

# **Newton/Jasper Counties Adult Sexual Assault Response Team Protocol**

## **Mission**

The Newton/Jasper Counties Adult Sexual Assault Response Team (SART) is comprised of representatives from Child Abuse & Forensic Services, Spindletop Center, Newton County District Attorney's Office, Jasper County District Attorney's Office, Newton County Sheriff's Office, Jasper County Sheriff's Office, Newton Police Department, Jasper Police Department and Kirbyville Police Department. The mission of the Newton/Jasper Counties Adult SART is to ensure a competent and informed interdisciplinary response from all agencies involved to adult victims of sexual assault.

WE, the undersigned Agencies, by and through our designated representatives, agree to support the stated mission of the Newton/Jasper Counties Adult SART.

WE further hereby agree:

To minimize the re-victimization of adult sexual assault victims through the investigation, assessment, intervention and prosecution processes;

To maintain a cooperative response team approach to facilitate successful outcomes in the criminal justice systems through shared fact-finding and strong, collaborative case development;

To continue to improve processes and work with professionals in the community who deal with adult victims of sexual assault;

To serve as a local and regional resource for information and education on adult sexual assault issues;

That all State and Federal confidentiality laws will be followed in connection with this agreement;

That this document shall be reviewed and modified as deemed necessary by the SART to ensure compliance with all state and federal laws as well as recognized best practices within the field, or upon a change of authorized partner signatories;

## **Vision**

Newton/Jasper Counties Adult SART is committed to improving the treatment of adult sexual assault survivors with respect and compassion through trauma informed practices, and to promote the apprehension and prosecution of perpetrators.

## **Goals**

The goals of the Newton/Jasper Counties Adult SART are the following:

- I. Minimize trauma
- II. Provide advocacy and support
- III. Refer to community providers to meet needs
- IV. Hold offenders accountable

#### IV. **TEAM BUILDING BETWEEN AGENCIES**

- a. The relationships that we build with each other as members of the Adult SART are essential to achieve positive outcomes in sexual assault cases. Collaborative response provides a systematic response that allows victims to feel supported, informed and involved. It is essential that this team make time to build and strengthen relationships and address issues that arise through a multi-disciplinary approach of its members, with the best interest of victims in mind. We must also search for ways to increase collaboration between the partners.

#### V. **STANDARDS AND TRAINING**

- a. Adult SART members will ensure the policies and effort it puts forth promote best practices and effective intervention to address adult sexual assault in the county. To do this, Adult SART members will meet at least quarterly.
- b. Members of the Adult SART will commit to attending and providing cross training opportunities between all partner agencies annually. Members also commit to respond to requests for cross training.
- c. This Protocol will be reviewed and updated annually by the Adult SART members. As part of the implementation process, there is a commitment by all partners to provide training to their agencies on the Protocol and all updates thereafter.
- d. The Adult SART members will plan and implement effective prevention strategies and collaborate with other agencies, including educational institutions, to address adult sexual assault in the county. Areas of focus may include sexual assault perpetrated by strangers or persons known to the adult victim, predatory date rape, and drug-facilitated sexual assault.

#### Agency Commitments

- I. **The role of the Newton County District Attorney's Office (DA's office) and the Jasper County District Attorney's Office (DA's Office)** is to file appropriate criminal charges and to seek justice. Charging decisions shall be based upon the professional judgment of the District Attorney's Office.

The DA's Office commits to:

1. Designate a liaison to serve as a resource person for the SART.
2. Routinely share information among team members and provide information about the case status as needed and as allowed by law.
3. Maintain communication and contact with the SART and establish a method for follow-up of disposition of cases.
4. Provide reasonable notification of upcoming trial(s) to all witnesses who will be testifying in court.
5. Participate in SART and community training activities as determined by SART.
6. Collaborate with crime victim liaison to meet victim needs regarding crime victim's rights, compensation, and services throughout prosecution.
7. Provide ongoing process improvement information to the SART.

- II. The role of **Participating Law Enforcement Agencies** is, in their respective jurisdictions, to investigate reports of sexual assault. The decisions concerning the arrest of a perpetrator shall be based upon law and current department policy.

Participating Law Enforcement Agencies commit to:

