What Do Sexual Assault Cases Look Like in Our Community?

A SART Coordinator's Guidebook for Case File Review

Jessica Van Iperen
and Jim Pittenger

Sexual Violence Justice Institute @ MNCASA

Table of Contents

Table of Contents 2
Executive Summary 4
Introduction 1
A Message to Multidisciplinary Teams and Team Leaders 2
The Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault (SVJI@MNCASA) 2
Overview 3
Why a Multidisciplinary Process? 4
SVJI @ MNCASA's Experience with Case File Review 5
About the Pilot Sites 5
The Law Enforcement Advisory Group 8
Types of Cases Reviewed 8
Who Should Use This Document 9
How to Use This Document 9
Icons 12
Key Terms 13
Case File Review Toolkit Modules 15
Module 1: Interest and Explanation Assessment 17
Module 2: Readiness Assessment 23
Module 3: Mapping the Existing System 33
Module 4: Confidentiality, Privilege, and Privacy 51
Module 5: Case File Reviewers and Redaction 61
Module 6: Mock Case File and Introduction to Tools and Team Agreement Form 77
Module 7: Case File Review 89

Module 8: Reflection of Themes and Evidence. Interpretation of Findings. 101
Module 9: Recommendations for Action and Positive Change 115
Appendix 123
SART Case File Review Process Frequently Asked Questions 125
Readiness Assessment and Outcomes for Case File Review Handout 129
Engaging the Media 131
Sexual Assault Scenarios 133
What Can We Talk About? Common Rules and Regulations 137
Simple Rules for Becoming Victim-Centered… 142
Aligning Our Approach to Serving Victims Activity 144
How Do We Align Our Approach to Serving Victims/Survivors? 147
Team Agreement Form 149
Observation Form 150
Team Findings Form 154
Roadmap for Response: A Tool for Prosecutor's and Law Enforcement 164
Law Enforcement Case File Content 183
Mock Case File Cover Sheet 185
Mock Case File 188
Case File Review: Reflection and Interpretation Handout 201
Case File Review: Action 203

This project was supported by Grant No. 2014-TA-AX-K043. Awarded by the Office on Violence Against Women, US. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

Executive Summary

This toolkit is a step-by-step guide that leads SART Coordinators through the SVJI process of reviewing law enforcement case files. In this toolkit, you will find an effective process for identifying areas where your SART is successful in its response to victims and areas where your SART can improve. Each of the core agencies (Law Enforcement, Medical, Prosecution, Advocacy, and Probation) will learn specific information about their response that can be further developed or sustained for an optimum response to victims. Throughout the case file review process, SARTs learn about their *actual* response to victims versus what they believe is happening during the response. The toolkit provides insights into how to make connections that help improve the criminal justice process for victims and agencies while also helping teams discover a multitude of opportunities and best practices to explore. Case file review can provide evidence to support necessary changes in policy and practice.

Designed with SART Coordinators in mind, this toolkit has nine modules that are each broken into two sections: 1) Facilitator's Guide and 2) Lesson Plan. The Facilitator's Guide highlights what the coordinator needs to know in order to facilitate the module, and the Lesson Plan is a guide for how to share information from the module with the SART. If a SART does not have a coordinator, this toolkit can be used by a team member who is comfortable facilitating their SART through this process. If finding a facilitator is not possible or a SART would like assistance, however, SVJI provides national technical assistance to SARTs on the Case File Review process.

No matter where your SART is at, we are here to help. Please call or email questions so we can assist your SART in the Case File Review process today!

Phone: 651.209.9993
Email: svji@mncasa.org

Introduction

A Message to Multidisciplinary Teams and Team Leaders

You are about to embark on the exciting, informative, and energizing multidisciplinary team process known as case file review. This is an evaluative process of assessment and curiosity. Each team member will have their own insights, perspectives, and questions. Your team might answer some of those questions, but be prepared to come out of the process with even more questions. Those unanswered questions will lead your team on a path toward further exploration and will result in deep analysis of your community's response to victims of sexual assault.

The Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault (SVJI@MNCASA)

This toolkit is a product of the Sexual Violence Justice Institute (SVJI), a special program of the Minnesota Coalition Against Sexual Assault (MNCASA). SVJI's mission is to encourage not only victim-centered responses to sexual assault cases but also victim-centered investigations and prosecutions of sexual assault cases. SVJI aims to achieve these outcomes by supporting multidisciplinary collaboration and providing multidisciplinary teams with training and resources. In Minnesota, these teams are most often Sexual Assault Multidisciplinary Action Response Teams (SMARTs), but Sexual Assault Response Teams (SART) will be used in this document.[1] SVJI provides intensive technical assistance to 12 SMARTs within Minnesota in addition to several national teams. Because of these connections, SVJI is in a unique position to see the benefits and challenges that multidisciplinary collaboration brings to a case file review process.

[1] Across the nation, multidisciplinary teams addressing the community and criminal justice response to sexual assault are also known by other acronyms, such as SART or SAIC.

Overview

This toolkit will demonstrate Case File Review as an evaluative method for SARTs by highlighting the process followed, insights raised, and lessons learned from the review of three pilot sites. We at SVJI encourage you to use this as an evaluation for the entire SART and not a means to place blame or shame on a specific discipline. In this toolkit, we provide you with **tangible** steps to lead a SART through the Case File Review process. This toolkit assumes that your team is interested in reviewing case files, which is explored further in the ***Readiness Section*** (pg. 23). *Please refer to this section before you begin the case file review process.* If, after reading through the **Readiness Section**, you decide your team is not ready to do a case file review, many of the modules can still be helpful for your team to review. Please connect with SVJI@MNCASA to discuss your SART's current work and what modules in this toolkit might fit your team's specific needs.

A brief overview of how this document is organized:

- **Who Should Use This Document** (pg. 9)

- **How to Use This Document** (pg. 9)

- **How the Information is Divided**
  This toolkit is divided into four sections. Within each section are modules designed to help coordinators understand the material, prepare the topic, and lead their SART through that process.

  The four sections are as follows:

  1. Foundation
  2. Preparation
  3. Case File Review
  4. Findings & Recommendations

- **Key Terms** (pg. 13)
  Definitions of common language used throughout this document.

Why a Multidisciplinary Process?

The benefits of working within a multidisciplinary framework are numerous. Strong multidisciplinary teams with active participants are able to communicate openly and honestly with one another. These partnerships among team members facilitate the evolution of existing policy, the creation of new policy, pinpointing gaps, and making system-wide improvements. This case file review process is designed to give all disciplines the opportunity to educate each other and to have significant input into the team's response. When disciplines have a high degree of commitment to the case file review process, all responders and victim/survivors will benefit. Finally, a team that is able to hold its members accountable to a response can avoid problematic responses and can produce corrective criticism and action among all disciplines.

Despite these benefits, multidisciplinary collaboration is not always easy! During true collaboration, professionals will come together to analyze how the criminal justice system is (or isn't) working. This process naturally subjects the performance of individual agencies to criticism. Strong teams can learn how to turn any gaps within the current response into improvements without shaming or placing blame upon any one specific agency. Ultimately, involving multidisciplinary professionals in this case file review process allows all team members to benefit and learn from differing perspectives, establish good communication patterns, and develop mutual respect.

SVJI @ MNCASA's Experience with Case File Review

The information shared in this toolkit comes from our experience leading, designing, and facilitating in-depth case file review processes with three pilot sites. Our expertise in this area also stems from technical assistance we received from Praxis International and lessons learned from working with several SART teams across the country.

Case file review or text analysis, is a core activity detailed in the Praxis Institutional Analysis[2], a process and set of tools for interagency teams to reform institutional structures that produce problematic outcomes in cases involving violence against women. Applied extensively to assess safety and accountability within the context of domestic violence, Praxis has conducted numerous in-depth case file review projects. SVJI sought Praxis' guidance and input to develop strategies for case file review involving sexual assault crimes. SVJI appreciates the help and expertise of Praxis.

We would like to issue a special thank you to the three sites that helped SVJI to develop the case file review process. Those sites are:

- The Rice County SMART in Faribault, MN: the first Minnesota team to embark on a case file review process;
- The Hastings Police Department in Hastings, MN: invited SVJI to perform an audit of their sexual assault cases; and
- The Tooele, Utah SART: the Tooele City Police Department took the lead in the team's case file review process.

About the Pilot Sites

The Sexual Violence Justice Institute began case file review work in 2011. The first pilot site was a Sexual Assault Multidisciplinary Action Response Team (SMART) in Faribault, Minnesota, that chose to review **Prosecution case files**. This initial case

[2] Praxis International is a non-profit national training, research, and technical assistance organization founded in 1996 that supports communities and advocacy organizations to reform institutions in ways that close the gap between how those institutions are organized to act and the needs of the people they serve. To learn more, go to: www.praxisinternational.org

file review involved staff from SVJI and Praxis and a sub-committee of the team that included members from prosecution, advocacy, medical, and law enforcement. These members, referred to as "core team members," **reviewed 20 sexual assault prosecution case files** after receiving a day long training by Praxis on how to engage in case file review.

The second pilot site came at the request of a Minnesota Police Chief who wanted to conduct a law enforcement audit of their response to sexual assault. This process went beyond the review of case files to include interviews with advocates and law enforcement, data collection, and ride-alongs with law enforcement officers. A key distinction is that this site did not have a SART/SMART before initiating the case file review process. Given SVJI's goal to develop resources for SARTs and to ensure a holistic review during the audit, SVJI invited subject matter experts from prosecution, medical, advocacy, and law enforcement to review **45 law enforcement sexual assault cases files** as part of the audit.

The third and most recent pilot site was in Tooele, Utah where they conducted a review of **law enforcement case files**. This case file review process involved a SART consisting of local city police and sheriff deputies, prosecution, medical, and advocacy team members along with Subject Matter Experts (SME) from AEquitas: The Prosecutors' Resource on Violence Against Women, the International Association of Forensic Nurses (IAFN), and a Chief of Police. This team, SME, SVJI staff, and the SVJI law enforcement consultant reviewed **28 sexual assault cases**.

Thank you to the people and agencies who assisted in the case file review processes throughout the years. Without their contributions, in laying the groundwork, improvements in the process would not be possible.

- Praxis International
- Lt. Ann Clancey, Duluth (MN) Police Department;
- Kim Day, *SAFEta Project Director, International Association of Forensic Nurses*;
- Rhonda Martinson, J.D.;
- Kari Ogrodowski, Melia Garza, Laura Williams, Sharon Haas, *former Sexual Violence Justice Institute at the Minnesota Coalition Against Sexual Assault staff*;

- James Pittenger, *Ret. Captain, Rochester (MN) Police Department, SVJI@MNCASA*;
- John Wilkinson, *Attorney Advisor, Aequitas: The Prosecutors' Resource on Violence Against Women*; and
- The Rice County SMART.

A special thank you to Subject Matter Experts who trained and reviewed case files in the most recent site, Tooele, Utah:

- Kim Day, *SAFEta Project Director, International Association of Forensic Nurses;*
- James Pittenger, *Ret. Captain, Rochester (MN) Police Department, SVJI@MNCASA*;
- Chief Paul Schnell, *Maplewood (MN) Police Department*
- John Wilkinson, *Attorney Advisor*, *Aequitas: The Prosecutors' Resource on Violence Against Women*

We also want to acknowledge and thank those who agreed to share their case files in the earnest desire to learn how to improve their community's response to victims of sexual assault.

- Chief Ron Kirby, Tooele City (UT) Police Department
- Lynne Mahaffey-Smith, Tooele City (UT) Police Department Victim's Assistance Coordinator
- The Tooele SART

The Law Enforcement Advisory Group

The Law Enforcement Advisory Group (LEAG) consists of representatives from law enforcement agencies that have conducted a case file review, along with SVJI staff and consultants.

The LEAG is responsible for identifying the benefits of and barriers to case file review, evaluating the law enforcement specific contents of the case file review toolkit, and developing guidance for other agencies related to the policy, training, and staffing implications of an enhanced sexual assault response.

A group of law enforcement officers from all pilot sites were invited to guide this project and assist on specific tool development. The primary focus of the LEAG was to review tools, resources, and methods developed through this project and to serve as a resource for law enforcement agencies engaging in the case file review process.

Types of Cases Reviewed

SVJI has facilitated the case file review process for three sites. Two of those sites considered reviewing cases that were classified by law enforcement as "closed by arrest" or "open-inactive." The third site considered cases that were classified by prosecution as closed either through a complaint filed against an offender(s) or through a decision to decline charges. This toolkit is focused primarily on law enforcement cases; however, teams can choose to review the case files of other agencies as long as the process is in line with data privacy laws, victim confidentiality, and any requirements or stipulations specific to the participating agencies.

All case files reviewed were adult sexual assault cases. We recognize each state has different ages of adulthood, but this should be front of mind as age relates to specific data privacy laws.

Who Should Use This Document

This toolkit was created for SART Coordinators or other team leaders to help them guide a team through the case file review process. In order for the case file review process to be successful, team leadership needs to be aware of potential "sticky points" (i.e. areas that are likely to cause tension within the team) that may arise and must intentionally design an effective, meaningful process that helps to avoid and protect against those sticking points. Each module in this toolkit outlines a specific topic which requires a discussion with the SART team. There will be some directives where the team needs to make a collective decision and some directives focused on information sharing. Each module is intended to last for a 90-minute meeting. If the module requires more than the standard 90 minutes, it will be noted in the Facilitator's Guide Section.

How to Use This Document

The modules are broken down into the following format:

Facilitator's Guide

Overview
A brief introduction to the topic

Objectives
What is intended to be accomplished within that module

Materials Needed
Forms, videos, and supplies needed to facilitate each module

What You Need to Know
This is specific information for the coordinator/leader to understand surrounding this particular topic/module. This section will also outline any possible "sticky points" along the way. Please be advised that we cannot possibly think or know of all potential experiences during the case file review process, so be prepared for the possibility of something occurring that we didn't cover or anticipate.

The next part of the module will then go into a *Lesson Plan* format which will provide a format for discussing a particular topic with the SART.

Lesson Plan

Introduce concept
A brief introduction to the topic for the SART, e.g. why evaluation is important

> *Facilitator's Tip: These tips are sprinkled throughout the modules to help point to specific aspects of this process that coordinators should be aware of and attentive to during a specific module. For example: A common concern agencies have about doing a case file review is how to "sell" or get buy-in from the SART. One way to get buy in is to establish and build relationships with law enforcement leadership. Set up meetings to discuss the case file review process and present the idea of creating a Law Enforcement Advisory Group (LEAG) consisting of police and sheriff personnel to advice on this project. This might help advisory group members get bought into the benefits of this project.*

Learning/New content
What is going to be explored in the module

Applying what you've learned
This is the facilitated discussion/conversation/activity you can lead your team through based on the learning/new content. There will be

suggested resources to use and steps for facilitating; however, do what is most comfortable for you.

Homework
What you need the SART members to do after the meeting. This may include what they need to take back to their agency, what they need to accomplish before the next meeting, and/or what decisions they need to have made. There will not always be a lot to do in this section of the module.

Setting the Stage for Modules

In leading a team through the Case File Review process, there can be moments of wondering how to proceed. In the Setting the Stage section, you will find helpful processes and tips for preparing the case files, organizing the work, and making decisions. This work needs to be done in between the modules. After each of the sections: ***Foundation*** (1 and 2), ***Preparation*** (3, 4, and 5), ***Case File Review*** (6 and 7), ***Findings and Recommendations*** (8 and 9), you will find Setting the Stage for your behind the scenes work.

Icons

Throughout the modules you will see the following icons when you need to consider the confidentiality requirements, sticky points, and decision points that should be brought up to the team.

Confidentiality

A reminder to review confidentiality standards in this part of the process. You will see it throughout this toolkit, and it will serve to refocus the team on evaluation, and to be cautious with the details that are shared including victim and case specific information.

Sticky Point

Potential areas that can cause tension or disagreement with team members or areas that may stall the process. As the coordinator, you get to navigate these sticky points and will learn a great deal from your team as you do. These are natural moments when working together and should not necessarily be avoided, but merely considered with caution.

Decision Point

Places where the team needs to make a decision. SVJI will share our insights and views on decision points, but ultimately the choice is up to you and the team.

Key Terms

Agency/Discipline
The field where the SART member works, e.g. law enforcement, advocacy, medical, etc.

Allied Members
Disciplines such as ministerial, college, public health, adult protection, marginalized communities, behavioral health, etc. Some SART include Corrections/Probation in this status.

Case File
All of the documents and other records accumulated in response to a reported sexual assault**.**

Case File Review
The systematic process of examining case files and identifying compliance with or deviance from established policies and protocols. Case file review also can include a determination of gaps and barriers to an effective community response to sexual assault.

Closed Cases
Law enforcement has made an arrest in the case or has referred the case on to prosecution and the prosecutor has filed charges. For the purposes of case file review, we included cases that law enforcement classified as inactive with no immediate intent for follow up as “closed cases”.

Core Team Members
Team members from Law Enforcement, Medical, Prosecution, and Advocacy. Some SARTs include Corrections/Probation in this status.

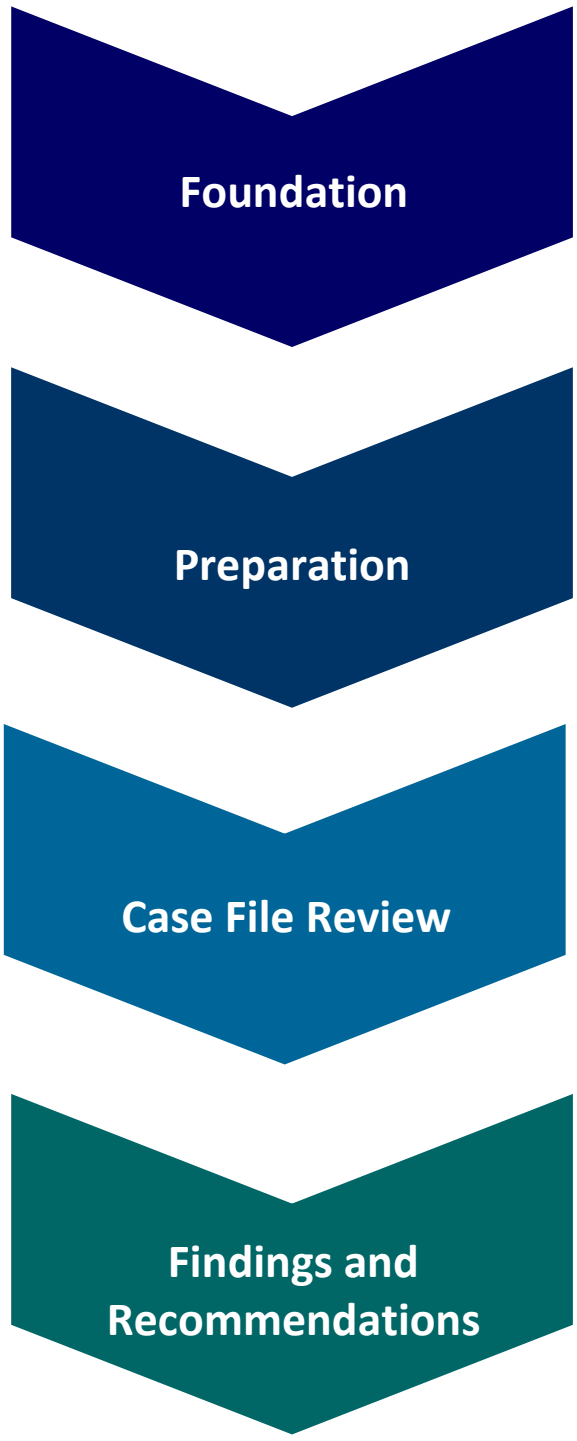
SMART/SART

Sexual Assault Multidisciplinary Action Response Team/ Sexual Assault Response Team.

Subject Matter Expert (SME)

Individuals from the sexual violence field who have specific knowledge and experience related to their discipline of study.

Case File Review Toolkit Modules



- *Module 1: Interest and Explanation Assessment* (pg. 17)
- *Module 2: Readiness Assessment* (pg. 23)

- *Module 3: Mapping the Existing System* (pg.33)
- *Module 4: Confidentiality, Privilege, and Privacy* (pg. 51)
- *Module 5: Case File Reviewers and Redaction* (pg. 61)

- *Module 6: Mock Case File and Introduction to Tools and Team Agreement Form* (pg. 77)
- *Module 7: Case File Review* (pg. 89)

- *Module 8: Reflection of Themes and Evidence. Interpretation of Findings.* (pg. 99)
- *Module 9: Recommendations for Action and Positive Change* (pg. 113)

Module 1: Interest and Explanation Assessment

Module 1

Facilitator's Guide

Overview

This module is designed to explain the case file review process to a SART and assess their **interest** in doing the work. Deciding to conduct a case file review with your SART is one strategy to assess and evaluate aspects of the criminal justice response to sexual violence. Through a discussion format, team members will learn about the process and how it will unfold.

Objectives

Team members will understand the general concept of a case file review and will discuss anticipated outcomes. You are introducing the topic of case file review while setting the stage that team members will need to actively support and participate in the process. This module will give you facilitation tips and includes a handout to share with SART members and leadership.

> *Facilitator's Tip: As the coordinator or team leader, you can try two approaches when starting a case file review process: 1) first sharing goals and outcomes with law enforcement leadership about case file review, or 2) a SART-initiated approach. As the coordinator you will need to weigh which approach might be best.*

Law enforcement leadership

Begin the case file review process by first approaching law enforcement leadership. It can be a smoother process for law enforcement representatives on the team if leadership is supportive of case file review. When leadership takes responsibility for the law enforcement response, it may take pressure off of individual officers when their case files are being reviewed.

SART-Initiated

This approach works if core team members see the benefit of doing case file review, are invested in doing the work, have a desire to make improvements to their agency response, wish to improve the victim experience, and want to monitor the effectiveness of existing protocols. If using this approach, it is still critical to have support of law enforcement.

> *Facilitator's Tip: Taking this another step forward, it's probably a good idea to discuss this process with law enforcement team member(s) before introducing the concept in a full SART meeting in order to engage law enforcement as a key partner. Each approach has potential benefits and challenges.*

Materials Needed

- White board or flip chart
- *SART Case File Review Process Frequently Asked Questions* (pg. 125) used to inform team members about the project
- Checklist of questions/concepts to assess interest (to use with your team, bulleted below).

Facilitator's Tip: The SART Case File Review Process Frequently Asked Questions *(pg. 125) is designed to be customizable. Consider adding additional items that may have been suggested during the exploratory meetings to develop a document that SART members can share with agency leadership and colleagues.*

Questions for coordinator to assess interest

- Is there a desire to assess the system's response to sexual assault victims?
- Are the core agencies of law enforcement, prosecution, medical, advocacy, and possibly probation/corrections willing to undertake this process?
- Does this assessment process align with team goals?
- Could this process challenge the team to initiate an unbiased analysis of the response?
- Is the team ready to take a step back and look at the big picture of what is happening in the community?

What You Need to Know

Teams may be excited about this process as it is a mechanism for assessment and learning. Some team members may feel hesitant because it may pinpoint individual or agency shortcomings. Some team members might also feel reticent to share their concerns, especially those that represent the agency presenting the case files for review. As the coordinator, it is **imperative** to specifically point out that this process is a measure for reviewing the systems' response to sexual assault and is not a performance measure of one person or organization.

Lesson Plan

Introduce the concept

Perhaps your team has already discussed how to measure SART effectiveness or members know of this approach and are actively asking to review case files. Explain to the team that you will be having an exploratory discussion about the case file review process to ensure that it's a good fit for your team right now.

Learning/New content

This is an opportunity for your team to get concrete on what will be expected of everyone throughout this process.

- Email in advance of the meeting and/or hand out the *SART Case File Review Process Frequently Asked Questions* (pg. 125) during the meeting.
- Facilitate a team discussion regarding the questions and concerns they have about the case file review process.
- Ask the team to generate ideas of how case file review can be used to improve the response to victims.
- Wrap up discussion with next steps for the team (found in the homework section).

Facilitator's Tip: It is important for the coordinator to be aware of and address team concerns. Create opportunities for team members to share their concerns whether it's via email, a survey, or an individual discussion with you.

Applying What You've Learned

Following the meeting, connect with your law enforcement SART member(s) to set up a meeting with law enforcement leadership to discuss case file review.

Homework

Encourage your team to share the FAQs they received from you today with their agencies, but also know that the next step for your team will be assessing readiness.

Module 2: Readiness Assessment

Module 2

Facilitator's Guide

Overview

In this module, team members will assess readiness to undertake the case file review process.

Objectives

This module will help coordinators and SART members identify parameters that **need to be in place** to conduct case file review. Along with understand the expected outcomes.

Materials Needed

- *Readiness Assessment and Outcomes for Case File Review Handout* (pg. 129)
- *Readiness Considerations* (pg. 25)
- Easel paper

What You Need to Know

This Module and Module one will likely intersect as the team is exploring everything it must consider for doing Case File Review. Review the Readiness Considerations on the next page and assess for what information you need to know as the coordinator and what you need to share with the SART. The *Readiness Assessment and Outcomes for Case File Review Handout* (pg. 129) highlights what your SART and your law enforcement will get out of doing this review. Be prepared to discuss these with your team and answer any questions they may have.

Readiness considerations

1. **Does your SART have established protocols?** A SART protocol is a written response agencies will refer to and use when responding to victims of sexual assault. Protocols formalize roles and responsibilities for all responders and guide not only how each agency responds, but also how agencies interact with each other to meet victim needs. This written document needs to be created and customized at the local level through a negotiations process among SART members. This negotiation process involves SART members incorporating best practices, maintaining the victim-centered lens, understanding agency obligations, and creating consensus around what the criminal justice systems' response should look like in a particular community. If your SART already **has established protocols**, this case file review process may be a strategy for assessing gaps in the existing response. Having existing protocols is an indicator of readiness for the case file review process.

2. If your SART **does not have protocols** in place, your SART can still consider this process; however, proceeding into case file review may present unique challenges that should be addressed.

    - Case file review may require more time for team members to understand the roles and responsibilities of each agency, as well as the reasons behind 'how' and 'why' agencies respond in a certain way.
    - The focus of the review is not reflective of established protocols, so you will be focused on how SART member agencies are responding to sexual assault. There is a benefit of doing this without written protocols, as the review might become a driving force for more effective teaming.
    - This process has both benefits and challenges for all teams, regardless of how long a team has existed. Newly formed teams may find the process useful as they're just beginning to develop, and older teams may find this process brings their team to the next level.

3. **Has your SART discussed each discipline's role?** Do all members understand the function and mission of the team? Has the SART normalized ways of working together and discussed those "norms"

openly? For example, a "norm" may be "to be respectful in how you share your feedback or comments." If these norms are not already in place, they will need to be explored as part of the case file review process.

4. **Are members of law enforcement and/or prosecution willing to allow their specific agency's case files to be reviewed within the SART?** It is imperative that law enforcement / prosecution leaders are allies in this process and understand the vision of case file review. As stated by one of the coordinators at a pilot site, "*this project would not have happened if the Chief didn't have the vision for it. I can say I want to do this as a way to improve our response, but the Chief has to envision it."* Additionally, there needs to be trust between the agency supplying the case files and the coordinator/facilitator of this project. If that is not the case, the ramifications of pushing it could be detrimental to future working relationships. SVJI's experience working with teams has shown that focusing on efforts to enhance existing, positive relationships between agencies contributes greatly to more effective interactions and more constructive outcomes. It is our belief that compelling a case file review might have a short term outcome that is viewed positively by the team members insisting on the review, but the longer term outcomes might include a deterioration of team relationships and increased resistance to assessment, and improvement of policies and practices.

5. Is there shared agreement on the **types of cases**, **number of cases**, and the **status of the cases** to be reviewed? The **type of case** being reviewed (e.g. intimate partner sexual violence (IPSV), alcohol-facilitated, non-stranger sexual assaults, etc.) does not necessarily need to be in place to begin; however, if you are trying to get law enforcement leadership on board with case file review, having a discussion with them about which cases should be included may help create trust and reciprocity. Also, because this is an assessment method, you must include a high **enough number of cases** to review in order to identify themes in the response. A sample size large enough to produce themes is all that is needed. SVJI has found themes with as little as 20 cases, and has also conducted reviews with as many as 45 cases. Decide on a number that is high enough to produce themes but not too high that it will overwhelm the

SART. Another area to explore is **case status**. Will you include cases that are closed or open? **SVJI strongly recommends only including closed cases to start** your review. Focusing on closed cases may relieve a few concerns law enforcement has about reviewing their cases. You will also want to clarify if the cases have been deemed "closed" by prosecution or law enforcement.

6. **Is the team coordinator or leader equipped to lead the team through the case file review process?** This Toolkit provides substantial resources for the coordinator to rely on, but that person must be willing and able to take on this process (with support from their home agency).

7. **Has the coordinator received substantial assistance and investment from the agency providing the case files?** It is imperative that the coordinator is deeply connected with the law enforcement agency that is pulling and prepping case files for review. A suggested practice would be for a coordinator to have a specific point of contact within the law enforcement agency to work with on this project.

