulnerable Youth (SAVY)

Summary

- Provides clarifying guidelines to comply with PREA using the PREA standards.

Background:

This policy was due for a sunset review. During the same period, multiple institutions were undergoing PREA audits. This policy was reviewed following the audits in order to incorporate audit findings into the policy.

Policy Summary

- Overall: Added hyperlinks to related laws, rules, policies, and forms.
- 1. Removed Sexual Intercourse since sexual contact includes intercourse.
- Section 3: Added “or designee” to the ITM Intake Specialists. Listed the SOGIE (to assess for youth vulnerability), and added both SOGIE and SAVY must be completed *prior to assigning a roommate*.
- 3.4 Clarified statements for returns from county detention or DOC.
- 6. & 7. Changed “multi-occupancy sleeping quarters” to “with a roommate”
- Definitions: Added Abusive Sexual Contact and Non-Consensual Sexual Act.

Changes from Current Practice

- *No changes were made to current JR processes or protocols, only clarification or documentation of current JR practice.*

Training Required: No

Policy Effective Date: 5/21/2019

Please note the effective date is not the usual practice of two weeks out because no changes were made to current practice.

*Staff are responsible for reading and understanding the information contained in the full policy.
Review of this summary is not sufficient for full understanding.*

POLICY 3.20 ASSESSING SEXUALLY AGGRESSIVE OR VULNERABLE YOUTH (SAVY)

Policy Committee Chair

Don Mead, Ed. D.
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Approved



Marybeth Queral, Assistant Secretary
Juvenile Rehabilitation
5/20/2019

Authorizing Sources

RCW 9A.44.073
RCW 9A.44.076
RCW 9A.44.079
RCW 9A.44.086
RCW 9A.44.089
RCW 13.40.460
RCW 13.40.470
RCW 72.05.435
WAC 110-730
28 CFR Part 115 PREA, Juvenile Facility
Standards

Information Contact

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Effective Date *(Technical Edit 11/18/19¹)*
5/21/2019

Sunset Review Date
5/21/2023

I. PURPOSE AND SCOPE

This document establishes policy and procedure for determining sleeping quarter assignments, supervision requirements, and special community placement eligibility based on an assessment of a Juvenile Rehabilitation (JR) youth’s risk for sexually aggressive behavior and vulnerability to sexual victimization.

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. Sexual contact between JR youth, even when perceived as consensual, is prohibited because it is counter-productive to the treatment, care and rehabilitative goals of their commitment to JR. Youth may be subject to disciplinary sanctions for engaging in this behavior. (PREA Standard 115.378 (g))**

¹ 11/18/19 Technical Edit: Changed DSHS references and forms to DCYF and added hyperlinks.

Policy 3.20, Assessing Sexually Aggressive or Vulnerable Youth (SAVY) 5/21/2019

- 1.1. Sexual contact between JR youth would not be considered sexual abuse for youth disciplinary purposes (including if an investigation determines the activity was not coerced). (PREA Standard 115.378 (g))
- 1.2. Sexual contact between individuals of sufficient age difference may be prosecuted pursuant to RCW.
- 1.3. All sexual contact between JR youth will be referred to Child Protective Services in accordance with Policy 5.91, *Reporting Abuse and Neglect of JR Youth*.

2. JR has zero tolerance for youth on youth sexual abuse and sexual harassment per Policy 5.90, Applying PREA Juvenile Standards in JR.

- 2.1. Youth will be disciplined subject to WAC 110-730.

3. JR must assess all youths for risk of sexual aggression and sexual vulnerability.

- 3.1. The Sexually Aggressive/Vulnerable Youth (SAVY) Assessment (DCYF Form 20-222) must be used in conjunction with available relevant records to assess each youth's risk for sexually aggressive behavior and vulnerability to sexual victimization.
- 3.2. ITM Intake Specialists **or designee** must complete the Sexual Orientation Gender Identity Screen (SOGIE) and SAVY with all youths to identify risk of sexual aggression or sexual vulnerability in the Automated Client Tracking (ACT) system within 72 hours of arrival at initial facility placement or prior to being assigned a roommate, whichever comes first. (PREA Standard 115.341(a)) If the 72 hour requirement cannot be met, the facility must document the reason.
- 3.3. The SAVY will be periodically updated for safety purposes at least every six months. (PREA Standard 115.341)
- 3.4. Staff of the receiving JR residential facility will update each new youth's most recent SAVY when:
 - 3.4.1. A youth returns from time in a different JR residential facility,
 - 3.4.2. A youth returns to JR for a parole revocation,
 - 3.4.3. A youth returns from time in county detention,
 - 3.4.4. A youth returns from a stay in a DOC facility,
 - 3.4.5. A youth exhibits any significant change in behavior,
 - 3.4.6. Staff learn of new incidents or disclosures related to sexual aggression or sexual victimization.
- 3.5. When a SAVY is updated in response to a condition identified in
 - 3.4,3.5.1. it must be updated within 24 hours in facilities where youth will have a roommate
 - 3.5.2. it must be updated within 72 hours in facilities where youth do not have a roommate
- 3.6. Authorized staff will familiarize themselves with the SAVY results and associated restrictions of youth under their supervision and provide the supervision required.

