



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/WORK RELEASE
OFFENDER MANUAL

REVISION DATE
5/9/06

PAGE NUMBER
1 of 5

NUMBER
DOC 610.025

POLICY

TITLE
**MEDICAL MANAGEMENT OF OFFENDERS IN CASES
OF ALLEGED SEXUAL ABUSE OR ASSAULT**

REVIEW/REVISION HISTORY:

Effective: 6/28/99

Revised: 5/9/06

SUMMARY OF REVISION/REVIEW:


Updated Policy Statement.
Numerous changes to Sections I and II.

APPROVED:

HAROLD W. CLARKE, Secretary
Department of Corrections

3/6/06

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; ACA 4-4406; DOC 610.110 Transfer of Offenders for Health Reasons; DOC 640.020 Offender Health Records Management; DOC 670.020 HIV Infection and AIDS; DOC 890.620 First Aid and Emergency Medical Treatment

POLICY:

- I. Any offenders in partial or total confinement alleging sexual abuse or assault will be referred to a medical provider. The purpose of the referral is to evaluate injury, collect forensic evidence, and to provide treatment. The offender will be provided medical and mental health treatment services that are clinically indicated based upon the evaluation.

DIRECTIVE:

- I. General Provisions
 - A. An employee who becomes aware of an incident of sexual contact, sexual abuse, sexual assault, or sexual harassment of an offender will immediately inform his/her supervisor or the Shift Supervisor.
 - B. If an offender seeking health care indicates to a health care professional that s/he has been sexually abused, sexually assaulted, or sexually harassed, the health care professional will immediately inform the facility health authority.
 1. The facility health authority will disclose the name of the offender and nature of the reported sexual misconduct to the facility Superintendent or designee.
 2. The facility health authority's report will not disclose information about the sexually transmitted disease status of the offender or the fact that the offender requested or had an HIV antibody test.
 - C. Employees will treat offenders alleging or appearing to have been sexually abused, assaulted, contacted, or harassed, in a professional, sensitive, and nonjudgmental manner.
 - D. Each Department facility/office will make advance arrangements with the nearest community hospital or emergency room that has staff trained to carry out a sexual assault protocol to evaluate offenders who have been allegedly sexually abused or sexual assaulted.
 1. The designated community facility must:
 - a. Be able to take a medical history of the offender's injury,

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- b. Conduct a medical examination to ascertain and document the extent of physical injury,
 - c. Provide initial medical treatment,
 - d. Maintain a chain of evidence for subsequent prosecution, and
 - e. Agree to provide Department health care staff with the medical information and reports necessary for the Department to provide follow-up care.
2. The Department facility/office may take an offender to any local emergency room to access medical care and an exam for the alleged sexual assault. A list of the community facilities in Washington which have designated sexual assault nurse examiner services are listed in Attachment 1. If the offender can be transported to one of the facilities providing services listed in Attachment 1, the time that it takes to accomplish the exam may be less.

II. Procedure to be Followed After an Incident

- A. An offender who has made an allegation involving sexual abuse or sexual assault will be referred immediately to a medical provider.
 1. The medical provider will only provide emergency medical care to the offender in accordance with DOC 890.620 First Aid and Emergency Medical Treatment. Every effort should be made to preserve forensic evidence during the initial response. [4-4406]
 2. The offender will be given information regarding the need for further medical evaluation to determine:
 - a. The extent of injuries,
 - b. The testing for and treatment of sexually transmitted infections, and
 - c. The prevention of pregnancy, if applicable.
 3. The offender will also be advised of the need for the collection of evidence if directed by local law enforcement.
- B. Medical and mental health evaluations will be conducted with the consent of the offender.
 1. Offenders refusing to be evaluated will be counseled by a medical provider regarding the medical and legal implications of foregoing the evaluation.



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2. This will be documented by the primary care provider in the offender's health record on a primary encounter report and on DOC 13-048 Refusal of Medical, Dental, Mental Health and/or Surgical Treatment.
- C. The Department will transport the offender to a designated community facility for collection of forensic evidence and further medical evaluation when directed by local law enforcement. [4-4406]
1. Transportation will be provided consistent with Department and facility procedures. In addition, the offender may be accompanied to the designated community facility by an employee who can provide the offender with support if warranted. The support person will not be counted as part of the transport detail. Under no circumstances will an employee who may be involved in the alleged incident accompany the offender.
 2. The offender will be evaluated according to the designated community facility's sexual assault protocol. Department employees of the opposite sex will not be present during the examination unless security concerns indicate otherwise.
- D. [4-4406] In all cases, a mental health professional will evaluate the offender within one working day of the offender's allegation.
1. The offender will be scheduled for subsequent services as clinically indicated.
 2. If the offender declines, the refusal will be documented by the mental health provider in the primary encounter report and on DOC 13-048 Refusal of Medical, Dental, Mental Health and/or Surgical Treatment.
- E. [4-4406] When the medical provider has finished the evaluation, the offender will be housed in a safe place pending additional investigation and/or action. The decision about where the offender is housed will be a result of collaboration between the health care provider, mental health provider, and the Superintendent's designee.
- F. An appointment with Department health care staff for follow-up will be scheduled within 3 working days of the initial notification of the allegation to:
1. Assess the offender's physical and emotional status.
 2. Review the consultation sheet from the designated community facility to determine if all the medical aspects of the evaluation were completed.

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3. Provide any additional evaluation and treatment that is medically necessary including testing, prophylaxis, and treatment of sexually transmitted diseases. [4-4406]

G. When the offender is not at a Department facility where these services can be provided, the Appointing Authority/designee will arrange for a referral for the appropriate services.

III. Documentation

A. All medical and mental health services provided will be documented in the offender's health record.

B. All health information related to the evaluation and subsequent follow-up care will be confidential. Information will only be disclosed in compliance with DOC 640.020 Offender Health Record Management.

C. The facility's health records staff or designated employee will review the health record to ensure that the records include the information specified in the Department's Health Record Guidelines.

DEFINITIONS:

The following words/terms are important to this policy and defined in the glossary section of the Policy Manual: Allegation, Sexual Abuse, Sexual Assault, Sexual Contact, Sexual Harassment of an Offender. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

Hospitals and Clinics With Sexual Assault Nurse Examiner Services (Attachment 1)

DOC FORMS (See Appendix):

DOC 13-048 Refusal of Medical, Dental, Mental Health and/or Surgical Treatment