

Safety, Accountability & Justice: The Importance of Multidisciplinary Responses to Sexual Assault and Child Sexual Abuse

Presented by Kansas Sexual Assault Response Advisory Committee and Subject Matter Experts

The Kansas Sexual Assault Kit Initiative (SAKI) Overview Offender Behavior Data From Kansas SAKI Project K-SARAC Overview • Kathy Ray, KCSDV

Defining Common Goals In Adult Sexual Assault And Child Sexual Abuse Response • Jessica Albers, Clinical Consultant, KCSDV



Safety, Accountability & Justice: The Importance of Multidisciplinary Responses to Sexual Assault and Child Sexual Abuse Presented by Kansas Sexual Assault Response Advisory Committee and Subject Matter Experts

SANE/Forensic Nursing • Jennifer Green, Saint Luke's Hospital

- Child Advocacy Center
- Julianne Walker, CAC
  Lori Chandler, CAC Of SG CO
- Diana Schunn, CAC Of SG CO Law Enforcement

  - Jason Stephens, Wichita Police Department
    Paul Kimble, Step Stone, Inc.

Forensic Laboratory - Jena Sparling, KBI Prosecution - Steve Howe, Johnson County District Attorney's Office - Will Many, Snawnee County District Attorney's Office

- Victim Advocacy Community-based Dung Kimble, Stepstone, Inc. Victoria Pickering, MOCSA
  - System-based Brian Porch, Johnson County District Attorney's Office





Safety, Accountability & Justice: The Importance of Multidisciplinary Responses to Sexual Assault and Child Sexual Abuse

**Agenda Overview** 

#### Day I: 8:30 AM - 4:00 PM

The Kansas Sexual Assault Kit Initiative (SAKI) Overview Offender Behavior Data From Kansas SAKI Project K.SARAC Overview Defining Common Goals In Adult Sexual Assault And Child Sexual Abuse Response Understanding Roles In Adult Sexual Assault And Child Sexual Abuse Investigations

#### Day 2: 8:30 am - 4:00 pm

Trauma-Informed, Victim-Centered Framework Recommendations & Best Practices For Multidisciplinary Teams Practical Case Scenario Roadmap To Resilience: Overcoming The Impact Of Vicarious Trauma

#### THE KANSAS **SEXUAL ASSAULT** KIT INITIATIVE (SAKI) OVERVIEW

Kathy Ray, MSW



2014 - 2019

### Kansas SAKI Multidisciplinary Working Group

Kansas Bureau of Investigation
 Kansas Office of the Attorney General
 Kansag County and District Attorneys
 Association
 Kansas Association
 Kansas Association of Chiefs of Police
 Kansas

Kansac Association of Chiefs of Police
 Kansac Acapter of International
 Association of Forensic Nurses
 Kansac Coalition Against Sexual and
 Domestic Violence
 Iohnson County Sheriff's Office
 Criminalistics Laboratory
 Sedgwick County Regional Forensic
 Science Center





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#### Kansas SAKI Project

Develop recommendations to prevent similar accumulation in the future







Kathy Ray, MSW Director of Advocacy, Education, and Rural Projects KCSDV











Kansas Sexual Assault Response Advisory Committee

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# About K-SARAC

Formed in 2020

- KCSDV in partnership with the Kansas Bureau of Investigation
- Continue efforts that began under the KBI's Kansas Sexual Assault Kit Initiative (SAKI) project



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# Purpose

The Kansas Sexual Assault Response Advisory Committee (K-SARAC) is a multidisciplinary group of statewide experts who facilitate cross-discipline collaboration and cultivate promising practices in sexual assault response that increase victim safety and offender accountability.



# Mission

The mission of the K-SARAC is to provide standardized guidance and model policies to Sexual Assault Response Teams (SARTs) and their participating affiliates for the purposes of increasing awareness and ensuring consistency in access to services and sexual assault response statewide.



## Vision

The vision of the K-SARAC is to assist SARTs in increasing and improving their capacity to provide trauma-informed and offender-focused sexual assault response through the development of model policies, protocols, training, and additional resources.



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## Multidisciplinary Representation

Stakeholder communities and affiliated associations representing:

Sexual Assault Nurse Examiners (SANEs)/ Medical Professionals
 Child Advocacy Centers

- Law Enforcement
- Prosecutors
- Community-Based Advocates
- System-Based Advocates
- Forensic Science Laboratories



# **K-SARAC Subcommittees**

- Awareness Subcommittee
- Education & Training Subcommittee
- Sexual Assault Kit Tracking Subcommittee
- Legislative Recommendations & Coordination of Efforts Subcommittee
- Model Policies & Protocols Subcommittee



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# Questions ? Thank you!



