



San Diego County Sexual Assault Response Team (SART)

Standards of Practice

For Members of the Interdisciplinary SART Team

**County of San Diego
Board of Supervisors**

**Greg Cox, District 1
Dianne Jacob, District 2
Pam Slater-Price, District 3
Ron Roberts, District 4
Bill Horn, District 5**

**Walter F. Ekard,
Chief Administrative Officer**

**Jean M. Shepard, Director
Health and Human Services Agency**

**Wilma J. Wooten, M.D., M.P.H.,
Interim Public Health Officer**

**Carmel J. Angelo,
Assistant Deputy Director
Public Health Services**

April 2007

**San Diego County
Sexual Assault Response Team (SART)**

Mission Statement

“To promote social change that fosters a society responsive to victims/survivors, their families and our community that holds offenders accountable.”

Values

Culture & Community Support:

We are committed to meeting the diverse needs of all members of our community.

Education:

We are committed to educating ourselves and the community through multi-disciplinary training and adhering to current standards of professional practice.

Professionalism:

We are committed to an objective state of the art knowledge based practice, continuing education, non-judgmental, and honest interaction with victims and open, respectful communication with other professionals in the field.

Sensitivity:

We are committed to recognizing the physical and emotional needs of the victims, providing gentle and thorough acute and follow-up care.

Communication:

We are committed to listening to one another’s concerns and opinions and offering support through community education and resources.

Table of Contents

Introduction.....	3
The Victim Focused SART Model	3
Background for the Development of the SART Model in San Diego County	6
The Regional SART Model – San Diego County.....	7
SART Team Training	8
Role of Standards.....	9
The SART Standards of Practice:	
1. Law Enforcement: Patrol Officer/Deputy/Uniformed Officer	11
2. Law Enforcement: Investigator.....	13
3. Law Enforcement: Criminalist: Forensic Scientist.....	15
4. Healthcare Provider: SART Call Receiver	16
5. Healthcare Provider: Sexual Assault Forensic Examiner	17
6. Healthcare Provider: Approved SART Facility	20
7. Crisis Care Provider: First Response Volunteer Rape Crisis Advocate/Rape Crisis Advocate/SAVI Advocate/Crisis Intervention	22
8. Crisis Care Provider: Rape Crisis Counselor.....	25
9. Crisis Care Provider: Victim/Witness Advocate	26
10. Prosecutor: District Attorney/City Attorney/Judge General Advocate	28
Appendix A Definitions/Statutory Citations	30
Appendix B Decision Algorithm – Sexual Assault ≥ 14 years	35
Appendix C SART System Forms	36
Appendix D Resources	38
Appendix E References.....	42
Appendix F Acknowledgments.....	43

Introduction

In 1990, the San Diego County Board of Supervisors authorized the establishment of a multi-jurisdictional, interdisciplinary Sexual Assault Response Team (SART) Model in San Diego County.

There are two primary objectives of the SART Model.

- To improve the provision of services to victims of sexual assault in San Diego by providing sensitive, efficient, interdisciplinary services, and
- To ensure accurate evidence collection to promote the apprehension and prosecution of perpetrators

Necessary to the accomplishment of these objectives, especially in a Team comprised of a wide range and variety of disciplines, is a written outline for all team members describing the various roles, procedures and expectations for each discipline/team member. Consequently, the SART Systems Review Committee (SSRC) presents these *Standards of Practice* for the providers of care to define these roles, procedures and expectations for all team members. It is hoped that, with these *Standards*, the Team will be better able to accomplish its objectives and, ultimately, provide optimal care for the victim of sexual assault. By realizing these objectives, the Team hopes to promote social change that fosters a society responsive to victims/survivors, their families and our community that holds offenders accountable. The Team calls this “*Response with a Heart.*”

These *Standards of Practice* address the timeliness and quality of examinations, access and availability, cost, prosecutability, and communications among providers of services. As with any dynamic process, these *Standards* are a continual work in progress. It is recommended that they be reviewed and revised yearly.

The Victim-Focused SART Model

The SART Model improves services offered to victims of sexual assault by providing:

SHORTENED TIME FROM VICTIM REPORT TO MEDICAL-LEGAL EXAMINATION

- Regional system for cases reported to law enforcement
- Designated sites for care, instead of multiple Emergency Departments
- Protocol for activating the SAFE/SANE and Advocate
- Algorithm for SAFE/SANE to access emergency medical care based on presentation and presenting symptoms of victim
- Streamlined communications between law enforcement and health care

CONFIDENTIALITY

- A dedicated private setting for the medical-legal examination, unless otherwise indicated due to patient medical condition
- Waiting room separate, and at a distance from the interview room
- Compliance with Civil Code 34.9 regarding consent by minors 12 years and older

EMOTIONAL CARE

- Officers, Detectives, SAFEs, and Advocates trained in techniques to affirm and support victims
- A trained advocate to provide support and initial crisis intervention
- Provision of referrals for follow-up services
- Expert Sexual Assault Forensic Examiners (SAFEs) to integrate emotional care and crisis intervention during the medical-legal examination

A SEXUAL ASSAULT SYSTEMS REVIEW COMMITTEE, AUTHORIZED BY THE BOARD OF SUPERVISORS

- An interdisciplinary think tank, decision making body
- Convene regional multi-jurisdictional meetings
- Approves Child/Adolescent/Adult SART Facilities
- Conducts quality assessment of interdisciplinary programs
- Provides on-site review by appropriate SART Committee members for unresolved breaches of protocol
- Provides recommendations from the SART committee to the SART community
- Tracks SART facilities, law enforcement, and advocate agency participation
- Tracks demographic victim information and medical-legal examination findings
- Monitors the quality of forensic exams based on interdisciplinary team member and victim feedback
- Provides grant funding and clinical research on sexual assault victims
- Tracks and evaluates judicial outcome
- Provides the County of San Diego Board of Supervisors with a Report outlining SART program accomplishments

SEXUAL ASSAULT FORENSIC EXAMINER (SAFE)

- Physicians, registered nurses, nurse practitioners, and physician's assistants licensed in the state of California specially educated and experienced in care of sexual assault victims and suspects
- Demonstrate a willingness to work with sexual assault victims, law enforcement, and attorneys in prosecuting the cases and testifying in court
- Provide optimal use of photographic equipment and techniques to document findings for forensic purposes
- Ensure the preservation of evidence and chain of custody, based on current guidelines
- Provide thorough, consistent written documentation in compliance with state (Office of Emergency Services) and local (SART) standards
- Participates in related continuing education including monthly SAFE training/case review
- Meets annual competency standards
- Maintains objectivity in the medical-legal examinations of victims and suspects

- Conducts forensic follow-up examination, when requested by law enforcement
- Provides referral or treatment for general medical needs and STD concerns consistent with Centers for Disease Control and Injury Prevention (CDC) and California state guidelines

IMPROVED COMMUNICATION

- An interdisciplinary team that facilitates the goal of timely efficient service to the victim
- Open networking between detectives and prosecutors
- Input from Criminalists at the crime lab on evidence collection by SAFE
- Provide for interdisciplinary evaluation through use of Feedback Forms and Victim Confidential Questionnaires
- Interaction with advocacy providers on victim services
- Cross training among SART team members
- Confidential communications per California state law
- Provide community educational outreach

ETHICS

- Maintain victim confidentiality and respect for all interdisciplinary communications
- Ensure that victims have an understanding of their legal rights
- Respect the human dignity and the uniqueness of the victim, unrestricted by considerations of racial, age, social or economic status, personal attributes, the nature of the health problems or the nature of the crime
- Maintain appropriate confidentiality of records, photographs and communications, while ensuring that all records are promptly and properly transferred, as required to appropriate persons or institutions

Background for the Development of the SART Model in San Diego County

In response to a number of incidents wherein victims of sexual assault were not provided optimal care, the San Diego County Board of Supervisors and the Department of Health Services (now the San Diego County Health & Human Services Agency) responded by authorizing a Task Force to examine improved access to services and continuity of care for the sexual assault victim. This interdisciplinary, multi-jurisdictional Task Force was to investigate the issues in providing services to sexual assault victims and to make recommendations. Concurrently, Pomerado Hospital began operating a Sexual Assault Response Team, guided by two emergency nurses who had obtained training as sexual assault examiners. The Palomar-Pomerado Hospital Foundation supported this effort by acquiring a site on the hospital grounds but outside its Emergency Department, and by purchasing the required specialized equipment.

In August 1991, the County's Task Force recommended that the Board establish a regional Sexual Assault Response Team (SART) model to provide the most timely, efficient, and consistent services to sexual assault victims. The Task Force recommended that there be only a few designated sites for immediate care and for provision of the medical-legal examination, and that these examinations should be provided by examiners specially trained in that role.

The Sexual Assault Forensic Examiner (SAFE) is the health care arm of the SART team. The role of this individual includes the physical and psychosocial assessment of the victim, as well as the gathering of medical evidence to assist in the prosecution of the perpetrator. Appropriately trained physicians may serve in the SAFE role, as well as physician's assistants, nurse practitioners, and Registered Nurses (the American Academy of Forensic Sciences recognized forensic nursing as a scientific discipline and has sanctioned the role of the appropriately trained Registered Nurse to practice as a SAFE).

