

## XIX. Investigations

- A. The WCSO shall impose no standard higher than the preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.
1. All sexual abuse and sexual harassment investigations shall be done promptly, thoroughly, and objectively.
  2. Investigations of inmate on inmate sexual abuse shall be conducted by the WCSO Investigations Division.
  3. WCSO investigators are trained on how to investigate sexual abuse claims.
  4. Investigators shall gather and preserve direct and circumstantial evidence, interview alleged victims, suspected perpetrators and witnesses.
  5. Prior complaints and reports of sexual abuse involving the suspected perpetrator shall be a focus of alleged sexual abuse and sexual harassment claims.
  6. Credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff.
  7. Inmates who claim sexual abuse or sexual harassment are not required to be submitted to a polygraph examination or other truth-telling device as a condition of proceeding with the investigation.
  8. Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse and shall be documented in written reports that meet WCSO investigative policy and PREA standards.
  9. Criminal investigations shall be documented in written reports that meet WCSO investigative policy and PREA standards.
  10. Sexual abuse and sexual harassment allegations will be referred to the Illinois State Police for investigation, unless the allegation does not involve potentially criminal behavior.
- B. Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.
- C. The WCSO shall retain all written reports for as long as

the alleged abuser is detained or employed by the agency, plus five years.

- D. The departure of the alleged abuser or victim from the employment or control of the WCSO shall not provide a basis for terminating an investigation.
- E. The WCSO shall cooperate with outside agencies investigating claims of sexual abuse or sexual harassment that is alleged to have taken place in our facility.