Policy 3.20, Assessing Sexually Aggressive or Vulnerable Youth (SAVY) 5/21/2019

- 3.7. Staff may consider additional behaviors or information to determine sleeping quarters or supervision requirements if the SAVY does not identify the youth as vulnerable or aggressive. This information should be documented in the "Significant Considerations" section of the SAVY.
4. **JR staff must follow mandatory reporting requirements outlined in Policy 5.91, *Reporting Abuse & Neglect of JR Youth* for youth disclosure of sexual or physical abuse not previously reported to Child Protective Services.**
5. **A meeting with a medical or mental health practitioner must be offered to a youth within 14 days of staff learning that the youth has experienced prior sexual victimization or has perpetrated sexual abuse. (PREA Standard 115.381(a)(b))**
 - 5.1. Youth may decline to see a provider.
 - 5.2. If the meeting is accepted, youth must meet with the provider within 14 days. The meeting must be documented in ACT.
6. **A youth must not be placed with a roommate until the SAVY has been completed. Isolation rooms must not be used pending completion of the SAVY.**
7. **Room restrictions are required to protect sexually vulnerable youth from sexually aggressive youth.**
 - 7.1. Sexually aggressive youth must not be assigned to a roommate who is a sexually vulnerable youth.
 - 7.2. Sexually aggressive youth are prohibited from entering any occupied sleeping quarters other than the one to which he or she is assigned unless accompanied by staff.
8. **Sexually aggressive youth must not have unsupervised contact with sexually vulnerable youth.**
9. **Youth will be asked if they feel vulnerable during the SAVY assessment. Youth perceptions of vulnerability will be considered when making housing and bed assignments. (PREA Standard 115.381(c))**
10. **Staff must provide SAVY results to Child Welfare prior to a youth's release to parole or discharge from commitment if it is known or anticipated by JR that the youth will require Child Welfare's services for placement. This notification should occur at least 60 days prior to release and be documented in ACT.**
11. **SAVY results may be shared consistent with Policy 1.40, *Managing JR Juvenile and Operations Records*.**
12. **Superintendents and Regional Administrators must establish and implement local procedures to comply with SAVY requirements for youth housing and bed assignments, including supervision requirements.**

Policy 3.20, **Assessing Sexually Aggressive or Vulnerable Youth (SAVY) 5/21/2019**

III. DEFINITIONS

Abusive Sexual Contact: Sexual contact (directly or through clothing) without permission or consent.

Non Consensual Sexual Act: See Sexual Abuse definition.

Separate living unit: Sleeping quarters and areas used for daily living activities not specific to treatment and education programs located in a building, wing, or on a different floor which separates residential groups.

Sexual Abuse (*of a youth by another youth*): includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse due to the age difference between the youth (RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.086 and 9A.44.089) or any other incapacity. Contact incidental to a physical altercation is not considered sexual abuse. (PREA Standard 115.6).

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
2. Contact between the mouth and the penis, vulva, or anus;
3. Penetration of the anal or genital opening of another person by hand, finger, object, or other instrument; and
4. Any intentional touching, either directly or through the clothing, of the genitalia (to include the penis, vulva or groin), anus, breast, inner thigh, or the buttocks of another person.

Sexual Contact: any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party (RCW 9A.44.010).

Sexually Aggressive/Vulnerable Youth (SAVY) Assessment: An assessment tool developed by JR to assess a youth's risk for sexually aggressive behavior or vulnerability to sexual victimization.

Specialized treatment program: A program that addresses additional rehabilitation needs such as sexually abusive behavior treatment, drug and alcohol treatment, mental health interventions, gang intervention, gender or age specific intervention, and other programs meeting specific rehabilitation needs of youths.

Unsupervised contact: Contact occurring outside the sight or hearing of authorized personnel for more than a reasonable period of time under the circumstances.

Policy 3.20, **Assessing Sexually Aggressive or Vulnerable Youth (SAVY) 5/21/2019**

IV. RELATED JR POLICIES

Policy 1.40 – Managing JR Juvenile and Operations Records

Policy 5.91 – Reporting Abuse & Neglect of JR Youth

Policy 5.90 – Applying PREA Juvenile Standards in JR

V. FORMS AND DOCUMENTS

Document Title	Available In ACT	Link to Paper form
Sexually Aggressive / Vulnerable Youth Assessment		DCYF 20-222