In October 1991, the first medical-legal examinations were conducted under this new regional SART model at three hospital-based centers in San Diego County. Services have been provided continuously since then, with over 3,000 examinations being conducted for sexual assault.

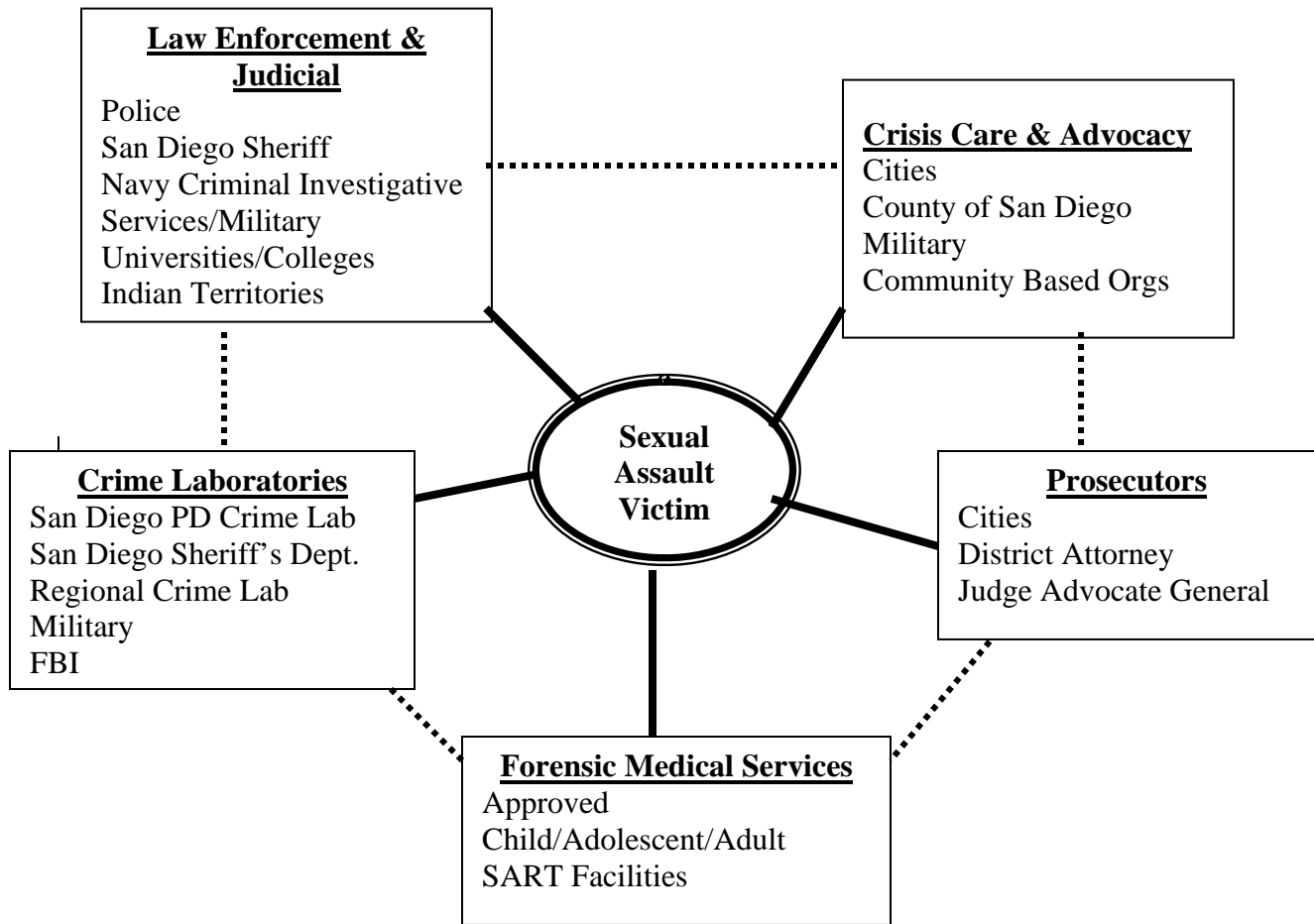
Activities of the San Diego County SART System are coordinated by the *SART Systems Review Committee* (SSRC). The purpose of the SSRC is to provide for ongoing guidance to the SART program in San Diego County. It serves as a forum for interdisciplinary communications, countywide protocols, recommendations for the resolution of concerns, and the development and revision of Standards of Practice for the SART Program. The SSRC includes representation from:

<ul style="list-style-type: none">○ Child/Adolescent/Adult SART facilities○ Chadwick Center at Rady Children's Hospital○ Law Enforcement○ OES authorized Rape Crisis Centers/Advocacy programs	<ul style="list-style-type: none">○ District Attorney's Office and Victim/Witness Assistance Program○ Crime Laboratories○ San Diego County Health and Human Services Agency, Division of Emergency Medical Services
---	---

The County of San Diego, Health & Human Services Agency, Division of Emergency Medical Services provides administrative and technical support to the San Diego County SART Systems Review Committee. This support includes management of all SART data, the publication of periodic SART system statistics, and assistance with fundraising activities.

The Regional SART Model – San Diego County

In the SART Model, the sexually assaulted person is in the center of the SART process, with the interdisciplinary team (including law enforcement, health care, and crisis care providers) supporting the victim. In San Diego County, the SART model contains the following components with technical and administrative support from the San Diego County Health and Human Services Agency, Division of Emergency Medical Services:



SART Team Training

Ongoing training is an essential component of the SART model. The following training opportunities are offered for SART Team members and participants:

Interdisciplinary Training

Office of the District Attorney
California Sexual Assault Investigators Association (CSAIA)

Examiner Training

SAFE In-Service Training
Sexual Assault Forensic Examiner Course
California Medical Training Center
International Association of Forensic Nurses (IAFN) – National & Local

Law Enforcement Training

Basic Regional Law Enforcement Academy – for Recruits
San Diego Police Department Menu Classes – for Officers
POST – Sexual Assault Investigations Class – for Sexual Assault Investigators
POST – ICI Advanced Sexual Assault Investigations Class – for Investigators
CCI – Examination of Sexual Assault Evidence Class – for Criminalists

Advocate/Counselor Training

OES State Certified Crisis Intervention Training
CALCASA Leadership Conference
Rape Crisis Required Continuing Education In-Service Training

In addition to the above offered courses, there are a number of websites that provide training and resources, as listed in Appendix D

Cross-training among SART members facilitates understanding and communications between the care providers. Most local training is open to any SART member.

SART Outreach

Crisis Center Outreach - Community and school district education is also conducted by the local Crisis Centers in each of their jurisdictions.

Role of Standards

Standards are authoritative statements by which professions describe the responsibilities for which its professionals are accountable. Consequently, these standards reflect the values and priorities of the professionals that care for or relate to sexual assault victims. In the San Diego County SART Program, the following types of providers are represented:

- Law Enforcement – Officers, Deputies, Investigators, Criminalists
- Sexual Assault Forensic Examiners (nurses, physicians, and physicians assistants)
- Rape Crisis Advocates
- Rape Crisis Counselors
- Prosecuting Attorneys
- Forensic Pathologists

Standards will provide direction and recommendations for professional practice and a framework for the evaluation of that practice. Written in measurable terms, standards also define the professional accountability to the public and the outcomes for which professionals are responsible. Standards are expected to change over time reflecting advancements in knowledge and in professional practice.

The scope of professional practice is bound by legislation and regulations, societal demands for expedient quality forensic care, economic climate, health care delivery trends, and the interface among professionals providing services to sexually assaulted victims. At these intersections, the professionals collaborate toward a common goal of improved transmission of information and services to victims of sexual assault. Standards of Practice help to achieve that goal of improved services by:

- Promoting communication, coordination, and consistency among law enforcement, health care providers, advocacy agencies, and prosecutors
- Projecting a compassionate, coordinated model for victim safety and offender accountability
- Describing the foundational structure for services in the disciplines
- Enhancing collection, preservation, and transmission of forensic evidence
- Guiding a deliberative evaluation of services and quality improvement
- Serving as practice goals, since the services described may not be available in all communities where assaulted victims are seen
- Encouraging research to validate and improve practice

The *Standards* are organized as follows:

For each specific discipline or profession represented on the interdisciplinary team, various performance standards are identified. Performance standards may include such components as assessment, ethics, or research.

Each performance standard will include a rationale supporting that performance standard and expected final outcome. The specific measurable performance criteria that are intended to lead to the expected final outcome are outlined.

Standards of Practice are presented for the following SART Team members and organizations:

1. Law Enforcement: Patrol Officer/Deputy/Uniformed Officer
2. Law Enforcement: Investigator
3. Law Enforcement: Criminalist/Forensic Scientist
4. Health Care Provider: SART Call Receiver
5. Health Care Provider: Sexual Assault Forensic Examiner
6. Health Care Provider: Approved SART facility
7. Crisis Care Provider: First Response Advocate
8. Crisis Care Provider: Rape Crisis Counselor/Advocate
9. Crisis Care Provider: Victim/Witness Assistance Advocate
10. Prosecutor: District Attorney/City Attorney/Judge Advocate General

1. Law Enforcement: Patrol Officer/Deputy/Uniformed Officer

The officer responds to the assault call, assesses the medical needs of the victim, and interviews the victim to determine whether a crime has occurred. The officer notifies the on-call investigative sergeant for the on-call investigator response, per department policy when appropriate. Additionally, the officer submits a written report documenting his actions. The site of the crime or the origin of the crime (such as with a kidnapping) determines the jurisdiction.

