

Sexual Assault Response Team Protocols & Procedures

A Multidisciplinary, Victim-Centered Response for:

- Law Enforcement
- Prosecution
- Domestic Abuse Shelter Staff
- Health Care Professionals
- Victim Advocates
- Victim Witness Specialist
- Allied Members



Together, we are
The Network.

Sexual Assault Response Team (SART) Community Protocol

Vision and Mission Statement

Vision

- A. To ensure all sexual assault victims accessing services in _____ County Area receive a continuum of quality care through unified efforts of the SART. Through this collaborative partnership, SART members will strive to provide all survivors of sexual assault with necessary services to promote healing, to restore an optimal level of functioning, and to ensure victims' rights are maintained.
- B. The SART will be comprised of representatives from: local and state law enforcement agencies, the State's Attorney's Office, a health care professional, an advocate from the Domestic Abuse Shelter, a victim witness specialist, Police Department and other allied members. The core member agencies of this team are permanent but additional members may be added if necessary to meet the needs of sexual assault survivors.
- C. This protocol establishes a community wide approach to the crime of sexual assault. It is representative of the combined efforts of professionals from law enforcement, health care professionals, victim advocacy, and the judicial system. The SART consists of agencies that work independently of one another but will collaborate to maintain open communication with each other regularly to discuss mutual cases, thus making the system function effectively and efficiently.
- D. SART team meetings will allow for collaborative communication, discussions of concerns, and problem solving. In addition, a coordinated approach will enhance victim and public safety by facilitating investigations and successful prosecutions, which will increase the likelihood that offenders are held accountable for their actions and further sexual assaults will be prevented.

- E. Case Audits and Data Collection will be an important part of the SART to educate the public and make sure the policies and the guidelines established by the SART are being followed.

Mission

The mission of the SART is to empower, support, and promote healing of persons of all racial, social, religious, and economic groups, ages, gender, disabilities, lifestyles, or sexual orientation victimized by sexual assault.

ROLES/GENERAL POLICIES & PROCEDURES

Law Enforcement

Role:

Law enforcement and criminal investigators play a significant role in the victim's willingness to cooperate in the investigation, as well the victim's ability to cope with the emotional and psychological effects of the crime. Therefore, it is critical that law enforcement agencies treat a victim of sexual assault with compassion and consideration, and provide the necessary information and assistance to make the interaction with the criminal justice system as easy as possible.

- A. When engaging sexual assault victims during the investigative process, law enforcement will utilize interviewing skills rather than interrogation methods.
- B. Whenever a sexual assault victim has been identified by law enforcement, law enforcement will ensure that an advocate from Domestic Abuse Shelter be contacted to offer their support and services.
- C. When law enforcement is called to the scene of a sexual assault, officers will protect the victim from further harm, protect the integrity of the crime scene/evidence, and take a statement from the victim to determine if a crime was committed. Law enforcement will contact Domestic Abuse Shelter and request an advocate be dispatched to a safe location, i.e., shelter or hospital, to meet with the victim.
- D. In sexual assault cases occurring within 120 hours, in which a medical exam is warranted and with the victim/survivors cooperation, the law enforcement officer will recommend the victim/survivor proceed to the Health Systems Emergency Department or nearest medical facility to be examined by a health care professional.
- E. Law enforcement will preserve information and evidence that will identify the offender and prove the allegations, and utilize the Sexual Assault Report Review Checklist approved by the SART.
- F. Law enforcement will make an arrest or make referrals to the appropriate State's Attorney's office when a sexual assault suspect has been identified and probable cause for arrest exists.

- G. All requests from sexual assault victims, family members, or outside agencies in reference to the report submitted to law enforcement will go through the appropriate State's Attorney's Office to gain access to the report.
- H. Law enforcement will work with the States Attorney, Deputy States Attorney, Advocates, and Victim Specialists to help ensure victims' rights are being met and information shared to help in the prosecution.
- I. Law enforcement will attend SART meetings on a regular basis and share information with other partner agencies involved with the SART meetings so that victims are protected and perpetrators are held accountable.
- J. Law enforcement will keep the SART informed of the status of cases as they move through the investigative process while respecting and maintaining victim confidentiality.
- K. Law enforcement will adhere to their agencies policy on maintaining victim/client confidentiality.
- L. Law enforcement will have a procedure in place to handle Jane Doe SA kits.