8. **Is there an understanding that this is a method that assesses the criminal justice system and that the process is collaborative in nature?** Having this frame of mind is crucial when conducting a case file review. Keep in mind that in Module 3, the team will map the response to sexual assault in your community. This process will highlight areas the team can focus the review on. For example, your team may identify through the Mapping Exercise that there are significant gaps during the interview process with sexual assault victims. You can then focus your case file review on the interview portions of the response to help improve that particular area. The important thing to keep in mind is that you and your team will go into the case file review process with questions. While you might answer some of those questions through the process, you will definitely come out with more questions not yet considered. In the final module, we suggest the importance of those unanswered questions and that they can be used to spark further work. The key takeaway is that this process can lead to a deeper analysis of the inner workings of the criminal justice system.

Lesson Plan

Introduce the Concept

In your last meeting, you discussed the case file review process and explored the team's interest in utilizing that process. In this meeting, answer any lingering concerns or questions from team members. The goal of this meeting will be to discuss the team's readiness to take on a case file review project. Therefore, start the meeting by reviewing the Module 2 *Readiness Assessment and Outcomes for Case File Review Handout* (pg. 129) and *Readiness Considerations* (pg. 29). Team members can share the *Readiness Assessment and Outcomes for Case File Review Handout* with their agency.

Learning/New Content

In order for your team to do a case file review, it is important to explain the timeline necessary for an effective case file review. At a minimum, you will need:

- 7-18 months for the full process;
- Six months to decide what type of case files to review and prepare the case files (More information regarding these steps can be found in *Setting the Stage for Modules 3, 4 and 5*, pg. 30);
- The actual review of case files can take two to three full days;
- The last phase of finalizing the themes identified in the review and interpreting that information should take 1-2 meetings. After that the SART may take 1-2 meetings to turn the interpretations into recommendations and create action steps.

Applying What You've Learned

The next step is to ask the team to discuss readiness and intended outcomes of the case file review process. This discussion will help illuminate reasons that a case file review might be beneficial for your team. You can add intended outcomes your team mentions to the *Readiness Assessment and Outcomes for Case File Review Handout* (pg. 129) and ask team members to disseminate the document to their agencies.

Homework

All SART members report back to their respective agencies to ask about any concerns their agencies might have about case file review and to answer questions about the process.

Setting the Stage for Modules 3, 4, and 5

Exciting! The team has agreed to do case file review, and now is the time to do some behind-the-scenes work. You will begin this work by compiling or asking your law enforcement point of contact to create a spreadsheet of the case files that meet the criteria your team has agreed upon. For example, SVJI requested the last five years of sexual assaults reported to law enforcement. From there, law enforcement created a spreadsheet that listed specific information. See the table below for a suggested template, but feel free to deviate from this template as needed.

Case Number	Suspect initials	Suspect Age	Victim Age	Relationship	Arrest	Charging Decision	Pages	Audio/ Video Recorded?	Medical/ Forensic Exam done?

The information found in this spreadsheet may illuminate patterns of interest.

For example, you might notice cases were charged when there was a medical forensic exam done, but not charged when an exam was not completed. This could be information that is included in a report of the findings from the case file review and brought to the team's attention for next steps. Also, law enforcement that is providing the case files will appreciate knowing this information and see any other trends that appear regarding how/why cases do or don't move forward.

Preparing the list of case files: SVJI's insights to consider

Pay close attention to the victim's and suspect's ages to avoid looking at juvenile cases because there are more data privacy laws for juvenile suspects. Also, when

the victim is a minor, there seems to be a slightly different investigation and information gathering process involving non-core agencies who will not be a part of the review.

Focus of review

As mentioned earlier, the team will have focus areas they want to look into during the review. At one of the pilot sites, non-stranger sexual assaults were a focus area, so the SART did not look at cases where the suspect was unknown. Basically, you will want to hone in on the cases that fit what your team and law enforcement want to review. After making those determinations, you will know how many cases are available for review.

Decision Point: Number, status, and type of case files to include
Formally or informally, you and your SART will need to decide the number of case files to review, what status of case files you want to include (closed, etc.), and the type of case files to include (stranger, drug-facilitated, etc.). This should have been discussed with the SART during the first two modules, and **this is your reminder to finalize those decisions** before proceeding.

Decision Point: How to review the case files
SVJI has approached Case File Review with three full days dedicated to reviewing. One site reviewed 45 cases, another reviewed 20 cases, and another reviewed 28 cases. At the end of those three days of review, each site had identified several themes. Your team's decision to make is whether they want to review the case files in three days or spread it out over multiple SART meetings. (This decision point was mentioned in the first two modules, and this decision needs to be made now.)

Decision Point: Publicity
This might be a good time to consider engaging the media about the work your SART—specifically law enforcement—is doing to improve sexual assault investigations. Invite all team members to be a part of this announcement. This is a great publicity opportunity for all agencies, and

might be a helpful way to get team members and agencies to buy in to doing this project. Besides inviting the newspaper to cover what the team is doing, your team can also speak to the city council or any other community outreach groups, including Rotary, Lions, etc. The idea is to generate some positive buzz about the Case File Review Project, and it can help hold agencies accountable. Refer to *Engaging the Media* (pg. 131) in the *Appendix* for more information.

After Module 2: Consider which order of Modules 3 and 4 is the best fit for your team.

The toolkit was written with the intention for users to proceed in numerical order with one exception: the order in which you review Modules 3 and 4. You may switch their order if you see fit. The choice is yours. Please see below for a brief description of Modules 3 and 4 to help you decide which order will work best for your team.

Module 3

Shared understanding of roles and responsibilities is vital to developing a collaborative response to sexual violence. In order to work together effectively, each team member must know what can be expected from their own and other disciplines and must trust that other responders will act, as much as possible, in the interest of the victim. Module 3 includes an exercise meant to explore and define the current response in your community.

Module 4

Confidentiality is a core principle of a victim-centered response. Victims must feel safe sharing information with responders, and feel assured that what they say won't be shared without their knowledge and consent. When team members understand and comply with policies and laws about information sharing, they create an environment that can help victims cope with the trauma of sexual assault and make decisions necessary for them to move toward recovery. Module 4 includes an exercise meant to identify legal requirements related to confidentiality and information sharing while also establishing expectations for team members in conducting a case file review.

Module 3: Mapping the Existing System

Module 3

Facilitator's Guide

Overview

This exercise will help your team identify and appreciate the expectations and requirements of each agency that responds to sexual assault in your community. The mapping process also will help your team develop a shared understanding of what actually happens in your community with regard to sexual assault response. Finally, through the process of discussing and diagramming what individual agencies regularly do when responding to a sexual assault, your team will document standard practice[3]. By considering these factors, team members will begin to develop questions for consideration and examination during the case file review. Another useful strategy for analysis of the response is a strategy referred to as "process mapping" (pg. 48) which is a more detailed look into a specific agencies response. For more information about process mapping, reach out to SVJI.

Objectives

- Help participants gain a better understanding of the actual response to sexual assault victims in their system, team members' roles and resources, and potential problem areas that could be addressed during case file review.
- Highlight areas of delay, miscommunication, or lack of communication during the sexual assault response so that effective plans can be formulated to improve coordination.
- Begin establishing patterns of communication to be used as the case file review process progresses. These communication patterns will improve clarity and candor in team interactions.
- Set the stage for a more detailed examination of problems, needs, and solutions relating to the team's sexual assault response.

[3] Standard practice: In the context of mapping the existing system, this is what team members agree happens consistently when they respond to sexual assault. It is what they actually do, regardless of whether it conforms to policy or protocol.

Materials Needed

- Flip charts or other large sheets of paper
- Post-It® notes
- Markers
- Pens
- Wall space
- Masking tape
- *Sexual Assault Scenarios* (pg. 133) (Provided in this module. You should insert the appropriate local jurisdiction information into the scenario forms before passing them out to team members.)

What You Need to Know

Team members might be tempted to give the "ideal" response or the response dictated by policy, but encourage them to talk about what *actually* happens in response to the scenario they are given. One way to describe what you are trying to do is to ask participants to imagine they are trying to explain what to expect, as honestly as possible, to a victim going through the system. Encourage team members to document points in their response to the sexual assault scenarios where they are unsure of what would happen, where there is disagreement about what would happen, or where they need clarification.

This exercise should take 1 ½ - 2 hours to complete, depending on the size of the group. Some sites have done this as part of a longer multidisciplinary training, but the *Mapping the Existing System* exercise could be done during a regularly scheduled team meeting. The exercise includes **small group discussion of a sexual assault scenario, small group mapping of the response to the scenario**, **small group presentations**, and **a large group discussion**. The scenarios are relatively short, but the discussions of both the scenario and the best method of documenting the response can be lengthy.

Facilitator's Tip: Allow at least half of the allotted time for small group discussion and mapping the response to the scenario. The remainder of the time should be dedicated to small group presentations and large group discussion.

Prior to starting the exercise, team members should be divided into small multidisciplinary groups of 3-4 people in each small group. It would be preferable to have 5-person groups that represent the core agencies: Advocacy, Law Enforcement, Medical, Prosecution, and Probation. Whenever possible, separate people who work together regularly or who might tend to have similar ideas about how agencies in your community should respond to sexual assault. You will need enough space for each small group to have a supply of materials and a table.

Facilitator's Tip: When space permits, it is preferable to have all small groups work in the same general area so the facilitator can answer any questions raised by one group for the benefit of all groups.

Distribute the *Sexual Assault Scenarios* (pg. 133) after everyone has joined their assigned small group.

If team members ask, about the scenarios, during the introduction, you can tell them that the scenarios are:

- *Scenario 1:* A victim presents at a medical facility shortly after being sexually assaulted. (pg. 133)
- *Scenario 2:* A victim contacts law enforcement several weeks after being sexually assaulted. (pg. 134)

- *Scenario 3:* A victim contacts a sexual assault hotline several days after being sexually assaulted. (pg. 135)
- *Scenario 4:* A third party contacts law enforcement after a victim discloses a sexual assault. (pg. 136)

Small Group Discussion of a Sexual Assault Scenario: Suggested Questions

Below are sample questions that facilitators can ask and/or hand out to team members to help them understand the kinds of things to consider as they complete the **small group mapping**:

Medical

- What is the intake process like when the victim arrives at the hospital?
- How are advocates notified that a victim is at the hospital, and how long does it take before the advocate typically arrives?
- How long is the victim at the hospital?
- Is the hospital complying with VAWA regulations and offering the exam if the victim hasn't yet decided to report to law enforcement?
- Does it make a difference which hospital or medical facility the victim goes to?
  - *If so, how is the response different?*
- Are there any written procedures that medical staff follows when dealing with sexual assault victims?
  - *Are those procedures always followed?*
  - *What factors influence whether or not the procedures are followed?*
- What statutes and agency guidelines do medical professionals need to abide by? (information sharing, minor consent, ensuring victim consent, evidence collection from intoxicated victims, etc.)

Advocacy

- What is the advocate's role at the hospital?
- What is the ongoing role of the advocate?
- What is the advocate's role or involvement when the victim wants to report to law enforcement?
- What services are provided to victims who report?
- What services are provided to victims who do not report?
- What are the professional obligations of advocacy?

Law Enforcement

- Who typically responds to a sexual assault? (patrol officer, investigator, etc.)
  - *What factors influence this?*
- What are the steps in an investigation?
  - *What factors influence this?*
- How much contact does law enforcement have with the victim during the investigation process?
- Are there circumstances under which law enforcement will not make a formal report?
- Is every report forwarded on for prosecution?
- What are the professional obligations of law enforcement?

Prosecution

- Who reviews sexual assault cases that are forwarded on for prosecution?
- How is the decision made whether or not to file charges?
- What factors influence a case's chance for prosecution?
- How long does it typically take to make the charging decision?
- At what point is contact made with the victim?
- What happens if the prosecutor wants more information?
- What happens when cases are declined for charges?
- What interaction does the prosecutor have with other system professionals?
- What are the professional obligations of prosecution?

Corrections

- At what point does corrections typically get involved?
- What type of interaction does corrections have with other professionals in the response?
- Under what circumstances does corrections staff have contact with the victim?
- What are the professional obligations of prosecution?

Small group presentations and large group discussion

Similarities and Differences

The facilitator should consider the expectations and requirements of each responding discipline when discussing the similarities and differences between the scenarios. There could be significant differences identified based on how, when, or where a victim discloses a sexual assault. For example, a victim who presents at a medical facility shortly after being sexually assaulted might experience a different law enforcement response than a victim who contacts law enforcement several weeks after being sexually assaulted. The similarities and the differences between these two scenarios will help to highlight any gaps, barriers, or inconsistencies in the response to sexual assault.

Uncertainty or disagreement

The facilitator should consider the requirements of individual agency policy and practice when discussing the small group presentations. The discrepancy between agency requirements and best practice can help identify issues that the team might address through direct action or through advocacy for policy change.

Gaps or barriers

The facilitator should consider any gaps, barriers, or disparate levels of service that are identified in the small group presentations. For example, advocacy might provide services for people who speak English and interpretive services for people who speak other prominently represented languages, but might not provide services for deaf and hard of hearing individuals or people who speak underrepresented

languages. Gaps and barriers such as this could make it difficult for all victims to receive or even have access to advocacy services.

Anticipated Outcomes

- Even members who think they have a good understanding of what the response is in their system should learn things they were previously unaware of about what occurs as a sexual assault victim goes through the criminal justice system.
- Each team member will provide details about how their agency would respond to the scenario. This practice should allow all team members to gain insight into how each agency fits into a coordinated response to sexual assault
- Make the important point that if professionals involved in the criminal justice system don't always have an accurate understanding of what is happening as cases proceed, it is even more confusing for the victim to understand what to expect.
- Every agency can benefit from a regular review of the way the system responds to sexual assault victims and an honest assessment of problem areas within the response. It can also be important to review the response as new trends emerge in sexual assault cases or the criminal justice system.
- There is always room for improvement. This kind of assessment must be built into the system as a regular part of an ongoing process if people truly want to provide the best possible response to sexual assault victims.
- Improving the response to sexual assault victims requires looking not only at individual agency responses but also focusing on the coordination and communication among agencies.
- The small groups all came up with significantly different responses to a disclosure of sexual assault. What do you think that means? Why do you think that is?

Lesson Plan

Introduce the Concept

Begin by introducing the Mapping the Existing System exercise. Tell the team they will be reading and discussing one of four mock *Sexual Assault Scenarios* (pg. 133). The scenarios are based on incidents that happen regularly in many communities. The purpose of the exercise is to identify and document the response the agencies in your community would have to each scenario.

- Give each small group a copy of a sexual assault scenario to use as their starting point for mapping the system. If possible, give each small group a different scenario.
- Set a time limit for the small groups to complete their discussion and mapping work. Ask them to select a spokesperson(s) to present their scenario map to the large group.

Instructions on Scenarios

- Using the materials provided, groups must create a visual representation of how their system currently responds. This can be done in a variety of ways including pictures, graphics, flow charts, etc. Participants should be told to **focus on what really would happen during a response to the scenario, rather than describing an ideal response.**
- Ask participants to be very specific and to indicate who/what agency does what and within what time frame. Points of interaction, communication, and coordination among different agencies and professionals must be included. The way in which the interaction or communication occurs should also be specifically described, e.g. via phone, in person, after a certain period of time, etc.
- During the mapping process, each group should identify "tension points" where improvement is desirable. These areas can include points of confusion, disagreement, or uncertainty that the group

identifies. The points can be marked with a different color, have a symbol next to them, be tracked on a separate page, etc.

Learning/New Content

(Small group presentations)

The issues brought out during the small group presentations will likely fall into one of three previously mentioned categories:

1. Similarities and differences
2. Uncertainty or disagreement
3. Gaps and barriers

Other issues might arise, such as **lack of services** or **community/cultural concerns**.

The facilitator should be ready to document and categorize these issues as they are surfaced during the presentations.

> *Facilitator's Tip: It is recommended that someone other than the facilitator documents these issues for the group on easel paper, ask for a volunteer. The facilitator should be aware that some points might fit into more than one category.*

After the groups have finished mapping or the allotted small group time has passed, have each group read their scenario and share their Response Map to the larger group. They should explain how they thought about things, challenges they identified, etc.

Once all groups have presented their Response Map, talk about any differences in how the groups approached the task, their mapped response, etc. Ask the large group for observations about the task and the similarities or differences between the groups. Could one or some of the differences be caused by the disciplines or agencies represented in each group? How well did everyone know the roles of others? Were there "tension points" or areas of uncertainty in the response areas of disciplines that were not represented in that mapping group?

Ask the large group how the responses look in terms of victim-centeredness. Are there areas in the response that are very victim-centered? Are there areas that could use improvement? What steps could be taken to improve victim-centeredness?

Facilitator's Tip: If your team does not have a working definition of "victim-centered," you have two options:

1. *Stop and lead them through the* **Aligning Our Approach to Serving Victims Activity***, (pg. 144) found in the appendix, to create a better understanding of what "victim-centered" means to your SART.*
2. *Review SVJI's* **Simple Rules for Becoming Victim-Centered…** *(pg. 142) and agree to use it as your foundation for what is victim-centered.*

Ask whether anyone learned something new about the way in which sexual assault cases are handled (or how victims are treated) in their community. Ask if this information resulted in people beginning to have ideas about how they might improve their own response to sexual assault victims.

Applying What You've Learned

Narrowing the focus

The exercise presented in this module is meant to define the response provided by your team, increase understanding of the work done by responders, and enhance relationships between team members. Beyond that, though, this exercise will identify dynamics of your response that could be improved, such as: differences in response based on who, when, or how a sexual assault is reported; discrepancies in what individual responders expect of other agencies; and practices that tend to make it more difficult for some victims to engage in the criminal justice system. The differences, discrepancies, and disparate practices are what your team should consider in developing a more victim-centered response.

Options

Most teams find there are many differences in response and gaps in service in their community. For example, a Utah team identified 12 specific issues that affected the efficacy of their response. It can be difficult for a team to effectively address this many issues, so it's recommended that teams limit the issues they consider. SVJI suggests teams limit their focus during case file review to three issues at one time. This requires the prioritization of issues and team agreement on what should be addressed. Although this prioritization can take many forms, SVJI suggests two specific ways to establish team agreement about how to proceed: consensus and ranked choice.

- ***Consensus***
  Consensus is a concentrated effort to reach agreement about an issue. There are specific conditions that must be met in order to reach true consensus:

  - As many team members as possible should be included in the process (the assumption is that all will participate unless they specifically opt out).

- Those who choose to participate should be expected to contribute opinions, suggestions, and feedback.
- Collaboration means everyone agrees to build on the ideas of others with the intent of coming to a decision that is acceptable to all team members (majority does not rule).
- All input should be considered equal and each team member should have the opportunity to change or offer another view.

Reaching consensus is a process of facilitated discussion, so there are no specific actions that must be taken other than accurately documenting the opinions expressed and the items that are agreed upon. There is no point in the process when team members vote on what issues the team should consider. There are advantages to the consensus process. For example, each team member has the opportunity to explain their opinion about issues affecting the team. Group members also can build closer relationships with one another through discussion and collaboration. This process can be very time consuming, however. Additionally, it doesn't work well if there is any animosity or mistrust between team members or their agencies.

- ***Ranked Choice***
  Ranked choice allows each team member to identify their top priorities on the list of issues identified by the team. The items identified as priorities with the most team members become the team priorities. As with the consensus process, there are some conditions that must be met to encourage a positive outcome:

  - Make sure team members understand the meaning of each issue. This can be done by asking the small group that identified the issue to explain what it means to them.
  - Explain the process and make sure all team members agree to accept the outcome (majority rules).
  - Items not selected should be retained for future consideration by the team.

In order to complete ranked choice selection, display the flip chart page(s) documenting the issues identified by the team. Each team member should be given three adhesive dots. Ask them to place their dots besides the items on the flip chart page(s) that are their top priorities. A team member may choose to put all dots next to one item, or they may select two or three items.

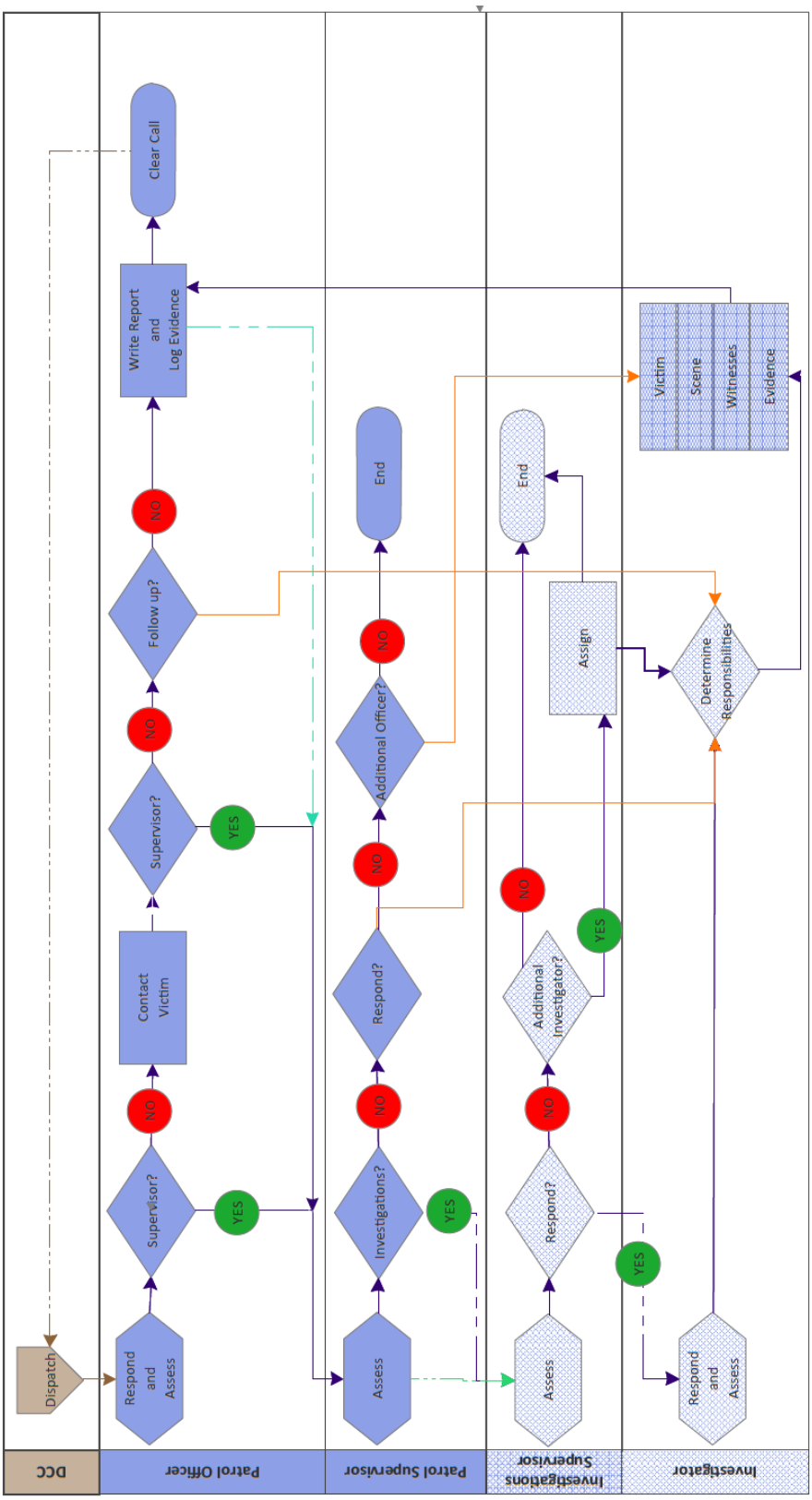
After all team members have selected their priorities, the facilitator counts the dots next to each item. The items with the most dots become the priorities for the team. If there are two or more items in the top three that have the same number of dots, the team should determine what issues they will address. For example; if one issue has six dots, one issue has five dots, and two issues have four dots, the team must decide which of the four-dot issues should take precedence.

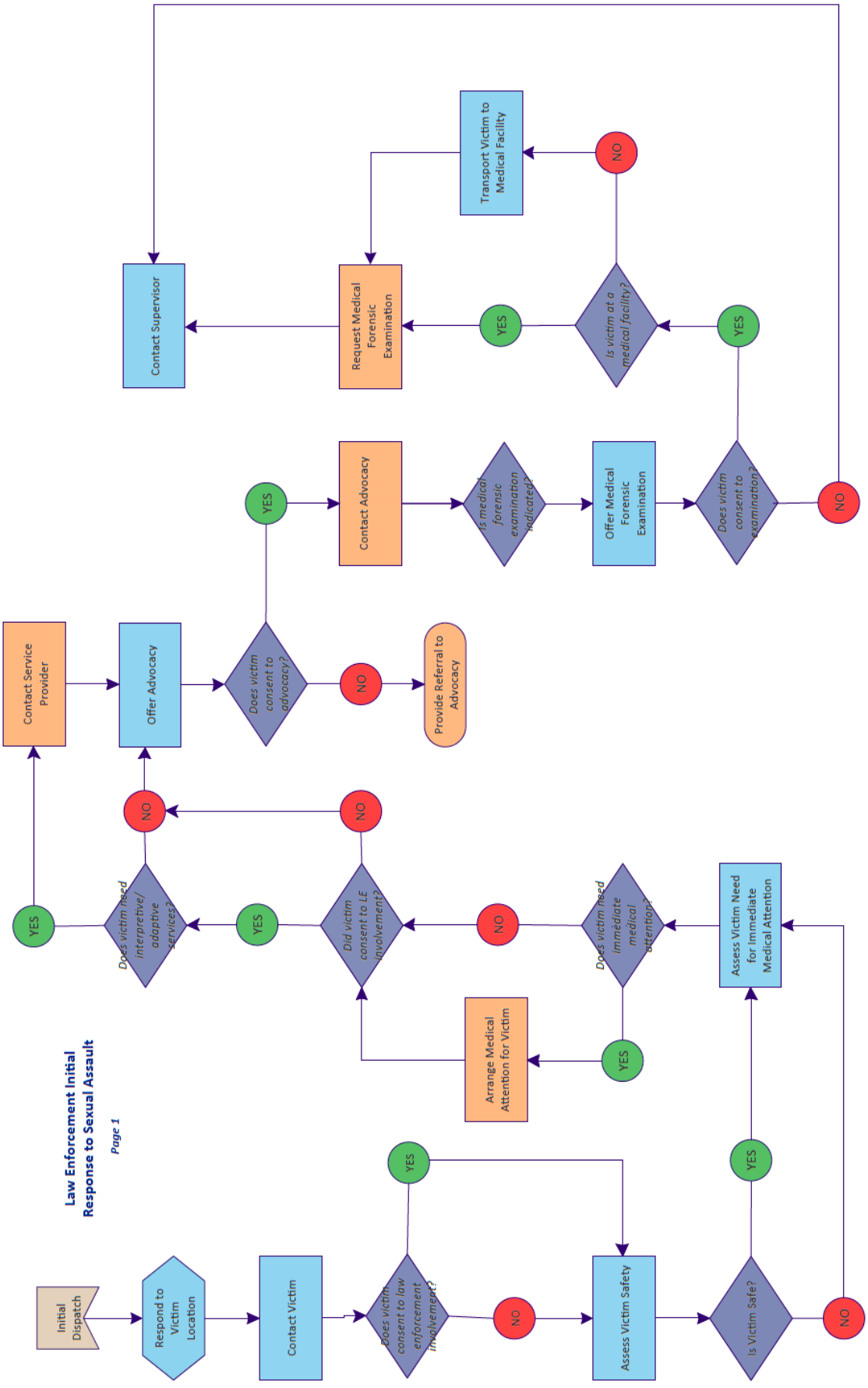
There are advantages to ranked choice selection. The process allows some opportunity for individuals to explain their priorities. It can be accomplished in a relatively short time and acknowledges the opinions of a majority of team members. Ranked choice doesn't allow team discussion of the meaning and implications of all items, however. Because of this, relatively important issues might be set aside; therefore, SVJI suggests that all issues be retained for future consideration.

Homework

The Mapping the Existing System exercise will likely point out practices by one or more agencies that seem to contribute to gaps, barriers, problems, or disparate levels of service for victims. Representatives of those agencies might not know or might be unable to explain the rationale for why their agency would respond as described. If this is the case, ask agency representatives to research their policies, practices, and regulatory requirements. Have members report back about their agency-specific requirements at a future meeting so the team can better understand the described response. This is also an opportunity to challenge the team to push past the accepted status quo and to meaningfully reflect on areas that need to improve.

Two examples of process mapping:




Law Enforcement Initial Response to Sexual Assault
Page 1
Initial Dispatch
Respond to Victim Location
Contact Victim
Does victim consent to law enforcement involvement?
NO
YES
Assess Victim Safety
Is Victim Safe?
NO
YES
Assess Victim Need for Immediate Medical Attention
Does victim need immediate medical attention?
NO
YES
Arrange Medical Attention for Victim
Did victim consent to LE involvement?
NO
YES
Does victim need interpretive/ adaptive services?
NO
YES
Offer Advocacy
Contact Service Provider
Does victim consent to advocacy?
NO
YES
Provide Referral to Advocacy
Contact Advocacy
Is medical forensic examination indicated?
Offer Medical Forensic Examination
Does victim consent to examination?
NO
YES
Is victim at a medical facility?
NO
YES
Transport Victim to Medical Facility
Request Medical Forensic Examination
Contact Supervisor

Module 4: Confidentiality, Privilege, and Privacy

Module 4

Facilitator's Guide

> *Facilitator's Tip*: *You may need two full meetings for this discussion.*

Overview

This module will give an overview of common sources of rules that pertain to confidentiality and privacy, including: statutes and case law, funder restrictions, contractual obligations, agency policies, licensure certification and requirements, and victim-centered response (pg. 40). Adhering to confidentiality, privilege, and privacy are common areas of concern for SARTs and may raise questions about conducting a case file review**.** It is essential that a SART delves into these considerations to avoid unintended harm to a victim or the case. When SARTs adhere to the information found in this module, an effective, ethical, and meaningful case file review process can be designed.