DEFINING COMMON GOALS IN SEXUAL ASSAULT AND CHILD SEXUAL ABUSE RESPONSE

Jessica Albers Statewide SANE Clinical Cons KCSDV

# Safety, Accountability & Justice: The Importance of Multidisciplinary Responses to Sexual Assault and Child Sexual Abuse

#### Sexual Assault Response Team (SART) & Multidisciplinary Response Team (MDT)

- Community-based team that collaborates and coordinates the response to victims of sexual assault and/or child sexual abuse
   Helps ensure the safety and support of victims
- · Promotes offender accountability
- · Compassionate and streamlined response

- Goal of preventing future victimization
   Promotes the safety and security of our communities
   Collaboration for effective investigations and prosecutions
   Identify inadequacies and limitations in and among systems









#### **SART/MDT** Resources

- National SexualViolence Resource Center. SART Toolkit. https://www.nsvrc.org/sarts/toolkit
- NSVRC Video: Video: Relationships, Essential to Sexual Assault Response Teams. <u>https://www.youtube.com/watch?v=liYgQCQ0ckY</u>

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The Role of Sexual Assault Nurse Examiners (SANEs) & Forensic Nurses

Jennifer Green, MSN-FN, BSN, BA, RN, SANE-A Saint Luke's Community Health System

Safety, Accountability & Justice: The Importance of Multidisciplinary Responses to Sexual Assault and Child Sexual Abuse				
Objectives				
Define	Define the roles and responsibilities of SANEs and Forensic Nurses in response to sexual assault and child sexual abuse			
Discuss	Discuss external expectations and challenges regarding the medical-forensic exam			
	Review the importance of SANEs in effective team approaches			
		34		



PRIMARY Health, Wellbeing & Safety SECONDARY Evidence Collection



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#### SANEs & Forensic Nurses: Roles & Responsibilities

- Provide competent, comprehensive, patientcentered, trauma-informed, coordinated care for victims and perpetrators of violence
   Offer and activate community services
- Offer and activate community services
   Assess patients for acute and long-term healthcare needs
- Provide crisis intervention
- Provide safety options to the patient to prevent from further harm and victimization
- Use knowledge to educate patients



SANEs & Forensic Nurses: Roles & Responsibilities, Continued

- Provide consultation, stabilization and treatment for injuries and illnesses
- Provide timely, thorough, and professional forensic evidence collection, preservation and documentation
- Provide education, prophylaxis and/or treatment for STI's Evaluate pregnancy risk and offer prevention
- Appropriately refer patients for immediate and follow-up medical care
- Connect patients to resources & referrals





SANEs & Forensic Nurses: Roles & Responsibilities, Continued

- Train other healthcare providers, advocates, and law enforcement
   Provide community education
   Navigation of patient privacy issues, knowledge of statutes and mandatory reporting
   Converted to the providence of the providence of the patient of the providence of the pr
- Enhance the ability of law enforcement agencies to obtain evidence and successfully prosecute sexual assault cases
- Provide testimony during legal proceedings



### Knowledge Check

All of the following are part of the role of a SANE, except:

- A. Assess patients for acute and long-term ballhcare needs
   Determine if a sexual assault occurred
   C. Provide education, prophylaxis and/or treatment for STIs
   Or critical thinking in collection of evidence & documentation





SANEs & Forensic Nurses: External Expectations

#### **External Expectations**

- Myths / seeking confirmatory conclusions about sexual assault
- Providing medical records to LE
- and prosecution
- Understanding payment for sexual assault exams
- Feedback from partners if/when data trends noticed

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## Knowledge Check

During the medical facility intake, the hospital staff should do all of the following, except:

- Consider SA patients a priority
   Perform a prompt triage and MSE
   Inform the patient at the window that a SANE is not available
   Contact victim advocates if not already done



#### SANEs & Forensic Nurses: Challenges

- Need increased education on trauma-informed care and sexual assault/abuse care for all healthcare providers
- Myths surrounding sexual assault/abuse & medical exam Limited SANE access
- Approximately 25% of Kansas hospitals have SANE/FNE programs
   Many do not have 24/7 coverage
- Hospitals unaware of law requirements to collect evidence
   K.S.A. 65-448
- Support & resources to start and sustain SANE/FNE programs
   Low number of suspect exams

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#### **SANE & Forensic Nursing Resources**

- National Protocol for Sexual Assault Medical Forensic Examinations: Adults/Adolescents. (April 2013). Second Edition. US DOJ. Office on Violence Against Women https://www.ncits.sov/idflines.if.ow/241903.pdf
- https://www.ncgr.gov/pomiesi.low/w.c41903.pdf 4. National Percocol for Sexual Abuse Medical Gorensic Examinations; Pedjatrics. (April 2016). US DOJ. Office on Violence Against Women. <u>https://www.iustice.gov/ow/file/84685640/miload</u> National Berst Parcices for Sexual Assault Kits: A Multidisciplinary Approach. (April 2017). US DOJ. National Institute of Justice. <u>https://www.nii.gov/topics/law-enforcement/investigations/sexual-</u> assault/Tage/stational-bestp:racices-for-sexual-assault/Kits.agx