Domestic Abuse Shelter (DAS)

Role:

Victim advocates provide free, confidential and non-judgmental emotional support, information, community program referrals and guidance following a sexual assault. The victim is usually more cooperative and better able to respond to procedures when feeling supported, believed and safe.

- A. DAS will provide a 24-hour, 7 day-a-week sexual assault crisis hotline.
- B. An advocate for the Domestic Abuse Shelter will respond within 45-60 minutes from the time the shelter is contacted. If for any reason there is going to be a delay in response time (inclement weather, or other emergency issues) DAS will give an estimated time of arrival.
- C. If present prior to the sexual assault examination (SAE) DAS advocates will inform the victim/survivor of his/her options to be examined by a health care professional, review the confidentiality and the limits of confidentiality, and explain the benefits of completing a release of information to law enforcement and the State's Attorney's office, said release to be time, date, and agency specific.
- D. DAS advocates will accompany the victim/survivor throughout the exam at the victim/survivor's request.
- E. DAS advocate will remain with the victim/survivor after the exam is complete to talk with the victim/survivor.
- F. After the victim/survivor has completed the medical exam, DAS advocate will encourage the victim/survivor to engage their support system to ensure victim/survivor is not alone once they depart from the hospital.
- G. DAS advocate will not interfere with the examination by a health care professional or law enforcement investigation.
- H. DAS advocates will give each sexual assault victim/survivor a personal care package, including clothing and personal care items for victims/survivors having to surrender their clothing into evidence at the hospital, in addition to the folder the SART has developed, complete with resource contact information, before leaving the hospital.

- I. DAS will follow up with all sexual assault victims/survivors, if so desired by the victim/survivor, and provide additional services, if necessary, including but not limited to: law enforcement accompaniment, judicial accompaniment, referrals for STI and pregnancy testing, individual and group counseling provided by a licensed counselor for the victim of sexual assault, and contact information regarding the Family Planning Clinic.
- J. DAS advocates will attend SART meetings and work cooperatively with SART members with a goal of focusing on what is in the best interest of the victim/survivor and the community.
- K. DAS advocates will adhere to Shelter policy maintaining victim/client confidentiality.

Victim/Witness Specialist

Role:

Victim/Witness Specialists serve victims and witnesses of crimes by providing support and resources to ensure the rights of the victims are not violated. Victim/Witness Specialists also help guide a victim/witness through the criminal justice process so their interests are heard and upheld.

- A. A Victim/Witness Specialist becomes involved with cases after being specifically requested to assist by law enforcement or prosecutors.
- B. Upon notification, the Victim/Witness Specialist will meet with and/or contact the victim as soon as practical and discuss upcoming court proceedings, court language, court documents, and educate them about the court system in general to ensure victims understand their legal rights and responsibilities.
- C. The Victim/Witness Specialist will also ensure the victim is aware of the Crime Victim's Compensation Program and collaborate with other area resources or support services as needed.
- D. The Victim/Witness Specialist will help the victim navigate through the court process as it relates to their case, contact the victim prior to upcoming hearings, and attend all hearings (with the victim or in the absence of the victim) keeping the victim apprised of all matters relating to their case.
- E. The Victim/Witness Specialist acts as a liaison between victims and law enforcement, prosecutors, and other court staff.
- F. The Victim/Witness Specialists assists with Victim Impact Statements, restitution figures, DOC Notification forms, and the completion of the Crime Victims Compensation Application if needed.
- G. The Victim/Witness Specialist will attend the SART team meetings on a regular basis. Victim/Witness Specialists involved with case specific information to a particular crime victim will adhere to their agencies policy on maintaining victim/client confidentiality.

Health Care Professionals

Role:

Hospitals and medical providers are working to meet the needs of sexual assault patients, as well as fulfill the medical community's responsibilities for the collection and preservation of evidence. By having specially trained health care professionals conduct the forensic medical exam, hospitals are able to provide comprehensive consistent care that respects the emotional and physical needs of the sexual assault patient while collecting the best possible forensic evidence to promote effective prosecution of the suspect.

