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Reference Number: 533-02-DD  
 Title of Document: Sexual Assault Prevention and Incident Response  
 Date of Issue: July 23, 1993  
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 Date of Last Revision: December 8, 2016 (REVISED)  
 Applicability: DDSN Regional Centers; DSN Boards; and Contracted Service Providers Operating Residential and/or Day Programs

**DEFINITION:**

Sexual assault is defined as any sexual contact or interaction that occurs:

- 1) Against the victim's will;
- 2) Without consent; and
- 3) In an aggressive, exploitative, manipulative, or threatening manner.

It may include oral, anal, vaginal, digital, penile or projectile penetration and may involve fondling, or attempted rape.

**PURPOSE:**

The purpose of this directive is to provide preventive measures to avoid and procedural steps to respond to sexual assaults of service recipients which occur in residential or day program facilities/homes/settings operated by DDSN or one of its contract providers.

**PREVENTION**

- A. Prior to admission into a DDSN residential or day program each person will be screened to determine:
- The likelihood (risk) that he/she will be a victim of sexual aggression and/or sexual assault; and

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 Summerville, SC 29485  
 Phone: 843/832-5576

Coastal Center - Phone: 843/873-5750  
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 Saleeby Center - Phone: 843/332-4104

- The likelihood (risk) that he/she will engage in sexual aggression and/or sexual assault.
- B. Any risk identified by screening must be specifically addressed in the preliminary plan developed prior to admission and implemented on the day of admission and until the first plan is developed.
- C. Regardless of the results of the pre-admission screening, each service recipient must be assessed to determine his/her risk of being either a victim or a perpetrator. Based on the assessment results, the plan must address the identified risks. Interventions to address the risk may include, but are not limited to training, behavior support, levels of supervision, and/or environmental modifications.

### **PROCEDURES IN THE EVENT OF A SEXUAL ASSAULT**

When a sexual assault is suspected or alleged, the following procedures are to be implemented.

- A. Local law enforcement is to be immediately notified. Law enforcement will coordinate the collection of evidence and follow their procedures for a sexual assault. Unless otherwise instructed by law enforcement, staff, including medical personnel, should not physically examine the service recipient and they should not collect or arrange for collection of evidence of a sexual assault. Should the service recipient need immediate medical attention (e.g., bleeding from an open wound) the physician, nurse, or staff may intervene.
- B. The service recipient must be taken to the emergency room to be examined by trained personnel specific to a victim of sexual assault. For support, the service recipient should be accompanied to the emergency room by a staff member with whom he/she has a good rapport.
- C. The incident is then reported to the Facility Administrator/Executive Director (or designee).
- D. If the sexual assault was allegedly perpetrated by a service recipient on another service recipient, the incident must be reported to DDSN in accordance with DDSN Directive 100-09-DD: Critical Incident Reporting.
- E. If the sexual assault was allegedly perpetrated by someone other than another service recipient, the incident would be defined as abuse. Therefore, the procedures outlined in DDSN Directive 534-02-DD: Procedures for Preventing and Reporting Abuse, Neglect, or Exploitation of People Receiving Services from DDSN or a Contracted Provider Agency, must be followed.
- F. If the alleged perpetrator and victim are both DDSN service recipients who receive services in the same residence or day services program/facility, they are to be separated and remain separated until the case is resolved.

**TREATING THE SERVICE RECIPIENT WHO IS THE VICTIM**

- A. Upon completion of the medical examination or other procedures as dictated by law enforcement, if appropriate, the victim should receive immediate support from a staff member with whom the victim has a positive rapport.
- B. Following the incident, the victim must be offered therapeutic counseling from a qualified therapist, and if chosen, provided the therapy.
- C. The victim's program plan should be reviewed and updated as needed to provide appropriate supports.

**TREATING THE SERVICE RECIPIENT WHO IS THE ALLEGED PERPETRATOR**

- A. If not incarcerated as a result of the assault, the alleged perpetrator is to immediately be placed on an enhanced level of supervision that would eliminate potential for sexual assault until the support team can meet to discuss a support plan.
- B. The support team will meet within two (2) business days of the incident to review the current program plan in light of the incident to determine if changes to the service recipient's program plan are needed including, but not limited to, a discussion of the ongoing level of supervision to be provided, the need for or changes to an existing behavior support plan and the need for modifications/adaptations to the existing environments.

**FAMILY NOTIFICATION**

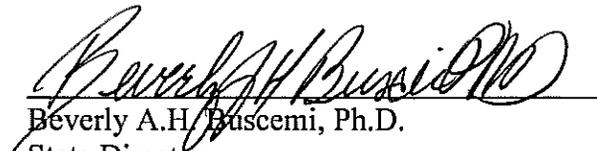
If the alleged perpetrator or the victim has a legal guardian, the legal guardian will be notified of the incident by the Facility Administrator/Executive Director (or designee) as soon as possible following the incident. If the alleged perpetrator and/or victim is an adult who does not have a legal guardian, with consent, those chosen by the service recipient to be informed of the incident will be notified by the Facility Administrator/Executive Director.

**FOLLOW-UP**

Following an incident of sexual aggression or sexual assault, the Executive Staff of the DDSN Regional Center/Provider will review current policies, procedures and the environment in light of the incident to determine what changes, if any, are needed to prevent or deter similar occurrences.



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**CROSS REFERENCES:**

- 100-09-DD: Critical Incident Reporting
- 534-02-DD: Procedures for Preventing and Reporting Abuse, Neglect or Exploitation of People Receiving Services from DDSN or a Contract Provider Agency