- assault/Higges/mational-best-practices-ion-sexana-assault-issta.asp. Forensic, Nurring Education Guidelines, Free downloads available at https://www.forensicnurses.org/page/EducationGuidelinesAccess National Training Standards for Sexual Assault Medical Forensic Examiners, US DOJ OVW/ 2<sup>nd</sup> Edition, August 2018. https://cdn.ymaws.com/www.safea.org/resource/resngr/docs/Training\_SexualAssaultForens.pdf IAFN and ENA Joint Poolition Papers: Adult and Adolescent Sexual Assault Patients in the Emergency Care Setting (August 2016) and Care of Propubescent Pediatric Sexual Abuse Patients in the Emergency Care Setting (March 2017)





Safety, Accountability & Justice: The Importance of Multidisciplinary Responses to Sexual Assault and Child Sexual Abuse					
Objectives					
Define	Define the roles and responsibilities of law enforcement in response to sexual assault and child sexual abuse				
	Discuss external expectations and challenges in sexual assault investigations				
	Review the importance of law enforcement in effective team approaches				

# Safety, Accountability & Justice: Multidisciplinary Responses to St

#### Law Enforcement: **Roles & Responsibilities**

- Public safety
   Prioritize victim safety
   Thoroughly investigate criminal activity
   Collect and preserve evidence with a
   victim-centered approach
   Encourage and support victims
   throughout the criminal justice process
   Offender accountability
   Submit cases for prosecutorial review
   Testify in court





#### External Expectations

- "CSI effect"
- Collecting elimination samples
  Communication with victims
- Over-reliance on evidence within SAKs
- Focusing on suspect
   Providing documentation, including medical records, to prosecution

- Probable cause vs beyond reasonable doubt
  Communication
- Victim-centered approach



### Law Enforcement Considerations



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Resources Kansas Model Policy for Investigating Sexual Assault, Version 2, updated April 2019, http://www.kansas.gov/kbi/news/docs/Kansas%20Model%20Policy%20Investigating%20Sexual%20Assault%20v2.pdf

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References

- Americans Trenblay, I. (Presencer) (2016. November). Trauma Informed Sexual Assault Investigations Training. Live presentation at the Kanas Bureau of Investigation. Topeka, KS. International Association of Chiefe of Police (2017. October). Investigating Sexual Assaults: Concepts and Issues Poper. Alexandra, WA: IACP Law Enforcement Policy Center. <u>Intrust Network and Assaults</u>: Concepts and Issues Poper. Alexandra, WA: IACP Law Enforcement Policy Center. <u>Intrust Network and Assaults</u>: Concepts and Issues Poper.
- International Association of Chiefs of Police, (June 2020) Successful Trauma Informed Victim Interviewing https://www.theiacp.org/sites/default/files/2020 of/mais/2019esigm.20Juscessful/2017ana/2010formed%20Victim%20Interviewing.pdf



The Role of Community-Based and System-Based Victim Advocates

Victoria Pickering Director of Advocacy Metropolitan Organization to Counter Sexual Assault (MOCSA)

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### **Benefits of Advocacy**



Feel free to share personal experiences from your work



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### **Benefits of Advocacy**

- Victims were more likely to have a police report taken
- The case was 3x more likely to be investigated further
- Victims were more likely to receive preventative treatment for STIs and HIV, and emergency contraception
- Victims were less likely to be treated "impersonally or coldly"

(Campbell, 2006)

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### The Role of **Community-Based** Victim Advocates

Dung Kimble Program Director Stepstone, Inc.

### Community-Based Advocacy: Roles & Responsibilities



 

 Safety, Accountability & Justice: The Importance of Multidisciplinary Responses to Sexual Assault and Child Sexual Abuse

 Image: Child Sexual Abuse







Brian Porch Victim Assistance Unit Supervisor Johnson County District Attorney's Office

















Advocacy for Victims of Child Sexual Abuse

- Mandated Reporting
- Services for child and non-offending caregiver
- Collaboration with DCF
   dual investigation
- Minimize duplication of services



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What have you always wanted to know about advocacy and never asked?



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### Victim Advocacy Resources & References

#### Resources

www.kcsdv.org

#### References

 "Rape Survivors' Experiences With the Legal and Medical Systems: Do Rape Victim Advocates Make a Difference?"; Dr. Rebecca Campbell; 2006; https://doi.org/10.1177/1077801205277539

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 Sexual Assault Kit Initiative Toolkit: Community and System Based Advocacy; https://www.SAKItta.org/toolkit/docs/Community-and-Systems-Based-Advocacy.pdf

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The Role of the Child Advocacy Center Mine Water, Exactly Officer Old Advacy Carer of Krass Dias Scharth, Schweit Director, Child Advacy Carer of Schweit Child Advacy Carer of Schweit Child Advacy Carer of Schweit Corry

Objectives		
Define	Define the role of the Child Advocacy Center (CAC) in Child Sexual Abuse Response	
Identify	Identify the roles of a multidisciplinary team (MDT) in child abuse investigations	

# Welcome to the Child Advocacy Center!

A CAC is not just a facility, but serves as an interagency coordinated response center.