Objectives

- Team members will have a better understanding of each agency's confidentiality standards and what information team members can or cannot share.
- Team members will understand how laws, professional ethics, funding, and agency policies influence confidentiality.
- Team members will learn to create guidelines and operating principles for case file review.
- Team members will decide how they will protect against confidentiality breaches.
- Team members will discuss what will happen if information is inadvertently shared.

Materials Needed

- Easel flip chart paper and note taker
- Webinar: ***Respecting Information, Sharing Norms Across Disciplines*** (pg. 59) by Alicia Aiken, JD with the Confidentiality Institute. This webinar discusses the definitions of privacy, confidentiality, and privilege.
- SVJI's *What Can We Talk About? Common Rules and Regulations* handout (pg. 137) that explains aspects of confidentiality including rules, statutes, laws, funder restrictions, Personally Identifying Information (PII), and much more.

Facilitator's Tip: A discussion regarding the Brady vs. Maryland Supreme Court decision and how it applies to case file review will need to be discussed with the team. For more in-depth information on Brady vs. Maryland and specific states' data privacy laws, please refer to SVJI@MNCASA's video "What Can We Talk About? Considerations for how SARTs Discuss Sexual Assault Cases." The most relevant information is from 24:46 – 40:00. This video will help your team learn more about common sources of rules that pertain to confidentiality and privacy.

What You Need to Know

Team members should explain the confidentiality laws and policies that affect their positions so that everyone understands one another's obligations. Also request that team members share professional ethics, (e.g. social worker code of ethics, do not disclose who is a client, etc.) in an effort to discuss and demonstrate how those standards impact confidentiality. This helps to avoid misunderstanding about why certain information cannot be shared during the case file review process and team meetings. System-based advocates and community-based advocates have different roles that impact how they uphold confidentiality, privilege, and professional ethics. These confidentiality and ethical standards should be explored from the outset. Some team members will know their privacy and confidentiality policies very well, but others may not.

> *Facilitator's Tip: It is best to give team members advance notice about the discussion topic and guidance about what to bring to the meeting so that everyone is able to contribute to this conversation and create an environment for learning and team development.*

Lesson Plan

Introduce Concept

Explain the purpose of today's discussion to the SART: to understand all team members' laws and policies that can interplay with the case file review. All team members will have an opportunity to explain what laws and/or policies are relevant to case file review. For example, each state has different confidentiality standards for victim service providers; therefore, the advocates will need to provide those confidentiality standards to the team.

Learning/New Content

In this discussion, team members will define confidentiality parameters for the team and engage in how those rules affect the case file review process. The following areas need to be discussed by your SART:

- Data privacy statutes
- Confidentiality statutes
- Health Insurance Portability Accountability Act (HIPAA)
- Brady vs. Maryland decision
- Agency policies or practices
- Professional licensure and ethics
- State and federal laws regarding information sharing
- Mandated reporting
  - Team members can discuss their overall mandated reporting obligations and how they will handle reporting if it becomes necessary due to information revealed in case file review.

Facilitator's Tip: A discussion of mandated reporting might uncover differences between statute/case law, the practices of a particular agency, and an individual responder's personal values and beliefs. Because of this, the topic can become somewhat contentious. You should be prepared to direct any conversation toward the facts of statute and case law and away from opinions about the relative "rightness" of the legal requirements in your jurisdiction. It might be helpful to remind team members that the purpose of this discussion is to develop common understanding and to set ground rules for confidentiality during case file review.

Applying What You've Learned

To get started, listen to webinar of Alicia Aiken, from the Confidentiality Institute or ask team members to watch it in advance.

- After the webinar, ask team members to share their confidentiality standards, privilege standards, privacy requirements, and professional ethics. Facilitate a discussion that demonstrates how these standards and requirements impact what can and cannot be discussed by some SART members.
- As the coordinator, share funding source guidelines that may influence confidentiality standards for the team (e.g. Violence Against Women Act (VAWA), Family Violence Prevention and Services Act (FVPSA), or Victims of Crime Act (VOCA)).
- Ask team members to explain the law or policy that impacts their role when working with victims and, ultimately, performing a case file review.
- Ask your medical team members for information regarding HIPAA and how that applies.
- Ask your prosecutor for information regarding Brady vs. Maryland and how that applies.

- If needed, reference SVJI's *What Can We Talk About? Common Rules and Regulations* handout (pg. 137).
- Discuss and develop guidelines for case file review that incorporate appropriate confidentiality standards

> *Facilitator's Tip: this discussion will set the stage for addressing when and how to redact certain information from a case file. The next module, Case File Reviewers and Redaction (pg. 61), outlines SVJI's stance on redaction and who we recommend be a part of the case file review process. Look ahead to Module 5 for any insight as team members might ask questions.*

"Pause Button" Moments

Reviewing case files will spark conversation, which is an intended outcome of this process. These conversations can serve as a bridge-building activity among SART members. Conversations that come up in case file review can also help the SART move forward in creating changes that will benefit the response to future victims. Some conversations can be detrimental, possibly damaging, and ultimately break the rules of the aforementioned policies, laws, funder restrictions, and certification standards. Therefore, SVJI encourages using the "Pause button" concept. In a Pause button moment, a group discussing a case file might broach a restricted topic. We encourage the group to Pause and ask themselves the following questions:

- **What type of situation is this?** Is it a "Brady situation," meaning someone is sharing information that could be exculpatory and therefore needs to be turned over to the defense? This shouldn't be applicable if the case is closed, unless new evidence comes up.

- **What are the roles and obligations of team members?** How do these roles and obligations impact the current conversation?

- **What other things do you need to consider?** In order to improve outcomes for victims of sexual assault, is this relevant information?

- **Where to go from here?**

> *Facilitator's Tip: As the coordinator, be cognizant of and prepared to direct these conversation as needed.*

Some examples of possible **Pause Button Moments:**

- A team member shares information that is not technically breaking confidentiality but that exposes personally identifying information, thus exposing victim identity.
- A team member shares information without permission, ultimately violating a victim's confidentiality.

These types of mistakes can be divisive for the team, this process, and—most importantly—to victims' wellbeing.

The team will need to discuss what information can be shared when reviewing case files. This information should also fit with the SART members' confidentiality standards. Having a working definition of what is "ok" to discuss and what is not will ideally prevent the team from inadvertently sharing victim information.

Facilitator's Tip: This conversation will also serve as a way to keep this concept top of mind when doing the actual review.

Homework

Ask team members to review this information with their home agency. Encourage SART members to discuss any concerns they or their agencies may have with this process. As the coordinator, offer to follow up with anyone who would like more information or has questions.

Ask team members to share with their agencies what they learned about the other SART agencies that might have been surprising or new.

References

Webinar: ***Respecting Information, Sharing Norms Across Disciplines*** by Alicia Aiken, JD with the Confidentiality Institute found at http://www.bwjp.org/resource-center/resource-results/confidentiality-norms-across-disciplines.html

SVJI@MNCASA's video "What Can We Talk About? Considerations for how SARTs Discuss Sexual Assault Cases."
https://www.youtube.com/watch?v=CGT_DGXFlYQ

Victim Rights Law Center for questions regarding confidentiality, please email privacyTA@victimrights.org, http://www.victimrights.org/

Module 5: Case File Reviewers and Redaction

Module 5

Facilitator's Guide

Overview

There are many decisions in the case file review process that teams must consider, including which team members will participate in the review, what information should be reviewed, and whether or not they will include outside reviewers known as Subject Matter Experts (SME). Although SARTs often include both core and allied team members in developing team protocol, SVJI recommends limiting case file review to core team members (pg. 13). As mentioned in the Module 2 *Readiness Assessment and Outcomes for Case File Review Handout* (pg. 129), SMEs can enhance the depth and scope of the case file review, and suggest alternatives for how a team acts on the information they gather. Finally, the information available to the SART in case file review will also be discussed as it relates to confidentiality and information sharing covered in Module 4 (pg. 51).

There will be **two Decision Points** that need to be addressed in this module: Subject Matter Expert (pg. 65) and Redaction (pg. 66). SVJI's recommendations are noted.

Objectives

- Team members will understand that only core SART members will be present for the case file review.
- Team members will explore the idea of inviting subject matter experts to be a part of the case file review process.
- Team members will discuss and decide whether to redact. If choosing to redact, team members must also decide what information is redacted.

Materials Needed

- *Aligning Our Approach to Serving Victims Activity* for team members (pg. 144)
- *Simple Rules for Becoming Victim-Centered…* (pg.142)
- Easel paper for team to create a redaction pro/con list

What You Need to Know

The team must have already covered each team member's professional ethics and confidentiality standards before starting this section (Module 4, pg. 51).

SVJI has facilitated three case file reviews, each one with a different mixture of reviewers. At the first site, the core team members and a few SVJI staff participated. At the second location, there was no SART in place so SVJI brought in SME from Law Enforcement, Prosecution, Medical, and Advocacy. The third review consisted of core SART members as well as SMEs from Law Enforcement, Medical, Prosecution, and Advocacy. Each of the aforementioned sites began the case file review with a working definition of a victim-centered response.

SVJI recommends including only core team members for the review. This recommendation is based on:

- Confidentiality standards of the core members,
- The speed at which core members who are familiar with the criminal justice process can review such material, and
- The desire to limit the number of eyes on a victims' sexual assault case file.

Facilitator's Tip: As previously mentioned in Module 4, if your team does not have a working definition of "victim-centered," you have two options:

1. *Stop and lead them through the* **Aligning Our Approach to Serving Victims Activity** *(pg. 144) found in the appendix, to create a better understanding of what "victim-centered" means to your SART.*
2. *Review SVJI's* **Simple Rules for Becoming Victim-Centered…** *(pg. 142) and agree to use it as your foundation for what is victim-centered.*

Reviewers

Since core team members will be conducting the actual case file review, allied members might feel like they are missing out; however, they can be involved in preparing for the review. They also have an opportunity to participate in the analysis and interpretations of the findings and the action planning of the recommendations found in Modules 8 and 9. Therefore, the allied members only miss out on the actual work of reviewing case files and still will be able to learn with the team. When explaining and discussing the idea of limited participation to your SART, present the following concepts:

- The agency (usually law enforcement) that provides the case files might want the review process limited to core SART members. As the site coordinator, you will want to find out whether this is the case before discussing who should be involved in the review with the full team. Perhaps it came up when/if you met with law enforcement leadership about this project in the beginning. If law enforcement leadership is only allowing case files to be reviewed by core team members, then inform the team of this fact.
- This process may identify victims to team members who do not work in the criminal justice system and might not know someone was a victim of sexual assault.

- Reviewing actual case files can be upsetting. Many core SART members have read sexual assault reports, experienced the criminal justice system, or have written case files. SART members who work in non-criminal justice fields might not have the experience of reading the detail and description included in a law enforcement case file, and that could be overwhelming and distressing for anyone to experience. Discuss this with your team, regardless of whether non-criminal justice members are involved.

Subject Matter Expert (SME)

SMEs can be very helpful in identifying best practices, subject matter training, and technical assistance prior to doing a case file review as a way to inform the SART about specific issues they want to consider. An example might be that your team wants to use the review process to determine if the law enforcement response is victim-centered. Training on what practices demonstrate a victim-centered response would be beneficial for the team. Some other examples of training and technical assistance SMEs can offer are:

- Using the language of non-consensual sex in reports. This practice can clarify the context and dynamics of a reported sexual assault. A SME can help teams to better understand the importance of accurately documenting what's reported. If SMEs are not available, use the EVAWI Online Training Institute, specifically the module entitled *Effective Report Writing: Using the Language of Non-consensual Sex*.

- Another opportunity for teams to assess and enhance the criminal justice response is through the tool entitled *Roadmap for Response: A Tool for Prosecutors and Law Enforcement* (pg. 164). Subject matter experts from the IAFN, AEquitas, Paul Schnell & Associates, law enforcement, and SVJI developed the *Roadmap for Response: A Tool for Prosecutors and Law Enforcement.* This tool defines levels of performance, from marginal (1) to best practice (5), in a variety of response criteria. Prior to doing a case file review, SMEs could provide training regarding current best practices in sexual assault response. After doing the review, SMEs

could help the SART to identify how well the team is performing, to determine what practices could be implemented to improve the law enforcement response, and to increase the likelihood that cases will move forward to charging and prosecution. A SART might want to discuss the various response steps in the *Roadmap* and decide which practices would have the greatest effect in their jurisdiction.

SMEs could be former SART members, experts within your community, or other experts within the sexual violence field. Utilizing SMEs might not be an option because of the potential cost to have them present or be a part of the review; however, if the team is interested, engaging with SMEs might be an avenue to explore.

Redaction

Maintaining confidentiality protections for victims is a primary aspect of being victim-centered. Your team also might be subject to data privacy laws or funder requirements that prohibit sharing information that could identify a particular victim. Therefore, your team might be required to redact some information from case files.

Although only one team member agency will be providing case files, SVJI believes case file review is an assessment for the entire SART because all agencies can learn from what is found. **It is not** meant to focus on individual responders, the victim, or the suspect, so we **recommend redacting the following information:**

- Victim's name and address;
- Suspect's name and address;
- Law enforcement names and badge numbers;
- Medical personnel name;
- Advocates name; and
- Witnesses' names and addresses.

Facilitator's Tip: One site recommended removing the victims' and suspects' dates of birth and replacing it with their ages for ease in reviewing the information.

Ultimately, the choice to redact is up to the SART; below is a list of possible pros and cons for each approach that can be used in your team's discussion.

Reasons <u>to</u> redact

- Violence Against Women Act (VAWA) funding requires the protection of Personal Identifying Information (PII).
- Data Privacy Acts (look specifically to your state's laws for guidance on this).
- Challenges associated with contacting victims to request permission to review a case file (e.g. unable to reach a victim to request permission or, if able to reach victim, may be triggering or traumatizing for those who have moved on, etc.)
- Not everyone on a SART knows who in the community has been a victim of sexual assault. Redaction protects victim privacy among team members.
- Ability to hold the system accountable, as opposed to focusing on the specific people involved in the case.

Reasons to <u>not</u> redact

- Cost of redaction (time, money, etc.).
- If using closed case files, those are already classified as public information.
- Ability to hold all members of the response accountable (e.g. law enforcement supervisor signing off on case files, knowing which officer conducted an investigation, etc.).
- **You have signed permission from a victim to review the case file.** *This decreases the need to redact the victims' information, but if you*

are looking for an assessment of the entire system you will still want to redact the rest.

> *Facilitator's Tip: If the SART chooses to request permission from victims to review case files, clearly articulate to victims that this does not mean the case will be re-opened. The purpose of reviewing case files is for team learning and advancement of improved responses for victims.*

Another piece of the process when protecting the sanctity of the victims' information and the process that allows SARTs to focus on the system's response requires creating a defined agreement among the reviewers. The *Team Agreement Form* (pg. 149) identifies boundaries regarding where and when conversations about case files can and should take place, who will handle and store the case files, and who may be privy to the information included within the case files. **See *Team Agreement Form* in the *Appendix* for more details.** In Module 6, you will have team members review this form, discuss amendments, and sign in agreement.

Facilitator's Tip: The SART has two options when discussing the redaction concept:

1. *The first option is to run through the following questions below with your team. This process may help generate additional support and interest from the team members (team members should already be bought-in by this point, however).*
2. *The second option is to go with the* **recommended redactions** *(pg. 66) that SVJI suggested above. This process supports the assessment lens SARTs should adopt in order to improve and create system change.*

Potential questions to ask your team when having the redaction discussion

- What kinds of information might we run into that is of concern?
- Who would be involved in redacting the case files?
- What is the scope of this job?
  - Size of a typical file? (Does that include transcribed interviews?)
  - How many case files will the SART review? (Discussed within Module 2 (pg. 31), but if no decision was made then, **decide now**. SVJI has used anywhere from 20-45 cases).
- What information should we redact (e.g. see SVJI recommendations on pg. 66)
- What are the legal/liability issues (or other rules) that we should consider?

Lesson Plan

Introduce Concept

Explain to the team that, today, you want to discuss:

- Which team members will be involved in the review;
- The option of involving Subject Matter Expert(s); and,
- The redaction of case files

> *Facilitator's Tip: It would be helpful to start this meeting's conversation by recapping each team member's agency's confidentiality standards or asking those members to give a brief summary. This will lead into why SVJI recommends having core members review the case files.*

Learning/New Content

1. **Reviewers.** Team members need to know who will be reviewing the case files. Present the three bullets mentioned under the *What You Need to Know* section (pg. 63) for team members to understand why core members will be doing the review. Add in any additional thoughts to support this concept.
2. **Subject Matter Experts (SME)** discussion and decision point will be whether to invite outside reviewers, such as SMEs from the field of sexual violence.
3. **Redaction** discussion and decision point will be whether or not the case file review process requires redacting information.

Facilitator's Tip: We know that team learning is a great starting place for this process. People in groups work better on a task they already are familiar with, which helps to create a more thorough group understanding of the concepts. This is why bringing in a SME, using an online training module, or having SART members train the team on a specific focus for case file review is a great place to start before the actual review. This will be addressed in more depth in the mock case file review.

Applying What You've Learned

1. **Reviewers.** Facilitate a conversation regarding team member involvement. Inform team members that allied members will be involved in Module 6, the Mock Case File review. They will become involved again in Modules 8 and9, the analysis and interpretation of the findings and the development of action steps to meet the team's recommendations. Allow an opportunity for team members to discuss their level of participation in the case file review process. Open the discussion for all team members to provide input.

2. **SME.** Lead SART members through a discussion about including SME(s). Give team members the option to think about bringing in SME(s), and what the pros and cons would be (e.g. pro: increased knowledge of current best practices and emerging practices, con: there could be a cost to bring them in). If possible, come to a decision or resume/decide at the next team meeting.

3. **Redaction.** Facilitate the **redaction** discussion by including takeaways from the last meeting's confidentiality discussion, the included pro/con list for redaction, SVJI's suggestion to redact along with what to redact, and the aforementioned **questions to ask your team when having the redaction discussion** (pg. 69)

Facilitator's Tip: If you met with law enforcement leadership to discuss this project, they may have suggested/requested that you redact certain information. If that was the case, this process may be viewed as more of an internal review and therefore the redaction discussion point might seem moot. Share with the team any outside information you have gleaned regarding redaction. It is still important for team members to have an understanding of why redaction is so important or necessary for many agencies.

Homework

Have team members follow up with their agencies for clarification on any lingering questions and request that they report back to the SART what they learned at the next meeting. If the team chooses to invite SME, begin developing a plan for how they will be included and selected, along with who will invite them to join the review process.

Setting the Stage for Module 6

Preparation for Module 6
By now, your team has decided whether or not to invite subject matter experts and whether to redact the case files. If you have chosen to redact, some insights into that process and other lessons learned from preparing case files are below.

All of the case file content you can access. Work with your law enforcement point of contact to ensure that you have all the files and documents for each case. It is not uncommon for law enforcement to have electronic files available to search and print for the general public, but they also might have more detailed investigative notes stored in another area. Work with your law enforcement to know what you can and cannot access.

Redaction. If your team has decided to redact, begin redacting the appropriate information immediately. It is best to have an additional person review documents once they have been redacted to ensure that items weren't missed. This process can take some time, so the team might want to take a month or two off from meeting (if you meet monthly) to give yourself and your redaction team enough time to prepare the files. At one site SVJI worked with, there were three to four redactors who took a few hours each day to redact 30 case files. This process took a few months. The point is, redaction takes longer than you might expect, so **allow for extra time**.

Case file template. In Module 6, the team will review a mock case file. Work with your law enforcement point of contact or law enforcement partner on this project to format the provided mock case file into the existing template for law enforcement reports.

Begin creating the multidisciplinary mini-SARTs for the case file reviews. These will be the groups used for the mock case file review in Module 6 and then again in the actual review in Module 7. You will need to assign SART members to multidisciplinary mini-SARTs in advance so that each team consists of **one core** member from each **core** agency. For example, each mini-SART should include at least one member from law enforcement, prosecution, advocacy, medical, and probation (the core members). (Keep in mind you can invite allied members for Module 6, but not for the review in Module 7).

Facilitator's Tip: When selecting these mini-SARTs, consider the various team member relationships and which team members work well together. You want this review to be a positive encounter and an opportunity for team members to build dynamic relationships, so choose accordingly.

Dividing the case files. If your team is reviewing 30 case files with three multidisciplinary groups, each group would get 10 case files. You will notice some case files might be 10-15 pages long, others might have two pages, and there might be some with 40 pages, etc. Since your case files will not be equal length, make sure that each group has relatively the same number of pages. The total number of case files may end up being different across the groups. It is more important to ensure that each group has a similar number of total pages they are reviewing than for each group to have the same number of actual cases. This step is important as it helps to ensure that the groups finish reviewing around the same time.

It is also important to ensure that each group has the opportunity to review cases that represent a variety of the closed cases selected, such as: closed by arrest, open-inactive, and declined for prosecution.

Decision point: Interviews

Another area to consider is whether to include the transcribed interviews conducted during the investigation of the case within the review. If your team decided to review transcribed interviews—which **SVJI highly recommends**—you will want to distribute those evenly among the case files you give each group. Because there can be discrepancies between the summary or narrative of the interview and the actual interview transcript, **SVJI recommends** including at least some of the interviews in the review. At the three sites, SVJI ensured that roughly a third of the case files included interview transcripts. In making this determination, it is important to know whether your law enforcement agency transcribes interviews regularly or not. If they do not transcribe interviews, those audio-recorded interviews will require transcription and redaction. If interviews are normally transcribed, the transcripts will still need redaction. The transcription and redaction processes inevitably require both time and money.

Decision point: Case File Cover Sheet (pg. 185)
A *Case File Cover Sheet* (pg. 185) is a write-up that summarizes the information in each case file and will need to be completed by someone who has access to the case files. It is divided into the following sections:

A. Persons Involved
B. Responders
C. Table of Contents
D. Timeline
E. Evidence

See *Appendix* for an example (*Mock Case File Cover Sheet*, pg. 185) and decide whether you want to create one for each case file. It might be helpful to ask your team whether they see the need for these cover sheets after reviewing the mock case file.

Decision point: Law Enforcement Case File Content (pg. 183)
If you see the need for your team to have a more thorough understanding of the content within a law enforcement case file, go through a law enforcement case file with them. Ask your law enforcement point of contact to present this information to the team, as it can be very insightful for the entire SART to hear.

Decision point for coordinator. The core team members will review the case files. You can invite the entire team to the mock case file review activity if you want all members to understand more thoroughly what will be happening during the case file review process, however. **A caution:** If you think inviting the entire team will create more trouble, for whatever reason, do not invite everyone.

Facilitator's Tip: ***Inviting the entire team*** *to participate in the review will require more time, especially when reviewing the mock case file (as non-core members will be unfamiliar with the format and content of case files) and during the debriefing process. Non-core members will likely require more information about the criminal justice system in order to fully understand and keep up with the conversation. For example, a school social worker on a team might not know that the state—not the victim—presses charges against a suspect. This type of information will need to be explained, when needed, and is a great way to include the entire team in some group learning. All members must be aware that this process will take time and should be prepared to be patient with one another.*

Module 6: Mock Case File and Introduction to Tools and Team Agreement Form

Module 6

Facilitator's Guide

Overview

This module outlines the process for leading your team through the review of a mock case file in preparation for the actual review. The SART will learn two new tools to use during the review and sign an agreement form for how the case files are handled, stored, and discussed. The team will also create group ground rules for this process. Please review "Setting the Stage for Module 6" (pg. 73) for any prep work.

> *Facilitator's Tip: Extend the meeting. You will want to schedule this meeting for three hours. You can break this into two meetings, but it will be harder to restart the second meeting (since the first part of this meeting sets the stage for the review). Ultimately, the choice is yours.*

Objectives

- SART members create the group ground rules for reviewing case files.
- SART members are introduced to and apply five documents: *Team Agreement Form* (pg. 149) *Observation Form* (pg. 150), *Team Findings Form* (pg. 154), *Mock Case File Cover Sheet* (pg. 185), and *Mock Case File* (pg. 188).
- SART members identify information found in the mock case file and identify any themes.

Materials Needed

- *Team Agreement Form* (pg. 149)
- *Observation Form* (pg. 150)
- *Team Findings Form* (pg. 154)
- *Mock Case File Cover Sheet* (pg. 185)
- *Mock Case File* (pg. 188)
- Easel paper for documenting group ground rules
- Note cards – one card for each team member, at minimum

What You Need to Know

During this meeting, team members will develop the group ground rules for case file review, refresh each other on their confidentiality standards, read through an 11-page mock case file, learn and apply the *Observation* (pg. 150) and *Team Findings Forms (pg. 154)*, and then debrief the mock case file in groups.

What the tools are and how to use them

The ***Observation Form***[4] is designed to identify the key points (best practices) that are somewhat universal to most sexual assault cases. Its purpose is to provide a guide for team members as they review the case files. The mapping exercise in Module 3 (pg. 48) helped the team identify focus areas for the case file review; this tool will help team members find evidence that supports or refutes those focus areas.

[4] *The Observation Form was adapted from Praxis International's tool for reviewing domestic violence cases. SVJI began our case file review process with that tool and adapted the information to reflect the needs of a sexual assault case. SVJI reviewed and incorporated information gleaned from:*

- *End Violence Against Women International;*
- *Sexual Assault Response Team SART Handbook;*
- *Oregon Sexual Assault Task Force;*
- *Rice County, Minnesota SMART Protocol;*
- *Commonly accepted best practices; and*
- *Hastings Police Department Sexual Assault response policy (IACP).*

Facilitator's Tip: When going through the Observation Form (pg. 150)*, stress the importance of answering the questions with corroborating examples. For example, under the Initial Response section of the* Observation Form*, the first bullet asks, "Was an Advocate offered?" Team members should write more than just a simple "yes" or "no" so that your team can evaluate whether the response aligns with the protocol. If your protocol says "Law enforcement will call an advocate when they are notified a victim is coming in for an interview," then a "yes" response does not tell you anything about when the advocate was notified. The Observation Form should help members decipher whether the response within the case file correlates with what the protocol says. (Even if your teams focus areas are not protocol specific, you want more than a yes or no answer because they will impact the results of the review).*

The second tool is the ***Team Findings Form (TFF)*** (pg. 154), which corresponds with the *Observation Form's* sections. For example, the first section on both forms is the Initial Response area. On the *Observation Form*, there are specific bullets that guide team members as they review case files. On the TFF, there are three questions for each area:

1. What was done well in this area?
2. What can be improved upon?
3. Recommendations related to this area?

This TFF creates an opportunity for group discussions. Each mini SART will have one TFF for the mock case file.

Team Agreement Form

Another layer for protecting the sanctity of the victims' information and the process that allows SARTs to assess their response requires a defined agreement among the reviewers. *The Team Agreement Form* (pg. 149) identifies boundaries regarding where and when case file conversations can and should take place, who will handle and store the case files, and who may be privy to the information included within the case files. The *Team Agreement Form* sets the stage for standards that SART members agree to uphold when reviewing case files and after the review process is over. It also extends beyond the confidentiality standards that members have in place through their organizations.

Mock Case File

This *Mock Case File* (pg. 188) is not your SART's specific case and, therefore, is intended to decrease the intensity and invasive nature of case file review for the law enforcement agency that is supplying the files. The mock case file is a great opportunity for team members to understand the case file review process, practice giving feedback, sharing insights, and developing themes.

> *Facilitator's Tip: How the team discusses the case after reviewing the file can be very useful in helping you understand where you need to redirect or encourage the conversation.*

The team will need direction about how to discuss the cases, and it's important to be aware of some potential pitfalls to avoid as well as some areas that encourage excellent discussion (these two can sometimes be intertwined). As mentioned before, we cannot outline all potential problem areas, so please remain attentive to and **document questionable areas**. Below are a few examples:

> *Facilitator's Tip: It's great to have a colleague with whom you can discuss issues in order to have support as you shape how your SART discusses cases, e.g. your law enforcement colleague or partner on this project.*

Evaluation of system vs. criticizing individual performance

Let's say team members notice that an advocate is asking questions during a victim interview with law enforcement in one of the case files. This observation should prompt SART members to discuss whether advocates should ask questions during interviews, and the group should have a discussion about how that can be detrimental to the advocate's role with the victim. Ultimately, this is an area for excellent discussion. This topic can also turn into an unproductive discussion, though. For example, someone might say, "Well, I know for a fact that was (fill in name) who was a part of that interview, and members of her agency do that all the time." The ***concept*** of advocates speaking during an interview is what's important to focus on for a productive evaluation discussion. Team members should not point out a specific person or agency as a means to place blame.

