



**New Hampshire Division for Children, Youth and Families Policy Manual**  
**2095 PREA YOUTH REPORTING AND PROTECTION AGAINST RETALIATION**

Chapter: Sununu Youth Services Center  
Section: Youth Rights and Privileges

Approved:

Joseph E. Ribsam, Jr., DCYF Director

Policy Directive: **22-25**

Effective Date: **February 2022**

**References Of Note**

Federal Authority: [28 CFR 115](#)

Statutes: [RSA 169-B](#), [RSA 169-C](#), [RSA 354-A:7](#),  
[RSA 621](#), [RSA 621-A](#), [RSA 629](#), [RSA 632-A](#),  
[RSA 639:3](#), and [RSA 642:2](#)

Administrative Rules: [PER 1002](#)

Case Law:

This policy establishes the SYSC reporting structure and protections for youth, staff, their families, and third parties in reporting allegations of sexual abuse, sexual harassment and sexual misconduct, according to the provisions of PREA.

**Required Practices**

*Any deviations to the following information must be documented with Supervisory Approval.*

- I. Staff, youth, their families and third parties may report incidents of sexual abuse, sexual harassment, sexual misconduct, retaliation, or staff neglect or violation of responsibilities that may have contributed to such incidents<sup>1</sup> by:
  - A. Making a verbal report to any staff;
  - B. Making a report through the YWCA Crisis Services Hotline at 603-668-2299;
  - C. Making a report to the Office of the Ombudsman;
  - D. Making a report to the Office of the Child Advocate at 603-271-7773;
  - E. Making a report to the DCYF Central Intake at 603-271-6556;
  - F. Completing Reporting Form for Sexual Abuse, Sexual Harassment, Sexual Misconduct and Retaliation (Form 2055) and submitting it to:
    1. Any staff; or
    2. Depositing the form in the Office of the Ombudsman Box;
  - G. Using other means to report such as a sick call slip, a complaint form or including the information in a Figuring Out the Problem worksheet (FOTP) Form 2166 or other processing tool; or

- H. Making reports to their parent(s)/guardians, JPPO, legal counsel, or other adults to report on their behalf.
- II. Staff must accept reports made verbally or in writing, from the youth, an anonymous source, or from a third party. This includes reports identified indirectly through the processing of therapeutic tools and worksheets.
    - A. All reports must be documented on Reporting Form for Sexual Abuse, Sexual Harassment, and Retaliation (Form 2055) and immediately submitted to:
      - 1. The On-Duty Supervisor; and
      - 2. The SYSC Internal Investigator.
    - B. Youth-to-youth allegations reported to have occurred at SYSC must also be documented in the SYSC Allegation Report (Form 2087) in YouthCenter.
    - C. Staff will refer to policy 2475 Abuse or Neglect of Committed or Detained Youth, for additional abuse and neglect reporting requirements.
  - III. If a youth reports alleged sexual abuse occurring at another facility, the SYSC Administrator will no later than 72-hours report the abuse to:
    - A. The head of that facility or another appropriate office of the agency where the alleged abuse occurred; and
    - B. Central Intake<sup>ii</sup>.
    - C. The SYSC Administrator will document the notification on Form 2055<sup>iii</sup>.
  - IV. Any staff receiving a report that a youth formerly residing at SYSC alleging abuse that occurred at SYSC must document the allegation on Form 2055 and submit it to the On-Duty Supervisor.
    - A. The On-Duty Supervisor will ensure the SYSC Administrator is notified of the report.
    - B. The SYSC Administrator will ensure the allegation is investigated in accordance with policy 2088 PREA Investigations<sup>iv</sup>.
  - V. Retaliation for reporting allegations or cooperating in investigations of sexual abuse, sexual harassment, or sexual misconduct is prohibited.
    - A. All staff must document incidents of retaliation on Form 2055, and submit to the On-Duty Supervisor.
      - 1. The On-Duty Supervisor must report incidents of retaliation to the SYSC Administrator or designee<sup>v</sup>.

2. Administrative staff will act promptly to initiate an investigation of any allegation of retaliation and take any necessary corrective actions.
- B. Retaliation monitoring will begin as soon as an allegation of sexual abuse, sexual harassment or sexual misconduct is made, and will continue for at least 90-days. SYSC Residential and Clinical staff will monitor the youth to determine if there are behavioral changes that may suggest possible retaliation such as:
1. Conduct that is outside of the youth's usual behavior;
  2. Changes in disciplinary reports;
  3. Housing (e.g. referral to CSU);
  4. Program changes; and
  5. Periodic status checks including emotional status conducted by Clinical staff as well as check-ins conducted by Youth Counselors<sup>vi</sup>.
- C. Youth expressing a fear of retaliation will be protected by the following measures<sup>vii</sup>:
1. Housing changes or transfers;
  2. Removal of alleged staff or youth abusers from contact with victims; and
  3. Any other appropriate measures based on case-by-case circumstances.
- D. Support services available for youth who report fear of retaliation for reporting sexual abuse, sexual harassment, or misconduct, or for cooperating with investigations include but are not limited to:
1. Youth Counselors communicating proactively with youth about retaliation concerns and explaining the steps in place to prevent and address retaliation;
  2. Therapeutic interventions by Clinical staff;
  3. Contacting Victim Advocacy Services as requested by the youth; and
  4. Support from the Office of the Child Advocate.
- E. SYSC will monitor staff for indications of retaliation which may include but not be limited to:
1. Changes in performance;
  2. Request for reassignments; and

3. Other indicators of possible retaliation.
- F. Support services for staff include:
1. Periodic checks-ins and supervision by the staff's supervisor;
  2. The DCYF EPIC Program; and
  3. New Hampshire Employee Assistance Program<sup>viii</sup>.
- G. These efforts will continue beyond 90-days if a continued need is indicated<sup>ix</sup>.
- H. The obligation to monitor retaliation will terminate if the allegation is investigated and determined not to have occurred (unfounded)<sup>x</sup>.
- I. SYSC staff will monitor and respond to any safety or mental health issues that might present, regardless of the outcome of an investigation.
- VI. The PREA Compliance Manager will coordinate and document all efforts to monitor for and address retaliation for the 90-day period.
- A. Monitoring efforts will be kept confidential to the extent circumstances permit.

<b>Applicable Forms</b>	
<b>Form</b>	<b>Title</b>
2055	Reporting Form for Sexual Abuse, Sexual Harassment, Sexual Misconduct and Retaliation
2166	Figuring Out the Problem Worksheet
2087	SYSC Allegation Report

**Glossary and Document Specific Definitions**

A - B    C - D    E - F    G - I    J - L    M - N    O - Q    R - S    T - V    W - Z

<b>Document Change Log</b>			
<b>PD</b>	<b>Modification Made</b>	<b>Approved</b>	<b>Date</b>

<sup>i</sup> 28 CFR 115.351 (a)  
<sup>ii</sup> 28 CFR 115.363 (a)  
<sup>iii</sup> 28 CFR 115.363 (c)  
<sup>iv</sup> 28 CFR 115.363 (d)

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- v 28 CFR 115.367 (a)
  - vi 28 CFR 115.367 (d)
  - vii 28 CFR 115.367 (e)
  - viii 28 CFR 115.367 (b)
  - ix 28 CFR 115.367 (c)
  - x 28 CFR 115.367 (f)