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### What is a Child Advocacy Center?

 Child advocacy centers (CACs) are community-based, child-friendly, multidisciplinary services for children and families affected by sexual abuse or severe physical abuse. CACs bring together, often in one location, child protective services investigators, law enforcement, prosecutors, and medical and mental health professionals to provide a coordinated, comprehensive response to victims and their caregivers.

Source: www.childwelfare.gov







### **Benefits of Child Advocacy Centers**

- Professionals come together at the very beginning of a child abuse investigation. Collaboration provides consistant high-quality response to every case
- Communication and information sharing is happening in real time
- A forensic interview of the child is provided by a specially trained team member and observed by other team members for support and additional assistance as needed
- Forensic interviews dramatically reduce the likilhood of additional interviews.

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Therapy	
Advocacy	. 🗶
Case Coordination	10 th
Education	<b>11</b>
Forensic Interviews	4-1
Investigation	2
Community Referrals	
Justice	-
Medical Care	

### **Benefits of Child Advocacy Centers**

- Promotes better evidence collection and increases offender accountablility
- Provides timely referrals to medical and mental health
   services
- Child victims and their caregivers are provided immediate services, resources and follow up to aid in the healing process
- Reduces further trauma to the child
- Cross-disciplinary training and community education

Therapy	
Advocacy	. 🗶
Case Coordination	10 th
Education	<b>11</b>
Forensic Interviews	4-1
Investigation	2
Community Referrals	
Justice	1
Medical Care	

#### **Child Advocacy Centers of Kansas 2020 Stats**



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#### Children's Advocacy Centers of Kansas





Child Protective Services





 Is there evidence of abuse? ibuse? Does the child nei reatment?

Mental Health Does the child/family need mental health services? would help the most?





# Teamwork

Accountability and joint decision-making are equally important for multidisciplinary teams.



### Knowledge Check

A forensic interview can be conducted by any law enforcement officer or DCF investigator.

True or False



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### **Forensic Interviews**



#### Purpose and Role of the Forensic Interview

A forensic interview is a structured conversation with a child intended to elicit detailed information about a possible event(s) that the child may have experienced or , witnessed.

#### The purposes of a forensic interview are:

• To assess the safety of the child's living arrangements; To obtain information from a child that may be helpful in a criminal investigation or Child In Need of Care (CINC) case;

To obtain information that will either corroborate or refute allegations or suspicions of abuse and neglect;
To assess the need for medical treatment and psychological care.

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### Victim Advocacy



Purpose and Role of the Victim/Family Advocate Victim and Family Advocate splay a key role in helping to support the child victim and the non-offending caretaker(s) throughout the investigation and prosecution of the case. The job of the child advocate is to listen and support in whatever way possible and to seek out information and resources.

- Provide a crisis response and prepare the child for the forensic interview and medical evaluation, if applicable;
   Support the non-offending caretaker(s) during the investigation, forensic interview and medical evaluation;
- Explain the investigative process to the child and non-offending caretaker;
- Provide referrals for appropriate community resources.

### **Mental Health**

#### Purpose and Role of Mental Health

Purpose and note of Pietral readth Without effective therapeutic intervention, many child victims of abuse will suffer ongoing or long-term consequences that may impact them throughout their lifetimes. The multidisciplinary team response includes access to trauma assessments and specialized trauma focused mental health services for child victims and non-offending family members.

- Assess and treat the emotional and psychological needs of the child and non-offending family members;
- Serve as a resource to the team to better understand child development, trauma, and behavioral issues that may impact service delivery to the child(ren) and family; and
- · Provide crisis intervention as needed.

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### **MDT Coordinator**

## Purpose and Role of the MultidisciplinaryTeam Coordinator

To coordinate the Multidisciplinary Team (MDT) case review process through development, maintenance and review of relationships with partner agencies.

- Maintain positive working relationships with partner agencies, networking and facilitating opportunities to encourage cross-disciplinary communication, training and education to improve the outcomes of bindulate mensuignous and wreat prenty prelated to child sexual abute, physical abute or neglect runaway.human trafficking and sexual exploration cases:
   Document case review recommendations, as requested, and follow up with services providers regarding MDT meeting recommendations.



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### **Community Education**

Purpose and Role of Education To educate and empower professional partners and community members by providing training and increasing awareness on issues regarding child abuse.