The surrounding population

Even if you follow SVJI's suggested redaction, SART members will likely be able to recognize who certain people are in a case file, even in metro sites. *Some possible problems that might come up based on population size are:*

- **Rural sites**: Most team members may assume everyone on the SART knows the people in a case file, which **might** cause team members to talk about those involved more loosely. As the coordinator, you will need to re-direct as appropriate and remind members to resist assigning specific identities to the report.
- **Urban sites**: Team members may think others do not know the people in a specific case file and might speak more freely about a specific case; a larger population does not necessarily mean team members do not know who the people are, however. This can endanger the confidentiality of the victim and responders. Those speaking may accidently say a person's name in the case and others would then be alerted to who that person is, ultimately breaking VAWA's requirement of no PII. Again, pay attention to when you might need to redirect these discussions.

Uncomfortable conversations intersecting with confidentiality

The conversations your SART has while reviewing case files is where the magic can come in this process. There will be interesting and insightful information shared and discussed within the groups. These conversations can fill in gaps of information responders might be seeking. They also help team members understand the parameters within which each agency is required to work, and they create areas of opportunity for better connection among agencies. However, conversations can also cross the line of confidentiality without even mentioning a specific name. As you know, all team members must uphold their agency's confidentiality standards at all times. This might be difficult because your team members are going to read cases and say "*I remember this one"* and then start mentioning some additional details like, "*Well, I think she was high… it probably won't get charged… this was like the fourth time."* These SART members may **NOT** be breaking their agency's confidentiality standards, **BUT** this might inadvertently identify who that case involved. If a statement does identify the victim, then that conversation is breaking VAWA's requirement of no Personally Identifying Information. However**,** this information potentially could deepen understanding of the decision-making as it relates to discipline specific roles. This also might make team members understandably uncomfortable with how their colleagues discuss victims and/or cases. This may cause unease yet can be a learning opportunity, so please document for further discovery, to discuss at a later time without identifying the victim. Hold all the layers of confidentiality in your mind and have the SART members remind each other of those boundaries before beginning the mock case file discussions.

Losing sight of the goal

Be prepared for team members to need refocusing or redirecting. Sometimes team members can give negative and non-productive feedback during the debrief which can be detrimental to the overall SART. For example, a team member might identify that a law enforcement officer did not audio record an interview. The teams focus for review was documentation by law enforcement, so while not recording an interview is considered bad practice, perhaps the officer documented the reason for not recording the interview (e.g. batteries were dead on the recorder). This is upsetting, unfortunate, and a bad practice; yet the officer documented in the file why the recording is missing, and reviewers should look for what is documented. If the SART decides to harp on the officer for not bringing batteries, you should step in and remind the team that, although an

important step was missed, the officer documented the reason why, so there is no need to pour on the criticism. Remind them that this process is an assessment of the entire system and not this particular officer.

Groupthink

Sometimes in large group discussions, team members might all agree on a theme or an idea. This is great; consensus has been reached!! Sometimes, however, someone in the group disagrees with an idea based on their knowledge and/or doesn't feel comfortable speaking up. Others may feel that when they do speak up, they are seen as the negative person on the team. This is yet another opportunity for the facilitator and their law enforcement colleague to foster an environment where all team members are able to voice their findings.

> *Facilitator's Tip: Try the devil's advocate approach by asking team members for a differing interpretation or thought behind a specific finding. By asking for an opposing viewpoint, you are making it possible for someone to speak up.*

Lesson Plan

Introduce Concept

Explain to the SART that they will review a mock case file to give everyone a practice round for using the tools and understanding the process. Everyone will be split into multidisciplinary SARTs to review the mock case file with an *Observation Form* (pg. 150) for each person and a *Team Findings Form* (pg.154) for each mini SART. After the review, the team will come back together and discuss what everyone found.

Learning/New Content

After you have outlined the agenda for the meeting with your team, start developing the guidelines of the review process with the team.

Developing ground rules by the SART

Distribute the note cards to the team. Ask team members to write down at least one thing they want their team members to do so that they can engage in the process. Answers to this question will become the ground rules for the process and will be a way for you as the coordinator to uphold their expectations of each other. After everyone has written at least one expectation, collect the cards and write the responses on flip chart paper or something that can be visible to everyone while reviewing the case files. (You will bring these ground rules back to the actual review.) Ask whether anyone wants to further elaborate on a specific ground rule. A ground rule you should make sure to list is "Confidentiality."

> *Facilitator's Tip: Feel free to come up with any ground rules you want the team to observe as well.*

A few examples of ground rules created by teams:

- "Focus on the system"
- "Laughter"
- "Be good fact finders"
- "Investigate and report all facts"
- "Remember our case load"
- "Keep in mind there are no 'perfect' victims (behavior varies)"
- "This is a collaborative effort!"

Then present the ***Team Agreement Form*** (pg. 149) to the team. Run through all of the bullet points on the form, and allow time for people to read and discuss. Once that process is complete, ask team members to sign their form and turn it in to you. If time allows, facilitate a discussion regarding any changes people want to make to the form. Allow people to follow-up with you after the meeting for any additional suggestions relating to the *Team Agreement Form*.

> *Facilitator's Tip: If team members want to make changes to the* Team Agreement Form*, that is fine. Know that if changes are made, you will have to incorporate those changes before the actual case file review because you will want all of them to sign the agreement on the day of the review.*

The Mock Case File and Cover Sheet

Once the ground rules have been set and team members have signed the *Team Agreement Form*, it's time to begin reviewing the *Mock Case File* (pg. 188). Although the *Mock Case File* is not an actual case, it will give the team an introduction to the *Observation Form* (pg. 150), the *Team Findings Form* (pg. 154), and what the case file review process will be like.

Begin by telling the team members which of the mini SARTs they are in and give each person a copy of the *Mock Case File*, a *Mock Case File Cover Sheet* (pg. 185) and an *Observation Form*. Give each mini SART **one** *Team Findings Form*. Explain to them they will individually review the *Mock Case File* (and document more than a yes or no on the *Observation Form*) and then in their mini SARTs complete a *Team Findings Form*.

Applying What You've Learned

After team members have individually reviewed the mock case file with the ***Observation Form*** (pg. 150) and in their mini SARTs answered the ***Team Findings Form*** (pg. 154), bring the entire SART together to discuss and document findings. Facilitate the team's discussion about what they found.

> *Facilitator's Tip: During this activity, you will have to uphold the ground rules set by the group earlier in the meeting. Be prepared for all of the aforementioned pitfalls within the* What You Need to Know *section (pg. 79). As the mini SARTs present their findings to the team, have your law enforcement colleague (or someone who will not be providing feedback) document key findings on an easel and star or mark those that occur more than once in order to denote a recurring theme. It is really difficult to facilitate, capture concepts team members share, AND make sure all of the ground rules are being followed simultaneously, so having a partner through this process is incredibly helpful.*

Pull together similarities found among the groups and discuss those similarities. Also discuss items that only one mini SART identified and have those team members explain their rationale to the entire team. This is a great opportunity for learning and exploration with the team, so it's important to create an environment that fosters those outcomes. Some of the ideas that team members bring up might be concepts that can go into a **Parking Lot** for later team meetings. (See Module 7 Parking Lot, pg. 94).

Once completed, ask for any questions or concerns team members have about doing the actual review process.

Homework

Ask whether team members found the Case File Cover Sheet (pg. 184) useful or not.

> *Facilitator's Tip: Be aware that creating a* Case File Cover Sheet *(pg. 184) for each case takes time and personnel, so find out how much they really like/will need the cover sheet.*

Ask team members to further consider the *Team Agreement Form* (pg. 149) and whether or not they have any additions or changes. Remember to create an avenue for SART members to discuss this process with you and your law enforcement colleague whenever possible. After doing this mock review, team members might have some concerns that they need addressed, so be open to hearing and addressing those concerns. As the coordinator, you set the tone for this project.

Module 7: Case File Review

Module 7

Facilitator's Guide

Overview

This module will lead the SART into and doing the case file review. You will start by reminding all team members about the confidentiality standards that must be in place to do the review. You will have team members sign the *Team Agreement Form* (pg. 149) created by SVJI, (or a modified version if your SART has chosen to edit it). If your team has identified some concerns with doing case file review, there are some tips included for how to manage a few of those concerns in this module as well. Finally, if you have chosen to invite the media, now would be the time. Refer to the *Appendix* for more information.

Objectives

- Team members will review case files in multidisciplinary groups based on the number of cases chosen by the team (this number should have been determined during the foundation work).
- Team members will identify themes that appear in the case files and discuss them together.

Materials Needed

- Case files (one copy of each file for each reviewer in the mini SART)
- *Case File Cover Sheet* (pg. 184)s that correspond with each case file (if your SART chose to utilize them)
- *Observation Forms* (pg. 150) (each reviewer will need one for each case file they review)
- *Team Findings Forms* (pg. 154) (one form for each case file the mini SART reviews)
- Easel paper for each mini SART (to document themes)
- Group ground rules (list on easel paper for each room in which a mini SART will be reviewing case files)
- The three focus areas for your case file review (on easel paper in each room that a mini SART will be in)

Facilitator's Tip: If possible, set up separate rooms for the mini SARTs. During the TFF there will be discussions that will interrupt others who are reading and break their concentration.

What You Need to Know

When SVJI originally led the case file review process, the pilot SARTs were divided into mini SARTs, each containing members from across the core agencies. This helped to decrease the number of eyes on a specific case, further protecting the confidentiality of the information. Creating small groups can also expedite the case file review process. While one multidisciplinary SART is great if you have a small SART, larger teams should consider splitting into smaller multidisciplinary SARTs that each look at a different subset of cases.

Regardless of how many groups you have, each multidisciplinary mini SART should be given approximately the same amount of case files to review. Refer back to "Setting the Stage" (pg. 74) for more insight into multidisciplinary grouping and case file distribution.

Lesson Plan

Introduce Concept

Today your SART is going to start reviewing the case files. Before beginning the review, thank all attendees for their time on this project and address any concerns that team members have mentioned. If you have the law enforcement leadership on board with this project, you can invite them to the start of this meeting to offer a thank you to the SART members for taking on this project. It would be helpful for law enforcement leadership to explain to the SART why they want their case files reviewed.

After that remind the team of the focus areas they established earlier on for this review, (remember those came from one of two places:

1. What the team initially sought to find out by doing a case file review
2. Aspects of the response that appeared as "gaps" during the Mapping module (pg. 33).

> *Facilitator's Tip: If you have engaged the media, invite them to the onset of this work and have them interview the law enforcement leadership and any other SART member you think would be advantageous for the public to hear from, e.g. the county attorney's office.*
>
> *Don't invite law enforcement leadership if their investment in this project is not sincere, and/or if there is a contentious relationship between the team and the law enforcement agency. Use your best judgment about whether or not inviting Law enforcement leadership will relieve pressure from the law enforcement members doing the case file review.*

Set the stage for an environment that encourages this review as a learning endeavor for all team members. Establish that this process is not an opportunity to place blame on individuals or agencies. Ask team members to be curious while conducting this review and to ask questions of each other from that standpoint. For example, when a group is reviewing a case file and has started to debrief, answering the *Team Findings Form* (pg. 154), encourage members to ask information-seeking questions such as, "C*an you explain this process to me a bit more*?" instead of "W*hy didn't you do it this way*?" This process can already be uncomfortable for team members who feel like they or their agencies are being reviewed. As the coordinator, you need to be attentive to this potential tension, and step in if someone is placing blame on other members or agencies.

- Review the ground rules that the team established in Module 6 (pg. 77)
- Have team members sign the *Team Agreement Form* (pg. 149)
- Ask each mini SART to document themes that appear as they discuss the *Team Findings Form* (pg. 154)
- Break into the multidisciplinary mini SART to which you have assigned each member

Learning/New Content

Team members will explore and debrief with each other as they review the case files. These discussions can be particularly positive and generative, helping team members truly start to build relationships and expand connections with one another. After completing the review, one pilot site coordinator said, "this was a bridge building activity for me." Many of the team members at that same site talked through services their agencies could offer that other team members were not aware of until it came up in debriefing the case files.

Facilitator's Tip: Be sure to move around the room(s) throughout the day, sit with the mini SARTs, and take notes about what you hear. The information you hear should give you great insights for future work the SART needs to do and learn more about. Feel free to capture those questions and ideas on easel paper for team members to see and review them with the group. This can be called the ***"Parking Lot"*** *which includes items that do not fit within the focus areas, but should be discussed by the SART. For example, a team could have questions about the criminal labs that are testing forensic medical exam kits. This would be a great opportunity to invite a lab representative to speak to your SART. This will give the team more to work on within the SART and their individual agencies while the coordinator prepares the material needed for the final modules.*

At the close of each review day, ask each mini SART to present the themes they identified during their review. Ask each group to discuss the themes as they relate to the focus area(s) (should be on easel paper) the team established for this review.

Ask group members whether there were any other issues, insights, or disagreements within their mini SART that could be instructive to the entire team. For example, a small group at one site referred to their discussion of suspects' rights during questioning. Their particular concern was about establishing consistency in how law enforcement should proceed when a suspect invoked their Miranda rights midway through an interview. This comment led to a team discussion of the practices of the different law enforcement agencies in that jurisdiction and how those practices reflected current case law.

Applying What You've Learned

As the review progresses, compile all the themes together under the focus areas your team has identified. You can do this by yourself or with the assistance of your SART.

> *Facilitator's Tip: The SART has been doing a lot of work, so they might appreciate you taking this initiative.*

Maintain a separate, running list, also known as a "Parking Lot," to keep track of information that needs to be explored further but doesn't directly relate to the focus areas of the review. The above Miranda and crime lab examples could be "Parking Lot" items.

At the end of the review process, lead the team through a discussion of the themes and any insights they might have about the information that was identified. A few sample questions include:

- Was there anything that surprised you during the review?
- Were the themes and findings what you expected to see?

At the end of the discussion, be sure to thank the team members for their work!

Homework

It's also important to ask for any feedback team members have about the process. There is always room for further development of the review process, and SVJI encourages you to share any of your team's feedback with us. Inform the team about the next steps in this process: you will compile all of the data and bring it to them for analysis, interpretation, and action.

Facilitator's Tip: It's natural for teams to cycle through high and low energy phases. After such a high energy part of the project, the team might need to take a break. The team has done a great deal of work and some might want to celebrate the success of getting this much done, some members might want a break, and some might want to continue. As the coordinator, it might be time for a breather as well, therefore solicit feedback from your team about taking a month or two off; sometimes that revitalizes a SART. There will also be some compilation that needs to be done, and this will take some time. Consider and assess the team's and your needs and energy before proceeding to the Recommendations & Findings sections

Setting the Stage for Module 8

Preparation for Module 8
Your first task before the meeting will be to pull together the themes and evidence that were captured during the Case File Review session(s). (It was suggested that after each day of case file review and on the final day of review, the team should discuss and capture themes identified by each mini-SART). Your next step is to take the **evidence** (what your SART members wrote on their *Observation Form*s) and put it under the theme it supports.

The evidence is found in the five areas:

- Initial Response
- Victim In-Depth Interview
- Suspect Interview
- Evidence Collection/Witness Identification
- Overall Questions

> *Facilitator's Tip: In the Case File Review process, not all information documented by reviewers will become **evidence** to support a particular theme, nor will it lead the team to significant findings. This type of information might indicate a developing theme, however, so it could be documented for possible future consideration by the team.*

If you find evidence in the *Observation Form* (pg. 150) that does not support a previously decided theme, you have two options. The first option is to keep that evidence where it is in the *Observation Form* because it does not support an already determined theme. The second option, which will require more time and expertise, is to collect the information separately by its evidence category for a more thorough review by either the team or the coordinator at a later date.

Terms:

- **Focus Area**
  What the team decided they were looking for in case file review and further solidified during the Mapping exercise (pg. 48). Examples: 1) Victim-centered response, 2) Law enforcement case management, etc.

- **Themes**
  The information that the team presented to the large group at the end of the review days (typically what the team wrote on the *Team Findings Form*, pg. 154). The themes demonstrate a re-occurring pattern that shows up for the mini-SARTs. Examples of themes that might appear under the above focus areas are: 1) Involvement of victim advocate, 2) Inconsistent oversight of sexual assault cases, etc.

- **Evidence**
  The concrete information from the case files that demonstrates a particular action or behavior. Each individual team member wrote these on their *Observation Form*. From the above focus areas and themes, evidence could be: 1) Advocacy services not explained or offered by law enforcement, and 2) Lack of established process for supervisor review of investigative strategies and case progress.

- **Guiding Questions**
  These questions seek to finalize the themes with the entire SART based on what reviewers found. They will help the group understand what themes are most relevant. The questions are found in the *Case File Review: Reflection and Interpretation Handout* (pg. 201), for example: Are these the correct themes? Are there any questions or deviations from best practice?

- **Evaluation Questions**
  These questions seek to address and assess the Focus Areas of the review process.

Next, you will turn the Focus Areas into evaluation questions for the team. For example, a Focus Area (a reason why your SART wants to do case file review) may be to understand whether the protocol is creating a victim-centered response. That Focus Area turns into an **evaluation question** such as "To what extent does the protocol create a victim-centered response?"

Lastly, you will create copies of the *Case File Review: Reflection and Interpretation Handout* (pg. 201) for each team member. Be sure to include the evaluation question you created for each focus area on the handout. On the handout, you might want to create larger boxes for all four of the categories based on the number of themes and evidence you find.

Module 8: Reflection of Themes and Evidence. Interpretation of Findings.

Module 8

Facilitator's Guide

Overview

Coordinators have many options when it comes to compiling case file review findings and sharing that information with the SART. In this module, SVJI highlights one approach that has proven effective for other teams. With this approach, the intensive work of assessing findings, considering the implications of those findings, and determining priorities for moving forward is shared amongst team members. This is an excellent opportunity to re-engage allied team members and to build buy-in from team members.

By this point in the case file review process, reviewers might be feeling burnt out, and other team members might be experiencing low energy in regard to the process. These reactions are completely normal. The approach outlined here can help instill curiosity, purpose, and knowledge within your team and can serve to re-energize members.

During the process of compiling findings and sharing results, the SART will identify the salient points found in their review of case files. You should allow at least 90 minutes for your team to consider and discuss the findings. Depending on how much **evidence** (what reviewers wrote on the *Observation Form*, pg. 150) your team must review, the process could take more or less time. Regardless of the amount of time, you should try to complete the process of reflection and interpretation in one meeting.

Please refer back to Setting the Stage for Module 8 for a review of the following terms: Focus Area, Themes, Evidence, Guiding Questions, and Evaluation Questions (pg. 98).

> *Facilitator's Tip: If you think this approach might not be a good fit for your SART, please reach out to SVJI for further discussion about evaluation options.*

Objectives

- Review the Evidence and Themes collected
- Identify new themes and any variances from best practices based on the evidence
- Analyze the information and present the interpretations back to the group

Materials

- Markers
- Flip chart paper
- *Themes and Evidence Handout* (pg. 105) (compiled by the site coordinator)
- *Case File Review: Reflection and Interpretation Handout* (pg. 201)

What You Need to Know

There will be **two tasks** for your SART to accomplish in this meeting. The first will be to **finalize** and agree on the themes that came out of the case file review. The second task will be to **interpret** the information and present it back to the team.

Now is the time to invite your allied team members to join the process. Sharing the results of the case file review is a great way to include all team members in a discussion about findings without inadvertently sharing any identifying information.

> *Facilitator's Tip: Before the meeting, divide the team into multidisciplinary groups. You will be inviting allied members to re-join at this point, so try to distribute case reviewers and allied members evenly across the groups. Also, attempt to mix up the core members that were together in the review.*

Earlier, your team decided the Focus Area(s) for case file review, and they identified common theme(s) present across the range of case files during the review process.

Example
Focus Area: **Victim-Centered Response**
Theme**: Involvement of victim advocate**

Task one: Your first task before the meeting, will be to pull together the themes and evidence that were captured during the Case File Review session(s). (It was suggested that after each day of case file review and on the final day of review, the team should discuss and capture themes identified by each mini-SART). Your next step is to take the **evidence** (what your SART members wrote on their Observation Forms) and put it under the theme it supports.

The evidence is found in the five areas:

- Initial Response;
- Victim In-Depth Interview;
- Suspect Interview;
- Evidence Collection/Witness Identification; and,
- Overall Questions 1-4.

> *Facilitator's Tip: In the Case File Review process, not all information documented by reviewers will become **evidence** to support a particular theme, nor will it lead the team to significant findings. However, this type of information might indicate a developing theme, so it could be documented for possible future consideration by the team.*

If you find evidence in the *Observation Form* that does not support a previously decided theme, you have two options. One, keep that evidence where it is in the *Observation Form* because it does not support an already determined theme. The second option, which will require more time and expertise, is to collect the information separately by its evidence category for a more thorough review by either the team or the coordinator at a later date.

See *Themes and Evidence Handout Outline* (pg. 105) on the following page for guidance on the handout and examples.

Themes and Evidence Handout Outline (with examples)

Focus Area 1 **Victim-Centered Response**

- **Theme 1** Involvement of victim advocate
  - Evidence:Advocacy services not explained or offered by law enforcement
  - Evidence: Inconsistent contact with advocacy during the course of the investigation
- **Theme 2** Responder training and experience in trauma informed practices

Focus Area 2 **Law Enforcement Case Management**

- **Theme 1** Inconsistent oversight of sexual assault cases
  - Evidence: Lack of established process for supervisor review of investigative strategies and case progress
  - Evidence: Unclear expectations regarding responder responsibilities and the process for case hand-off

Focus Area 3

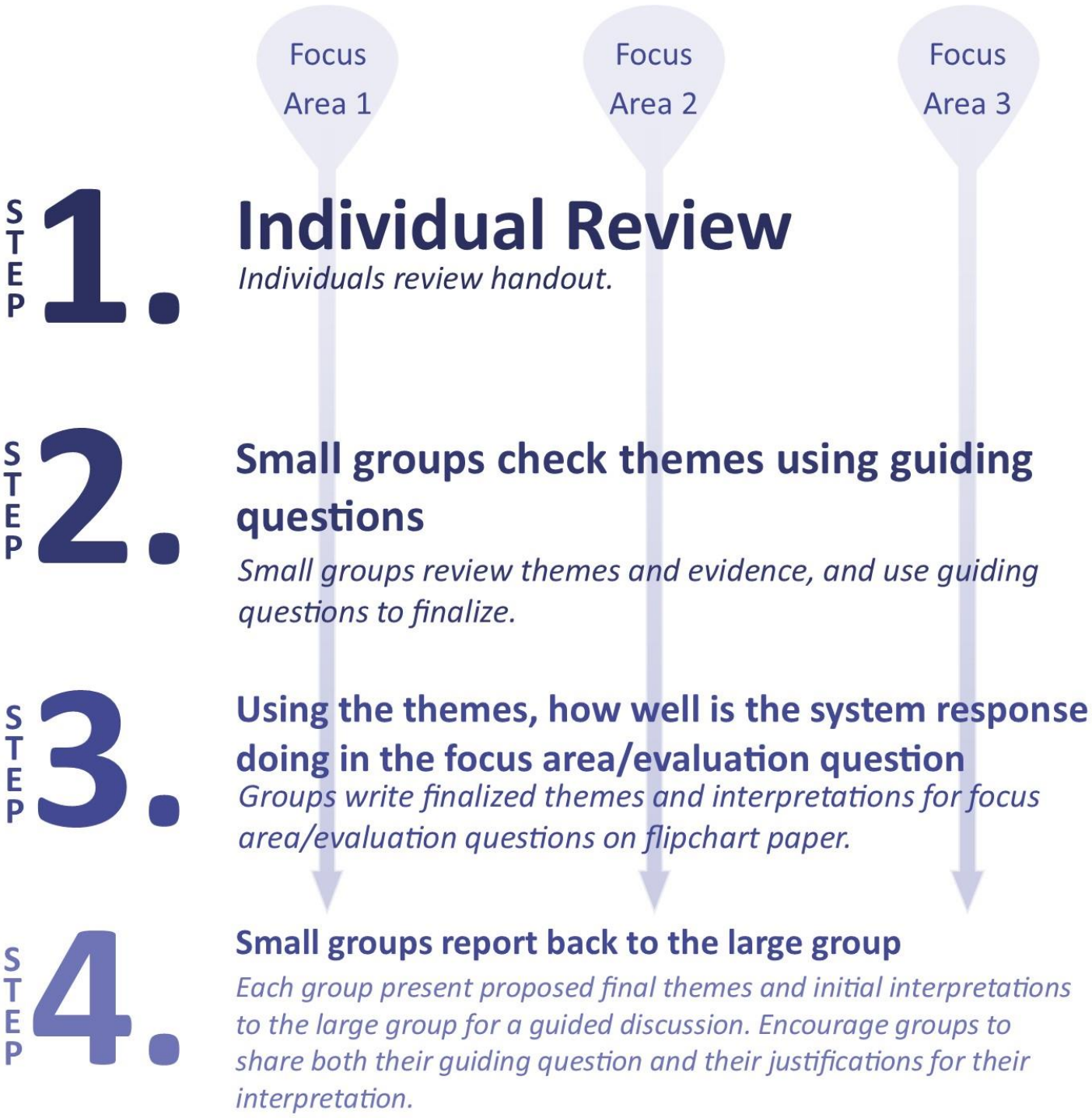
- **Theme 1**
  - Evidence
- **Theme 2**
  - Evidence
- **Theme 3**
  - Evidence

Each group will evaluate how the Themes and Evidence handout and the Focus Areas fit – or don't fit – together. Decide how you will disseminate the Focus Areas based on the size of your team. If you have three Focus Areas and fewer than three groups, one group may get two Focus Areas along with the themes and evidence, or they may get all three Focus Areas. It just depends on your team size, your discretion for sharing the workload, and the number of Focus Areas your team chose to evaluate.

Task two: After creating the *Themes and Evidence Handout Outline* (pg. 105), you will need to turn the Focus Areas into evaluation questions for the team. For example, a Focus Area (a reason why your SART wants to do case file review) may be to understand whether agency policy and team protocol are creating a victim-centered response. Turning that Focus Area into an **evaluation question** could be "To what extent do policy and protocol create a victim-centered response?"

> *Facilitator's Tip: As you create **evaluation questions**, begin with the phrase "To what extent" to capture a more robust response. For example, a focus area could be whether there is a prioritization of sexual assault cases. An evaluative question might be, "To what extent does the evidence (and themes) support the prioritization of sexual assault cases?"*

Module 8: Overview of group process



Lesson Plan

Introduce concept

Explain to the team that they will be analyzing and interpreting what the mini-SART(s) found during their review. Explain how you compiled their **evidence** from the *Observation Forms* (pg. 150) to coincide with the **themes** they identified in the review.

Learning/New content

Task one: Break into group(s) (now including allied members) and hand out the Reflection and Interpretation Form (a guide for team members to document their thinking and findings) with the Themes and Evidence handout (pg. 105). Ask each team member to individually review the themes and evidence of their Focus Area.

After reviewing the themes and evidence individually, ask the groups to discuss and answer the following guiding questions as a group (found in the *Case File Review: Reflection and Interpretation Handout*, pg. 201):

- Are these the correct themes?
- Is there anything missing? If you are adding a new theme, please share the evidence from the case file review that backs it up.
- Are there any questions or deviations from best practice?

> *Facilitator's Tip: There will be items that do not fit under a theme, which is ok. Not all information discovered during case file review will lead to a finding.*

Task two: As your group(s) prepares to answer their focus area question, share these guiding questions with them to help get them thinking. (They are also on the Reflection and Interpretation handout).

Considering the themes that you found:

- How well are we doing in this focus area?
- What did we learn about our system response?
- What are the strengths/areas to improve?

Explain to the SART they will use these questions to create justifications (reasons why) for your interpretation of the focus area question. Interpretations are often given on a scale of low to high. For example:

Focus Area question: To what extent do policy and protocol create a system response that is victim-centered?

Interpretation: The system response is moderately victim-centered.
Justification (reason): While trauma-informed interviewing is happening, advocates are not being called to engage with victims/survivors throughout the case process.

Facilitator's Tip: This is a great exercise for team members that need a little processing time before answering the focus question with their group. When giving instructions for this exercise, you should reinforce the importance of developing a clear justification for each interpretation. The more clear the justification, the easier it will be for all team members to understand what is meant by different levels of performance (low, moderate, high, or other).

When the groups are ready, ask them to answer the evaluation question you have created for their specific focus area. The fourth box on the Reflection and Interpretation Form is available to capture their insights.

Applying What You've Learned

Prepare for large group discussions/presentations. Each group will present their proposed final themes and initial interpretations to the large group for a guided discussion. Encourage groups to share both their guiding question and their justifications for their interpretation. Groups will also share questions, gaps, and any other insights. The coordinator then works with each group to clarify the meaning of what is shared. There may be confusion between interpretation, justification, and action steps. See the Facilitator's Tip below for clarification.

Facilitator's Tip: In keeping with our example of a possible focus area, the evaluative question would be, "To what extent does the agency policy and team protocol create a victim-centered response?" We would then want to make an interpretation about that question (i.e. attempt to answer the question). An interpretation could be, "I think we are moderately victim-centered." Then, think about what evidence you encountered during the review that justifies that interpretation. Justifications for the interpretation could be, "Law enforcement is calling advocates immediately to respond, but not all of the other agencies are calling advocates." These justifications will lead into concrete action steps in Module 9. For example, a concrete action step would be, "We need to have training on our team's protocol so we are more victim-centered."