The law enforcement jurisdictions within San Diego County are:

- All city police departments within the County
- San Diego Sheriff's Department, whose jurisdiction includes the unincorporated areas of San Diego County, as well as contract cities and tribal communities
- Those specific to universities and colleges
- Those specific to the military
- Those specific to State of California and Federal buildings

1.1 STANDARD: ASSESSMENT

The officer shall provide an accurate and thoroughly documented assessment of the crime reported in order to help reconstruct what happened.

Rationale: Documentation and assessment is a series of systematic, organized, and deliberate actions to identify and obtain data supporting the investigation.

Outcome: Appropriate case details are documented to facilitate continued case investigation.

Measurement Criteria Should Include the Following:

The officer:

- assesses immediate medical needs of the victim and refers as appropriate
- conducts preliminary interviews of victim and witnesses
- conducts the victim assessment – crime scene, general physical appearance, clothing
- requests additional resources to investigate the crime, document and collect evidence, i.e., requests assistance from investigations, crime lab, evidence technicians, etc.
- identifies and collects clothing and other crime scene evidence as determined by the victim's history of the assault
- contacts the appropriate person to facilitate the authorization of an evidentiary exam
- explains the purpose of an evidentiary exam and the need to ask personal detailed information about the assault
- allows the victim active decision making regarding evidentiary collection and exam
- provides the victim with the *Crime Victims' Bill of Rights*
- arranges transportation to a SART facility with sensitivity to the victim
- consults with the SAFE regarding the presenting situation, the crime scene, and other information or evidence that would help to focus the evidentiary examination
- contacts the appropriate person to locate an interpreter if needed
- may participate in the interdisciplinary interview part of the evidentiary examination

- ensures that evidence is safely secured by the SAFE or, depending on agency policy, impounds the evidence

Officer Processes Suspect:

- assists in the identification of the suspect
- may develop probable cause for arrest and/or evidence collection
- contacts the appropriate person to authorize the suspect evidentiary examination
- informs the forensic examiner about details of the assault prior to the evidentiary examination
- provides for the safety of the forensic examiner during the evidentiary examination

1.2 STANDARD: INVESTIGATIVE RESPONSE

The officer conducts the preliminary investigation and ensures that appropriate identification and collection of evidence is completed.

Rationale: A full understanding of the incident with supporting evidence helps to resolve a case in a timely manner.

Outcome: The successful identification and collection of evidence facilitates the investigation of the crime.

Measurement Criteria:

The Officer:

- deliberately establishes and follows the steps in an investigation
- activates the SART response
- may request authorization for a suspect forensic examination
- follows the chain of custody in submitting the physical evidence to the crime lab, property room, or otherwise handling the evidence
- completes a thorough and accurate written report

2. Law Enforcement: Investigator

The investigator gathers evidence in order to conduct a fair, impartial, sensitive, and professional investigation.

2.1 STANDARD: CASE INVESTIGATION AND EVIDENCE COLLECTION

Rationale: Clear, complete evidence supporting the facts of the case may assist the prosecutor in determining case issuance and successful prosecution.

Outcome: Provides evidence to the prosecutor that resolves the investigation by demonstrating identity of the perpetrator, the victim's inability to give consent (due to disability, drugs including alcohol), or the use of force. The overriding goal is to facilitate the prosecution of offenders through vertical case management and prosecution.

Measurement Criteria:

When appropriate the investigator:

- assumes an on-call schedule
- receives case assignments
- obtains a court order for a medical-legal exam if the patient is unconscious or otherwise unable to consent to an examination
- advises the victim of his/her right to an advocate or support person
- interviews sexual assault victims and witnesses utilizing appropriate interviewing specialists
- provides referrals
- establishes elements of the crime by testimony and/or evidence
- interviews suspects, obtains arrest warrants and/or search warrants
- obtains, examines, and preserves physical evidence from suspects
- prepares legal photographic or live line-ups
- identifies, collects, preserves, and impounds all evidence
- obtains reports from the SAFE regarding the medical-legal examination
- assesses evidence and submits lab service requests based on the case history and the potential impact of possible lab results
- completes a neighborhood witness check
- prepares investigative reports and witness statements
- gathers all related reports and packages them for the prosecutor's office
- presents the case to the DA and/or City Attorney
- consults with the DA's office, Victim/Witness Assistance and Rape Crisis Center to prepare the victim for court appearances
- arranges a victim interview with the DA
- completes follow-up investigations in a timely manner
- keeps supervisor informed on the status of cases
- encourages community partnerships to reduce the risk of sexual assault and to support victims
- enhances cooperation between the law enforcement agency and community organizations

- maintains a victim-focused approach
- provides the victim with timely updates on the status of the investigation and the final disposition as soon as possible
- establishes and maintains liaison with area commands and specialized units
- appears and testifies in court
- attends required training

3. Law Enforcement: Criminalist / Forensic Scientist

The Criminalist analyzes evidence submitted by law enforcement. Specialties in forensic science include: DNA analysis, toxicology, latent print analysis, and trace evidence analysis among others.

3.1 STANDARD: EVIDENCE ANALYSIS

Rationale: Laboratory evidence may support or refute the history given by the crime victim, establishing sexual contact, identifying the suspect, and/or corroborating the use of force.

Outcome: Helps prove or disprove the stated link between the victim and the suspect by using DNA and/or other types of evidence. Toxicological analysis may help establish the elements of sexual assault, such as drug facilitated sexual assault.

Measurement Criteria:

When appropriate the Criminalist:

- receives and reviews the laboratory service request
- determines the needed analysis, considering the lab service request and additional information provided by the investigator
- examines evidence relevant to the questions in the case in a systematic matter
- analysis of potential biological evidence may include:
 - presumptive and confirmatory tests for biological materials
 - identifying DNA profiles in the biological material from the SART kit and comparing those profiles to victim, suspects, or other consensual partners
 - identification of potential DNA evidence from an assailant
 - exploring the local, state, and national DNA databases (CODIS) seeking a match for “forensic unknown” DNA profiles
 - providing investigators with any matches made through (case to offender hit or case to case hit)
- conducts other analyses (i.e. toxicological, latent prints, and trace evidence analysis) appropriate to the history of the assault and request of the investigator
- provides a verbal and written report to the case investigator
- communicates directly to the prosecutor if the trial is immediately pending
- maintains the chain of custody
- provides feedback regarding lab analysis and collection of evidence to the investigators and the SAFEs
- provides teaching to the interdisciplinary team, as requested
- participates in periodic training
- appears and testifies in court as an expert witness

4. Health Care Provider: SART Call Receiver (Each SART is activated slightly differently, depending on the resources of the SART).

4.1 STANDARD: SART ACTIVATION

Each approved SART facility will have 24-hour activation and backup procedures in place to ensure timely and appropriate response to provide medical-legal examination services for victims of sexual assault.

Rationale: In response to law enforcement's request for a medical-legal examination, approved SART facilities shall have a process to activate the SAFE and the advocate team.

Outcome: The activation process results in the timely initiation of the medical-legal examination, documentation, and retrieval of critical evidence.

Measurement Criteria:

The call receiver:

- receives a call from law enforcement for a medical-legal examination
- obtains pertinent information regarding the case and patient
- activates the on-call SAFE and provides information about the patient and special needs
- the designated appropriate personnel will be contacted for special circumstances

The SAFE:

- contacts the advocate, provides information regarding the victim and their language needs
- will make decisions regarding any special circumstances regarding the needs for a medical-legal examination
- medical-legal examinations for patients will be done at the appropriate SART facility based on the victim's age and developmental needs
- schedules medical-legal examinations for victims and suspects at different times and/or place
- may provide off-site medical-legal examinations at the request of law enforcement
- provides feedback and recommendations to help make the SART system more efficient
- keeps updated via communications and training regarding new procedures and changes in SART protocols
- maintains continuing education as required by the SART policies

5.0 Health Care Provider: Sexual Assault Forensic Examiner (SAFE)

A registered professional nurse licensed in the State of California, nurse practitioner, physician's assistant or physician who has successfully completed an eighty-hour initial course of preparation and continues to complete annual competency assessment. The SAFE performs the medical-legal examination for any sexual assault victim. This involves collecting evidence, maintaining the chain of custody, providing emotional support, treating for STD exposure and for injury, referring for follow-up care, consulting with law enforcement and prosecutors and testifying as an expert witness at trial.

5.1 STANDARD: ASSESSMENT

The SAFE shall provide an accurate and thorough assessment of the physical and psychosocial status of the victim, based upon data collected, and related to forensic health care needs.

Rationale: Assessment is a series of systematic, organized and deliberate actions to identify and obtain data. This assessment provides the database for the determination of the plan of care for the victim.

Outcome: A valid medical-legal examination is conducted by a specially educated SAFE.

