OPTIONS, INC.
INCIDENT RESPONSE PROCEDURES
SEXUAL ACTIVITY BETWEEN CONSUMERS RESPONSE AND REPORTING

I. Policy

To ensure that all staff working at Options, Inc. know what actions to take in the event of forced or coerced sexual activity occurring between consumers.

A. The terms "force" and "coercion" have the meanings given under section 609.341,subdivisions 3 and 14:

1. “Force” means the infliction, attempted infliction, or threatened infliction by the actor of bodily harm or commission or threat of any other crime by the actor against the complainant or another, which (a) causes the complainant to reasonably believe that the actor has the present ability to execute the threat and (b) if the actor does not have a significant relationship to the complainant, also causes the complainant to submit.

2. “Coercion” means words or circumstances that cause the complainant reasonably to fear that the actor will inflict bodily harm upon, or hold in confinement, the complainant or another, or force the complainant to submit to sexual penetration or contact, but proof of coercion does not require proof of a specific act or threat)

II. Procedure

In the event that sexual activity between consumers is discovered by staff, staff will follow the procedures as required in the consumers' Risk Management Plans or ISPs. If sexual activity between the consumers' is not addressed in the consumers' RMP or ISP then staff will take the following actions:

A. Instruct the consumers in a calm, matter-of-fact and non-judgmental manner to discontinue the activity. Do not react emotionally to the consumers’ interaction. Physically intervene in an approved, therapeutic manner if there is obvious coercion or force involved or, based on knowledge of the consumers’ involved that one of the consumers has sexually exploited the other. Summon additional staff if necessary and feasible. If the consumers are unclothed, provide them with a robe or other appropriate garment. Do not have them redress in the clothing that they were wearing. Do not allow them to bathe or shower at this time.

B. Instruct or assist the consumers to go to separate areas of the facility. To the extent possible, question the consumers separately as to the activity including what led to the interaction, who initiated the interaction, what specifically happened, and if the consumer is experiencing any physical or emotional discomfort. Ask what, when, where, and how questions. Do not ask “why” questions. Document your initial observation of the activity and the information provided by the consumers as soon as possible after talking with them.

C. If the consumer(s) expresses physical discomfort and/or emotional distress, or for other reasons you feel it necessary, contact medical personnel and law enforcement as soon as possible. Visually examine the consumers for any signs of physical injury (e.g., bruising, bleeding, etc.) and document your findings as

soon as possible.
D. If medical personnel and law enforcement have been contacted, follow all instructions they provide.
E. If it is determined unnecessary to involve medical and law enforcement personnel, have the consumers resume their normal activities.

III. Notification

After appropriate arrangements have been made to meet the consumers' immediate needs, complete the following steps:

A. Notify administrative staff, as appropriate.
B. Contact the county case managers.
C. Contact parents and guardians.
D. The staff person who was in charge at the time of the incident will complete the necessary incident reports.
E. Notify licensing personnel as appropriate.
F. If the incident involved the emergency use of a controlled procedure, complete an emergency use of controlled procedure report as required.

Authorized by:_____ _____
Executive Director Date