Facilitator's Tip: Team members will inevitably give recommendations throughout this process; collect those recommendations and explain that they will be used in preparation for the next meeting and possibly incorporated into the team findings. Our recommendation for this module is to get interpretations first, before moving to action steps.

Homework

The team will use this information to assess next steps and implementation. Specifically, the interpretation and recommendations will start the next steps in Module 9. Collect all of the material from the participants to accurately document the meeting.

Setting the Stage for Module 9

Preparation for Module 9

Begin by consolidating the interpretations the SART identified into recommendations for the SART. It might be helpful to pull together a planning group of team members to help shape the interpretations into recommendations. This group can assess the initial recommendations and interpretations, clarify language, and create a list of consolidated recommendations to share with the large group. A *Suggested Outline for the Recommendations Handout* (pg. 113) can be found on the next page.

- This group may be adding to the current list of recommendations or changing/rewording the initial interpretations into recommendations for

Suggested Outline for the Recommendations Handout

Focus Area 1 Victim-centered Response

- **Theme 1: Involvment of victim advocate**
  - Recommendation: Area of Strength - We are moderately victim-centered, because advocates are being called immediately to respond by law enforcement.
  - Recommendation: Area for Improvement - Not all agencies are calling advocates immediately after victims show up for services.
- **Theme 2:**
  - Recommendation: Area of Strength
  - Recommendation: Area for Improvement

Focus Area 2

- **Theme 1:**
  - Recommendation: Area of Strength
  - Recommendation: Area for Improvement
- **Theme 2:**
  - Recommendation: Area of Strength
  - Recommendation: Area for Improvement

Focus Area 3

- **Theme 1:**
  - Recommendation: Area of Strength
  - Recommendation: Area for Improvement
- **Theme 2:**
  - Recommendation: Area of Strength
  - Recommendation: Area for Improvement

- This group should consider: Do these recommendations make sense with the focus areas? Will they accomplish the change the team needs? What actions need to be added (if any)? Are the recommendations written in a way that clearly states what change is being recommended?

- Make copies of the Module 9 handout *Case File Review: Action* (pg. 203) for each group.

Module 9: Recommendations for Action and Positive Change

Module 9

Facilitator Notes

Overview

Module 9 will pick up with the interpretations the team made in Module 8. The coordinator and/or a subset of the team will consolidate the interpretations into recommendations. Then the team will break into groups to review the recommendations and develop a plan for action. After that, your entire team will review the recommendations and develop a plan for action.

Objective

- Develop recommendations based on the interpretations made in Module 8
- Isolate goals the team can commit to work on
- Develop an action plan for those goals

Materials needed

- *Suggested Outline for the Recommendations Handout* (pg. 113)
- *Case File Review: Action* (pg. 203)
- Flip chart paper
- Markers
- Sticker dots

What You Need to Know

As the coordinator, you will be responsible for creating the Recommendations handout for the team. A suggested outline was included in the *Setting the Stage for Module 9* section (pg. 113)

Once your Recommendations handout is complete, the meeting will involve the team breaking into smaller groups to work on creating an action plan. These groups can be the same as they were in Module 8 or different. It is up to you to determine what will work best for your SART.

Each small group should first review the recommendations and prioritize each recommendation by level of importance. Next, the group should choose *at least* one strength to promote and one area for improvement.

> *Facilitator's Tip: Groups can choose more than one strength and/or improvement area if time allows. The time needed for discussion will increase if the small groups select more than one; therefore, the coordinator should allow adequate time.*

The small group's goal is to review the recommendations and create a rough timeline of when they can be accomplished. The groups will also identify actions that can move the team towards accomplishing the goals.

Lesson Plan

Introduce Concept

Explain to the team that today's meeting will be about action planning. Encourage team members to remember that change does not happen overnight; therefore, the team will be prioritizing and creating a plan for action. The overall goals developed by the team represent ways to improve the system response to sexual violence. Today they will be developing **short-term**, **intermediate-term**, and **long-term goals**. As this process unfolds, think of short-term and intermediate-term goals as steps needed to reach long-term goals.

For example, a **long-term goal** may be to increase the percentage of victims who stay connected to the criminal justice system by 50 percent. A **short-term goal** could be to ask victims what they need to stay engaged in the criminal justice system. The team could develop interview questions or surveys for victims that would assess engagement. Another piece of this goal could be to research practices that promote engagement in the system. The **intermediate-term goal** would be to develop materials and implement communication strategies based on victim feedback and research. The short-term goal and the intermediate-term goal work together and build off of each other to work toward the long-term goal.

Distribute the Module 9 handout, *Case File Review: Action* (pg. 203), to each member. The groups will focus on their previously assigned focus area(s) (from Module 8). Their task is to use the ACTION worksheet to develop and record an action plan for their recommendations.

Instructions for the Group(s)

- Each group should categorize the recommendations as short-, intermediate-, or long-term goals.
- Next, each group should consider if any of the short-term or intermediate-term goals lead to the long-term goals.
- Write the goals on the designated area of the worksheet.
- Begin to brainstorm action steps that must be taken to accomplish these goals.
- Identify who is responsible for each step or who can help.

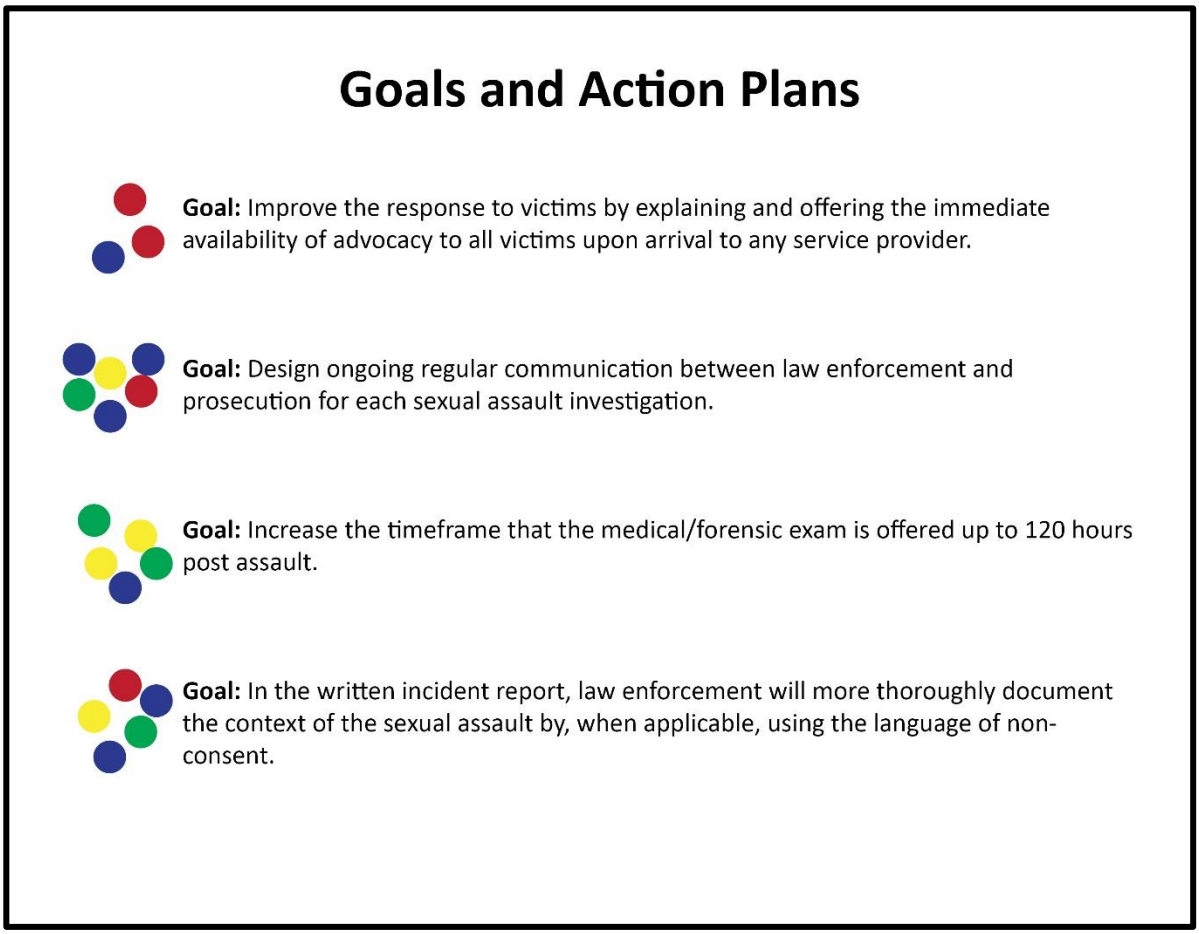
Applying What You've Learned

Ask each group to share their action plans with the large group. Facilitate a discussion about the various action steps as a large group. Consolidate like-actions as needed. Be sure to solicit confirmation from team members about their ability to accomplish the steps and any suggested changes. Continue this process until all strengths to promote and areas for improvement have been chosen.

Prioritizing action through dot voting: Post an entire flipchart sheet for each action plan or post one bar graph that shows all the options. Give each participant three sticky dots. Ask participants to indicate which action plans are the most important, and which are feasible by placing dots on the corresponding chart sheets or by placing sticky notes in the column on the bar graph that corresponds to the desired action plan.

Tally totals and record results for each option. Announce the results and discuss.

(Examples of dot voting and bar graph voting)



Goals and Action Plans

Goal: Improve the response to victims by explaining and offering the immediate availability of advocacy to all victims upon arrival to any service provider.

Goal: Design ongoing regular communication between law enforcement and prosecution for each sexual assault investigation.

Goal: Increase the timeframe that the medical/forensic exam is offered up to 120 hours post assault.

Goal: In the written incident report, law enforcement will more thoroughly document the context of the sexual assault by, when applicable, using the language of non-consent.

Facilitator's Tip: The facilitator can decide whether they want to give participants the choice of using all their dots on a single option or whether each dot must be devoted to different options.

Homework

Congratulations! Case File Review work is finished. Take time for your team to celebrate their efforts and to reflect on the process. Consider inviting agency administrators to your next meeting and let team members talk about what they learned from the process. They are likely to be relieved by the completion of case file review, encouraged by what they've accomplished together, and inspired to make positive change. It could prove to be very helpful if agency heads witnessed those emotions for themselves.

Of course, there still is work to do. The recommendations and related action plans form the basis for how your team will move ahead in building a more collaborative, victim-centered response to sexual assault. As coordinator, you should make sure each team member (core and allied) gets a copy of or online access to these documents. If any team member was unable to participate in developing the action plans, having access to the documents will help them get up to speed on what the team has decided.

Ask each team member to review the recommendations and action plans to ensure that they accurately reflect the results of work done in Modules 8 and 9. After reviewing the documents, team members should present them to their agency administrators to assess the level of commitment the team can expect from that agency in accomplishing team goals and/or supporting the direct efforts of other agencies. Plan a meeting in the near future to allow team members to report back on what others can expect from them and their agencies.

> *Facilitator's Tip: Be prepared to answer any questions team members have about how the recommendations and action plans have been documented, or to clarify the team's intent with the goals they established. Don't make any changes to the action plans without consulting the full team, however. This is a time to reinforce the idea that all team members are "in it together," and must work collaboratively to make effective change.*

Appendix

Appendix

- SART Case File Review Process Frequently Asked Questions
- Readiness Assessment and Outcomes for Case File Review Handout
- Engaging the Media
- Sexual Assault Scenarios
- What Can We Talk About? Common Rules and Regulations
- Simple Rules for Becoming Victim-Centered
- Aligning Our Approach to Serving Victims Activity
- How Do We Align Our Approach to Serving Victims/Survivors?
- Team Agreement Form
- Observation Form
- Team Findings Form
- Roadmap for Response: A Tool for Prosecutors and Law Enforcement
- Law Enforcement Case File Content
- Mock Case File Cover Sheet
- Mock Case File
- Case File Review: Reflection and Interpretation Handout
- Case File Review: Action

SART Case File Review Process Frequently Asked Questions

What is SART Case File Review? The systematic process of examining case files and identifying compliance with or deviance from established policies and protocols. Case file review can also include a determination of gaps and barriers to an effective response to sexual assault.

What do we mean by "Case File"? All the documents and other records accumulated in response to a reported sexual assault.

What does "**Closed Cases" mean?** Closed cases are those that have been closed by law enforcement either through the arrest of a suspect or through a prosecutor filing charges against a suspect. For the purposes of case file review, we also have included cases classified by law enforcement as "open-inactive." In other words, include cases where 1) law enforcement has decided that they can't or won't investigate a case to the point where it can be closed by arrest, and/or 2) the prosecutor has declined charges and law enforcement can't or won't investigate further.

Is the SART Case File Review designed to look at individual job performances and effectiveness? No. The purpose of this process is to evaluate the entire criminal justice systems' response to victims—*not* to blame a particular person or agency. The SART Case File Review process is a great opportunity to learn about the SART's current response, identify responses that should continue, and learn about areas for improvement. This process allows you to learn firsthand what is happening with sexual assault investigations in your community. From there, you can develop ways to continue best practices that you have in place and discuss recommendations for processes that are not producing positive outcomes. This is a way to look at the system response to victims and make appropriate victim-centered, offender-focused systems change. In this process, your coordinator will be provided with ways to anticipate and avoid any "gotcha" moments for participants.

We asked one Police Chief who went through SVJI's Case File Review process the following questions. His responses are italicized:

"What made you want to review your sexual assault case files?"

"It's no more complicated than I wanted to see where we could improve. There is nothing more important to me than doing a good investigation that serves the victim and prevents further victimization. It's personal."

"Along those lines, what were you expecting to get out of doing a case file review?"

"I thought that we were already doing a top-notch job of investigating sexual assaults – so, I figured we were just going to do a little fine tuning."

"What did you ACTUALLY get out of doing the review?"

"I got an education. My guess is that most chiefs are like me in overestimating the quality of their sexual assault investigations. This is not a criticism of the investigators. The challenge is in keeping up with new research and changes in best practices."

Does the entire team need to participate in the case file review? No, only the criminal justice system members (Law Enforcement, Medical, Prosecution, Advocacy, and Probation) will review the case files. The entire team can be present for the initial steps in the process including the orientation to the process, the mapping of the response, and the mock case file review. After the criminal justice system members review the case files, the entire team will be invited to review the themes, recommendations, and suggestions generated by the case file review team.

What is the time commitment for the case file review process? This process requires a significant investment of time and energy. You will need to allow sufficient time to discuss key principles, such as each team member's confidentiality requirements and the impact of those requirements on the case file review process. This is a learning experience all the way through, and it is important to provide enough time for that learning to occur. By the end of this process, team members will have a deeper understanding of each other's roles. Many teams that have gone through the case file review process have mentioned this particular outcome as being invaluable.

There are four phases to doing this review.

- **Phase 1: Foundation –** This phase is focused on assessing the interest and readiness of your team to do this work (3 - 4 months).

- **Phase 2: Preparation –** In this phase, the SART will begin laying the groundwork by discussing each agency's confidentiality standards, mapping the existing response, finding the focus the team wants to explore in the case file review process, deciding whether to redact, and determining who will be a part of the review process. While there are many areas teams can choose to focus on, two examples are: 1) looking for instances when the victim experienced silence or non-engagement from responders within the system or 2) reviewing the use of non-consensual sex language written in reports. Finding the area to focus on will come from what the SART discovers in the mapping exercise and/or an area the team chooses to look at specifically. Depending on your chosen area of focus, you may or may not need to incorporate additional learning and information sharing for the SART. For example, if your team chooses to focus on the use of non-consensual sex language in report writing, we recommend incorporating End Violence Against Women International's (EVAWI's) online training module, *Effective Report Writing: Using Language of Non-Consensual Sex* (found at http://olti.evawintl.org/Courses.aspx), to ensure proper training on the topic.

  The behind the scenes work of redacting Personally Identifying Information (PII) and writing Case File Cover Sheet (pg. 184)s (if you choose) will begin during this phase as well. A Case File Cover Sheet (pg. 184) is a table of contents for a specific sexual assault case file. It consists of five sections, including: Persons Involved, Responders, Table of Contents, Timeline, and Evidence. (A *Mock Case File Cover Sheet* (pg. 185) sample can be found in the *Appendix*) This phase can be the longest depending on how much time the SART needs to explore their understanding of each other's roles, to share confidentiality standards, and to undergo any additional learning. (An estimated time for this phase can be approximately 3 - 6 months.)

- **Phase 3: Case File Review –** This is where the actual work of reviewing X number of case files takes place (teams can achieve this phase in 3 – 4 full, consecutive days OR by using time set aside for monthly meetings. SVJI recommends using 3-4 full days). The number of case files reviewed will be decided by the team and may include anywhere from 20-45 case files**.**

- **Phase 4: Findings and Recommendations–** During this phase, the team will agree on themes identified in the review and begin to interpret that information. Next the SART will turn the interpretations into recommendations and begin creating action steps. The SART works to make positive changes based on what was found in the case file review, and law enforcement can look at areas of response to change or continue based on the findings (ongoing).

Can this process be spread out over monthly meetings? Of course. In the past, one SART did a case file review of prosecution cases and that process lasted roughly a year with the SART meeting monthly for an hour and a half.

Readiness Assessment and Outcomes for Case File Review Handout

What is the anticipated outcome of the SART Case File Review?

For the SART:

- A first-hand understanding of what sexual assault response looks like in your community and possibly a great starting point for creating protocols that address any concerns or gaps that arose in the review.
- A deeper understanding of what sexual assault case files contain and look like in your community.
- An understanding of what information the prosecutorial office receives from law enforcement in order to make a charging decision.
- A better understanding of each agency's role and the role each agency plays in shaping a victim-centered response to sexual assault.
- "A bridge building activity for the SART," as mentioned by a previous Case File Review participant. In other words, team members will forge stronger relationships.

For Law Enforcement:

- An understanding on how to improve the initial investigation.
- An ability to identify and implement new strategies for successful investigation and documentation of sexual assault case files.
- The creation of new resources or tools that will assist officers in sexual assault investigations and report writing.

Time and tasks required by the law enforcement agency

- True desire and interest in critically assessing current practice.
- Commitment from administrators to support the case file review and to require staff participation in the process.
- A Point of Contact (POC) from the department to request cases, facilitate redaction, AND act as a liaison between the project and the rest of the department.

- Ability to identify cases needed for review (could be done by POC).
- Ability to work with the SART coordinator.

Who will lead our team through the Case File Review Process?

There are a few options regarding who could lead this process. The SART Coordinator could take the team through the case file review process, but it might be helpful to also have a member from the law enforcement agency providing the case files to co-facilitate.

OR

A member of the SART who is a leader on the team might also be a possibility. Some teams have co-chairs or leadership that might be more comfortable leading the team through this process.

OR

A third option is to bring in an external consultant(s) to take your team through this process, such as the Sexual Violence Justice Institute @ MNCASA.

You must make a decision about who will be leading your team through this process prior to moving forward.

Will we need any external supports for this project?

Including external supports is something to consider, although it is not required for the case file review process. SVJI invited Subject Matter Experts (SME) in one of the three case file reviews to provide training to participants on the specific focus areas that the SART identified for their review (i.e. documentation of sexual assault case files using non-consensual language, the dual purpose of the medical/forensic exam, the role of advocacy, etc.). SMEs also assisted in reviewing the case files with the SART and could answer questions team members asked about the national scope and emerging trends. It can be helpful to highlight promising practices in conjunction with case file review.

Engaging the Media

Engaging the media might be an interest for your SART. There are many reasons a team might decide to engage the media in promoting the case file review process. SVJI has found these reasons often fit into three general categories: demonstrating transparency about system issues, encouraging participation in system change, and increasing community knowledge and understanding of sexual violence.

Demonstrating Transparency about System Issues

Since the early 2000's, case file review has been done in major cities throughout the US because of significant media interest and outcry over law enforcement response to sexual assault cases. The majority of these reviews were not voluntarily done by the participants, and the public scrutiny of their response to sexual assault victims was painful, yet also warranted. In an effort to create a productive media response to SARTs reviewing case files, SVJI suggests inviting the media as a way to promote this process and provide transparency.

Sexual violence happens in every community, causing unease and public safety concerns. Every criminal justice agency—particularly law enforcement and prosecution—must address concerns and misperceptions about public safety. Any agency can affect public opinion by acknowledging an issue in a transparent way, and documenting how they intend to address that issue more effectively while acknowledging missteps and system failures. If your team plans to review law enforcement or prosecution case files, you should encourage a law enforcement administrator or lead prosecutor to brief the media on the purpose and intent of case file review.

Encouraging Participation in System Change

Besides the benefit to a specific agency of shifting public perceptions, a media briefing also serves to reinforce commitment to using the case file review process to make recommendations for change. Case file review can provide evidence to support changes in policy and practice that are difficult, expensive, and time-consuming to implement. It is a lower level of investment to commit to the case file review process than implementing challenging improvements. Follow through is more likely when an agency administrator has publicly committed their agency to improving their response, however.

Increasing Community Knowledge

By sharing details about case file review—including the nature of the cases selected for review—a team can highlight what commonly happens in their community, regardless of whether the facts of real cases align with commonly held misperceptions. Reporting the reality of sexual assault through the perspective of improving the criminal justice response can be very helpful in increasing public knowledge and understanding.

Sexual Assault Scenarios

Scenario One

Instructions
Using the materials provided, groups must create a visual representation of how their system currently responds. This can be done in a variety of ways including pictures, graphics, flow charts, etc. Please focus on what really would really happen during a response to the scenario, rather than describing an ideal response.

Be very specific and indicate who/what agency does what and within what time frame. Points of interaction, communication, and coordination among different agencies and professionals must be included. The way in which the interaction or communication occurs should also be specifically described, e.g. via phone, in person, after a certain period of time, etc.

During the mapping process, identify "tension points" where improvement is desirable. These areas can include points of confusion, disagreement, or uncertainty that the group identifies. The points can be marked with a different color, have a symbol next to them, be tracked on a separate page, etc.

It is 4:00 am Sunday. The [***Law Enforcement***] Dispatch Center receives a call from [***Medical Facility***] stating that a woman (Sheila) has just arrived there, accompanied by her roommate (Marie). The caller says that Sheila is very upset and claims to have been raped by a man she met at a bar. [***Law Enforcement***] Dispatch Center dispatches an officer to [***Medical Facility***]. Sheila decides to report the incident to law enforcement.

What would the current response look like?

Who would be involved in the response and what role would each of them play?

What information is passed from one responder to the next and how is it passed on?

What is the process for hand-off of victim contact?

Using the materials provided, develop a visual representation of your current response.

Scenario Two

Instructions
Using the materials provided, groups must create a visual representation of how their system currently responds. This can be done in a variety of ways including pictures, graphics, flow charts, etc. Please focus on what really would really happen during a response to the scenario, rather than describing an ideal response.

Be very specific and indicate who/what agency does what and within what time frame. Points of interaction, communication, and coordination among different agencies and professionals must be included. The way in which the interaction or communication occurs should also be specifically described, e.g. via phone, in person, after a certain period of time, etc.

During the mapping process, identify "tension points" where improvement is desirable. These areas can include points of confusion, disagreement, or uncertainty that the group identifies. The points can be marked with a different color, have a symbol next to them, be tracked on a separate page, etc.

Four weeks ago, Sheila went out on a date at [***Bar or Restaurant***] with a man she met at work. After they had dinner and drinks, the man took her to his house and raped her. She didn't report the rape at the time, but after receiving support from her family and friends she decided to call the [***Law Enforcement***]. Sheila told an officer that she is worried that everyone will find out about the rape. She also said she is afraid that the man might retaliate against her went he finds out she reported the rape.

What would the current response look like?

Who would be involved in the response and what role would each of them play?

What information is passed from one responder to the next and how is it passed on?

What is the process for hand-off of victim contact?

Using the materials provided, develop a visual representation of your current response.

Scenario Three

Instructions
Using the materials provided, groups must create a visual representation of how their system currently responds. This can be done in a variety of ways including pictures, graphics, flow charts, etc. Please focus on what really would really happen during a response to the scenario, rather than describing an ideal response.

Be very specific and indicate who/what agency does what and within what time frame. Points of interaction, communication, and coordination among different agencies and professionals must be included. The way in which the interaction or communication occurs should also be specifically described, e.g. via phone, in person, after a certain period of time, etc.

During the mapping process, identify "tension points" where improvement is desirable. These areas can include points of confusion, disagreement, or uncertainty that the group identifies. The points can be marked with a different color, have a symbol next to them, be tracked on a separate page, etc.

Sheila had gone out on a date with a man she met at work. After dinner and a couple drinks, the man brought her home and raped her. Two days later, Sheila calls the [***Sexual Assault Advocacy***] hotline. This is the first time she has told anyone what happened to her. After consulting with an advocate, Sheila decides to report the incident to law enforcement.

What would the current response look like?

Who would be involved in the response and what role would each of them play?

What information is passed from one responder to the next and how is it passed on?

What is the process for hand-off of victim contact?

Using the materials provided, develop a visual representation of your current response.

Scenario Four

Instructions
Using the materials provided, groups must create a visual representation of how their system currently responds. This can be done in a variety of ways including pictures, graphics, flow charts, etc. Please focus on what really would really happen during a response to the scenario, rather than describing an ideal response.

Be very specific and indicate who/what agency does what and within what time frame. Points of interaction, communication, and coordination among different agencies and professionals must be included. The way in which the interaction or communication occurs should also be specifically described, e.g. via phone, in person, after a certain period of time, etc.

During the mapping process, identify "tension points" where improvement is desirable. These areas can include points of confusion, disagreement, or uncertainty that the group identifies. The points can be marked with a different color, have a symbol next to them, be tracked on a separate page, etc.

Sheila returns home at about 2:00 a.m. after a date with a man she met at work. When she gets home, she wakes her roommate, Marie. Marie sees that Sheila is upset and crying. When Marie asks what is wrong, Sheila tells her she was raped by the man. Marie calls 911 and reports the incident. [***Law Enforcement***] Dispatch Center dispatches an officer in response to Marie's call. Sheila decides to report the incident to law enforcement.

What would the current response look like?

Who would be involved in the response and what role would each of them play?

What information is passed from one responder to the next and how is it passed on?

What is the process for hand-off of victim contact?

Using the materials provided, develop a visual representation of your current response.

What Can We Talk About?
Common Rules and Regulations

It is important for all members of a sexual assault response team (SART) to understand one another's different professional and ethical obligations *before* the team discusses active or closed cases. Team communication must be informed by an understanding of who can share information and when, and what tools should be used to document an understanding of these limitations.

What follows is not intended to be an exclusive list of the rules that apply, but rather a guide for what teams should consider prior to establishing a case conversation process.

Memorandums of Understanding

It is recommended to have a current team Memorandum of Understanding (MOU) (sometimes called an interagency agreement) as a foundation prior to discussing active or closed cases. The MOU makes clear that all involved agencies are committed to improving their response to sexual assault. The MOU uses the power of the entire team to prompt necessary change. It is best practice to add to or create a new MOU among team members to describe the 1) the agreed-upon purpose of discussing cases 2) role of each team member during case discussion
3) limitations of each team member during case discussion (those limitations are outlined in this document) 4) how victim privacy will be protected during case discussion and 5) an articulated process for amending the process in the event of a concern or a grievance.

Laws/Statutes

Reference and discuss relevant state laws and statutes including mandatory reporting, data practices acts, and privilege requirements. Some states have specific provisions for what information can be shared with regard to crime victims. For example, some states have specific requirements for law enforcement to share information with local advocates on cases involving domestic violence. Often distinctions are made between what *shall* versus what *may* be shared under certain conditions. A team will benefit from discussions of these laws and the policies each agency has developed with regard to them.

Confidentiality/Privilege

Certain professionals enjoy the protection of having their conversations with clients protected from disclosure. For example, in some states, advocates have this privilege. There are limits on privilege, however. While attorneys enjoy an attorney/client privilege, prosecutors do not represent victims (they represent the community prosecuting the defendant) and therefore have a duty to disclose exculpatory evidence to the defense under *Brady v. Maryland*. This also includes acknowledgment of who is a mandated reporter. Team members should be aware of the confidentiality/privilege obligations held by member of the team, and devise a case conversation process that handles this accordingly.

HIPAA

Most medical providers, including Sexual Assault Nurse Examiners (SANEs), are bound by the Health Insurance Portability and Accountability Act (HIPAA). HIPAA provides national standards for protecting the privacy of health information. If Medical professionals are on your team, it isn't appropriate for that medical professional to share medical information about the patient/victim with the other team members. In addition, it is imperative to protect the neutrality of individual SANEs and SANE programs in order for their evidence collection expertise to be accepted in court with a minimal level of bias toward the victim or prosecution process.

Funding Restrictions

Often funding sources include restrictions about how information about clients can be used (and often how it is to be collected and stored). Several common sources of funding for victim services include the Victims of Crime Act (VOCA), the Family Violence and Prevention Services Act (FVPSA), Children's Justice Act (CJA) State and Tribal Grant Programs, and the Violence Against Women Act (VAWA). For example, under the Violence Against Women and Department of Justice Reauthorization Act of 2005, Office of Violence Against Women (OVW) grantees and sub grantees may not release identifying information about victims served with OVW funds without a written release or disclosure mandated by statute or court order.

