

NYC Department of Correction
Procedures for Reporting, Recording and Investigating
Allegations of Sexual Assault and Harassment

Reporting and Tracking

Allegations of sexual assault and harassment come to the attention of the Department of Correction (DOC) through multiple channels: the Department of Investigation (DOI), Advocacy Groups, Medical Staff, Facility Staff, Constituent Services, 311, Grievances, our Sexual Assault Hotline, and others. The number of our Sexual Assault Hotline is posted in all facilities.

All allegations of sexual assault or harassment brought to DOC are reported to our Central Operations Desk and are recorded in our Incident Reporting System.

The responsibility for tracking and resolving these allegations rests with DOC's Investigations Division (ID), which compiles the statistics DOC reports pursuant to the federal Prison Rape Elimination Act (PREA).

DOC reports PREA statistics to the U.S. Department of Justice annually. DOC reports all sexual allegations that occur in its facilities monthly to the NYPD Bronx Special Victims Squad and the NYPD Special Victims Division. Inmates also can tell DOC about any alleged sexual assaults that happened before their incarceration; DOC reports those allegations to NYPD as well.

Investigations

ID automatically refers any allegation that a DOC staffer or other city employee has committed a sexual assault to DOI. DOI may decide to take such a case itself or it may authorize ID to conduct the investigation.

ID investigates all allegations of sexual harassment by DOC Staff and all allegations of Inmate-on-Inmate sexual assault and harassment.

Upon notification of a sexual assault allegation, and clearance from DOI when appropriate, ID dispatches investigators to interview the complainant.

The complainant is then afforded medical, mental health and ministerial services if he or she has not already received them.

When appropriate, the facility at which an alleged sexual assault occurred will establish a crime scene. The crime scene can be taken over by either ID or DOI. At the crime scene, the investigators will gather, secure and voucher all evidence and establish a chain of custody. The investigators will voucher all evidence requiring laboratory analysis with the NYPD. They will then hand-deliver the evidence to the NYPD Forensic Division, which forwards it on to the Office of the Chief Medical Examiner.

A thorough investigation then commences, conducted according to the policies in the Investigation Division Manual and related DOC Directives. The investigative steps include but are not limited to: canvassing for witnesses, reviewing video records, ordering staff reports and interviewing staff.

Referral

Allegations of sexual assault that are substantiated or potentially substantiated are referred to the appropriate District Attorney's Office for prosecution.