Measurement Criteria:

The SAFE:

- explains the medical-legal examination in terms appropriate to the age and anxiety of the patient
- ensures that patient understands the medical-legal process before obtaining written consent to proceed with the medical-legal examination
- ensures a guardian or conservator is contacted or a court order is obtained in the case of an unconscious victim, severely disabled victim, or a victim who is otherwise unable to give informed consent
- obtains legal authorization for the examination and an incident/case number from law enforcement
- communicates with law enforcement throughout the examination
- provides the opportunity of having the advocate and/or another support person in attendance during the medical-legal examination
- performs the initial assessment in a timely manner
- assesses the patient/victim's understanding and needs throughout the medical-legal examination
- conducts the medical-legal examination according to the California Medical Protocol and local guidelines
- explains procedures for the medical-legal examination and obtains the victim's informed consent for the examination, photographs, specimens, and communication with law enforcement concerning the results of the examination
- refers the patient/victim, as indicated for further medical care based on the patient's request or medical findings

- performs required written and photographic documentation according to the California Medical Protocol
- works with the advocate to help the patient/victim identify personal supports for medical and psycho-social-spiritual needs
- provides appropriate referrals for follow-up care for all patients/victims
- provides medical treatment according to CDC, other standard protocols, and local guidelines
- maintains confidentiality of records, photographs, and communications
- provides a copy of the OES 923, 925, or 930 documentation to law enforcement
- consults and testifies about cases when requested

5.2 STANDARD: FORENSIC CONCLUSION

The SAFE analyzes the assessment data and provides a forensic conclusion based on the interview as well as objective and subjective physical examination findings.

Rationale: Provides vital input for health care referral and for legal and judicial processing.

Outcome: A systematic process of assessment and data analysis should be reflected in appropriate conclusions.

Measurement Criteria:

Conclusions are based on:

- identifiable data obtained in the medical-legal interview
- accepted current bodies of knowledge and the experience of the SAFE
- the identification of visible and/or subjective findings
- whether the findings support the history
- a review of photographic documentation of findings

5.3 STANDARD: EVALUATION

The SAFE evaluates and modifies the plan of action, when necessary, to achieve optimal outcomes.

Rationale: Evaluation of care allows for a deliberate revision of procedures if indicated.

Outcome: Patient care data is evaluated concurrently and retrospectively to ensure that an acceptable quality of services is provided.

Measurement Criteria:

The SAFE:

- involves the patient in the evaluation process
- evaluates each case systematically and continuously
- revises conclusions, outcomes, and future interventions based on the evaluation
- documents the patient's response

5.4 STANDARD: RESEARCH

The SAFE recognizes the need for forensic research, utilizes research, and participates in research to further forensic nursing practice

Rationale: Research helps to develop a body of validated knowledge on which forensic nursing is based and is improved.

Outcome: The SAFE identifies research that is useful for practice

Measurement Criteria:

The SAFE:

- suggests modifications to practice based on research
- facilitates research within the SART community
- provides the County with data regarding the SART process and forensic findings
- discusses ideas from research at training sessions for the SAFEs

5.5 STANDARD: PATIENT AND SART RESOURCE UTILIZATION

The SAFE considers factors related to safety, effectiveness, cost, and mobilization of the patient's resources in planning and delivering forensic services.

Rationale: Timeliness, safety, cost effectiveness, and mobilization of the victim's own resources improves the appeal for the patient and helps to sustain SART services.

Outcome: SART facilities should efficiently utilize resources to help maintain the viability of the SART programs in San Diego County.

Measurement Criteria:

The SART facility:

- considers timeliness, safety, cost effectiveness, and mobilization of the victim's own resources
- provides feedback and recommendations appropriately to streamline the provision of care
- identifies deficiencies in providing forensic care to victims and suspects
- identifies options for resolving deficiencies and for improving care
- provides a system for the SAFE to obtain a second opinion
- contracts with a photographic laboratory for photo development and for confidentiality in handling the evidentiary photographs and slides

6.0 Health Care Provider: Approved SART Facility

Each approved SART facility develops policies and procedures and provides accommodations and equipment to ensure sound forensic evidence collection.

6.1 STANDARD: ACCOMMODATIONS AND EQUIPMENT

Rationale: To provide private victim-sensitive areas to conduct comprehensive medical-legal examinations and interviews.

Outcome: SART facilities should provide accommodations and equipment that ensure victim confidentiality and promote legally acceptable evidence collection.

Measurement Criteria:

- hospital-based facilities provide examination and interview rooms separate from the ED
- maintains special photographic equipment
- maintains necessary equipment and supplies to conduct a thorough medical-legal examination
- maintains locked refrigerator(s) and cabinets for evidence
- maintains separate locked cabinets for charts
- reviews policies and procedures yearly and revises as need according to recommendations from agencies such as the Center for Disease Control and the crime laboratories
- provides a system for the SAFE to obtain a second opinion
- contracts with a photographic laboratory for photo development and for confidentiality in handling the evidentiary photographs and slides

6.2 STANDARD: STAFFING

Rationale: Consistency, security, Timeliness, safety, cost effectiveness, and mobilization of the victim's own resources improves the appeal for the patient and helps to sustain SART services.

Outcome: SART facilities should efficiently utilize resources to help maintain the viability of the SART programs in San Diego County.

Measurement Criteria:

- employs a coordinator who is responsible for overseeing training, certification and scheduling of nurse examiners
- maintains a team of prepared SAFEs for on-call coverage, 24 hours per day, 7 days per week
- is separate from the ED
- maintains special equipment: colposcope; video, digital and 35mm cameras; locked refrigerator for evidence; locked cupboard for charts and other evidence

- reviews protocol for the medical-legal examination and updates it yearly according to recommendations from agencies such as the Center for Disease Control and the crime laboratories
- provides a system for the SAFE to obtain a second opinion
- may contract with a photographic laboratory for photo development and for confidentiality in handling the evidentiary photographs and slides

7. Crisis Care Provider: First Response Volunteer Rape Crisis Advocate / Rape Crisis Advocate / SAVI Advocate/ Crisis Interventionist

A volunteer or professional who has completed a minimum of 40 hours of specified training in the crisis care of sexual assault victims. The advocate's primary role during the medical-legal examination is to provide "compassionate presence" to the victim. They also provide basic techniques of crisis intervention, reinforcement of explanations, information for emotional and legal follow-up and "presence" during further legal and judicial proceedings.

The First Response Volunteer Rape Crisis Advocate supports the victim/survivor only during the medical-legal examination.

The Rape Crisis Advocate supports the sexual assault victim/survivor during the medical-investigative examination, during follow-up care and during legal and judicial follow-up.

Sexual Assault Victim Intervention (SAVI) Advocate when there is military jurisdiction and/or the victim/survivor is military affiliated, SAVI may be called as soon as the assault is reported, regardless if a medical-legal examination will be conducted. The SAVI advocate may accompany the victim through the legal and judicial follow-up.

Crisis Intervention Team may be activated by law enforcement when the victim must remain at a complicated crime scene for an extended period of time.

Note: See Appendix A for penal code citations relating to victim advocates

7.1 STANDARD: EMOTIONAL SUPPORT

Rationale: The advocate provides support, reassurance, crisis intervention and information to the victim/survivor during the medical, investigative and judicial process.

Outcome: The victim/survivor feels empowered and supported through the medical, investigative and judicial process.

First Response Volunteer Advocate:

Measurement Criteria:

The advocate:

- successfully completes the required Office of Emergency Services (OES) state certified training and orientation to the SART facility and/or other training as specified
- arrives within the designated time frame given at the time of the call from the SART Medical Facility
- greets the victim, introduces self and explains advocate's role and victim's rights
- supports the victim during the medical-legal examination
- advocates on behalf of the victim/survivor's rights when necessary and appropriate
- facilitates informed decision-making

- converses, reinforces explanations, queries regarding understanding, reassures during the examination
- removes her/himself from any part of the process that the victim/survivor does not want the advocate to attend
- does not participate in evidence collection for the SAFE
- does not remain in examination room alone with evidence
- when presented with conflicting needs, defers to the choice of the victim/survivor
- offers various support measure options for the victim/survivor
- aids SAFE in monitoring tolerance of victim/survivor
- provides information, referrals and education to victim/survivor
- provides a written copy of Victim's Rights to the victim/survivor
- assesses sense of safety at time of discharge and helps to arrange for safe housing if placement is needed
- facilitates communications between all SART members and the victim/survivor with the exception of translation
- reinforces explanations by SAFE, law enforcement, prosecution and professional counselor when appropriate
- informs the family/friend(s) in the waiting room at the victim/survivor's request
- provides support for the family/friend(s) of victim/survivor
- acts as a liaison between SART members and the victim/survivor once a waiver has been obtained from the victim
- at the request of the victim/survivor and as appropriate for an advocate, assists with comfort needs, without participating in the medical-legal procedures
- offers comfort measures during and after the medical-legal examination (shower, clothing, food, drink, access to parent support person)
- ensures that the victim leaves the SART facility safely, with family, friend, or law enforcement
- debriefs with SAFE to facilitate interdisciplinary communications with signed consent
- provides input to the SART, as an interdisciplinary member with signed consent
- respects the human dignity and the uniqueness of the victim, unrestricted by considerations of racial, age, social or economic status, personal attributes, or the nature of the health problems
- maintains respect for the victim/survivor in interdisciplinary communications
- maintains confidential communications