In addition, all public and private institutions of post-secondary education participating in federal student aid programs are subject to Title IX (which provides that sexual harassment and sexual assault are forms of sex discrimination) and the Cleary Act which requires reporting of aggregate information about crimes committed on campus. If your team exists in a campus context or you have team members from post-secondary educational institutions, familiarize your team with

the mixture of regulations related to student privacy and reporting requirements in advance of starting case conversations.

Written releases of information

A written release of information should be limited to a specific person or agency, for a specific and limited purpose, and for a limited duration of time (i.e. the release is valid for a specified number of days after date signed and a new release is required when the time limit has been exceeded). The release should also specify *how* information will be shared (phone/mail/email). Government agencies may also have data privacy rules that dictate certain elements that must be present in a release or may dictate how often releases must be obtained.

More information on important considerations, how to speak to victims about releases, and the limits of releases is available from the Victim Rights Law Center (www.victimrights.org) or the Safey Net Project at the the National Network to End Domestic Violence (http://www.nnedv.org/projects/safetynet.html). The Sexual Violence Justice Institute collects sample materials from these agencies and teams and can forward these for review (svji@mncasa.org).

If your team is considering doing a review of a closed or open case, it is best to obtain permission from both the victim and offender, if possible.

***Brady* Issues**

Under *Brady v. Maryland*, 373 U.S. 83 (1963) a prosecutor is required to disclose certain exculpatory evidence to the defense. The United States Supreme Court held that withholding evidence, "where the evidence is material either to guilt or to punishment" violates due process. The Brady rule applies to evidence that is favorable or material to the defendant. Exculpatory evidence opposes the guilt of the defendant, undermines the credibility of a prosecution witness or supports the testimony of a defense witness. Material evidence is relevant, meaning it is evidence that has "any tendency to prove or disprove any disputed fact that is of consequence to the determination of the action" and there is a reasonable probability that disclosing the evidence could affect the outcome of the proceeding.

The prosecutor must have actual or constructive possession of the evidence in order to be bound under *Brady*. Constructive possession includes evidence in the files of an agency over which the prosecutor has authority (a police agency investigating the case, potentially the agency for which the Victim-Witness advocate works). If the

Victim-Witness advocate works within the prosecutor's office or the sheriff's office, for example, then the agency test is met and the prosecutor is deemed to have possession over information.

The prosecutor does not have automatic authority over community based advocacy agencies but if the prosecutor and the agency have a tacit agreement to work together in the investigation or preparing the witness for trial, the advocate is part of the prosecution team and may be reached by *Brady*. Physical presence of the advocate at a meeting with the prosecution or law enforcement (without participation) would not automatically make the advocate a member of the prosecution team.

Furthermore, it is not entirely clear if community-based victim service agencies that provide victim services via contract with a law enforcement or prosecution agency would be subject to *Brady*. These agencies are encouraged to review these contracts for explicit language that expressly address the independent nature of their agency with regard to its administration, documentation, and record keeping and seek advice on what protection that language may give.

Awareness of interagency relationships in your jurisdiction is key to understanding whether *Brady* applies. Still, everyone is a potential witness in a sexual assault case and this possibility must always be acknowledged.

Subpoenas

Some professionals may be confused about what information must be shared when a subpoena has been issued. Advocates in many jurisdictions can assert client privilege if served with a subpoena. Victims may consent to release this information. If the victim does not consent to the advocate's testimony the court must conduct a balancing test weighing the public interest and need for disclosure against the effect on the victim and her relationship with the advocate. If the court rules that testimony is required it may also rule on the boundaries of the testimony.

Advocacy programs should set forth procedures for responding to subpoenas (as well as search warrants and service of process).

Resources:

Battered Women's Justice Project, *Confidentiality: An Advocate's Guide*, (2007).
The Center for Law & Public Policy on Sexual Violence, *Confidentiality and Sexual Violence Survivors: A Toolkit for State Coalitions*, (2005).
Committee of Professional Ethics, Connecticut Lawyer, *Informal Opinion 03-07: Revealing Confidential Information to Parents of a Juvenile Client* (Oct. 2004).
Jessica Mindlin, Esq., National Director of Training and Technical Assistance, Victim Rights Law Center Nancy O'Malley, Chief Assistant District Attorney, Alameda County, CA, *Confidentiality & The Sexual Assault Survivor* (Jan. 2002).
Diane Stuart, Office of Violence Against Women, *Memorandum Re: New Requirements under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (P.L. 109-162)*.
Washington State Coalition Against Domestic Violence, *Model Protocol: On Confidentiality When Working with Battered Women*, (2007).
National Network to End Domestic Violence, Safety Net Project (www.nnedv.org/projects/safetynet.html)

 Use with permission and attribution

This project is supported by Grant No. 2007-TA-AX-K011 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the authors and do not necessarily reflect the views of the Department of Justice, Office on violence Against Women

Simple Rules for Becoming Victim-Centered…

Developing a victim-centered response to sexual violence involves informing our protocols and policies with the best expertise in the field and knowing how and when to adapt our response to fit the unique needs and circumstances of a specific victim/survivor or case. By following these seven 'simple rules' each and every time we respond to sexual violence, responders can create a victim- centered response.

Consider the victim first.

The victim and their unique needs and abilities should be considered first.

Listen generously.

Listen with belief; acknowledge the violation. Listen with patience; walk with survivors as they determine their own path. Listen with compassion; give voice to the victim's experience. Listen with faith; believe in the victim/survivors' resilience. Listen to understand the victim/survivor's own goals for safety, healing, and seeking justice. Listen generously to victim/survivors, colleagues, team members, community members to affect the change we seek. Create safe places for people to tell their stories.

Promote victim self-agency.

An agent is "one that acts or has the power or authority to act." Promote victim self-agency by offering the support and information that victims/survivors need to act in their own best interest relative to the unique circumstances of their lives. For a victim/survivor in crisis, work to re-engage or increase their own coping abilities to the point decision-making is again possible. Engage, consult, and inform a victim/survivor about decisions that will affect her or him. Informed decision-making means the victim/survivor knows what could be gained or lost in the options available to him or her.

Coordinate and collaborate in the victim's interest.

Coordinating disparate and fractured elements of a response can improve a victim/survivors' experience and lead to better cases. Coordinating primarily in the system's own interests can re- victimize victims/survivors and jeopardize case outcomes.

Ensure victim-safety.

Ensure victim/survivors have the information, resources, and supports to be or move toward safety. This can include access to confidential services, privacy protections, access to legal remedies for protection, notification of an offender's release, and consideration of the unintended consequences to victim/survivors of the policy and procedural decisions we make.

Seek just solutions for all.

Be honorable, fair, lawful, suitable, and free from bias.

Hold self and others accountable.

Be able to explain and answer for our own actions and decisions. Ask others to do the same.

This project is supported by Grant Number 2007-TA-AX-K011 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

© 2008, 2013. Permission to use with attribution.

Aligning Our Approach to Serving Victims Activity

Reason for This Activity

- To begin the dialogue about the different perspectives that inform the many disciplines, roles, and experiences represented on the team
- To identify areas of similarity and difference between disciplines, and begin to establish some common language around what it means to be victim-centered

Activity Outline and Talking Points

1. Present opening questions. (People don't need to answer these questions – they're meant to provoke thoughts as a lead-in to the activity content.)
    - What guides the decisions we make?
    - How do we navigate our own thought processes to arrive at a decision – and what informs those thoughts?
    - What dynamics exist when we are placed in a context where decisions must be made at the group, organizational, or societal level? How do we navigate our processes, alongside those of others?
    - In your team contexts, how are decisions made?

2. Distribute Decision Map handout. As activity facilitator, here are your key points for the handout:
    - We are constantly interacting with our environment; taking in information, putting it back out, seeing the ways we interact with it and how it respond to us in turn. This is a dynamic process and is continually occurring.
    - There are certain key elements that inform the patterns that emerge in our perspectives, which then contribute to how we make decisions. The different disciplines within a team/SART bring different points of view, constraints, approaches, and experiences with sexual assault survivors into the process. Ultimately, these elements are the function/result of three factors

i. Worldview: the view of the world that we hold; our framework for understanding the world and how we discern, recognize, organize, and generalize information that we take in. This can come from discipline training, and personal values/beliefs.
ii. Rules: rules by which we are bound; created in an effort to control and predict our behavior; can be formal (e.g. laws, policies, professional ethical codes) or informal (e.g. organizational or professional culture).
iii. Reality: the way things "are"; the reality of the situation that we are facing (in a moment, and in general)

- These three factors are interdependent, and our decisions emerge from the on-going interaction of all three.
- Optional clarifying metaphor – Navigating a ship: Our worldview involves our beliefs about the nature of water, wind, tides, stars, machinery, and locomotion. In western culture, what we call "science" is part of our worldview. Reality consists of the specific circumstances we find ourselves in – the particular individuals we are with, the wind speed, type of weather, water temperature, the ship we are on. We use rules to guide us in navigating the ship, e.g., how we operate the ship, the conventions for passing other ships, signaling our intentions, hailing other ships. Navigation—our actual behavior—involves all three; worldview, reality, and rules.
- On the back of the handout, there is a table of core disciplines, and examples of their potential worldviews, rules, and realities.
- When trying to come up with a team definition or concept of "victim-centered", consider how the different worldviews, rules, and realities inform your idea of what "victim-centered" means; consider how this, in practice, may align, conflict, or impact with how other disciplines/team members define "victim-centered"

3. Small group discussion: Divide into pairs or small groups (depending on group size), and discuss the following questions in turn; have someone make note of the responses:
    - What does victim-centered mean in my own discipline?
    - What does it mean in the disciplines of my team members?
    - Where do we agree?
    - Where do we disagree?

4. Large group discussion: One representative per small group can provide a summary of the points discussed to the whole team; you may choose to

document the thoughts presented for each question on a board/easel paper for the large group to see. Make note of themes.

5. Ask the team to consider how a team can influence victim-centered practice.

SART Leader Considerations

Team leaders can use this activity in guiding their teams through a decision-making process. This activity can also be used in a variety of other contexts and for many other purposes; essentially, anything that has to do with getting to learn about the diverse perspectives that inform how different people/groups interpret information and make decisions. This is a great tool for getting a team "unstuck" on a particular subject (e.g. confidentiality issues). Team leaders and team members may be able to identify additional uses for this activity based on the goals and structure of their team.

One of the goals of this activity is to openly discuss the context of our respective roles and disciplines, and how this informs the team's work with sexual assault victims. This is not about identifying areas of wrongdoing, or talking about specific cases; rather, the intention is to create a safe space to make points of tension visible and enhance understanding across disciplines. The examples provided in the table on the Decision Map handout can be changed to more accurately reflect the disciplines on your team.

Depending on team size and amount of time, the time allotted for discussion is at your discretion. You'll want to ensure enough time for everyone in the small group to participate, while also leaving time for larger group debrief. Consider what other ways this activity can be used to inform your team's process and work.

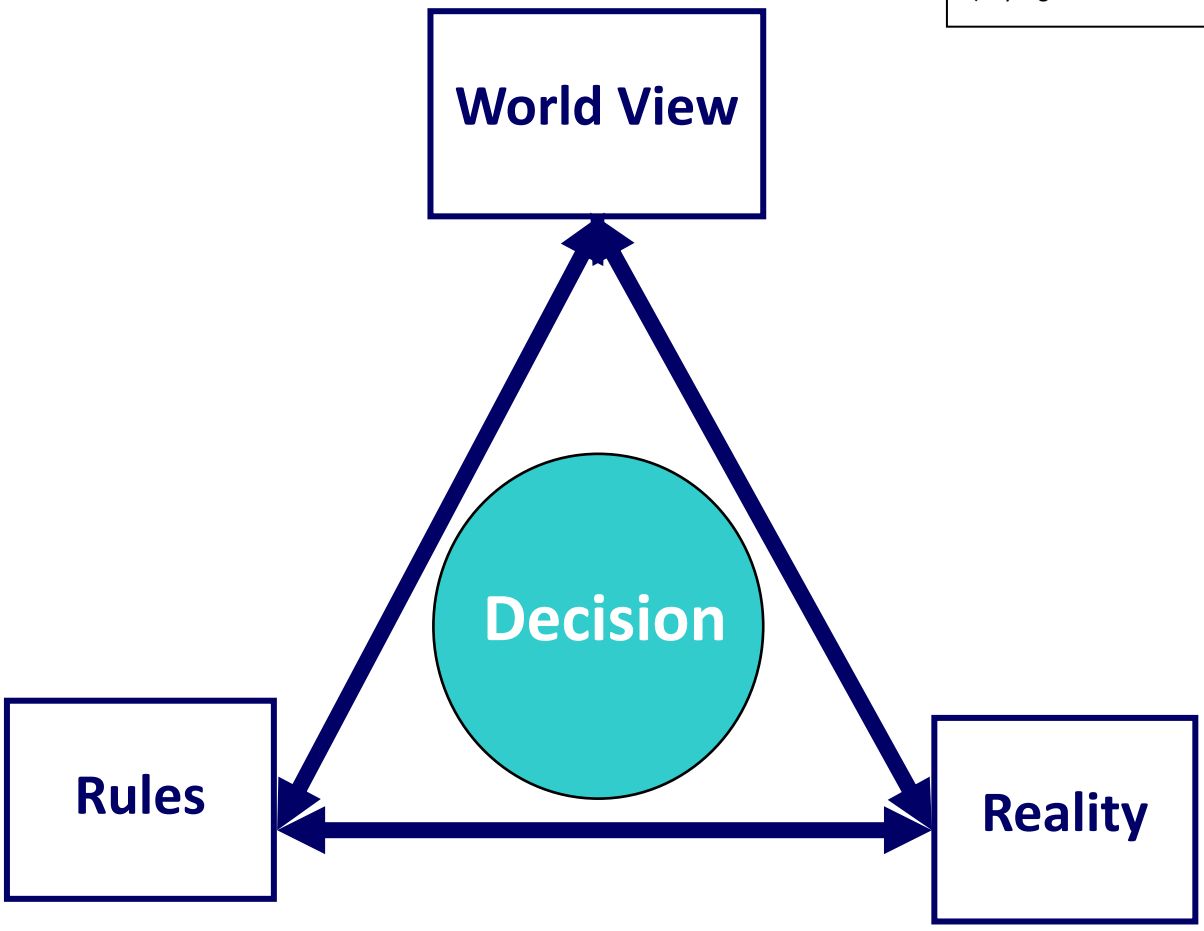
(Adapted from Eoyang and Yellowthunder – Human Systems Dynamics)

How Do We Align Our Approach to Serving Victims/Survivors?

Different disciplines bring to the table different points of view, constraints, approaches, and experiences with sexual assault and victims/survivors. These are functions of three factors:

- The view of the world that we hold (given our personal beliefs, discipline training, etc.)
- The rules that we are bound by (both formal and informal)
- The reality of the situation we are facing, or general realities

Decision Map
(Eoyang & Yellowthunder)



The table below is meant to provide an example, and may not necessarily be reflective of the decision maps of a given individual or discipline.

DISCIPLINE	WORLDVIEW	RULES	REALITY
Law Enforcement	Public Safety	Elements of a crime Chain of command	Little physical evidence Not all victims report to LE
Prosecution	Public Accountability	Law Legal precedents	Juries uneducated about sexual assault
Advocacy	Victim Empowerment	Confidentiality Privilege Professional ethics	Resource challenges Multiple needs of victims
Medical	Patient Well-being	Confidentiality HIPAA Professional ethics	Disclosure as a process Dual exam purpose
Corrections/ probation	Offender Accountability	Monitoring	High caseload Varying beliefs about offender treatment

1. What does victim-centered mean/look like in my own discipline?

2. In the disciplines of my team members?

3. Where/what are the differences?

4. Where/what are the similarities?

Team Agreement Form

SART Case File Review

The Sexual Assault Response Team (SART) Case File Review Resources Project that is leading in partnership with involves an in-depth review of sexual assault cases that have come through the Police Department in recent years. This review process will involve having access to actual case files and other documents provided by the Police Department. To ensure the integrity of the process, respect the role of individual agency employees, and to protect the privacy of community residents, all case file review team members agree to the following:

1. The material collected and distributed to team members is intended only for use in conducting this case file review and to inform project staff and stakeholders about noted themes in current response practices.

2. Team members will have access to case files and file information only for the purposes of the case review. At the end of each review day, all written materials with case information will be turned in to for safe keeping.

3. The case file review process and specific case information should not be discussed outside of the review room.

4. While careful work has been done to protect the identities of the parties involved in each case as well as those of responders, the nature of the documents remains sensitive. Any discussion of case file content will happen only in the context of the case file review process and only in the presence of team members who have agreed to this confidentiality statement. Additionally, should identities become known, review team members will not identify or discuss any individuals involved in any case materials, except as necessary within review team meetings.

5. Team members are not authorized to release or discuss any details of the review or case information to anyone outside of the review team or , except as agreed to through the release of findings and recommendations.

Team member signature:_____

Print Name: _____ Date:_____

This project was supported by Grant No. 2014-TA-AX-K043. Awarded by the Office on Violence Against Women, US. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

Developed by SVJI @ MNCASA 2015. Use with permission and attribution, no alterations without permission.

Observation Form

Case ID number: **Reviewer:**	
1. INITIAL RESPONSE	**OBSERVATIONS**
• Advocacy offered/engaged • SA exam offered/encouraged as applicable (AA) • Coordination within dept. /with outside resources (AA) • Report uses victim's language and descriptive words as applicable/appropriate • Complete, thorough documentation • Crime scene secured, proper evidence collected • Additional observations	
2. VICTIM IN-DEPTH INTERVIEW	**OBSERVATIONS**
• Uses trauma informed practices • Report uses victim's language and descriptive words as applicable/appropriate • Report captures the full context of the crime in language of non-consensual sex • Context of force, threat, or fear victim experienced well documented in interview (AA) • Documented unique factors that affected victim's experience, perspective and response (e.g. cognitive impairment, size differences, immigration status) • Complete, thorough documentation • Additional observations • How is victim credibility measured/determined? • To what extent does the case rely on information/evidence from the victim?	

3. SUSPECT INTERVIEW	OBSERVATIONS
• Suspect interview attempted/accomplished • Report uses suspect's language as appropriate • Elements of 'voluntariness' of statement highlighted (or suspect Mirandized if in custody) • Offender history collected/investigated (AA) • Suspect's role in 'setting up' the assault (or creating the conditions of vulnerability) noted • Areas of corroboration of victims' account highlighted; implausible/absurd statements highlighted • Forensic/physical exam conducted (AA) • Additional observations • How is suspect credibility measured/determined? • To what extent does the case rely on information/evidence from the suspect?	
4. EVIDENCE COLLECTION/WITNESS IDENTIFICATION	**OBSERVATIONS**
• Information necessary to prove elements of the crime included/noted • Witnesses identified and interviewed (witnesses at scene, witnesses who know suspect, initial disclosure witnesses, etc.) • Interviews recorded • Comprehensive evidence collection (e.g. photographs, physical/forensic evidence from suspect, clothes, pre-text calls)	

OVERALL QUESTIONS	
1. To what extent does the documentation capture the full context of the crime/sexual assault?	Circle one: Low 1 2 3 4 High Notes:
• Are there things that are routinely captured? • Are there things that are routinely missed? • Language of victim included • Information from appropriate parties collected • Appropriate history gathered • Length/detail of report fits the complexity of crime	
2. To what extent did the process used by (police department) (timing, interview content, follow up, handoffs between responders, etc.) support a successful case outcome?	Circle one: Low 1 2 3 4 High Notes:
• What factors support best practice? • What factors get in the way of best practice? • What would make best practice easier?	
3. To what extent do we see a victim-centered response?	Circle one: Low 1 2 3 4 High Notes:
• Does the process accommodate the victim or does it require that the victim conform to the needs of the department? • Appropriate follow up with victim • Accessibility for victim considered • AA-victim needs identified and attended to by LE or through coordination with other responders (e.g. safety issues, information needs, financial concerns). • Victim provided notification of crime victim rights	

4. To what extent is the report organized for clear communication of the case to the reader?	Circle one: Low 1 2 3 4 High Notes:
• Documents summarizes the main points • Report 'connects the dots' for the reader • Case refutes likely defenses—including consent defense—as applicable • Minimizes opportunities for negligible/meaningless contradictions	

Developed by SVJI @ MNCASA 2015. Use with permission and attribution, no alterations without permission.

Team Findings Form

Response Area		
1. Initial response		
What was done well in this area?	**What can be improved upon?**	**Recommendations related to this area?**

Response Area		
2. Victim in-depth interview		
What was done well in this area?	**What can be improved upon?**	**Recommendations related this area?**

Response Area		
3. Suspect interview		
What was done well in this area?	**What can be improved upon?**	**Recommendations related this area?**

Response Area		
4. Evidence collection/witness identification		
What was done well in this area?	**What can be improved upon?**	**Recommendations related to this area?**

Overall Questions		
1. To what extent does the documentation capture the full context of the crime/sexual assault?		
What was done well in this area?	**What can be improved upon?**	**Recommendations related to this area?**

Overall Questions		
2. To what extent did the process used by (police department) (timing, interview content, follow up, handoffs between responders, etc.) support a successful case outcome?		
What was done well in this area?	**What can be improved upon?**	**Recommendations related to this area?**

Overall Questions		
3. To what extent do we see a victim-centered response?		
What was done well in this area?	**What can be improved upon?**	**Recommendations related to this area?**

Overall Questions		
4. To what extent is the report organized for clear communication of the case to the reader?		
What was done well in this area?	**What can be improved upon?**	**Recommendations related to this area?**

Overall Questions		
5. Role of Victim		
What was done well in this area?	**What can be improved upon?**	**Recommendations related to this area?**

Overall Questions		
6. Role of Suspect		
What was done well in this area?	**What can be improved upon?**	**Recommendations related to this area?**

Developed by SVJI @ MNCASA 2015. Use with permission and attribution, no alterations without permission.

Roadmap for Response: A Tool for Prosecutor's and Law Enforcement

1. Initial Response	
Advocacy offered/engaged	
1	Victim advocacy services were not explained or offered to the victim. Victim advocate was not contacted or engaged.
2	Victim advocacy services were explained to the victim. Victim advocate was offered and/or a referral was made for advocacy services.
3	Victim advocacy services were explained to the victim. Victim advocate was contacted, with the victim's consent, but not engaged until after the response.
4	Victim advocacy services were explained to the victim. Victim advocate was contacted and engaged, with the victim's consent, but not throughout the entire process.
5	Victim advocacy services were explained to the victim. Victim advocate was available at the first contact the victim made with a service provider. Victim advocate was fully engaged, with the victim's consent, throughout the process.
NA	
Sexual assault exam offered/encourage as applicable	
1	Sexual assault exam was not explained or offered to the victim.
2	Sexual assault exam offered as an afterthought, prompted by advice from other responders.
3	Sexual assault exam, and no cost information, explained to the victim. Immediate access to exam delayed because of law enforcement decision to interview victim and/or conduct other investigative steps before the exam. No assistance was provided in transporting victim when victim was at a different location than the exam site.
4	The medical and investigative benefits of a sexual assault exam, and no cost information, were explained to the victim. Sexual assault exam was offered, but delayed due to investigative tasks. When necessary, law enforcement transported or facilitated transportation of victim to the exam site.
5	Sexual assault exam benefits, and no cost information, were explained to the victim. When necessary, law enforcement transported or facilitated transportation of victim to the exam site. Sexual assault exam was completed and kit paperwork obtained prior to an in-depth interview of the victim.
NA	

Coordination within department with outside resources as applicable	
1	No evidence of coordination within department or with outside resources.
2	Some evidence of coordination within department, but little engagement with outside resources.
3	Evidence of coordination within department and regular engagement with advocacy and medical providers.
4	Coordinated response within all pertinent areas of the department and regular engagement with advocacy, medical, and mental health providers.
5	Coordinated response within all pertinent areas of the department and a high level of engagement with other public, private, and/or non-profit service providers.
NA	
Report uses victim's language and descriptive words as applicable/appropriate	
1	The report used none of the language and descriptive words used by victim.
2	The report accurately paraphrased statements made by the victim, but rarely used direct quotes.
3	The report quoted language and descriptive words used by the victim, but more often paraphrased the victim's statements.
4	The report regularly quoted language and descriptive words used by the victim and accurately paraphrased victim's additional statements.
5	The report consistently quoted language and descriptive words used by the victim, especially when the statements pertained to the victim's thoughts and feelings. Additional statements were accurately paraphrased without using law enforcement jargon or other language that would tend to sanitize or minimize the victim's experience.
NA	
Complete, thorough documentation	
1	The report included little detail beyond that needed to document the elements of the reported crime. There was no documentation to describe the victim's perspective or the full context of the crime.
2	The report included complete detail of elements of the reported crime and some detail regarding information collected and actions taken during the investigation. There was some documentation to demonstrate the context of the crime, but nothing to reflect the victim's perspective.
3	The report included complete detail of the elements of the reported crime, and adequately documents additional information gathered and actions taken during the investigation. There was some documentation of the context of the crime from the perspective of the victim.

4	The report included complete detail of the elements of the reported crime and all other information gathered and actions taken during the investigation. There was some documentation of the level and nature of coordination with other service providers. The context of the crime was presented from the perspective of the victim.
5	The report fully and accurately reflected the context and reality of the reported crime from the victim's perspective, and includes descriptive language to describe the victim's emotional state. There was thorough documentation of information gathered and actions taken during the investigation, including dates and times of investigative steps and hand offs between responders, a complete listing of witnesses, and descriptions and dispositions of crime scenes and evidence. The context of the crime was presented from the perspective of the victim, with appropriate documentation of the victim's thoughts and feelings.
NA	
Crime scene secured, proper evidence collected	
1	Law enforcement was aware of the crime location, but took few, if any, steps to secure the scene(s). Little, if any, evidence was collected and/or preserved.
2	Law enforcement was aware of the crime location, but might not have secured or maintained control of the scene(s). Some evidence was collected during the course of the investigation.
3	The crime scene(s) was located and secured as soon as possible after the initial report, considering circumstances of the incident. Evidence was located, documented, collected, and securely stored with complete documentation of the chain of custody.
4	The crime scene(s) was located and secured as soon as possible after the initial report, considering the circumstances of the incident. Photos, video, and/or other documentation of the crime scene was done. All pertinent evidence was identified, processed, and securely stored with complete documentation of the chain of custody. Evidence was submitted, as appropriate, for processing by the crime lab or other trained evidence processing technicians.
5	The crime scene(s) was located and secured as soon as possible after the initial report, considering the circumstances of the incident. Photos, video, and/or other documentation of the crime scene was done. All pertinent evidence was identified, processed, and securely stored with complete documentation of the chain of custody. Evidence was submitted, as appropriate, for processing by the crime lab or other trained evidence processing technicians. Appropriate medical releases were obtained and all lab results and/or medical reports were added to the case file.
NA	

Additional observations	
1	
2	
3	
4	
5	
NA	

2. Victim In-depth Interview	
Uses trauma-informed practices	
1	An in-depth interview was conducted immediately upon law enforcement contact with the victim. The victim was not told about the services provided by victim advocacy, and no advocate was present during the interview. The interview was done in a non-private location, such as a hospital room or trauma unit cubicle, within the hearing of others.
2	An in-depth interview was conducted shortly after law enforcement contact with the victim. The victim was told about the services provided by victim advocacy, but no advocate was present during the interview.
3	An in-depth interview was conducted after the victim met with medical providers. The victim was told about the services provided by victim advocacy, and law enforcement facilitated contact with an advocate. The interview was conducted in a private location.
4	An in-depth interview was conducted at least 24 hours after the time of the assault. The interview was conducted in a private location and was recorded by law enforcement. The victim was told about the services provided by victim advocacy and an advocate was present during the interview.
5	An in-depth interview was conducted at least 24 hours after the time of the assault and after the victim had completed two sleep cycles. The interview was conducted at a time and in a place that best suited the needs of the victim. The victim was told about the services provided by victim advocacy and, with the victim's consent, an advocate was present during the interview. If requested by the victim, and following appropriate evaluation by the investigator, a non-advocate support person, such as a family member or friend, was allowed to be present during the interview.
NA	
Report uses victim's language and descriptive words as applicable/appropriate	
1	The report did not use the victim’s language and descriptive words. There were no direct quotes highlighted in the report. The interview was not recorded.
2	The report paraphrased the victim’s statements and reflected some of the victim’s descriptive words. The interview was audio recorded.
3	The report accurately paraphrased statements made by the victim, and occasionally included descriptive words and other direct quotes to highlight actions taken by the victim and/or the suspect. The interview was audio recorded.
4	The report accurately paraphrased statements made by the victim, and regularly used descriptive words and other direct quotes to demonstrate the context of the crime. The statement was audio and video recorded.
5	The report fully documented victim language and descriptive words, especially as they applied to the victim's thought and feelings. Direct quotes were used to demonstrate the full context of the crime from the victim's perspective. The interview was audio and video recorded.