- Offer training for law enforcement, prosecutors, child welfare, medical, education, mental health and childcare professionals;
   Provide education opportunities to community members

- Promote collaboration through a multidisciplinary approach to child abuse; Provide Peer Review opportunities for forensic interviewers.





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Co-location	Lack of respect & trust	Oganizational & Professional Silos Musico et ach agency Forderhoused performants international and anti- tionadary areas of their areas of experime.	Logistics Communication and information studies Levis of approvals scharge of electromation Separate documentation Information hounding	Lack of alignment of goals

### **Child Advocacy Center Resources**



National Children's Alliance: <u>www.nationalchildrensalliance.org</u>

- Child Welfare Information Gateway: <u>www.childwelfare.gov</u>
- Midwest Regional Child Advocacy Center: <u>https://www.mrcac.org/</u>
- Children's Advocacy Centers of Kansas: <u>https://kscac.org/</u>





Safety, Accountability & Justice: The Importance of Multidisciplinary Responses to Sexual Assault and Child Sexual Abuse			
Objectives			
Define	Define the role of forensic laboratory		
Overview			
Explore			
Understand			
		. 99	

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#### Forensic Laboratory: Roles & Responsibilities

- Unbiased forensic testing and expertise
- Communication with customers
- Prioritize cases/items for testing
- Testifying
- Training other stakeholders
   CODIS eligibility
- Current technology best practice





Biological Screening
Kansas Bureau of Investigations Forensic Science Center     Johnson County Sheriff's Office Criminalistics Laboratory     Sedgwick County Regional Forensic Science Center
DNA Analysis
Report Writing
Peer Reviews
CODIS Entry
Follow up
Court Testimony

### CODIS

 Exchange and compare DNA profiles electronically to link crimes to each
other and to known offenders · LDIS, SDIS and NDIS levels

- Was a crime committed?
- Were there consensual partners?
  Have elimination samples been requested/obtained?
  Is the profile from the putative perpetrator?

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### Knowledge Check

When a case is coded as "Unfounded" the Forensic Laboratory:





# Forensic Laboratory: External Expectations & Challenges

External Expectations

- Timely exam/results
- Thorough, accurate and reliable testing
  Disseminating lab reports / results

- Feedback
- Communication
- Maintaining non-bias approach



Forensic Laboratory Case Scenario 2016: Sexual Assault, Cutting from underwear 2017: Home Break-In, Swabs from glove 2017: Attempted Sexual Assault, Swabs from neck\* 2018: Arrestee Hit, Possession/Intent to Sell



Photo credit: https://www.kansas.gov/kbi/about/forensicsciencelab.shtml

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#### **Forensic Laboratory Resources**



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- National Best Practices for Sexual Assault Kits: A Multidisciplinary Approach. (April 2017). US DOJ. National Institute of Justice. https://www.nij.gov/
- <u>CODIS and NDIS Fact Sheet FBI</u>
- "Unfounded" Case Coding. (February 2019). Kansas Sexual Assault Kit Initiative (SAKI). SAKI\_Unfounded\_Coding\_Guidance.pdf (kansas.gov)





Safety, Accountability & Justice: The Importance of Multidisciplinary Responses to Sexual Assault and Child Sexual Abuse			
Objectives			
Describe	Describe the roles and responsibilities of prosecutors		
Discuss	Discuss prosecutor external expectations and challenges		
Explain	Explain prosecutors' responsibilities to victims, the public, and the defendant		

#### Prosecution: Roles & Responsibilities

Legal Duties:

- Ensure there is fair and equal application of the law
- Hold offenders accountable
  Provide justice to victims and community

Communication with:

- Partners and stakeholders
- Victims and witnesses


#### Prosecution: Roles & Responsibilities, continued

#### Legal Responsibilities:

- File cases supported by evidence and the law
   Have a good understanding of the
- Have a good understanding of the complexities and legal issues associated with sexual assault cases
- sexual assuit cases
  File the necessary motions and make appropriate arguments to support your case
  Have an honest conversation with the victim and victim's family on how the court system works and what they should expect as they go through the process





### Prosecution: Knowledge Check





#### Prosecution: External Expectations & Challenges



Inconsistent policies

- Myths and biases of sexual assault
  Probable cause vs. beyond reasonable doubt
- Big picture impacts
- Communication between stakeholders

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#### **Prosecution Resources:**

 Model Response to Sexual Violence for Prosecutors (RSVP): An Invitation to Lead, 2017 AEquitas, Justice Management Institute, and Urban Institute. <u>http://www.aequitasresource.org/</u>

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Presented by Kansas Sexual Assault Response Advisory Committee and Subject Matter Experts

Trauma-Informed, Victim-Centered Framework Victoria Pickering, MOCSA

Recommendations & Best Practices For Multidisciplinary Teams Kathy Ray, KCSDV

Practical Case Scenario Jessica Albers, Clinical Consultant, KCSDV

Roadmap To Resilience: Overcoming The Impact Of Vicarious Trauma Wendy Hummel, Sedgwick County Sheriff's Office

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Victoria Pickering, MOCSA Captain Jason Stephens, Wichita PD

	countability & Justice: The Importance of inary Responses to Sexual Assault and Child Sexual Abuse				
Objectives					
Understand	Understand trauma and the way it impacts victims of sexual violence				
Recognize	Recognize how trauma influences victim behavior				
Develop	Develop new strategies for interacting with victims which mitigate re-traumatization				
Practice	Practice asking questions in a trauma-informed manner				
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# What is trauma?