Rape Crisis Staff Advocate (in addition to the services above adheres to the following):

- employed by Rape Crisis Center
- provides follow-up services within 72 hours post medical-legal exam
- accompanies the victim/survivor to interviews by detective/law enforcement, district attorney or the defense attorney
- provides emotional support to the victim/survivor throughout the criminal justice process and beyond
- facilitates access to ongoing services as needed

- acts as a liaison for the victim/survivor between members of the team to address questions, concerns, needs
- works collaboratively with team members to ensure the provision of quality victim sensitive services
- maintains OES certification with 12 hours ongoing training per year

SAVI Advocate: Employed by the military

Selection of Advocates. Due to the sensitive nature and the complexity of working with sexual assault victims, advocates must be carefully screened and selected. Advocates need to be made fully aware of the potential for emotionally stressful situations. Advocates must meet the following minimum requirements:

- be 21 years of age
- provide (2) character references
- be willing to volunteer for a minimum of 2 advocate duty days each month
- be able to respond to an incident within 2 hours, anytime of the day or night
- be able to travel to locations throughout San Diego County (throughout)
- be willing to attend initial (minimal 20 hours) and on-going advocate training (minimal 10-15 hours)
- be willing to sign a volunteer service agreement
- understand and be willing to maintain victim confidentiality
- participate in an interview to ensure emotional maturity and stability
- reports directly to SARC for Victim Advocates duties military / Civilian / Contractor
- supports assigned victim
- crisis intervention
- referrals for ongoing non-clinical support
- understands policy / process guidance
- facilitates monthly status updates
- understands non-adversarial relationship

Training of SAVI Advocates.

- the initial training shall include 40-60 hours of initial training before they can participate as a victim advocate
- overview of the Sexual Assault Victims Intervention (SAVI) program
- history of SAVI in the Navy
- presentations from subject matter experts (i.e. medical, NCIS, Legal, Local Law enforcement, SANE/SAFE)
- symptoms of Rape Trauma Syndrome
- effective listening techniques
- sexual Assault Victims Rights
- 10-15 hours of refresher training annually

8. Crisis Care Provider: Rape Crisis Counselor

Similar to the Rape Crisis Advocate, the Counselor supports the sexual assault victim/survivor during the medical-investigative examination, follow-up care, legal investigation, and judicial follow-up. In addition to meeting the advocate standards, the counselor also provides an environment in which the victim/survivor has the opportunity to rediscover inner strength and to integrate this experience into a new sense of normality.

8.1 STANDARD: COUNSELING

Rationale: Rape Trauma Syndrome occurs with most victims. Resolution is facilitated by professional care.

Outcome: The victim/survivor progresses towards recovery.

Measurement Criteria:

- maintains a certificate documenting completion of the 40 hour OES crisis intervention training program issued by a rape crisis counseling center and meets one of the following requirements:
 - is a psychotherapist or
 - has a master's degree in counseling or a related field or
 - has one year of counseling experience, at least six months of which is in rape crisis counseling
- is supervised by a counselor as described in the preceding bullets
- receive a minimum of 12 hours annual training
- calls victim/survivor within three working days after the provision of crisis intervention services, when appropriate
- provides short-term in-person counseling services and/or long-term counseling services depending on agency policy

9. Crisis Care Provider: Victim/Witness Advocate

The Victim/Witness advocate helps crime victims and witnesses to access information, resources, and financial assistance. This assistance is provided whether or not a suspect is apprehended and prosecuted. Services provided are mandated by California Penal Code Section 13835.5.

9.1 STANDARD: INFORMATION ACCESS, RESOURCE, AND FINANCIAL ASSISTANCE

Rationale: The role of the Victim/Witness Advocate is to provide or arrange services to meet the informational, resource, and emotional needs experienced by crime victims and witnesses, thereby allowing for faster and more complete recovery from the effects of crime.

Outcome: Victims and witnesses will be able to access information and find help in applying for assistance.

Measurement Criteria:

When appropriate the Victim/Witness Advocate may:

- perform a crisis intervention
- conduct needs assessment
- help with emergency assistance
- assist with referrals
- conduct follow-up calls
- assist in filing Victims of Crime Compensation Claims
- assist the victim to get their property back
- orient victims and witnesses to the criminal justice system
- provide court support, by attending interviews, hearings or trials with the victim
- provide information regarding case status and case disposition
- notify family and friends as requested
- assist with restitution requests
- collaborate with the local rape crisis counselor
- participate in 40 hour OES basic training and advanced training as directed
- provide creditor assistance
- facilitate funeral arrangements
- provide crime prevention information
- collaborate by:
 - attending monthly SART and other appropriate meetings
 - communicating with law enforcement agencies, rape crisis center, prosecutors and other related agencies
 - providing presentations/trainings about victim issues
 - participating in community events, such as resource fairs
- receive training as follows:
 - 40 hour Entry level, Advocate Training (Penal Code 13835.10)
 - 32 hour Advanced Level Advocate Training
 - minimum 16 hours annual continuing education

- Coordinator Training is required by program coordinator/directors
- maintain certification through California Victim/Witness Coordinating Council (for victim advocates and senior victim advocates) *optional*

10 Prosecutor: District Attorney/City Attorney/Judge Advocate General

The perpetrator is prosecuted when credible evidence exists that meets the burden of proof ensuring that justice is restored to the victim and the community.

10.1 STANDARD: JUDICIAL PROCESSING

Rationale: Prosecution of the perpetrator holds the criminal accountable, protects society, and restores a sense of safety and security for the victim.

Outcome: The perpetrator is held accountable and the victim feels supported in the processing of the case through the criminal justice system.

Measurement Criteria:

The prosecutor:

- utilizes a vertical prosecution model in order to reduce the trauma to the victim
- evaluates cases submitted by law enforcement
- advises the victim of her /his right to be identified as Jane or John Doe in all records and during all proceedings if:
 - the court finds it reasonably necessary to protect the victim's privacy
 - it will not unduly prejudice the prosecution or the defense
- determines if sufficient credible evidence exists to support prosecution
- informs victims of the status of the case from the time of the initial charging decision to sentencing
- discourages case continuances
- explains the reasons for continuances and seeks mutually agreeable dates for hearings that are rescheduled
- arranges for interpreting services for victims and witnesses when necessary to assist a victim to understand questions and frame answers
- brings to the attention of the court the views of the victim on bail decisions, continuances, plea bargains, dismissals, sentencing, and restitution
- arranges for the prompt return of the victim's property if it is no longer needed as evidence in court
- seeks no contacts orders as conditions of bail or own recognizance release
- inform and seek input from the victim whenever possible on issues concerning the filing of the case, the reduction of charges, plea bargain offers, dismissal, or other possible case dispositions
- responds to inquiries by the victim as soon as possible
- consults with law enforcement, health care personnel, and rape crisis advocates in the furtherance of the prosecution of the case
- notifies the victim of his/her rights regarding HIV testing of the defendant
- refers the victim to Victim/Witness services for information regarding violent crime compensation from the state
- advises the victim of his/her right to have a support person and advocate present during interviews and in court

- advanced notice of court hearings including arraignment, disposition hearings, preliminary hearing, trial and sentencing
- discusses the case with the SAFE and other expert witnesses prior to trial date
- information to victims about their legal right to make a statement about the impact of the crime for inclusion in the pre-sentence report or at the time of parole consideration, if applicable
- notification to victims of the right to make an in-person statement, at the time of sentencing, directly to the sentencing court, concerning the impact of the crime
- provides feedback and training to SART members

Appendix A – Definitions/Citations

City Attorney: The name of the public officer who is designated to represent a City in legal matters and who may prosecute misdemeanor crimes within the city limits. NOTE: All cities have either city attorneys or hire out their legal work. However, except for the City of San Diego, no other cities within the County of San Diego choose to handle their own criminal misdemeanors.

Confidential Communication (California Code of Evidence §1035.4)

“As used in this article, ‘confidential communication between the sexual assault counselor and the victim’ means information transmitted between the victim and sexual assault counselor in the course of their relationship and in confidence by a means which, so far as the victim is aware, discloses the information to no third persons other than those who are present to further the interests of the victim in the consultation or those to whom disclosures are reasonably necessary for the transmission of the information or an accomplishment of the purposes for which the sexual assault counselor is consulted. The term includes all information regarding the facts and circumstances involving the alleged sexual assault and also includes all information regarding the victim’s prior or subsequent sexual conduct, and opinions regarding the victim’s sexual conduct or reputation in sexual matters.

The court may compel disclosure of information received by the sexual assault counselor which constitutes relevant evidence of the facts and circumstances involving an alleged sexual assault about which the victim is complaining and which is the subject of a criminal proceeding if the court determines that the probative value outweighs the effect on the victim, the treatment relationship, and the treatment services, if disclosure is compelled. The court may also compel disclosure in proceedings related to child abuse if the court determines the probative value outweighs the effect on the victim, the treatment relationship, and the treatment services if disclosure is compelled.