NA	
Report captures the full context of the crime in language of non-consensual sex	
1	The report did not address the context of crime from the victim's perspective. The documentation included no description of the location of the assault, or the victim's level of comfort and familiarity with the location. There was no description or documentation of the victim's thoughts and feelings before, during, and after the assault.
2	The report did not address the context of the crime from the victim's perspective. The documentation included a description of the location of the assault and some detail regarding the victim's familiarity with the location. There was little documentation about the victim's thoughts and feelings at the time of the assault.
3	The report contained some information regarding the context of the crime from the victim's perspective, including documentation of what the victim was thinking and feeling at the time of the assault. There was a description of the location of the assault and some detail regarding the victim's level of familiarity with the location. The report included some explanation of the nature of the relationship between the victim and the suspect.
4	The report fully documented the context of the crime from the victim's perspective, including the dynamics of the relationship between the victim and the suspect. There was some documentation of the victim's thoughts and feelings before, during, and after the assault. There was a description of the location of the assault and some detail regarding the victim's level of familiarity with the location. The report included information regarding potential witnesses.
5	The report fully documents the context of the crime from the victim's perspective, including the dynamics of the relationship between the victim and the suspect. There is thorough documentation of the victim's thoughts and feelings before, during, and after the assault. The report contains detail regarding the location of the assault, the reasons the victim and suspect were at the location, and the victim's level of comfort and familiarity with the location. The report further documents whether others were present before, during, and/or after the assault; or whether others participated in or acted in a way that would facilitate the assault.
NA	
Context of force, threat, or fear victim experienced well documented in interview as applicable	
1	There was no documentation regarding the suspect's use of weapons, physical strength, aggressive actions, or threatening words and/or gestures. The report did not document the victim's thoughts and feelings regarding their safety.
2	The report included some documentation of the suspect's use of force and/or weapons, but little information to document the use of threats or coercive behavior.

3	The report described the suspect's actions during the assault and documents how the victim reacted to the suspect's actions. There was thorough detail regarding the suspect's use of force and/or weapons, and some information to document the use of threats or coercive behavior.
4	The report described the suspect's actions before, during, and after the assault, and documented how the victim reacted to the suspect's actions. There was thorough documentation of the suspect's use of force and/or weapons. The report documented the victim's thoughts and feelings regarding their safety.
5	The report contained complete detail regarding the suspect's words and actions before, during, and after the assault; including use of weapons, use of assaultive/aggressive behavior, use of threatening words and/or gestures, and use of physical/mechanical restraint. The report documented the victim's thoughts and feelings regarding their safety and thoroughly described the way in which the victim responded to the suspect's words and actions.
NA	
Documented unique factors that affected victim's experience, perspective, and response (e.g. cognitive impairment, size differences, immigration status)	
1	The report included no information regarding the victim's physical, emotional, psychological, or developmental capabilities. There was no indication in the report whether the victim or suspect were using alcohol or drugs. There was no documentation regarding the nature of the relationship between the victim and the suspect.
2	The report included little information regarding the victim's physical, emotional, psychological, or developmental capabilities. The report documented the use of alcohol and/or drugs by the victim and the suspect. There was some documentation regarding the nature of the relationship between the victim and the suspect.
3	The report included information regarding the victim's physical, emotional, psychological, and developmental capabilities. The report included detail regarding the use of alcohol and/or drugs by the victim and the suspect. There was some documentation regarding the nature of the relationship between the victim and the suspect.
4	The report documented the victim's physical, emotional, psychological, and developmental capabilities; and provided some comparison to similar characteristics of the suspect. The report included detail regarding the use of alcohol and/or drugs by the victim and the suspect, including information about how the alcohol and/or drugs were obtained. There was some documentation regarding the nature of the relationship between the victim and the suspect.

5	The report included complete detail regarding the victim's physical, emotional, psychological, and developmental capabilities; including documentation of language differences, size differences, and immigration/probation/marital statuses of the victim and suspect. The report contained complete detail regarding the use of alcohol and/or drugs by the victim and the suspect, including information about how the alcohol and/or drugs were obtained and whether the victim's use of alcohol and/or drugs was voluntary, coerced, or forced. There was thorough documentation of the nature of the relationship between the victim and the suspect.
NA	

Complete, thorough documentation	
1	The report contained little detail beyond that needed to document the elements of the crime. There was little, if any, documentation of the victim's thoughts and feelings before, during, and after the assault. There was no indication whether the victim told others about the assault. There was little documentation regarding the location of the assault, the nature of any evidence, or the presence of witnesses.
2	The report contained some detail regarding the victim's and suspect's words and actions, including some description of the victim's thoughts and feelings at the time of the assault. The report included information about potential witnesses. There was some information regarding the relationship between the victim and the suspect.
3	The report documented the words and actions of the victim and the suspect, and included information regarding the victim's thoughts and feelings before, during, and after the assault. The report included information about any potential witnesses to the assault and to the actions of the victim and/or suspect after the assault. The report included information regarding the relationship between the victim and the suspect. The report documented the location of the assault and described any evidence identified and/or collected.
4	The report thoroughly documented the words and actions of the victim and the suspect, and included information regarding the victim's thoughts and feelings before, during, and after the assault. The report included information about any potential witnesses to the assault and to the actions of the victim and/or suspect after the assault. The report included information regarding the relationship between the victim and the suspect. The report described the location of the assault and included documentation of any evidence identified and/or collected.

5	The report thoroughly documented the words and actions of the victim and the suspect, including the victim's response to the words and actions of the suspect and the victim's thoughts and feelings before, during, and after the assault. The report documented whether the victim told others about the assault, including who was told, what they were told, and when they were told. There was a complete listing of those who witnessed the words and actions of the victim and the suspect before, during, and after the assault. There was thorough documentation regarding the nature of the relationship between the victim and the suspect. The report included an in-depth description of the location of the assault, and included documentation of any evidence identified, where it was located, and how it was collected and processed.
NA	
Additional observations	
1	
2	
3	
4	
5	
NA	

3. Suspect Interview(s)	
Suspect interview attempted/accomplished	
1	Law enforcement made little, if any, attempt to identify the suspect. If the suspect was identified, no attempt was made to conduct an interview.
2	Law enforcement was unable to locate the identified suspect. There was little documentation of the effort taken to locate the suspect.
3	Law enforcement identified and located the suspect; the suspect refused to be interviewed, however.
4	Law enforcement identified and located the suspect. The report contained documented the efforts taken to locate the suspect. The suspect agreed to a limited interview.
5	Law enforcement identified and located the suspect. The report documented the efforts made to locate the suspect. A thorough interview with the suspect was recorded and documented in the report.
NA	
Report uses suspect's language as appropriate	
1	The suspect interview was not recorded. The report included none of the suspect's language and descriptive words. There were no suspect quotes highlighted in the report.
2	The suspect interview was not recorded. The report incorporated some of the suspect's language, but no direct quotes were highlighted in the report.
3	The suspect interview was recorded. The report included some suspect language and occasionally included quotes to describe suspect's actions.
4	The suspect interview was recorded. The report accurately paraphrased the suspect's statement regarding their thoughts and actions during the assault. The report included quotes to describe suspect's actions.
5	The suspect interview was recorded. The report accurately paraphrased the suspect's statement, but relied primarily on direct quotes from the suspect when describing the victim's actions; and the suspect's thoughts and actions before, during, and after the assault.
NA	

Elements of 'voluntariness' of statement highlighted (or suspect Mirandized if in custody)	
1	The report contained no detail to demonstrate the voluntariness of the suspect's statement. There is no indication whether the suspect was advised of their rights under Miranda.
2	The report contained little documentation of the voluntariness of the suspect's statement, other than indicating whether the suspect was in custody. If the suspect was in custody, the report documented whether they were advised of their rights under Miranda.
3	The report documented the location of the interview and indicated whether the suspect was in custody. There was some information describing the conversation between the investigator and the suspect prior to the interview, including documentation of suspect's statement indicating the voluntariness of the statement. If the suspect was in custody, the report documented the fact that the suspect was advised of their rights under Miranda.
4	The report documented the time and place of the interview and those present during the interview. The report included some description of the conditions of the interview room, and the suspect's physical and emotional condition. There was thorough documentation of the voluntariness of the suspect's statement, including all conversation between the investigator and the suspect in which the suspect was explicitly told they were not in custody and were free to leave. If the suspect was in custody, the report documented that the suspect was advised of and clearly waived their rights under Miranda.
5	The report documented the time and place of the suspect interview; those present during the interview; and those, if any, who were excluded from or asked to leave the interview. The report also included detail regarding the conditions at the interview location, the suspect's physical and emotional condition, whether the interviewer or others present were in plain clothes or uniform, and whether the interviewer or others present were displaying a weapon. The suspect was advised of their rights under Miranda; and the report thoroughly documented a clear understanding and waiver; or, if the suspect was not in custody, they were explicitly advised that they were not in custody and were free to leave at any time.
NA	
Offender history collected/investigated as applicable	
1	No offender history was collected.
2	Law enforcement obtained only the suspect's criminal history.
3	Law enforcement obtained the suspect's criminal history. An interview was conducted to determine the suspect's relationship with the victim, and whether the suspect had been involved in threatening and/or assaultive behavior in the past with the current victim.

4	Law enforcement obtained the suspect's criminal history. The suspect was interviewed in regard to their relationship with the victim, including how they met, how long they've known one another, the nature of their relationship, and whether there have been any previous unreported incidents. The suspect was also interviewed about their involvement in threatening and/or assaultive behavior with others. The report documents law enforcement efforts to verify or refute information provided by the suspect.
5	Law enforcement obtained the suspect's criminal history. A thorough interview was conducted regarding the suspect's relationship with the victim, including how they met, how long they've know one another, and the nature of their relationship. The suspect was also questioned regarding their involvement in threatening and/or assaultive behavior with others. The report documented a thorough investigation to verify or refute the suspect's statements made, efforts made to identify and interview witnesses to the suspect's behavior, and the existence of prior accusations not in the suspect's criminal history. The report contained information regarding the suspect's prior relationships, and prior assaultive and/or threatening behaviors toward others, including indicators of potential predatory behaviors.
NA	
Suspect's role in 'setting up' the assault (or creating the conditions of vulnerability) noted	
1	The report documented no inquiry into the suspect's role in creating or enhancing the victim's vulnerabilities in order to facilitate the assault.
2	The report documented little, if any, information regarding the suspect's actions to facilitate the assault. The interview focused primarily on the interactions between the suspect and the victim at the time of the assault.
3	The report documented information regarding the suspect's actions to create or enhance the victim's vulnerabilities, including the use of alcohol and/or drugs. The report included detail about the suspect's observations regarding the victim's physical and emotional condition, and also suspect's documented statements regarding their awareness of the victim's vulnerabilities and diminished capabilities.
4	The report documented information regarding the suspect's actions to create or enhance the victim's vulnerabilities, including the use of alcohol and/or drugs. The report included detail about the suspect's observations regarding the victim's physical and emotional condition, and also the suspect's documented statements regarding their awareness of the victim's vulnerabilities and diminished capabilities. There was also documentation of the nature and history of the suspect and victim's relationship, including the circumstances of their interactions before, during, and after the assault.

5	The report documented a thorough interview with the suspect, including information about the history of the suspect's relationship with the victim; the nature of that relationship; and the circumstances of interactions between the suspect and the victim before, during, and after the assault. The report provided detailed information regarding the suspect's observations of the victim's physical and emotional condition, and documented statements made by the suspect regarding their awareness of the victim's vulnerabilities and diminished capabilities.
NA	
Areas of corroboration of victim's account highlighted; implausible/absurd statements highlighted	
1	The report documented only the suspect's account of what happened.
2	The report documented some statements from the suspect that corroborated victim's statements made about the assault.
3	The report documented admissions from the suspect that corroborated significant details of the encounter with the victim. There also was a detailed description of the ways in which the suspect's statement was similar to or differed from the victim's statement.
4	The report documented admissions from the suspect that corroborated significant details of the encounter with the victim. There also was a detailed description of the ways in which the suspect's statement was similar to or differed from the victim's statement. The report further documented suspect's implausible and/or absurd statements.
5	The report documented admissions from the suspect that corroborated significant details of the encounter with the victim. There also was a detailed description of the ways in which the suspect's statement was similar to or differed from the victim's statement. The report documented statements made by the suspect as to why the victim's statement might differ from their statement, including suspect's speculation as to why the victim might lie or provide an inaccurate statement. The report further included statements made by the suspect that seemed to be implausible and/or absurd. When applicable, the report documented the suspect's response when confronted with information gathered during a pretext phone call or other pre-textual contact between the victim and the suspect.
NA	

Forensic/physical exam conducted as applicable	
1	No effort was made to collect suspect samples or to conduct a forensic examination of the suspect.
2	A request was made to collect suspect samples and/or to conduct a forensic examination of the suspect, but refused. The report contains no indication that a search warrant or other court order was sought to allow a forensic examination of the suspect.
3	A suspect DNA sample was requested, or ordered by the Court, and obtained. All readily apparent scars, tattoos, and injuries to the suspect were photographed and documented in the report. No further forensic/physical examination of the suspect was done. The chain of custody for evidence collected from the suspect was documented in the report.
4	A suspect DNA sample was requested, or ordered by the Court, and obtained. All readily apparent scars, tattoos, and injuries to the suspect were photographed and documented in the report. A further physical/forensic exam of the suspect was requested and refused. There was no documentation in the report indicating that a search warrant or other court order was sought to allow an examination. The chain of custody for evidence collected from the suspect was documented in the report.
5	A forensic/physical examination of the suspect was requested, or ordered by the Court, and was completed. The report included details about the location of the examination, the methods used for collecting evidence, and the name and qualifications of the person(s) conducting the examination. All scars, tattoos, and injuries to the suspect were photographed and documented in the report. The chain of custody for all evidence taken from the suspect, including a DNA sample, was documented in the report.
NA	
Additional observations	
1	
2	
3	

4	
5	
NA	

4. Evidence Collection/Witness Identification	
Information necessary to prove elements of the crime included/noted	
1	The report lacked documentation regarding the presence or lack of consent. No information was documented regarding the threat and/or use of force. There was no documentation of suspect's or victim's actions, and no documentation of injury related to those actions.
2	The victim was asked about consent, but the report contained incomplete documentation of the interactions between the suspect and the victim. The report documented some questions regarding the threat and/or use of force. The report paraphrased the victim's statement, and included no quotes or other victim language to describe the suspect's or victim's actions. The report contained no documentation of injury to or physical complaints of the victim.
3	The victim was asked about consent, and their reply was documented using some of the victim's language. The victim was asked about any coercion, or the threat and/or use of force by the suspect. Any coercion, threats, and/or use of force were documented using some of the victim's language; the documentation of victim and suspect action was primarily in the investigator's language, however. The victim was asked about injury, but was not asked about physical pain or emotional distress. The report included a description of any injuries to the victim.
4	The victim was asked about consent, and their reply was documented using quotes or other language used by the victim. The report accurately documented victim's words or actions to provide or withhold consent. The victim was asked about any coercion, or the suspect's threat and/or use of force or weapons. Any coercion, threats, and/or use of force or weapons were documented using victim's quotes or other language. Information regarding the victim's and suspect's actions were documented in the report using the language of non-consensual sex; details about the victim's thoughts and feelings were not included, however. The victim was asked about injury or physical pain, but was not asked about emotional distress. The report included a description of injury to or physical complaints of the victim, but there was no documentation indicating the injuries and/or pain were verified by medical providers.
5	The victim was asked about consent, and their reply was documented using their quotes or other language, and accurately reflected the language of non-consensual sex. The report accurately documented victim's words or actions to provide or withhold consent. The victim was asked about any coercion, or the threat and/or use of force or weapons by the suspect. Any coercion, threats, and/or use of force or weapons were documented using the victim's quotes or other language. Information regarding the victim's and suspect's actions were documented in the report using the language of non-consensual sex; and included a detailed description of the victim's thoughts and feelings before, during, and after the assault. The victim was referred for medical forensic examination; and medical reports documenting the examination findings are included in the case file, along with a description of the victim's complaints of any injury, physical pain, and/or emotional distress suffered as a result of the assault.

NA	
Witnesses identified and interviewed (witnesses at scene, witnesses who know suspect, initial disclosure witnesses, etc.)	
1	No witnesses were identified or indicated in in the report.
2	Witnesses at the location of the assault, or who heard the victim's initial disclosure, were identified, but not all were interviewed. Witnesses who knew the suspect were not identified. No information was documented regarding the nature of any prior or ongoing relationship between the victim and the suspect.
3	Witnesses at the location of the assault, or who heard the victim's initial disclosure, were identified and recorded interviews were conducted. Some additional witnesses who knew the victim and/or the suspect were identified, but not all were interviewed. Minimal information was included about the nature of the relationship between the victim and the suspect, but nothing was documented regarding the witnesses' knowledge and observations. The report did not include documentation of follow-up interviews with any of the witnesses.
4	Witnesses at the location of the assault, or who heard the victim's initial disclosure, were identified and recorded interviews were conducted. Follow-up with these witnesses was done as indicated by the investigation. Witnesses who interacted with the victim and/or suspect prior to the assault were identified, but not all were interviewed. Additional witnesses who knew the victim and/or suspect were identified. The report included details about the relationship between the victim and the suspect, and some of that information was corroborated through witness interviews.
5	Witnesses at the location of the assault, or who heard the victim's initial disclosure, were identified and recorded interviews were conducted. Witnesses who interacted with the victim and/or suspect prior to the assault, or received information related to the assault from the victim and/or suspect, were identified and recorded interviews were conducted. Additional witnesses who knew the victim and/or suspect were identified and recorded interviews were conducted. The report included details about the relationship between the victim and the suspect, and, whenever possible, that information was corroborated by witnesses. Follow up with all witnesses was done as indicated by the investigation.
NA	
Interviews recorded	
1	No interviews were conducted
2	Law enforcement interviewed the victim. The suspect and a small number of potential witnesses were interviewed. The report documented the contents of the interviews, but few interviews were recorded. There were no follow-up interviews noted in the report.
3	Law enforcement conducted in-depth, recorded interviews with the victim and the suspect. A majority of witnesses were interviewed, but not all witness interviews were recorded. The report included documentation of one or more follow-up interviews with the victim and/or the suspect.

4	Law enforcement conducted in-depth, recorded interviews with the victim and the suspect. Recorded interviews were conducted with all witnesses, but the report included only partial details of the interview contents. There were some follow-up interviews done and documented in the report.
5	Law enforcement conducted in-depth, recorded interviews with the victim, the suspect, and all witnesses. The report included pertinent facts and details discovered through the interviews, and documented this information using quotes and other language used by the interview subjects. Recorded follow-up interviews were conducted, as needed, and the results were documented in the report.
NA	
Comprehensive evidence collection (e.g. photographs, physical/forensic evidence from suspect, clothes, pre-text calls)	
1	The report did not indicate whether the crime scene was located, or, if located, whether it was searched. There was no documentation of evidence collected that would substantiate or refute statements made by the victim, suspect, and/or witnesses.
2	The crime scene was located, but not secured. There was no information in the report regarding photographic documentation of the scene. Evidence was collected from the scene after a delayed time period or was provided to law enforcement by the victim, suspect, and/or witnesses. The report did not include detail regarding the location of evidence, and did not document how the evidence was packaged and secured. A medical forensic examination was offered to the victim, but there was no information about the results of the examination included in the report. No suspect examination was done. A pre-textual telephone call was not done. Other sources of potential evidence were not identified or followed up on.
3	The crime scene was located and secured. Any people present at the scene were identified. Crime scene photographs were taken, but did not fully demonstrate the conditions at the scene or the context of the reported assault. A search was conducted and some evidence was collected that corroborated statements made by the victim, suspect, and/or witnesses. Any evidence collected was packaged and secured by investigators. A medical forensic examination of the victim was conducted, and the results were documented in the report. A medical forensic examination of the suspect was not done, but a buccal swab was taken pursuant to consent. Additional evidence was indicated in the report, but the documentation was unclear about where the evidence was located or by whom it was found. A pre-textual telephone call was considered due to the circumstances of the assault, but was not done.

4	The crime scene was located and secured. All people at the scene were identified, and the report indicated that some of the witnesses were interviewed. There was photographic documentation of the scene, but not all of the photographs could be accurately interpreted. A thorough search of the scene was conducted and evidence that corroborated statements made by the victim, suspect, and/or witnesses was collected by a trained technician, securely packaged, and documented in the report. A medical forensic examination of the victim was conducted pursuant to demonstrable consent, and the results of the examination were included in the report. A medical forensic examination of the suspect was done pursuant to court order or demonstrable consent, and documented in the report. A recorded, pre-textual telephone call was done, as indicated by the circumstance of the assault, and the results were documented in the report. Any potential sources of evidence outside the scene were identified and collected; but the report did not include detail about where, when, and/or by whom the evidence was collected.
5	The crime scene was located and secured as soon as possible after the initial report of a sexual assault. All people present at the scene were identified, and recorded interviews were conducted. The crime scene was documented through still and video photography. A thorough search of the scene was conducted; and all evidence was identified and collected by a trained technician, securely packaged, and documented in the report. A medical forensic examination of the victim was conducted pursuant to demonstrable consent, and the results of the examination were included in the report. A medical forensic examination of the suspect was conducted pursuant to court order or demonstrable consent, and the results of the examination were included in the report. Pre-textual telephone calls or other communications between the victim and the suspect were done, as indicated by the investigation, and the results were documented in the report. Any potential sources of evidence outside the crime scene were identified, located, and collected by a trained technician. Pertinent evidence was submitted for forensic examination by a certified laboratory or forensic examiner, and the results of any examination was included in the report.
NA	

Law Enforcement Case File Content

Initial Incident Report
This often is a two-part form. The first part, *Cover Page*, is used to document the who, what, when, and where of the incident. The second part, *Narrative*, documents the actions taken by the first responding officer.

Supplemental Report
This is a multi-purpose form used to:

- Document the actions taken by any additional officers involved in the initial response
- Document the actions taken by follow-up officer(s) and investigator(s)
- Paraphrase the statements of the victim(s), suspect(s), and witness(es)
- Document the search of any scene, vehicle, or person
- Document the status of any evidence collected
- Document changes to case status

Evidence Sheet
This is a listing of all evidence collected in the case. The form includes:

- Description of evidence
- Location Found
- Found by whom
- Documented by whom
- Storage location
- Disposition of evidence
- Chain of custody

Photo Log
This is a listing of all the photos and videos taken, including subject, location, photographer, and time/date.

Evidence Report
This is the report from the crime lab or other evidence processor documenting what was learned from processing the evidence.

Medical Report
This is the report from the medical staff at the hospital regarding the examination

of the victim. There also would be a suspect report if medical staff did an examination of the suspect.

Offender Tracking Form

This document is created by Minnesota law enforcement agencies (often by Records Unit personnel) when a suspect is arrested. A sample of the OTF form can be found at:
https://dps.mn.gov/divisions/bca/bca-divisions/mnjis/Pages/using-livescan-form.aspx

Mock Case File Cover Sheet

Case: 2015-006518

A. Persons Involved

SUSPECT: 32 yo male, work-related acquaintance of victim
VICTIM: 22 yo female
REPORTING PARTY: 23 yo female, roommate of victim
INVOLVED OTHER 1: 28 yo male, suspect's roommate
INVOLVED OTHER 2: 28 yo male, [**Bar or Restaurant**] employee, acquaintance of Suspect

B. Responders

OFFICER 1: Responds to Initial Incident.
SANE 1: SEXUAL ASSAULT NURSE EXAMINER who conducts a medical forensic exam for **VICTIM**.
DETECTIVE 1: PRIMARY INVESTIGATOR.
DETECTIVE 2: Assists **DETECTIVE 1** with search of suspect's residence (photographer).
OFFICER 2: Assists **DETECTIVE 1** with search of suspect's residence (evidence officer).
OFFICER 3: Assists **DETECTIVE 1** with search of suspect's residence. Transports **SUSPECT** to jail.

C. Table of Contents

- Crime Report, **OFFICER 1** (Initial Incident, identification of assault location): p. 1-2
- Supplemental Report, **DETECTIVE 1**: p. 3-6
  - **VICTIM** Interview, p. 4-5
  - **INVOLVED OTHER 2** Interview, p. 5-6
  - **INVOLVED OTHER 1** Interview, p. 6
- Supplemental Report, **DETECTIVE 1**: p. 7-8
  - **SUSPECT** Interview, p. 7-8
  - Search of **SUSPECT'S** apartment/**SUSPECT'S** arrest, p. 8
- Supplemental Report, **OFFICER 2**: p. 9
- Supplemental Report, **OFFICER 3**, p. 10

D. Timeline

Date/Time	*Event, Place in Report where described*
5/21/2015, ~5:15pm	**VICTIM** meets **SUSPECT** at [**Bar or Restaurant**] for drinks after work (p. 2, 4).
5/21/2015, ~8pm	**SUSPECT** calls **INVOLVED OTHER 1** while **VICTIM** is in bathroom (p. 6).
5/21/2015, ~8:15pm	**VICTIM** and **SUSPECT** leave [**Bar or Restaurant**] and go to **SUSPECT'S** residence. **SUSPECT** and **INVOLVED OTHER 1** have brief conversation, then **INVOLVED OTHER 1** leaves. **SUSPECT** sexually assaults **VICTIM** (p. 2, 4-5).
5/22/2015, ~1am	**INVOLVED OTHER 1** waits in his car in the driveway, sees **VICTIM** exit the residence and make a phone call (p. 6).
5/21/2015	**VICTIM** leaves **SUSPECT'S** residence via cab and heads home (p. 2, 5, 6).
5/22/15, ~2am	**VICTIM** arrives home, tells **REPORTING PARTY** that she was raped by **SUSPECT** at his residence (p. 2).
5/22/2015, 7:39am	**OFFICER 1** dispatched to **VICTIM'S** residence after **REPORTING PARTY** called the police (p. 1). **OFFICER 1** takes initial report from **VICTIM** and **REPORTING PARTY** (p. 2).
5/22/2015	**REPORTING PARTY** drives **VICTIM** to [**Medical Facility**] for medical forensic exam. **VICTIM** receives medical forensic exam with **VICTIM ADVOCATE** present (p. 2).
5/22/2015, ~9:45am	**DETECTIVE 1** dispatched to [**Medical Facility**] to meet with **VICTIM**. **DETECTIVE 1** interviews **VICTIM** with **VICTIM ADVOCATE** present (p. 4-5).
5/22/2015	**OFFICER 1** collects rape kit and **VICTIM'S** clothing from **SANE 1** (p. 2).
5/22/2015	**OFFICER 1** gives rape kit to **DETECTIVE 1** (p. 2).
5/22/2015, 11:09am	**OFFICER 2** and **OFFICER 3** visit **SUSPECT** and **INVOLVED OTHER 1** at their residence. **OFFICER 2** transports **SUSPECT** to police department. **DETECTIVES** work on obtaining a search warrant for **SUSPECT'S** residence (p. 9, 10).
5/22/2015, ~11:45am	**DETECTIVE 1** interviews **SUSPECT** (p. 7-8).
5/22/2015, 12:40pm	**DETECTIVE 1**, **DETECTIVE 2**, **OFFICER 2**, and **OFFICER 3** search **SUSPECT'S** residence. **SUSPECT** arrested and brought to jail by **OFFICER 3** (p. 8).
5/22/2015, 5:30pm	**DETECTIVE 1** interviews **INVOLVED OTHER 2** at [**Bar or Restaurant**] (p. 5-6).

5/26/2015, 2:30pm	**DETECTIVE 1** interviews **INVOLVED OTHER 1** at police department (p. 6).

E. Evidence

- 2 clothing items (pants and shirt) from the **VICTIM**.
- Forensic evidence from **VICTIM'S** rape kit.
- Sofa cushions, blanket, used tissues, "crusty off-white substance," hand towel, bras, and panties from **SUSPECT'S** residence (see p. 3 for complete list).
- Photographs from **SUSPECT'S** residence.
- Audio recording of **DETECTIVE 1'S** interview with **VICTIM**.
- Audio recording of **DETECTIVE 1'S** interview with **INVOLVED OTHER 1**.
- Audio and video recording of **DETECTIVE 1'S** interview with **SUSPECT**.

This project was supported by Grant No. 2014-TA-AX-K043. Awarded by the Office on Violence Against Women, US. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women

Developed by SVJI @ MNCASA 2015. Use with permission and attribution, no alterations without permission.

Mock Case File

Initial Report: OFFICER 1 Interview with VICTIM

On [***Date***] at about [***Time***], I was dispatched to [Victim Address] in regards to a rape. I first met with the victim's roommate, **REPORTING PARTY**, who told me her roommate, **VICTIM**, came home at about 02:00 hours and woke her up. She said **VICTIM** was very upset and crying. **VICTIM** told her she had been raped by **SUSPECT** at his residence. **REPORTING PARTY** said she has never met **SUSPECT**. She said he is not her roommate's boyfriend but just a guy she knows from work. I asked **REPORTING PARTY** if **VICTIM** told her any detail about the rape. She said **VICTIM** just said that **SUSPECT** did things to her that she didn't want. I asked where **VICTIM** was and **REPORTING PARTY** went and knocked on the door of one of the bedrooms in the apartment.

VICTIM came out of the bedroom. I asked her if she would be willing to talk with me and she said yes. I asked **VICTIM** to tell me what happened to her. **VICTIM** said she met **SUSPECT** at [***Bar or Restaurant***] for a drink after work on [***Date***]. She said they had several drinks while they were there. **VICTIM** couldn't remember how many drinks she had. She said **SUSPECT** was drinking beer and she was drinking "Fireballs."

VICTIM said they left [***Bar or Restaurant***] about 20:15 and went to **SUSPECT'S** residence. **SUSPECT'S** roommate was there, but left just after they got there. **VICTIM** said as soon a **SUSPECT'S** roommate left **SUSPECT** kind of changed. I asked what she meant by that and she said that he had been very nice and funny and everything, but he suddenly got really weird. I again asked what she meant and **VICTIM** said he was all over her.