Trauma is a deeply distressing or disturbing experience.



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What are some examples of trauma that a victim of sexual violence may experience?



### Trauma-Informed

An approach to and understanding of successful engagement with survivors of trauma as they navigate the criminal justice system

Begins with awareness of the trauma and how it may present

Understanding of the impact of trauma on physical, emotional and mental health, as well as how it effects behaviors and engagement to services

An understanding that criminal justice systems will re-traumatize survivors

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### Victim-Centered

The systemic focus on the needs and concerns of the survivor

The survivors wishes, safety and well-being take priority

Creates an environment of support and empowerment for the survivor

Allowing the survivor to have a voice in the criminal justice process; and listening to the survivor when they express their needs

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### Offender-Focused

Approach that is more focused on the offender's behavior, less focused on the survivor's behavior.

Allows the focus to remain on the perpetrator and the crime that occurred.

Provides opportunity to broaden investigation beyond what the victim experienced

Takes into account what we know about offenders, especially serial offenders





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### Understanding Victim Behavior

- Most common reactions judged as "counterintuitive"
  Lack of earnest resistance
- Delayed or piecemeal reporting
  Continued contact with the offender/perpetrator
- Subsequent sexual activity



### "Cycle of Suspicion" Against Victims



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of Not

Trauma

### Trauma-Informed Communication

Give	Believe	Introduce	Say	Mirror	Limit
Give the survivor the option to have an advocate present	Start by Believing	Introduce yourself. Offer a private space and sit down	Say "I'm Sorry."	Mirror the language of the survivor	Try to limit the number of times the victim has to repeat the situation

# Trauma-Informed Communication

Careful	Encourage	Interview	Use	Inform	Give
Be careful with "why" questions	Encourage victims to recall sensory details if they are having a hard time remembering. Ask, "What did you smell, hear, see, feel or taste?"	Interview, don't interrogate	Use rationales for hard questions	Inform the victim that it is ok to say, "I don't know." or "I don't remember."	Give the opportunity to take a break if needed

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### Trauma-Informed Communication

Describe	Language	Slow	Кеер	Make	Options
Describe the rest of the criminal justice process to the victim clearly and directly	Use straight forward, non-legal language with survivors	Slow down	Don't make promises you can't keep	Make yourself available for follow-up questions later	Reporting vs. Filing options

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### Interview Questions: Knowledge Check





#### RECOMMENDATIONS & BEST PRACTICES FOR MULTIDISCIPLINARY TEAMS

Kathy Ray, MSW Director of Advocacy, Education, and Rural Projects

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#### National Best Practices for Sexual Assault Kits: A Multidisciplinary





Institute of Justice

£	3	UMMARY RECOMMENDATIONS
	Μι	Itidisciplinary Approach
	1.	A collaborative multidisciplinary approach should be implemented for sexual assault cases.
	2.	Sexual assault responders should use a victim-centered and trauma- informed approach when engaging with victims of sexual assault.
	3.	Agencies should collaborate and involve victim advocates early in the process to create a more victim-centered approach to the criminal justice process.
⇒	4.	The multidisciplinary approach should seek out and include voices from underserved or vulnerable populations in the community's response to sexual assault cases.

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Primary Goals of the SART/MDT Afford regular contact among disciplines to promote the best first response to, and ongoing discussion of, sexual assault/ child sexual abuse cases

Improve the broader community response

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#### The Three C's Collaboration Cooperation Coordination • Exchange of • Agencies work Agencies share resources, refer information as together with needs arise understanding that victims for services, missions are coordinate/respond compatible to SV as a team, monitor & evaluate responses through quality assurance mechanisms

OVC SART Toolkit

#### Common Challenges

- Limited resources
- Differences in professional roles without a clearly defined common goal
- Lack of appreciation for the roles of other SART members
- Frustration and burn-out
- Differing confidentiality requirements
- Conflict between members

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#### Best Practices for SARTs/MDTs

- Develop, review, and update Policies, Procedures, MOUs
- Equity and Inclusion
- Joint Training Initiatives
- Data Collection, Analysis and Reporting
- Special Victims Response/ Certification
- "Advocacy Default Response"
- Review: "What do we do well? What can we do better? What did we learn? Action on lessons learned!"
- Celebrate successes
- Self-care and resilience