When a court is ruling on a claim of privilege under this article, the court may require the person from whom disclosure is sought or the person authorized to claim the privilege, or both, to disclose the information in chambers out of the presence and hearing of all persons except the person authorized to claim the privilege and such other persons as the person authorized to claim the privilege is willing to have present. If the judge determines that the information is privileged and must not be disclosed, neither he or she nor any other person may ever disclose, without the consent of a person authorized to permit disclosure, what was disclosed in the course of the proceedings in chambers.”

Not all communications the victim has with the advocate are necessarily privileged i.e. confidential. Only those communications that meet the definition of Evidence Code section 1035.4 are considered confidential and privileged (see the definition of confidential communication found at the beginning of the document). In short, the communication must be made in the course of the advocate/victim relationship and must be made in confidence with no unnecessary third persons present. Even as to these communications deemed confidential, the victim as the holder of the privilege, can waive the privilege or the court can compel the advocate to disclose the communication.

Criminalist/Forensic Scientist: Criminalists may specialize in different types of evidence analysis potentially related to sexual assault including: DNA, toxicology, latent prints, and trace evidence.

Defense Attorney: An attorney who defends the suspect.

District Attorney: Prosecutes individuals who commit felony offenses throughout San Diego County and misdemeanor offenses outside the City of San Diego. This public officer is elected to conduct criminal prosecutions on behalf of the state. The office's jurisdiction includes all state crimes within the jurisdiction for which s/he is elected (San Diego County). Each district attorney has a staff of deputy district attorneys who work within his/her administration.

Expert Witness: A person who has training, education, and experience on a particular subject that qualifies them as an expert. The expert witness may give opinions in court on matters in which his or her expertise is relevant.

Investigator/Detective: An officer or detective who is assigned to conduct follow-up investigations. A detective builds upon a patrol officer's preliminary reports to fully investigate the facts of a case.

Medical-legal Examination: Interview and physical examinations of a sexual assault victim, conducted by a SAFE in accordance with the State of California OES standards. The purpose of the examination is to assess and document the health care status related to the assault, collect and document evidence, and determine if the physical findings support the history, based on the interview at the time of the examination. The medical-legal examination is also called a forensic-medical examination or an evidentiary examination.

The forensic examination is a legal procedure and as ordered by Penal Code Section 13823.95 is the financial responsibility of the law enforcement agency in whose jurisdiction the sexual assault occurred.

Patrol Officer/Deputy: Generally refers to uniform field officers who respond to radio calls as dispatched by the communications department. Patrol officers conduct preliminary investigations. The preliminary patrol report is generally forwarded to Investigations for follow-up. Patrol officers/deputies work around the clock, 365 days a year. They are generally only available through their communications department, because their offices are their cars.

Police Communications Call-Taker: Receives the call concerning the sexual assault and activates the SART.

Police Communications Dispatcher: Receives the call from the call-taker and contacts the patrol officer in the jurisdiction to respond to the call.

Private Attorney: An attorney whose services are paid for by the client.

Public Defender: An attorney appointed by the court or employed by a government agency whose work consists of defending indigent defendants in criminal cases. Persons charged with crimes may, at their own expense, retain a private attorney of their choice to represent them.

Rape Crisis Advocate: A volunteer or professional who has completed a minimum of 40 hours of CA OES state certified training in crisis intervention and follow-up care for sexual assault victims.

The First Responder Advocate provides advocacy and accompaniment at the medical-legal exam, the Staff Advocate provides advocacy and accompaniment throughout the criminal justice process with the consent of the victim.

Rape Crisis Counselor: In the San Diego County Standards, Rape Crisis Counselor is used interchangeably with sexual assault counselor as defined in § 1035.2 of the CA Penal Code.

§ 1035.2. As used in this article, “sexual assault victim counselor” means the following:

(a) A person who is engaged in any office, hospital, institution, or center commonly know as a rape crisis center, whose primary purpose is the rendering of advice or assistance to victims of sexual assault and who has received a certificate evidencing completion of a training program in the counseling of sexual assault victims issued by a counseling center that meets the criteria for the award of a grant established pursuant to Section 13837 of the Penal Code and who meets one of the following requirements:

(1) Is a psychotherapist as defined in Section 1010; has a master’s degree in counseling or a related field; or has one year of counseling experience, at least six months of which is in rape crisis counseling.

(2) Has 40 hours of training as described below and is supervised by an individual who qualifies as a counselor under paragraph (1). The training, supervised by a person qualified under paragraph (1), shall include but not limited to, the following areas: law, medicine, societal attitudes, crisis intervention and counseling techniques, role playing, referral services, and sexuality.

(a) A person who is employed by any organization providing the programs specified in Section 13835.2 of the Penal Code, whether financially compensated or not, for the purpose of counseling and assisting sexual assault victims, and who meets one of the following requirements:

(1) Is a psychotherapist as defined in Section 1010; has a master’s degree in counseling or a related field; or has one year of counseling experience, at least six months of which is in rape assault counseling.

(2) Has the minimum training for sexual assault counseling required by guidelines established by the employing agency pursuant to subdivision (c) of Section 13835.10 of the Penal Code, and is supervised by an individual who qualifies as a counselor under paragraph (1). The training, supervised by a person qualified under paragraph (1), shall include, but not be limited to, the following areas: law, victimology, counseling techniques, client and system advocacy, and referral services

SART Call Receiver: An individual who takes the call from law enforcement that there is a victim needing a medical-legal examination. They follow a protocol in activating the SART members.

Sexual Assault: A class of crimes of a sexual nature committed on a person. Sexual assault includes, but is not limited to: rape, sexual battery, rape of a spouse, sodomy, oral copulation, penetration of the genital or anal openings of another person with a foreign object, substance, instrument or device, annoying or molesting a child under 18 years old, unlawful sexual intercourse, or any attempt to commit any of the above acts.

Sexual Assault Forensic Examiner (SAFE): A professional licensed in the State of California including: registered nurse, nurse practitioner, physician's assistant, or physician who has successfully completed an eighty-hour initial course of preparation and continues to complete annual competency assessment. The SAFE performs the medical-legal examination for any sexual assault victim.

Sexual Assault Response Team (SART): An interdisciplinary group of professionals and volunteers who provide services to the criminal justice system including victims of sexual assault.

Sexual Assault Response Coordinator (SARC): A specially trained SAVI program manager/coordinator, operating within the military system under direction of the Department of Defense. When the medical-legal examination is conducted in the civilian system for a military beneficiary, a SARC assigned SAVI advocate accompanies the patient. Patients are then referred to the SAVI program and various resources for follow-on care.

Sexual Assault Victims Intervention (SAVI): The designed military program to assist victims of sexual assault, associated with the military.

Victim: Male or female victims of sexual assault. The terms "patient", "survivor", or "client" may also be used.

Victim Advocate Advisals:

Penal Code 264.2 “Prior to the commencement of any initial medical evidentiary or physical examination arising out of a sexual assault, a victim shall be notified orally or in writing by the medical provider that the victim has the right to have present a sexual assault victim counselor and at least one other support person of the victim’s choosing

Penal Code 264.4 “A support person may be excluded from a medical evidentiary or physical examination if the law enforcement officer or medical provider determines that the presence of that individual would be detrimental to the purpose of the examination ”

Penal Code 679.04 (a) A victim of sexual assault has the right to have victim advocates and a support person of the victim's choosing present at any interview by law enforcement authorities, district attorneys, or defense attorneys. However, the support person may be excluded from an