VICTIM said **SUSPECT** kissed her and then had her sit on the sofa. He continued kissing her and started fondling her breasts. **VICTIM** said **SUSPECT** then removed her pants and performed oral sex on her. After several minutes he stood up and pulled down his pants. **VICTIM** said **SUSPECT** put his penis in her mouth and she performed oral sex on him.

VICTIM said that after several minutes **SUSPECT** took his penis out of her mouth and turned her over so she was lying face down on the sofa. **VICTIM** said **SUSPECT** then had vaginal intercourse with her. She thought the suspect ejaculated inside her.

VICTIM said **SUSPECT** then sat next to her on the sofa and put his arms around her. After about 30 minutes **VICTIM** told **SUSPECT** that she had to go to the bathroom. She said he got up with her and stood outside the door.

When she came out of the bathroom, **SUSPECT** handed her shirt and pants to her. He said she should leave because his roommate needed to come back home. **VICTIM** said she put on her shirt and pants. She found her purse in the living room and left **SUSPECT'S** residence. She called [***Taxi Company***] and got a ride home.

I told **VICTIM** that she should have an exam done at [***Medical Facility***]. She agreed to that and her roommate said she would give her a ride. I said I would meet them at [***Medical Facility***].
I went to [***Medical Facility***] and met with **SEXUAL ASSAULT NURSE EXAMINER** who said she had done a forensic exam on **VICTIM**. **SEXUAL ASSAULT NURSE EXAMINER** gave me the rape kit and the clothing VICTIM was wearing when she arrived at [***Medical Facility***]. **SEXUAL ASSAULT NURSE EXAMINER** said a victim advocate had met with **VICTIM** and that **VICTIM'S** roommate would give her a ride home. I turned over the rape kit and clothing to **DETECTIVE 1**.

Supplemental Report: OFFICER 3 Interview with INVOLVED OTHER 1

On [***Date***] at [***Time***] I responded to [***Address 1***]. I met **OFFICER 2** there as we were attempting to locate **SUSPECT** who was a suspect in a reported rape. **OFFICER 2** and I located **SUSPECT** at his residence, along with his roommate, **INVOLVED OTHER 1**.

I spoke with **INVOLVED OTHER 1** and asked him what he knew about the incident. He said **SUSPECT** called him about 20:00 hours last night and said he was bringing over "some girl." **SUSPECT** asked if he would leave the apartment. **INVOLVED OTHER 1** told **SUSPECT** that he had to work the next day, but agreed to leave. He said this was a common occurrence because **SUSPECT** dated a lot of different women. He (**INVOLVED OTHER 1**) often left the apartment when **SUSPECT** brought women home.

Both **SUSPECT** and **INVOLVED OTHER 1** were told **DETECTIVE 1** would be getting a search warrant for the residence. **OFFICER 2** transported **SUSPECT** to [***Law Enforcement***] and **INVOLVED OTHER 1** left voluntarily as he had to work. **SUSPECT** locked the door when we left and I remained outside the residence to meet detectives.

Supplemental Report: OFFICER 2 Interview with SUSPECT

On [***Date***] at [***Time***], I was contacted by **DETECTIVE 1** who asked me to see if **SUSPECT** was at his residence at [***Address 1***]. **DETECTIVE 1** said **SUSPECT** was a suspect in a rape that he was investigating. I drove to the residence where I met with **OFFICER 3**. We located **SUSPECT** and his roommate, **INVOLVED OTHER 1**, inside the residence.

SUSPECT told me **VICTIM** was his girlfriend. He said they went out for drinks last night and then she came back to his residence. He said they had sex and then she went home. **SUSPECT** said he would be willing to go to [***Law Enforcement***] to talk with a detective about what happened last night. He said he didn't understand what the problem was, though. He said it was a normal night and **VICTIM** didn't seem mad or upset when she left.

I transported **SUSPECT** to [***Law Enforcement***] and place him in the interview room. **OFFICER 3** remained outside the residence while detectives obtained a search warrant.

Supplemental Report: Detective 1 Interview with Victim

On [***Date***] at about [***Time***], I was dispatched to [***Medical Facility***] to meet with **VICTIM** who was reporting a sexual assault that occurred at [***Address 1***]. I met with **VICTIM** in a private room in the trauma unit at [***Medical Facility***]. My interview with her was recorded and a victim advocate was present.

VICTIM told me she met **SUSPECT** for drinks at [***Bar or Restaurant***] on [***Date***]. She said they made arrangements to meet when she saw him at her work on [***Date***]. **VICTIM** said she got off work about 17:00 and went straight to [***Bar or Restaurant***]. She said she left her car parked at [***Victim Employer***] where she works and walked to [***Bar or Restaurant***]. **VICTIM** said **SUSPECT** was already there when she arrived, so she joined him at the table. She said **SUSPECT** had a beer and had ordered a "Fireball" for her. I asked **VICTIM** if she and **SUSPECT** had met for drinks before so he'd know what to get her. She said no, but she thought it was nice that he seemed to have remembered her saying that she liked cinnamon.

I asked **VICTIM** how she knew **SUSPECT**. She said she first met him when she was working at [***Business***] in [***City 1***]. She said she is originally from there and worked

at [***Business***] in high school and while she attended [***College***]. She said **SUSPECT** was a UPS driver who frequently made deliveries to [***Business***]. **VICTIM** said she moved to [***City 2***] about a year ago when she got a job as a Pharmacy Technician at [***Victim Employer***]. She said she saw **SUSPECT** again when he came in to get a prescription filled.

I asked **VICTIM** how long she and **SUSPECT** were at [***Bar or Restaurant***]. She thought they were there a couple hours. She thought they left around 20:15. I asked **VICTIM** how much she had to drink and she said she couldn't remember. She said **SUSPECT** had maybe two or three beers, but he kept ordering "Fireballs" for her. **VICTIM** said she might have had four or five of them. She said that she and **SUSPECT** also had an order of spinach and artichoke dip while they were there. She said she felt the effects of the alcohol, but didn't think she was intoxicated.

VICTIM told me she went to the bathroom as they were leaving the restaurant. She said **SUSPECT** was talking to somebody on his phone when she came out. He seemed kind of surprised when she walked up behind him and he told the other person that he had to go. She said **SUSPECT** ended his call and then opened the door of the restaurant for her.

When they got into the parking lot, **SUSPECT** took her hand and asked if she'd like to go see the sunset. He told her that there were good places to see the sunset at [***Location 1***]. **VICTIM** said she'd like to do that. **SUSPECT** walked her to his car and opened the door for her. When he got in he said that he wanted to go to his residence to get a blanket because it might get cold when the sun went down.

SUSPECT drove to his residence. **VICTIM** didn't remember the address but thought it was close to [***Location 2***]. It later was determined that **SUSPECT'S** residence is [***Address 1***].

VICTIM said she went with **SUSPECT** into his residence. When they got inside, **SUSPECT'S** roommate was there. She said he introduced himself as **INVOLVED OTHER 1**. **SUSPECT** and **INVOLVED OTHER 1** had a brief conversation that she couldn't hear and then **INVOLVED OTHER 1** left the residence.

VICTIM said as soon as **INVOLVED OTHER 1** left, **SUSPECT** grabbed her in a tight hug and started kissing her neck. He held her against him with one hand while he put his other hand between her legs**. VICTIM** said he started rubbing her crotch

and tried to put his tongue into her mouth. She said she was very uncomfortable because she didn't know **SUSPECT** very well and didn't know what he would do.

I asked **VICTIM** what happened next. She said **SUSPECT** walked her backward and pushed her down onto a sofa. He let go of her when she fell back into the sofa, but stood right in front of her. **VICTIM** said **SUSPECT** took off his shirt and then told her to take hers off too. **VICTIM** took off her shirt and then **SUSPECT** leaned down and took off her bra. She said **SUSPECT** then knelt down and began kissing and stroking her breasts. She said he bit her right nipple very hard. She said it hurt, but that the bite didn't break the skin.

VICTIM said **SUSPECT** then unbuttoned her pants and pulled them off. I asked if she said or did anything when he was removing her pants. **VICTIM** said she didn't know what to do. She said she was attracted to **SUSPECT** at first but was kind of put off by how aggressive he was being. Then she just got really scared because he was acting so weird. She said she tried to get off the sofa, but **SUSPECT** was too strong. I asked **VICTIM** if **SUSPECT** said anything to her when he took off her pants. She said he didn't and that he just looked her in the eye while he was doing it.

I asked **VICTIM** what happened after **SUSPECT** took her pants off. She said he started rubbing her crotch with one hand while he squeezed her breast with the other hand. **VICTIM** said **SUSPECT** then pulled down her panties and performed oral sex on her. She asked him to stop, but he just started to do it harder and move his head back and forth. After several minutes, **SUSPECT** stood up and removed his pants and underwear. **VICTIM** said he grabbed her by the hair and pulled her head toward his groin. She said **SUSPECT** put his penis against her lips and she performed oral sex on him.

VICTIM said she had oral sex with **SUSPECT** for about five minutes when he took his penis out of her mouth. **SUSPECT** reached down and turned **VICTIM** over onto her stomach. **VICTIM** said she was kneeling on the floor bent over the front of the sofa. **SUSPECT** knelt down behind her and said something about "doing it up the ass." **VICTIM** told me she had never done that before and that she asked **SUSPECT** to "please just do her pussy." **SUSPECT** told her okay and then proceeded to have vaginal intercourse with her. **VICTIM** told me it was kind of rough. She said **SUSPECT** held her head down against the sofa with one hand and slapped her repeatedly on the buttocks with the other hand. **VICTIM** said at one point **SUSPECT** tried to put a finger into her rectum. She thought **SUSPECT** ejaculated inside her.

When **SUSPECT** finished having sex with **VICTIM**, he got up and sat on the sofa next to her. **VICTIM** said he put his arms around her and held her very tightly. She said he would tighten his grip even more if she tried to get up. After about 30 or 45 minutes, **VICTIM** told **SUSPECT** that she had to go to the bathroom. He got up and followed her to the bathroom. She stayed inside the bathroom for about 10 minutes and when she came out, **SUSPECT** was still standing there. **VICTIM** said **SUSPECT** had her shirt and pants in his hands. He told her that she had to leave because **INVOLVED PARTY 1** needed to come back home. **VICTIM** said she put on her shirt and pants. She said she couldn't find her bra or panties. **VICTIM** said she took her purse and left **SUSPECT'S** residence. She called **[Taxi Service]** and went to her residence.

VICTIM said she told her roommate, **REPORTING PARTY**, that she had been raped and that **SUSPECT** had done things to her that she didn't want. **REPORTING PARTY** said she should report what happened to the police. **VICTIM** told **REPORTING PARTY** that if she called the police, she (**VICTIM**) would talk with them.

Supplemental Report: DETECTIVE 1 Interview with INVOLVED OTHER 2

On [***Date***] at [***Time***] hours I went to [***Bar or Restaurant***] to speak with **INVOLVED OTHER 2**. I told him I was investigating an incident involving two people who had been at [***Bar or Restaurant***] yesterday evening. He said it was relatively busy last night for a Thursday, but he would do what he could to help.

I asked **INVOLVED OTHER 2** if he remembered a couple who were in the bar area about 17:00 or 17:15 last night. **INVOLVED OTHER 2** said at that time there were two groups of a man and a woman and one group of two men. He asked if I meant a man and a woman. I told him I was asking about a man and a woman who were in their twenties or thirties. **INVOLVED OTHER 2** said, "okay, you mean **SUSPECT**." He told me the other man and woman in the bar area were older, maybe in their fifties or sixties.

I asked **INVOLVED OTHER 2** how he knew **SUSPECT**. He said he knew him from working out at [***Athletic Facility***], but that he also was a regular at [***Bar or Restaurant***]. I asked **INVOLVED OTHER 2** why he considered **SUSPECT** a regular at [***Bar or Restaurant***]. He said **SUSPECT** came to [***Bar or Restaurant***] most Friday and Saturday evenings and maybe one or two other days during the week. **INVOLVED OTHER 2** said **SUSPECT** was "pretty good with the ladies" and seemed to like bringing them to [***Bar or Restaurant***].

I asked **INVOLVED OTHER 2** if he knew the woman who was with **SUSPECT** last night. He said he didn't know her name, but that she had been in once or twice with some people from [***Victim Employer***]. **INVOLVED OTHER 2** said he thought she worked there and came over for a happy hour once in a while. He then said he wasn't surprised to see her with **SUSPECT** because she was "kind of his type." I asked **INVOLVED OTHER 2** what he meant by that. He said he just meant she was young and pretty. He said he never saw **SUSPECT** with women who appeared to be his own age and he definitely never saw him with anybody who was not attractive. I asked **INVOLVED OTHER 2** if he could describe the woman who was with **SUSPECT** last night. He said she was in her early twenties, about five feet tall and 100 pounds. He said she had shoulder-length, dark brown hair. This description matches **VICTIM**.

I asked **INVOLVED OTHER 2** what he remembered about **SUSPECT** and the woman he was with last night. He said **SUSPECT** was there first and ordered drinks for both of them. **INVOLVED OTHER 2** said **SUSPECT** ordered a beer and a "Fireball." I asked **INVOLVED OTHER 2** what a "Fireball" was. He said it was a mixed drink with

vodka, cinnamon-flavored whiskey, lemonade, and strawberry syrup. **INVOLVED OTHER 2** told me "Fireballs" were very popular with women. He also said **SUSPECT** seemed to order them a lot lately when he brought women into the restaurant.

I asked **INVOLVED OTHER** when the woman got to [***Bar or Restaurant***]. He said she got there about 15 minutes after **SUSPECT** and about two minutes after he served the drinks. **INVOLVED OTHER 2** said **SUSPECT** had told him to "run a tab," so he thought they might be there a while. I asked **INVOLVED OTHER 2** how long they stayed. He said they were there about two hours. I asked **INVOLVED OTHER 2** how much they had to drink. He said he couldn't remember, but that he could ask their office people for a copy of **SUSPECT'S** credit card receipt.

I asked **INVOLVED OTHER** 2 if he heard any of the conversation between **SUSPECT** and the woman. He said he didn't hear a lot other than when he was serving drinks. He said it sounded like a normal conversation between acquaintances. I asked **INVOLVED OTHER 2** what he meant by that. He said they were just talking about their jobs and what they liked to do when they weren't working. He didn't know what they said when he was mixing drinks or serving other people.

I asked **INVOLVED OTHER 2** if he could remember anything else about **SUSPECT** and the woman with him. He said no, but then said what he saw was "kind of typical for **SUSPECT**." He said **SUSPECT** often brings women to [***Bar or Restaurant***] and ends up buying them a lot more drinks than he has himself. **INVOLVED OTHER 2** said **SUSPECT** always seemed to be really nice to the women and there never have been times when he (**INVOLVED OTHER 2**) felt uncomfortable about what was happening.

I asked **INVOLVED OTHER 2** what time he thought **SUSPECT** and the woman left Applebee's. He said he didn't know, but that the credit card receipt should show the time. He said they left pretty soon after **SUSPECT** paid.

Supplemental Report: DETECTIVE 1 Interview with INVOLVED OTHER 1

On [***Date***] at [***Time***] hours **INVOLVED OTHER 1** came to the police department to be interviewed in regard to this case. He was placed in the interview room. His interview was recorded.

I asked **INVOLVED OTHER 1** to tell me what he remembered about the night of [***Date***]. He said he was home that night. He said he got a call from **SUSPECT** at about 20:00 hours. **SUSPECT** told him he was at [***Bar or Restaurant***] with a girl he knew from [***Victim Employer***]. **SUSPECT** told him that the girl was really hot and he wanted to bring her home. **INVOLVED OTHER 1** said he replied by asking **SUSPECT** if that meant he (**INVOLVED OTHER 1**) had to leave. **SUSPECT** said yes.

INVOLVED OTHER 1 said he told **SUSPECT** he had to work the next day so he didn't want to stay out all night. **SUSPECT** told him not to worry because he just wanted to "fuck her quick." **INVOLVED OTHER 1** said before he could reply to that **SUSPECT** said he had to go and hung up.

I asked **INVOLVED OTHER 1** what happened next. He said he wasn't sure if **SUSPECT** and the girl were coming to the residence so he just hung out. **INVOLVED OTHER 1** said **SUSPECT** and the girl showed up about fifteen minutes later. He said the girl looked pretty drunk. I asked why he thought that. **INVOLVED OTHER 1** said she was kind of swaying when she stood in the living room. When they introduced themselves, **INVOLVED OTHER 1** said he could see that her eyes were kind of bloodshot and she had alcohol on her breath.

INVOLVED OTHER 1 told me he pulled **SUSPECT** aside. He told him he thought the girl was pretty drunk. **SUSPECT** told him not to worry about it and that she was fine with things. **INVOLVED OTHER 1** then told **SUSPECT** he was angry about having to leave. **SUSPECT** told him not to worry about it. He said he would make it up to him later. **INVOLVED OTHER 1** said he left the residence.

I asked **INVOLVED OTHER 1** what he did after that. He said he went to get something to eat and then went to [***Theater***] to see a movie. **INVOLVED OTHER 1** said the movie started at about 22:00 hours and ended about 00:15 hours. He said he hadn't heard anything from **SUSPECT** by the time the movie ended, so he texted him. **SUSPECT** didn't reply, so **INVOLVED OTHER 1** drove to his residence and sat in his car.

INVOLVED OTHER 1 said he was parked by the main entrance for about an hour when he saw **VICTIM** come out. He said she got her phone out and made a call. I asked **INVOLVED OTHER 1** what he did when he saw **VICTIM**. He said he just sat in his car and watched as she walked back and forth by the door. **INVOLVED OTHER 1** said **VICTIM** appeared to be upset as she kept wiping her eyes. He said his window was down and it sounded like **VICTIM** was crying and talking to herself. **INVOLVED OTHER 1** said a taxi came after about fifteen minutes and **VICTIM** left.

He said he went into his residence, but didn't talk with **SUSPECT** because he was in his bedroom with the door closed.

Supplemental Report: DETECTIVE 1 Interview with SUSPECT

SUSPECT was placed in the interview room when he arrived at [***Law Enforcement***] at about [***Time***] on [***Date***]. The audio/video recorder was activated. I advised **SUSPECT** of his rights. He said he understood and agreed to talk with me.

I asked **SUSPECT** if he was clear on why he was at [***Law Enforcement***]. He said there apparently were some issues between him and his girlfriend last night. **SUSPECT** said he just wanted to clear things up.

I asked **SUSPECT** to tell me what happened with him and his girlfriend last night. He said they went for drinks and then went back to his residence. **SUSPECT** told me they had sex and then his girlfriend went home.

I told **SUSPECT** that sounded relatively ordinary and asked if he had any idea why **VICTIM** would be upset. **SUSPECT** said he might have been kind of abrupt in asking her to leave. He said his roommate doesn't like to be around when he has sex with his girlfriend, so he left the apartment. **SUSPECT** said it was getting late and he knew **INVOLVED OTHER 1** had to work the next day. He asked **VICTIM** to leave so **INVOLVED OTHER 1** could come home and get some sleep.

I told **SUSPECT** that could be one reason **VICTIM** was upset. I asked him if it might also be because of something he did while they were having sex. **SUSPECT** said that could be, but he didn't think so. I asked him to tell me what they did, so we could make it really clear what happened.

SUSPECT said it was pretty normal sex. I asked what he meant by that. **SUSPECT** said they kissed for a while and then, "did some oral on one another" for a while. After that, they had vaginal intercourse. I asked **SUSPECT** if he could tell me a little bit more about what they did. **SUSPECT** chuckled and winked at me. He asked if I was interested in hearing all the "gritty details." I told him I was interested in hearing more about what happened.

SUSPECT told me his girlfriend was talking suggestively to him most of the time they were having drinks and driving to his residence. He said she was "ready for it" when they got to his residence. **SUSPECT** said **INVOLVED OTHER 1** was hardly

out the door when they started grabbing one another. He said they stood for a while kissing but then she backed up and sat on the sofa.

SUSPECT said **VICTIM** took off her shirt, so he took his shirt off too. He said he then bent down and took off her bra. **SUSPECT** said he kissed **VICTIM'S** breasts for a while and she was really moving around on the sofa. He thought she was getting pretty aroused, so he took off her pants and started rubbing her vagina through her underwear. He said she "really started squirming" then.

I asked about what happened next. **SUSPECT** said he removed **VICTIM'S** panties and "started licking her." **VICTIM** said something to him about stopping so he thought she was ready to have intercourse. He said he "licked her" for a little while longer and then got up to take off his pants. **SUSPECT** said before he could get his pants all the way off **VICTIM** grabbed his penis and started sucking him. He said he wanted to have intercourse before he ejaculated, so he took his penis out of **VICTIM'S** mouth. **SUSPECT** said when he looked down **VICTIM** was lying on her stomach on the edge of the sofa. He said he asked her if she wanted to do anal sex. **VICTIM** said no, so he put his penis into her vagina. **SUSPECT** said **VICTIM** really encouraged him to have sex with her. I asked why he said that. **SUSPECT** said when he knelt down behind **VICTIM** she told him "please put it in my pussy." He said she was moving around a lot and he was "going at it pretty good," so he didn't last very long. **SUSPECT** said he couldn't remember if he pulled out or if he ejaculated inside **VICTIM**.

I told **SUSPECT** that based on what he described, **VICTIM** seemed to be pretty engaged in what was going on. I asked if he could remember anything else that might have upset her. **SUSPECT** said there was one time when his thumb accidently went into **VICTIM'S** rectum. He thought she might have been mad about that, but she didn't say anything to him. In fact, he said, they sat and cuddled on the sofa for a long time after they had sex.

I told **SUSPECT** it might be reasonable to assume **VICTIM** would be upset about him putting his thumb into her rectum. I asked him if might have done anything else that she didn't like. **SUSPECT** said he couldn't remember anything. I asked if he might have scratched or slapped or bit **VICTIM** while they were having sex. **SUSPECT** told me the sex was "pretty hot but not too rough," so he didn't think he'd done any of those things last night. I asked **SUSPECT** if he'd ever done those kinds of things before and he said, "not with **VICTIM**."

I asked **SUSPECT** how long he and **VICTIM** had been dating. He said they'd known one another for years. When I asked if they had been dating that long, he said no. I asked **SUSPECT** to clarify for me how long they had been dating and what their relationship was like. **SUSPECT** said their relationship was "casual" and that they didn't go out exclusively with one another. When I asked **SUSPECT** how many times he and **VICTIM** had gone on what he would consider a date, he said that last night was their first real date. I asked him what he meant by a real date. **SUSPECT** said he meant a time when they went out for dinner and drinks together. I asked if his definition of a real date included sex. **SUSPECT** said, "yeah, if things work out." I asked **SUSPECT** if he thought **VICTIM** would define a date in the same way. He said he didn't know what I meant. I then asked if he thought **VICTIM** would define a date as dinner, drinks, and sex. **SUSPECT** said, "well, she didn't tell me no."

I told **SUSPECT** that **VICTIM** couldn't remember what happened to her bra and panties. He said that she had left kind of quickly and left them behind. **SUSPECT** said he "put them away for her." I told him I would be getting a search warrant for his residence and asked where I might find **VICTIM'S** bra and panties. He said he put them in the bottom drawer of his dresser.

I told **SUSPECT** I wanted to check on the status of the search warrant. I asked if he would be willing to answer questions in the future. **SUSPECT** said he would be willing to talk with me anytime he wasn't working. I asked if he wanted to be at his residence while we executed the search warrant and he said yes.

I ended the interview at [***Time***] hour. **SUSPECT** stayed in the interview room while I checked on the search warrant. The door of the interview room was open and unlocked.

Supplemental Report: DETECTIVE 1 Search of SUSPECT'S Residence

On [***Date***] at [***Time***], I met **DETECTIVE 2, OFFICER 2,** and **OFFICER 3** at [***Address 1***]. **SUSPECT** unlocked the door for us. I entered the residence and cleared the area around a chair in the northeast corner of the room. I asked **SUSPECT** to sit in the chair while we conducted the search. **OFFICER 3** remained with **SUSPECT** while the rest of us searched **SUSPECT'S** bedroom and the common areas of the residence. **DETECTIVE 2** photographed each room and the items in it before we collected any evidence. **OFFICER 2** served as evidence officer at the scene, so all items collected were turned over to him to be placed into evidence.

I first searched the living room area. I collected the cushions and a blanket that were on the only sofa in the residence. There was a dry, crusty patch of an off-white substance on the carpet in front of the sofa. I believed this substance might be semen or some other bodily fluid, so I used a knife to scrape the substance into a paper evidence envelope.

I next searched the only bathroom in the residence. I collected seven tissues from the wastebasket. These tissues contained a crusty, off-white substance that I believed to be semen or some other bodily fluid. Two of the tissues also had dried, reddish-brown stains on them that I believed to be blood. I also collected a small, white hand towel that was lying on the floor between the toilet and the bathtub. This towel also had patches of a crusty, off-white substance that appeared to be mixed with another dark, reddish-brown substance.

I then searched the bedroom **SUSPECT** identified as his. I found several items of women's undergarments in the bottom drawer of the dresser in that bedroom. There were six bras and seven panties of various sizes, colors, and styles. **VICTIM** later identified as hers a light blue bra and navy blue panties that were found in the drawer.

I told **SUSPECT** that based on his statement, **VICTIM'S** statement, and the items of evidence collected at his residence, I was arresting him for [***Sex Crimes***]. When I told him this, **SUSPECT** spontaneously stated, "she never once said no, except for the anal. And I didn't do that." **OFFICER 3** transported **SUSPECT** to jail.

Case File Review: Reflection and Interpretation Handout

Module 8: Analyzing Results and Identifying Learnings

The Sexual Assault Response Team is conducting a review of law enforcement case files to assess the system response to sexual assault. During the case file reviews, the mini-SART(s) developed themes based on what was found. Please review these themes individually. Then, in small groups, based on the evidence, confirm the themes, and identify any gaps or new questions that arose. The final step will be to go back to the original focus area and decide how your system response to sexual violence measures up. The question team members should keep in mind is: "Based on the themes, how well is the system response doing in this focus area?"

Task 1: Individually review Themes and Evidence Handout

- As a group, confirm themes and identify other questions or gaps

Task 2: Use the themes to answer the question, "How well is the system response doing in the focus area?"

Confirm the Themes Are these the correct themes? Are they well supported by what was found in the case file review?	**Additional Themes or Practices that need to be Addressed**
Theme 1: ☐ Theme is accurate ☐ Theme is well supported by information found in case review ☐ If not supported, but you believe should be a theme, share the reason why you think it should be included as a theme: _____ **Theme 2:** ☐ Theme is accurate ☐ Theme is well supported by information found in case review ☐ If not supported, but you believe should be a theme, share the reason why you think it should be included as a theme: _____	

Questions or New Insights What do you want to know more about? What's missing? Any surprises, new understandings, or other areas of improvement identified?	**Interpretation of Focus Area** How well are we doing in this focus area? What did we learn about our system response? What are the strengths/places to improve?
	(Add created Evaluation question for focus area here)

Case File Review: Action

Module 9: Use What We Learned to Identify Action Steps
The Sexual Assault Response Team is conducting a review of law enforcement case files to assess the system response to sexual assault. Today we will determine what, if any, changes are warranted in policy, routine practice, or protocol.

PROMOTING STRENGTHS

STEP A: Choose one of the strengths listed on the *Recommendations* handout.
Write that strength in the **Recommendation** box on this form. (e.g.; we are moderately victim-centered, because advocates are being called immediately to respond by law enforcement)

STEP B: Consider what your team (or agency) response would look like if that strength were enhanced. Write that goal in the **Goal to achieve recommendation** box on the form. (e.g..; advocacy is notified and staged to respond every time law enforcement responds to a sexual assault)

Step C: Consider the following questions as you create plan details:

- How and when will you meet this goal?
- What activities need to take place?
- Who should be involved?
- How long will each activity take?
- What resources or partnerships will you need?

Actions to promote/celebrate Strengths				
Recommendation:				
Goal to achieve recommendation (goal):				
Plan details				
Steps to achieve goal What needs to happen?	**Timeline** When will these steps happen? How long will they take?	**Responsibility** Who from the team will be involved?	**Resources** What resources or partnerships will you need?	**Challenges** What are the challenges to achieving this goal?

Module 9: Use What We Learned to Identify Action Steps Continued

ADDRESSING CHALLENGES

STEP A: Choose one of the strengths listed on the *Recommendations* handout. Write the challenge to address in the **Recommendation** box on this form.

STEP B: Consider what your team (or agency) response would look like if that challenge were addressed. Write that goal in the **Goal to achieve recommendation** box on the form.

STEP C:

- How will you meet this goal? When will you meet this goal?
- What activities need to take place?
- Who should be involved?
- How long will each activity take?
- What resources or partnerships will you need?

Actions to address Challenges				
Recommendation:				
Goal to address recommendation (goal):				
Plan details				
Steps to achieve goal What needs to happen?	**Timeline** When will these steps happen? How long will they take?	**Responsibility** Who from the team will be involved?	**Resources** What resources or partnerships will you need?	**Challenges** What are the challenges to achieving this goal?

SEXUAL VIOLENCE JUSTICE INSTITUTE @ MNCASA