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Kathy Ray, MSW Director of Advocacy, Education, and Rural Projects

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#### Model Policy on SAK Submission, Retention & Disposal (June 2018)

Submission

- Notice went from KBI to all <u>383</u> Kansas LE Agencies in April 2018
- Any SAKs that have never been submitted for analysis should be submitted to the lab
- ALL SAKs be retrieved from medical facilities by LE as soon as practical but no more than 30 days
- ALL SAKs be submitted to lab within 14 days from collection for processing

#### Model Policy on SAK Submission, Retention & Disposal, cont'd

Retention & Disposal

- SAKs related to investigation where charges are filed, evidence shall only be disposed of after court order
- SAKs related to conviction, evidence retained until all appeals exhausted
- SAKs related to investigation that has not resulted in charges filed, evidence retained until expiration of SOL or up to 20 years, whichever is shorter

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#### Kansas Model Policy for Investigating Sexual Assault (June 2018)

The purpose of this policy is to provide dispatchers, officers, and investigators with guidelines for responding to reports of sexual assaults during first response, preliminary and follow-up investigations.

- professional, trauma-informed approach to sexual assault investigations
- no personnel shall discourage victims from reporting or participating in a sexual assault investigation
- all reported SAK shall be submitted to a forensic laboratory for analysis
- victim advocacy or support services be offered to the victim
- a written report is completed and a formal report is submitted for prosecutorial review for all SA investigations

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#### "Unfounded" Case Coding (Feb. 2019)

Issue: When a case is coded as "Unfounded" the laboratory is prohibited from uploading any results into the national DNA database. "Unfounded" cases become deprioritized for testing in favor of focusing resources towards cases that are deemed more viable by law enforcement and prosecution.

 Cases should only be coded as "Unfounded" after a thorough investigation has been completed and the collected evidence demonstrates that <u>no crime occurred</u>.
 A case should NOT be considered "Unfounded" based solely on the following:

- A case should NOT be considered "Unfounded" based solely on the following:
   The victim is not cooperating with law enforcement or the judicial system;
- The victim cannot be located;
- The suspect states sex occurred but it was consensual;
- Prosecution of the case has been declined; or
- · Statute of limitations has been met.

Instead, these cases should be considered "Inactive" due to a lack of evidence.







### ISABEL'S **STORY**

- · I'm Isabel, and I'm 14 years old.

- I'm Isabel, and I'm 14 years old.
  I'was raped by my brocher's friend when he slept over at our house Friday night.
  When I got up, I was very sore between my legs, and there was blood on my nightgown.
  I was so afraid I would get in trouble and I knew thad to be my fault. I didn't tell any one all weekend.



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### I WENT TO SCHOOL

- I went to school on Monday, I couldn't concentrate and felt like I wasn't even there. I told my friend what happened at lunch.
   She was supportive and told me I should tell an adult.
- I worked up the courage and decided to tell my mom when I got home from school.



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Break Out Rooms

WHO DOES ISABEL TELL?

Rooms I & 2- Mother Rooms 3 & 4-Teacher

A

#### Breakout Room I: I TOLD MY MOM

- At first, she said she didn't believe it. She asked what I had said to him at the movies. She asked what I was wearing. She asked if I screamed.
- After I explained everything, mom started crying and hugging me. She said she was sorry that it happened to me.
- She said it wasn't okay, and took me to the emergency room.



### 165

### Breakout Room I DISCUSSION:



How might the timing of her disclosure be perceived?



What are your thoughts about her mother's reaction, and how might this impact a victim's disclosure?

#### 166

#### Breakout Room 2: I TOLD MY TEACHER

- Finally, I worked up the nerve to tell my teacher. She said she was sorry this happened to me.
   The Principal told me he would call my mom, and also the Department of Children and Families.
- When Mom arrived, she seemed very worried. She looked very angry after I told her.
- Mom took me to the Emergency Room



### Breakout Room 2 DISCUSSION:





How might the timing of her disclosure be perceived?

What are your thoughts about her teacher, the principal and her mother's reactions, and how might this impact a victim's disclosure?





Group Recap & Shareout

#### 169

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## I WENT TO ER

- I was terrified. Mom said the nurse would look at my private parts to make sure I din't have a disease. Oh my gosh, what if I have a disease? Could I be pregnant?
   The nurse asked us if we called the police. Mom said no, not yet.
- I met the advocate. She said she could stay with us if I wanted. I said that was ok.



### Group DISCUSSION:







How would you explain and prepare Isabel for the exam?



How could the advocate provide support during the exam?





**Break Out Rooms** 

DOES ISABEL CHOOSE TO HAVE A SANE EXAM?

> Rooms I & 2-YES Rooms 3 & 4- NO

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#### Breakout Room 1: SANE EXAM

- First, she asked me what happened. It was embarrassing.
- She asked if she could take swabs, look at my body and privates, and take pictures. I was pretty nervous, but I said okay.
- The nurse said she was required to call the police. I didn't want the police to take Ricky to prison.