1. Designate a liaison to serve as a resource person for the SART meetings.
2. Routinely share information among team members and provide information about case status as needed and as allowed by law.
3. Interview and interaction with adult victims.
  - a. The responding officer to a call of sexual assault should conduct the initial interview of the victim using a trauma-informed approach to gather information that is immediately necessary to determine evidence to collect, the identity of the perpetrator or possibly witnesses.
  - b. Officers will follow Texas Code of Criminal Procedure Article 56A.3515 regarding the presence of sexual assault program advocate or other victim's representative during law enforcement interview with a victim of sexual assault.
  - c. All interviews of the victim should be recorded when possible in accordance with department policies.
  - d. In accordance with Texas Code of Criminal Procedure Art. 58.102, victims may request use of a pseudonym and officer(s) should complete the appropriate form.
  - e. The investigating officer or detective should conduct any follow up interviews using a trauma-informed approach.
  - f. Ensure that while the case is being investigated that victims receive communication on the status of the case once every 60 days unless the victim indicates otherwise.
4. Receive forensic evidence that has been collected from the adult victim and/or suspect for approved forensic exams and ensure timely submission to the laboratory for forensic testing according to the time frame outlined by legislative mandates.
5. Participate in SART and community training activities as determined by the SART.
6. Provide training to patrol officers and detectives responding to sexual assaults on evidence collection and trauma-informed approach and establish policies to be implemented in responding to sexual assault calls and investigations.
  - a. Maintain current list of forensic nursing providers available to all officers responding to adult sexual assault
  - b. Ensure that the proper law enforcement referral for a medical/forensic examination is completed in any investigation where an adult victim is eligible for a medical/forensic examination and the adult victim is informed of where a Sexual Assault Nurse Examiner (SANE) can be accessed.
7. Collaborate with crime victim liaisons to meet adult victim needs regarding crime victim's rights, compensation and advocacy throughout investigation and prosecution.
8. Provide ongoing process improvement information to the SART.
9. File investigations with the District Attorney's Office in a timely manner with all evidence according to state laws and department protocols.

10. Maintain and share statistics on the number of adult cases reported to law enforcement and the number of those adult cases that involve drug-facilitated sexual assault, the incidence of predatory date rape, and sex trafficking.

III. The role of **Sexual Assault Nurse Examiners (SANE)** and physicians with specialized training serve a critical function in the response and care of adult victims of sexual assault. These healthcare providers understand how trauma impacts individuals and respect the value of empowerment and choice as vital to recovery in the aftermath of sexual assault. Texas Forensic Nurse Examiners: respond to adult victims of sexual violence within Newton/Jasper Counties and are committed to providing high quality care and forensic evidence preservation while working with partner agencies to ensure the best interests of the victims.

**Texas Forensic Nurse Examiners commit to:**

1. Designate a liaison to serve as a resource person for the SART and MDT meetings.
2. Provide medical forensic exams to victims that experience sexual assault, domestic violence, trafficking, and child and elder abuse.
3. Collaborate with hospitals in Newton/Jasper Counties to provide contracted forensic nursing services 24 hours a day, with an arrival time average of 90 minutes.
4. Provide acute and non-acute exams of victims of sexual and physical violence (TXFNE protocol - 7 days).
  - a. Acute exam - medical forensic exam completed, evidence is collected within 120 hours of incident
  - b. Non-acute - medical forensic exam completed, evidence is not collected
5. Conduct evidence collection when appropriate and with best practice standards.
6. Forensic photography will be conducted for all consenting patients that have a medical forensic exam and will be secured and stored in a HIPPA compliant manner.
7. Provide testing and treatment for sexually transmitted infections and referral for chronic infections.
8. Patients needing medical forensic exams will have their exam conducted in their preferred language and with culturally specific considerations.
9. Patients will be identified utilizing their preferred pronouns and identities.
10. Provide medical records to law enforcement and the District Attorney's Office within two weeks of subpoena request.
11. Allow nurses to meet with the District Attorney's Office for pretrial conference meetings, ensure nurses maintain contact with the District Attorney's Office when a case is pending or in process for hearings or trial, and notify the District Attorney's Office of address and/or telephone number changes of any of the nurses.
12. Provide SANE education and precepting of SANE candidates and ensure all nurses maintain a high level of competency through ongoing education and case reviews that will apply to their certification renewal.
13. Agree to meet with the nursing team to discuss quality of care, peer and procedural review and provide ongoing process improvement information to the SART.

14. Maintain the availability of an Adult SANE specialist to provide adult medical forensic assessments at the following locations 24/7 with an average response time of 90 minutes:

- a. Baptist Hospital of Southeast Texas, Beaumont, Texas
- b. Child Abuse & Forensic Services, Inc, Beaumont, Texas

### **Data Gathering and Evaluation Commitment**

To close gaps and decrease attrition of adult sexual assault cases through the Newton/Jasper Counties criminal justice system, members of the SART will gather information on the prevalence of adult sexual assault by identifying the number of incidents reported to law enforcement, reports then referred for prosecution and the disposition of cases handled by the District Attorney's office. This information will assist to identify gaps that may be contributing to attrition and analyze current policies that may be negatively impacting the county-wide response to adult sexual assault. This information will be reported in a two (2) year cycle, with that cycle beginning September 1, 2021 through August 31, 2023.