- A. Health care professionals will understand the dual purpose for the forensic medical examination is to address the patient's needs and the justice system needs.
- B. Health care professionals will ensure that exams are conducted at sites served by specially educated and clinically prepared examiners. When a health care professional is unavailable, a trained RN and medical provider will conduct the forensic medical exam.
- C. A health care professional will demonstrate an average response time of 45-60 minutes or less once they have been informed a case number has been issued. If for any reason there is going to be a delay in response time (inclement weather, or other emergency issues) the health care professional will give an estimated time of arrival.
- D. Health care professionals will notify DAS (if they have not already been notified) when a sexually assaulted patient presents at the ER Department seeking treatment.
- E. Health care professionals will provide DAS Advocates and law enforcement the opportunity to establish contact with the victim/survivor.
- F. Health care professionals will employ victim-centered care and perform the sexual assault forensic exam in a sensitive, dignified manner.
- G. Health care professionals will get permission forms signed as per protocol and take the victim/survivor and DAS/ counselor into the exam room (if available) to conduct the medical forensic examination. Examinations will be conducted with the health care professional (and possibly a health care

professional trainee), the Advocate (and possibly an Advocate trainee) or counselor and the victim in the room. All family members and friends will be escorted to a separate waiting area unless specifically asked to stay. Law enforcement will exit the exam room prior to the exam.

- H. Health care professionals will follow hospital protocol in the examination of sexual assault survivors and in the collection of forensic evidence from the survivors.
- I. Health care professionals will utilize SAE kits that are provided by the South Dakota Department of Health.
- J. Health care professionals will maintain chain of custody for forensic evidence by releasing evidence to the appropriate law enforcement agency.
- K. Health care professionals will encourage all sexual assault victims to have follow-up STI examinations, testing, immunizations and treatment.
- L. Health care professionals will properly prepare for upcoming hearings.
- M. Health care professionals will meet with the prosecuting attorney to review the case prior to any testimony in the case.
- N. Health care professionals will maintain communication and contact with the State's Attorney's office and give immediate notification of change of address or telephone numbers.
- O. Health care professionals will provide truthful, accurate, and complete testimony at all court proceedings.
- P. Health care professionals will provide training to law enforcement and other community agencies.
- Q. A health care professional from the Health Systems will attend SART meetings and work cooperatively with SART members with a goal of focusing on what is in the best interest of the victim/survivor and the community.
- R. Health care professionals will adhere to the hospitals policy on maintaining victim/client confidentiality.

State's Attorneys Office

Role:

Prosecutors assume responsibility in: making decisions to prosecute sexual assault matters, informing victims of the status of a case from the time of the initial charge to conclusion of said matter, recognizing the profound impact that crimes of sexual violence have on victims and their families, and holding offenders accountable for their actions.

- A. Provide guidance to law enforcement during their investigation, evaluate the results of the investigations and prosecute the appropriate cases.
- B. Attend SART meetings on a regular basis.
- C. Share information with other partner agencies involved in the SART meetings so that victims are protected and perpetrators are held accountable.
- D. Keep SART informed of the status of cases as they move through the legal system.
- E. Respond to inquiries by the victim as soon as possible, keep victims apprised of the status of the case, advise victims as to the appropriate rights, and are prepared for Court, working directly with Victims' Assistants/Specialists to ensure the same timely done.
- F. Will adhere to their agencies policy on maintaining victim/client confidentiality.
- G. Receive at least 8 hours of training per year on sexual assault.
- H. Second chair at least one sexual assault case before handling one of their own.

Allied Members:

Role:

Allied Members will assist in the collaborative work of SART, recognizing the impact crimes of sexual violence have on victims.

- A. Provide insight into the community's awareness of the sensitive issues of crimes of sexual violence.
- B. Provide opportunities for SART to provide education when possible in classroom or organizational settings.
- C. Designate staff to attend SART meetings on a regular basis.
- D. Share information with other partner agencies involved in the SART meetings so that victims are protected and perpetrators are held accountable.
- E. Will adhere to their agencies policy on maintaining victim/client confidentiality.

Sexual Assault Response Team Member Agreement Form

There are a significant number of people in _____ County and the surrounding counties that are affected by sexual assault. I believe the best practice for addressing victims of sexual assault in _____ County and the surrounding counties is through the use of a coordinated, multidisciplinary sexual assault response team (SART).

I, _____, wish to join together in a coordinated, multidisciplinary sexual assault response (SART). I agree to join together in the group known as the Sexual Assault Response Team. I fully support the mission and vision statement of the Sexual Assault Response Team (a copy of said mission and vision statement is attached) I agree to fully participate in all activities of the Sexual Assault Response Team.

Signature

Date

Agency

Job Title