

MEMORANDUM OF UNDERSTANDING

This *Memorandum of Understanding* is made by, and between Gallatin County Re Entry Program (GCRP) of which serve in the capacity as legal and physical custodians of state, federal and county inmates (Offenders) and the Bozeman Police Department (BPD)

This *Memorandum of Understanding* is a compilation of discussions and decisions GCRP Program and the BPD which are addressed further within the body of this document.

Whereas the United States Department of Justice has promulgated national standards for the implementation and enforcement of the Prison Rape Elimination Act of 2003, Public Law 108-79, 117 Stat. 973, *et seq.*, 45 U.S.C. 15601, *et seq.* (PREA); and


Whereas, subsection (a) of Section 115.22 and Subsection (b) require GCRP Program to ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment, as well as create a policy and procedures which ensure allegations of sexual abuse and sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations. unless the allegation *does not* involve potentially criminal behavior.

Whereas, BPD, as the primary law enforcement responder to GCRP, agreed to investigate criminal allegations of sexual abuse and sexual harassment which may occur at the GCRP Program.

1. It is the responsibility of BPD to conduct any necessary or appropriate criminal investigation(s) upon receipt of the report from GCRP
2. If during the course of an administrative investigation, or upon GCRP Program's First Response Incident, there is evidence that a crime may have occurred, the BPD shall immediately be contacted to conduct a criminal investigation.
3. The respective staff of GCRP shall follow First Responder Protocols in terms of evidence and securing the crime scene, until BPD investigating personnel are relieved by a designated *lead* investigator. BPD investigators shall utilize protocols adapted from, or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women Publication, "A National Protocol for Sexual Assault Medical Forensic Examination, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011 when investigating sexual abuse and sexual harassment involving inmates (Offenders) from GCRP.
4. In the event of a criminal investigation, the Operations Administrators from GCRP, or their designees, will commit to full cooperation with an investigation, act as a liaison with BPD to stay informed of the process of the investigation for the purpose of victim support and notification, and overall facility safety.

We, the listed below administrators, agree to terms and conditions of this Memorandum of

Understanding (MOU). Any modifications to this MOU must be in writing and signed by the below administrators. This MOU may be terminated by mutual consent of both parties, or by either party upon written notice.

 4-26-22

Jim Veltkamp
Chief of Police
Bozeman Police Department

 4/19/22

Alanna Shetter
Program Administrator
Gallatin County Re-Entry Program