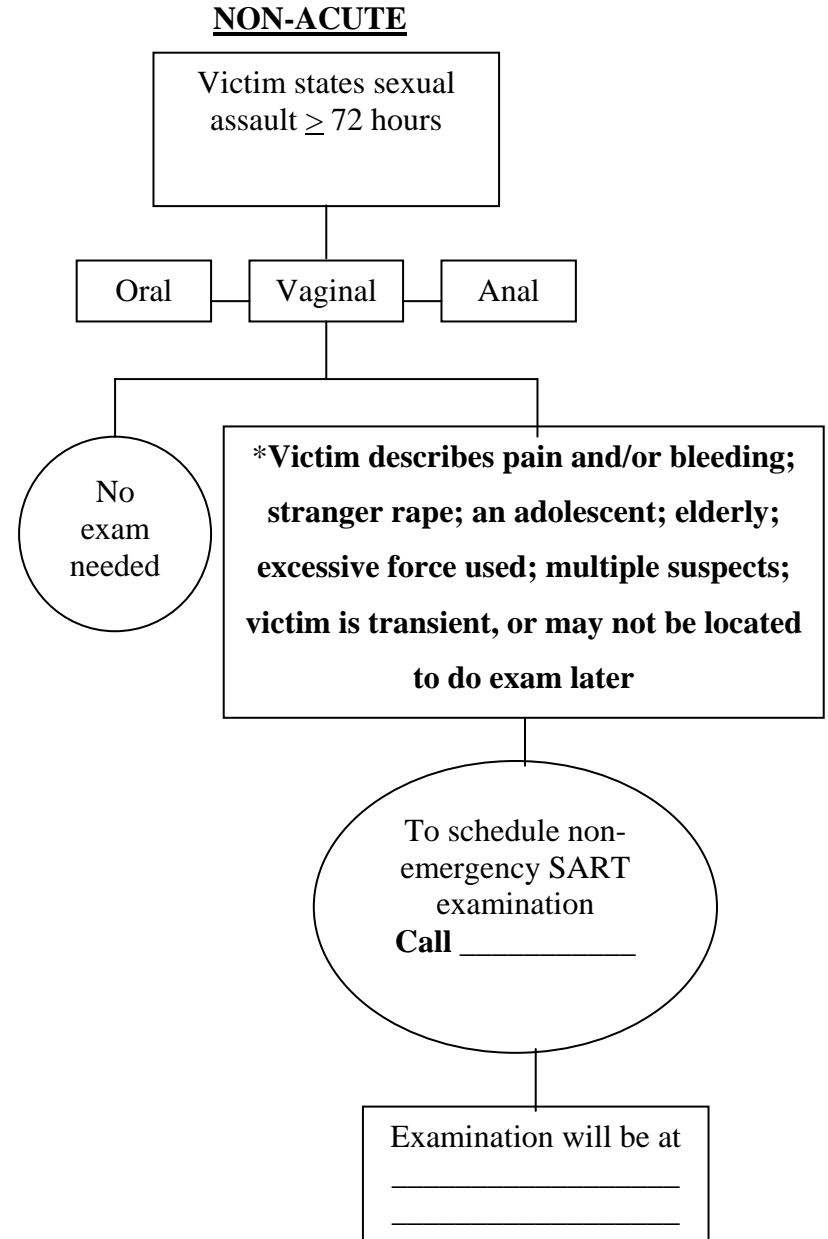
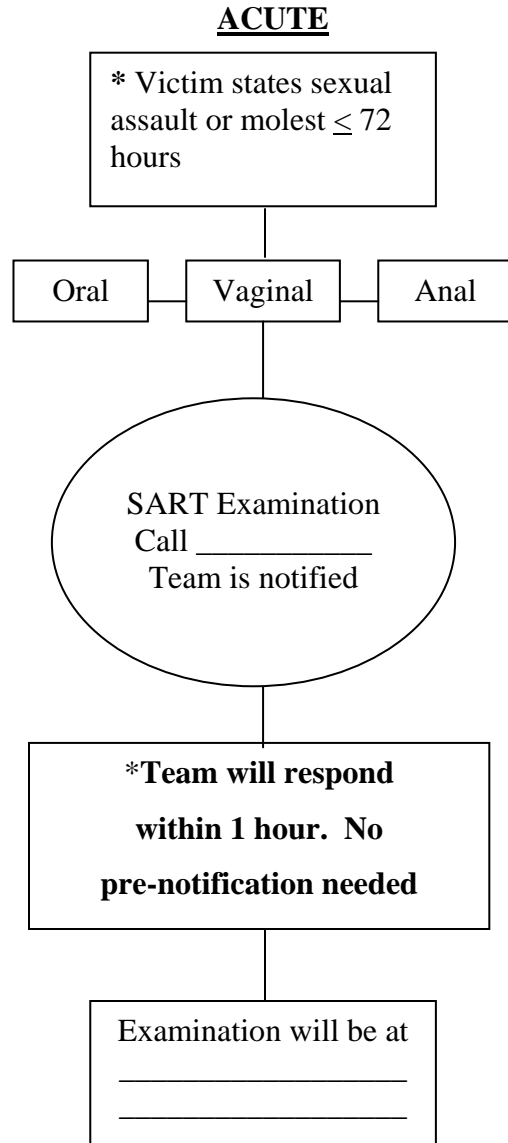
interview by law enforcement or the district attorney if the law enforcement authority or the district attorney determines that the presence of that individual would be detrimental to the purpose of the interview.

(b)(1) Prior to the commencement of the initial interview by law enforcement authorities or the district attorney pertaining to any criminal action arising out of a sexual assault, a victim of sexual assault shall be notified orally or in writing by the attending law enforcement authority or district attorney that the victim has the right to have victim advocates and a support person of the victim's choosing present at the interview or contact. This subdivision applies to investigators and agents employed or retained by law enforcement or the district attorney.

(c) An initial investigation by law enforcement to determine whether a crime has been committed and the identity of the suspects shall not constitute a law enforcement interview for purposes of this section.

Victim/Witness Assistance Advocate: The victim/witness assistance advocate helps victims and witnesses of all types of crime, including sexual assault, to access information, material and financial assistance following a crime such as sexual assault.

Appendix B - Sexual Assault Guidelines (14 yrs and older)



* KEY POINT

Appendix C – Related Forms

Approved SART Facilities will provide copies of the appropriate State standardized forms completed during an evidentiary exam.

(OES form 923) Forensic Medical Report: Acute (<72 hrs) Adult/Adolescent Sexual Assault Examination

(OES form 925) Forensic Medical Report: Non-Acute (>72 hrs) Child/Adolescent Sexual Abuse Examination

(OES form 930) Forensic Medical Report: Acute (<72 hrs) Child/Adolescent Sexual Abuse Examination

(OES form 950) Forensic Medical Report: Sexual Assault Suspect Examination

Additionally, they may provide any of the San Diego County SART OES Addendums used including:

Clothing Documentation

Drug Facilitated Sexual Assault

Trauma

Strangulation

History of Events

Hand

Foot

Individual law enforcement agencies may have specific forms related to evidence collection and laboratory service requests. Additionally, law enforcement should use the advisal form provided on the next page in domestic violence/sexual assault cases.

**SAN DIEGO COUNTY
INFORMATION FOR VICTIMS OF DOMESTIC VIOLENCE/SEXUAL ASSAULT**

Victim's Name: _____ Page ____ of ____
Last First MI Case #: _____

PC 13701: PRIVILEGES AND RELIEF ADVISAL

If you have become the victim of domestic violence or sexual assault you have certain rights and privileges under the law. This information is provided by the San Diego Police Department for your convenience.

You may ask the District Attorney or City Attorney to file a criminal complaint for any crimes committed. (A police report is required in order for a complaint to be reviewed.)

You may file a petition in Superior Court requesting any of the following orders for relief:

- An order restraining your attacker from abusing you or any other family member.
- An order directing your attacker to leave your household.
- An order preventing your attacker from entering your residence, school, business or place of employment.
- An order awarding you or the other parent custody of or visitation rights to your minor child or children.
- An order restraining your attacker from molesting or interfering with minor children in your custody.
- An order directing the party not granted custody to pay support of minor children, if that party has a legal obligation to do so.
- An order directing the defendant to make specified debit payments coming due while the order is in effect.
- An order directing either or both parties to participate in counseling.

You have the right to file civil suit for losses suffered as a result of abuse, including medical expenses, loss of earnings, and other expenses for injuries sustained and damage to property, and any other related expenses incurred by the victim or by any agency that shelters you. You have the right to request an Emergency Protective Order. This is restraining order is valid for five to seven days.

Be aware that despite official restraint of a person alleged to have committed domestic violence the restrained person may be released at any time.

A sexual assault by a stranger or a person known to the victim; including sexual assault by a person who is the spouse of the victim, is a crime.

Sexual assault victims should notify the police department immediately. A police officer will respond to take a report and collect evidence. Victims should retain any clothing worn during the assault and other evidence, such as bed sheeting. Officers will transport victims to the hospital for a medical examination. Victims should not shower or douche before the exam.

CITIZEN'S ARREST ADVISAL

As a victim of domestic violence or sexual assault, you have the right to make a citizen's arrest within a reasonable period of time and as soon as circumstances permit

PC 679.04: VICTIM ADVOCATE ADVISAL

As a victim of a sexual assault, you have the right to have a victim advocate and at least one other support person of your choosing present at any interview with law enforcement authorities, district attorneys or defense attorneys. This includes an advocate for any court procedure; however, this right does not apply to the initial interview by first responding officers. The support person may be excluded if the law enforcement authority or the district attorney determines that the presence of that individual would be detrimental to the interview.

Government Code 6254(f)(2) and PC 293/293.5: VICTIM CONFIDENTIALITY ADVISAL

The California Government Code 6254(f)(2) gives you the right to request that your name not become part of a public record, including release to the media, if you are the victim of one of the following crimes: 220, 261, 262, 264, 264.1, 273a, 273d, 273.5, 286, 288, 288(a), 289, 422.6, 422.7, 422.75, or 646.9 PC.

I want my name withheld from law enforcement public records. Yes No

The California Penal Code Section 293.5 states before criminal proceedings are initiated in your case, a prosecutor will fully explain the advantages and disadvantages of electing to keep your name out of court records available to the public.

Signature (Acknowledging Receipt of Advisal and Copy) Date Provided by Officer I.D. #

Original: Forward to Investigative Unit, Copy: to victim

PD-964 FOS (3-00)

This information is available in alternative formats upon request.