Each agency will be responsible for quarterly reporting adult sexual assault information as follows:

#### **I. Law Enforcement Agencies:**

- a. Any case involving sex trafficking
- b. All cases involving drug facilitated sexual assault (DFSA)
- c. Cases involving family violence sexual assault
- d. Number of sexual assault reports taken
- e. Number of delayed sexual assault reports taken with delayed defined by > than 120 hours from incident
- f. Number of sexual assault cases filed with the NCDAAO & JCDAO
- g. Number of cases referred for a medical/forensic examination by a SANE

#### **II. Newton/Jasper Counties District Attorney's Office:**

- a. Any case involving sex trafficking
- b. All cases involving drug facilitated sexual assault (DFSA)
- c. Cases involving family violence sexual assault
- d. Number of sexual assault cases received from Law Enforcement
- e. Number of sexual assault cases indicted
- f. Number of sexual assault cases no billed or no action taken by the grand jury
- g. Number of sexual assault cases decline

#### **III. Rape & Crisis Center of Southeast Texas:**

1. Any case involving sex trafficking
2. All cases involving drug facilitated sexual assault (DFSA)
3. Cases involving family violence sexual assault
4. Number of new clients impacted by sexual assault
5. Number of new clients impacted by sexual assault that reported to law enforcement

6. Number of new clients impacted by sexual assault that **HAVE NOT** reported to law enforcement
7. Number of clients accompanied during the sexual assault medical/forensic examination
8. Number of clients accompanied during law enforcement sexual assault report

IV. **Forensic Nursing Agencies:**

1. Any case involving sex trafficking
2. All cases involving drug facilitated sexual assault (DFSA)
3. Cases involving family violence sexual assault
4. Number of sexual assault exams conducted
5. Number of sexual assault patients that accept or decline an advocate and when an advocate is not available
6. Number of sexual assault patients that reported to law enforcement
7. Number of sexual assault patients that **HAVE NOT** reported to law enforcement
8. Average response time for SANE from time called received to arrival at care facility

*Information gathered from quarterly reporting will be reviewed bi-annually within the SART and presented to the Newton/Jasper Counties Commissioner's Court in the Biennial Report to be completed by December 1<sup>st</sup> of each odd-numbered year.*

**Case Reviews**

The SART commits to a biennial evaluation through adult sexual assault case reviews of the effectiveness of individual agency and interagency protocols and systems.

**Training Commitment**

All members of the SART commit to attending at least four hours of annual cross-agency training on the dynamics of adult sexual assault for response team members participating in the quarterly meetings as required by Section 351.254(c).

**Conflict Resolution**

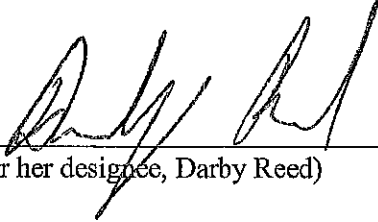
It is important for SART members to be respectful and mindful of each other. Every SART member has a specific role and responsibility that may appear to be in conflict with those of another member. Be aware that each member is trying to balance the needs of their own agency, the community, and the adult victim. Creating a safe environment where each SART member can effectively communicate and solve problems is important for a victim-centered response. The SART must consistently ask themselves, "What is in the best interest of the adult victim?" Members will work to understand and consider the roles, responsibilities and limitations of other team members through meetings and networking.


**Confidentiality**

When information is shared among Newton/Jasper Counties Adult SART members and affiliates, confidentiality will be maintained as required by law. Confidentiality of victim and survivor information will be preserved and each individual agency will be responsible to maintain confidentiality of the victims they serve.


*This protocol is recognized as a cooperative, collaborative commitment between each agency listed below, and is proof of commitment as acknowledged by the signature of each agency's representative.*


Signed by all members:

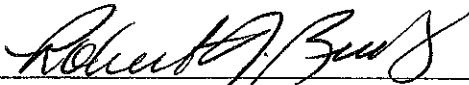
  
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Holly Borel, Spindletop Center (or her designee, Darby Reed)

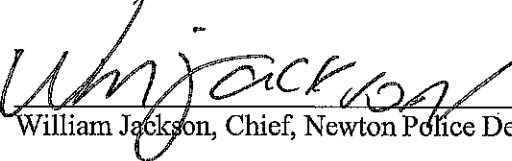
  
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Brenda Garrison, Child Abuse and Forensic Services

**Newton County:**

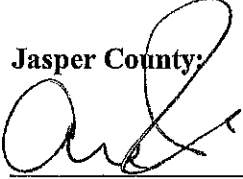
  
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Courtney Ponthier, District Attorney, Newton County District Attorney's Office

  
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Brital Luna, Victims Assistance, Newton County District Attorney's Office


  
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Robert Burby, Sheriff, Newton County Sheriff's Office

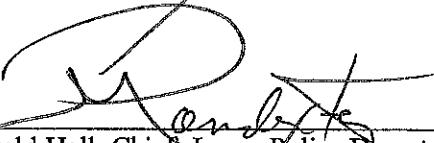
  
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William Jackson, Chief, Newton Police Department

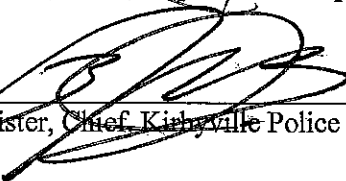
**Jasper County:**

  
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Anne Pickle, District Attorney, Jasper County District Attorney's Office

  
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LaRonnda Gray, Victims Assistance, Jasper County District Attorney's Office

  
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Mitchell Newman, Sheriff, Jasper County Sheriff's Office

  
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Gerald Hall, Chief, Jasper Police Department

  
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Paul Brister, Chief, Kirbyville Police Department (or his designee, Josh Hancock)