### Breakout Room I DISCUSSION:



exam?

How would you What would you want to clarify ensure assent throughout the from the history?





history, what items of evidence would be most pertinent to collect?

What education would you provide before discharge?

#### 174



I told the nurse I didn't want to do it. I was mostly afraid of getting pregnant or getting a disease!

The nurse said the police could meet us there. I was very nervous. I didn't want the police to take Ricky to prison.



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### Breakout Room 2 DISCUSSION:





How would you ensure assent throughout the encounter?

What education would you provide before discharge?





#### INITIAL POLICE MEETING

- When the nurse was finished, the Detective came in. He started asking a lot of questions, and I felt really nervous that I wouldn't know the answers to her questions or remember certain things that happened. I felt like I was going to throw up.
- All I could think about was my homework that was due tomorrow!
- The Detective said I would have an interview in a few days to ask more questions.

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# Group DISCUSSION:







What are your next V steps in the investigation?



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#### I HAD A FORENSIC INTERVIEW

- A few days later we went to the CAC.
- There was a camera in the room and people in another room watching and listening to what we talked about. The Forensic Interviewer asked lots of questions about what happened.
- I wondered, do they believe me.



#### 180

### Group DISCUSSION:





What trauma-informed interview Based on her feelings of not being believed, what are some possible impacts this might have on engagement through the criminal justice system?

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#### I MET WITH THE ADVOCATE

- A few weeks later my mom took me to meet with Renee. She didn't pressure me to talk about how I was feeling.
- She showed me how to let my feelings out in art. She said I could keep coming if I wanted to see her again. I thought that would be nice.



### Group DISCUSSION:



What support services would you anticipate Isabel and her family may need in the future?



How might this differ depending on the type of advocacy services she is receiving?

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### I WENT TO THE ATTORNEY

 My mom brought me downtown to talk with the county attorney.
 When she talked to me, she was nice and I could tell she was listening. She just asked me some of the same questions the nurse and the police asked me. It seems like I have to answer them over and over again.



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### Group DISCUSSION:



What are the potential implications of having or not having a sexual assault exam on the investigation and prosecution of a case?



What societal myths and misconceptions may play a role in the outcome of the case?



### Break Out Rooms

DOES THE CASE GO TO COURT?

Rooms I & 2-YES Rooms 3 & 4- NO

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- 9 months later, my court date is here. I do not want to go to court! What will happen when I see Ricky? I'm sure he hates me. I have to take the stand all by myself?
- The prosecutor said the stains on my underwear were semen! Ewww!
- The other lawyer will ask me tough questions. He might try to make me look bad. He will ask me all kinds of questions about sex and stuff. I really don't want to do this!

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### Breakout Room I DISCUSSION:









What are some of the physical and emotional changes a 14 year old might experience in nine months time?

#### Breakout Room 2: I'M NOT GOING TO COURT

- It has been several months since we went to the attorney's office.
  The D.A. did not take my case because there was not enough evidence.
- I feel like nobody believed what I said. I decided that I would never talk about what happened to me again.



#### 189

### Breakout Room 2 DISCUSSION:





Is there anything you can think of that would have strengthened the case based on the evidence and information you have so far?





### I WENT TO SCHOOL

- I have had more and more trouble at school. I tried to ignore all the rumors and the lies that people say about me. I used to be a good student, but not anymore.
- student, but not anymore. My friend is going to skip school today and go to this guy's house. She said he might even have some weed or something. She asked if I wanted to go.



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### Group DISCUSSION:



What school resources Wh are available to help a Isabel? med

What post-trauma effects and unhealthy coping mechanisms would you be concerned about?

What are some confidentiality concerns?

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### What if... DISCUSSION:



What differences might there have been in the scenario if this was a young child or an adult?



What societal biases exist based on the age, gender, ethnicity of the survivor?



Roadmap To Resilience: Overcoming The Impact Of Vicarious Trauma

Wendy S. Hummell Health & Wellness Coordinator Sedgwick County Sheriff's Office





### **Resiliency Resources**

- Bill Buckner Video Link. <u>https://www.youtube.com/watch?v=oUP\_iyxazPM</u>
- Meditation: <u>https://www.youtube.com/watch?v=ljUmBuMRzr8</u> • Kim Colegrove. Mindfulness for Warriors, https://www.amazon.com/Mindfulness-Warriors-Empowering-
- Responders-Resilience/dp/1642501743 James Clear. <u>Atomic Habits</u>, <u>https://jamesclear.com/atomic-habits</u>
   Trevor Moawad. <u>It takes What it Takes</u>, <u>https://www.amazon.com/Takes-</u>
- What-Think-Neutrally-Control/dp/0062947125
  Guns and Yoga Podcast. https://gunsandyoga.podbean.com/

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