Printed on Recycled Paper



602927

Appendix D – Resources in San Diego County

Approved SART Facilities:

Chadwick Center at Rady Children’s Hospital	858-966-5980
After Hours	858-966-8005
Independent Forensic Services	619-582-3516
Palomar Hospital (Escondido) / Pomerado Hospital (Poway).....	760-739-2150
After Hours	888-211-6347

Crisis Counseling Centers:

Center for Community Solutions	858-272-5777
Indian Health Council	760-749-1410 ext. 5249
Sexual Assault Victim Intervention (SAVI-Navy).....	619-692-5909
Women’s Resource Center	760-757-3500

Law Enforcement Agencies:

Carlsbad Police Department	760-931-2197
Chula Vista Police Department.....	619-691-5151
Coronado Police Department.....	619-522-7350
El Cajon Police Department.....	619-579-3311
Escondido Police Department.....	760-839-4722
La Mesa Police Department.....	619-469-6111
National City Police Department.....	619-336-4411
Naval Criminal Investigative Services.....	619-556-1364
Oceanside Police Department.....	760-435-4900
San Diego Police Department(SDPD).....	619-531-2000
SDPD Sex Crimes Unit.....	619-531-2210
*San Diego County Sheriff’s Department	858-565-5200
*San Diego Sheriff’s Dept. Domestic Violence Unit	858-974-2496

*Covers unincorporated areas of the County and contract cities of: Del Mar, Encinitas, Fallbrook, Imperial Beach, Lemon Grove, Poway, San Marcos, Santee, Solana Beach, Valley Center, and Vista

Office of the District Attorney:

Sex Crimes and Stalking Division	619-531-4197
Family Protection Division (child abuse/domestic violence)	619-531-4300
Juvenile division (sexual assault involving juvenile offenders)	619-694-4252
Victim/Witness Assistance Programs	
San Diego.....	619-531-4041
Chula Vista.....	619-691-4539
El Cajon	619-441-4538
Vista	760-806-4079

Additional Resources

Victims of Crime Resource Center (National).....	800-842-8467
Crime Victims Legal Clinic	619-232-3300
The Crime Victims Fund	619-238-1988
Crime Victims Compensation Fund Legal Clinic.....	858-549-4202

California Governor’s Office of Emergency Services (OES)

3650 Schriever Ave
Mather, CA 95655
(916) 845-8510

www.oes.ca.gov

California Youth Authority

4241 Williamsborough Drive
Sacramento, CA 95823
916- 262-1392

www.cya.ca.gov/

Doris Tate Crime Victims’ Bureau

915 “L” Street, Suite 1120
Sacramento, CA 95814
916-556-1237 or 800-784-2846

National Organization for Victim Assistance (NOVA)

1757 Park Road, NW
Washington, DC 20010
800-879-6682

www.trynova.org

National Victim Center

2111 Wilson Boulevard, Suite 3000
Arlington, VA 22201
703-276-2880

Victims of Crime Program State Board of Control

P.O. Box 3036
Sacramento, CA 95812-3036
800-777-9229 FAX: 916-327-2933

www.boc.cahwnet.gov/victims.htm

California Coalition Against Sexual Assault (CALCASA)

1215 K St. Suite 1100
Sacramento, CA 95814
888-9CALCASA

916-446-2520 FAX: 916-446-8166

Email: info@calcasa.org

www.calcasa.org

Crime and Violence Prevention Center
Office of the Attorney General
P.O. Box 944255
Sacramento, CA 94244-2550
916-324-7853
<http://caag.state.ca.us/cvpc/>

Pacific Center for Violence Prevention
San Francisco General Hospital
San Francisco, CA 94110
415-285-1793
www.nal.usda.gov/pavnet/cf/cfpaccen.htm

Center for Substance Abuse Prevention PREV-LINE
National Clearinghouse for Alcohol and Drug Information
P.O. Box 2345
Rockville, MD 20847-2345
800-729-6686
<http://ncadi.samhsa.gov/>

Center for the Study and Prevention of Violence
University of Colorado at Boulder
1877 Broadway, Suite 601
Boulder, Co 80309-0442
303-492-1032
www.colorado.edu/cspv/index.html

Centers for Disease Control and Prevention
National Center for Injury Prevention and Control
Division of Violence Prevention
4770 Buford Highway NE, Mailstop K60
Atlanta, GA 30341-3724
404-488-4362
STD Hotline 1800-227-8922
www.cdc.gov/ncipc/dvp/dvp.htm

Domestic Violence Hotline
800-799-7233 (SAFE)

National Crime Prevention Council
1700 K Street NW, Second Floor
Washington, DC 20006-3817
202-466-6272
www.weprevent.org/

National Resource Center on Child Abuse and Neglect
63 Inverness Drive East
Englewood, Co 80112-5117
800-227-5242

Nursing Network on Violence Against Women, International
1801 H Street, Suite 85
Modesto, CA 95354-1215
888-909-9993
www.nnvawi.org

Additional Websites:

American Academy of Forensic Sciences	www.aafs.org
American College of Emergency Physicians	www.acep.org
American Nurses Association (ANA)	www.nursingworld.org
American Prosecutors Research Institute	www.ndaa-apri.org
California Coalition on Sexual Offending	www.ccoso.org
California District Attorneys association	www.cdaa.org
California Law including Penal Code	www.leginfo.ca.gov/calaw.html
Centers for Disease Control	www.cdc.gov/
Faith Trust Institute	www.cpsdv.org
The Coalition to End Family Violence	www.thecoalition.org
Communities Against Violence Network	www.cavnet2.org
Federal Bureau of Investigation (FBI)	www.fbi.gov/ucr/99cius.htm
FBI Law Enforcement Bulletin	www.fbi.gov/publications/leb/leb.htm
Federal Statistics	www.fedstats.gov
International Association of Forensic Nurses	www.iafn.org
Men Stopping Violence	www.menstoppingviolence.org
National Sexual Violence Resource Center	www.nsvrc.org/
National Center for Health Statistics	www.cdc.gov/nchs
National Center for Victims of Crime	www.ncvc.org/
National Institute of Justice	www.ojp.usdoj.gov/nij/
Nurses' Network on Violence Against Women	www.nnvawi.org
Office of Victims of Crime (OVC)	www.ojp.usdoj.gov/ovc/
Partners and Allies of Sexual Assault Survivors	twhj.com/allies.shtml
Rape, Abuse, & Incest National Network (RAINN)	www.rainn.org
Rights of Crime Victims	
Safe Child/Coalition for Children	www.safechild.org
SART –Development and Operations Guide	
	http://www.ojp.usdoj.gov/ovc/publications/infores/sane/saneguide.pdf
Violence Against Women Act (VAWA)	www.endabuse.org/vawa/

Appendix E - References

Beauchamp T., Childress J.F. (1994). Principles of biomedical ethics 4th ed
New York: Oxford.

Chambers P.A. (2000). Rape care and racism. The Forensic Communicator 1 (1), 7-8.

American Nurses' Association. (1999). Code for nurses with interpretive statements Kansas City:
Author.

Committee on Forensic Sciences. (2000). Standard practice for collection and documentation of sexual assault evidence from individuals Association for Standards, Testing and Measurement (ASTM).

California Attorney General's Office. (1998). Crime victims' handbook Sacramento: California
Author.

American College of Emergency Physicians. (1999). Evaluation and management of the sexual assault and sexual abuse patient. Dallas: Author. www.acep.org 1-800-798-1822 #6

Health and Human Services Agency. (2000). Response with a heart: Sexual Assault Response Team: Systems Review Committee Report. San Diego: Health and Human Services Agency.

Ledray, L. (1999). The SAFE development and operations guide.
1-800-627-6872; <http://www.cane-sart.com/SAFEGuide/>

McHugh J, Leake D. (Eds.). (1997). Scope and standards of forensic nursing practice
Washington DC: American Nurses Association.

Board of Registered Nursing. (1997). Nursing practice act: Rules and regulations. Sacramento:
California, Author.

Office of Criminal Justice Planning. (1993). California Sexual Assault Victim Services and Prevention Guidelines, July 1993, Sacramento: OCJP

San Diego Police Department. (1999). Investigations I: Sex Crimes Unit Operations Manual
San Diego, California.

Standards for providing services to survivors of sexual assault: State of New Jersey
August 1998, Governor's Office

“Statements Treatment of Sexual Assault Survivors: Position”
www.ena.org

Appendix F- Acknowledgements

Dr. Barbara Girardin was the original primary author of the San Diego County SART Standards with input from Sergeant Joanne Archambault of San Diego Police Department, Diana Faugno, RN, Forensic Health Service Director, Palomar Medical Center, Sharon Pacyna, RN, BSN and David Bailey, RN, BSN of the County of San Diego, Emergency Medical services.

In 2006-2007 these Standards were updated by the following participants:

Center for Community Solutions

Lupe Calzada
Sandi Capuano
Tracy Johnson

Chadwick Center at Rady Children's Hospital

Marilyn Kaufhold, M.D.

County of San Diego, Division of Emergency Medical Services

Sharon Pacyna, R.N., M.P.H.

County of San Diego, Office of the District Attorney

Summer Stephan

County of San Diego, Office of the District Attorney, Victim/Witness Program

Cynthia Forsythe

Independent Forensic Services

Claire Nelli, R.N.

Military Agencies

Jerry Moore, SAVI, Sexual Assault Response Coordinator

Palomar - Pomerado Health Care SART & Child Abuse

Sue Dickinson, R.N.

San Diego Police Department, Sex Crimes Unit

Sergeant Judy Woods
Sergeant Tim Muren

San Diego Sheriff's Department, Domestic Violence Unit

Mark Manriquez

Todd Norton
Dave Woods

San Diego Sheriff's Department, Regional Crime Laboratory

Connie Milton

Strong Hearted Native Women's Coalition, Inc.

Germaine Omish-Guachena

Women's Resource Center

Sandy Broce