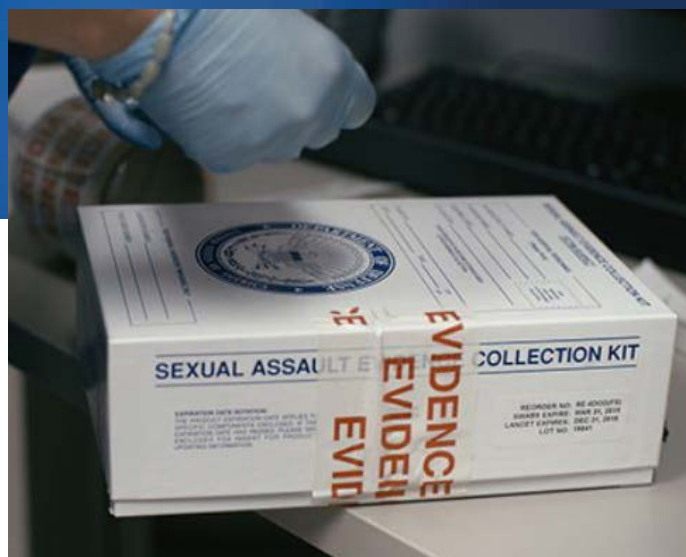


Enacting an Improved Response to Sexual Assault: A Criminal Justice Practitioner's Guide

Patricia A. Melton



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Acronyms

CODIS: Combined DNA Index System

ETS: evidence tracking system

MDAC: multidisciplinary advisory committee

MDT: multidisciplinary team

SAK: sexual assault kit

SAKI: Sexual Assault Kit Initiative

SANE: sexual assault nurse examiner

SART: sexual assault response team

ViCAP: Violent Criminal Apprehension Program

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Abstract

Sexual assault is a violent crime that traumatizes individual victims and endangers entire communities. Every victim of sexual assault deserves an opportunity for justice and access to the resources they need to recover from this trauma. In addition, many perpetrators of sexual assaults are serial offenders who also commit other violent crimes, including armed robberies, aggravated assaults, burglary, domestic violence, and homicides, against strangers and acquaintances. Criminal justice agencies have the power to create a strategic, sustainable plan for an improved response to sexual assault that aligns with current best practices and national recommendations. In this document, we define an “improved response” as an approach that supports effective investigation and prosecution of sexual assault cases, holds perpetrators accountable, and promotes healing and recovery for victims of sexual assault. This guide will help prosecutor and law enforcement agencies create a process with milestones, goals, and suggested actions, all designed to support a successful and sustainable approach for addressing sexual assault cases. Improving the criminal justice system’s response to sexual assault ultimately improves public safety and promotes trust between criminal justice agencies and the communities they serve.

Introduction

Sexual assault is a violent crime that traumatizes individual victims and endangers entire communities. Every victim of sexual assault deserves an opportunity for justice and access to the resources they need to recover from this trauma. In addition, many perpetrators of sexual assaults are serial offenders who also commit other violent crimes, including armed robberies, aggravated assaults, burglary, domestic violence, and homicides. The likelihood of these offenders committing additional violent crimes emphasizes the link between sexual assault cases and other violent crime cases. Furthermore, sexual assault offenders exhibit what is known as crossover offending, offending against acquaintances or known victims and stranger victims with relatively equal frequency. In other words, sexual assault considerations are also community safety considerations, and our criminal justice system must respond accordingly. Addressing sexual assault cases, both cold and current cases, holds perpetrators accountable, improves public safety, and supports victims and communities exposed to violent crime.

Historically, sexual assault cases have not always been effectively investigated or prosecuted, as indicated by the numbers of unsubmitted sexual assault kits (SAKs) that remained untested and stored in law enforcement storage rooms (Lovrich et al., 2004; Strom and Hickman, 2010). The reasons for this are many and complex (Campbell et al., 2015). Indeed, sexual assaults are some of the most challenging cases to pursue. These cases often do not involve stranger assaults, witnesses may not have been present during the assault or available for the investigation, and certain types of evidence may not have been collected or tested. In addition, perpetrators of sexual assaults often seek out vulnerable victims, such as those with high-risk lifestyles, cultural differences, intoxication or incapacitation, or circumstances such as mental illness or homelessness. These factors often introduce further investigative challenges. Research efforts associated with testing SAKs indicate that the rate of sexual assault serial offending is higher than previously thought and that serial offenders often do not discriminate between stranger and non-stranger victims (Lovell et al., 2016; Campbell

et al., 2018 Lovell et al., 2017). Additionally, research demonstrates that sexual assault perpetrators not only assault both known and unknown victims, but also tend to be serial offenders who commit other violent crimes, including homicides and aggravated assaults (Lovell et al., 2017; Campbell, et al., 2016).

One of the most significant challenges when addressing sexual assault cases is a lack of understanding of the effect of trauma. For sexual assault victims, trauma may manifest in a variety of ways, many of which may seem unexpected to an individual not trained in post-trauma responses. For example, victims may have difficulty remembering details or the order of events, or they may have a demeanor that may seem odd to the untrained investigator. Failure to anticipate how victims of sexual assault will respond during a law enforcement interview, and a failure to understand why they respond as they do, have historically been detrimental to the investigation of sexual assault cases, contributing to the significant accumulation of SAKs never submitted for testing.

In the face of these challenges, the criminal justice system has systematically failed in the handling of sexual assault cases throughout the nation. This failure is demonstrated by forensic sexual assault evidence, primarily contained in SAKs, sitting on warehouse shelves and never submitted for testing; interviews with victims of sexual assault who were not supported by the criminal justice system; and statistics that illustrate a decreasing continuum from the number of cases reported to the number of cases investigated to the number of cases prosecuted.

Fortunately, recent efforts by many criminal justice agencies nationwide have demonstrated that, through dedication, education, policy change, and capacity enhancement, our criminal justice system can empower victims of sexual assault, hold offenders accountable, and improve the safety of our communities.

Federal and state governments have recognized the value of resolving sexual assault cases and have invested in improving responses to sexual assault. Federal agencies such as the Bureau of Justice Assistance, the National Institute of Justice, the Office

for Victims of Crime, and the Office of Violence Against Women have all contributed resources to enhance criminal justice agencies' capacity to address sexual assault.

The Bureau of Justice Assistance National Sexual Assault Kit Initiative (SAKI) program has led the effort to engage agencies in reform by providing funding for a holistic, multidisciplinary approach to sexual assault response. This program seeks to obtain an accurate nationwide count of unsubmitted SAKs—those SAKs that were never submitted to a crime laboratory for testing—and create approaches that prevent future accumulation of unsubmitted SAKs. The SAKI program further supports agencies with the SAKI Training and Technical Assistance program. SAKI Training and Technical Assistance works collaboratively with each agency to create a sustainable, strategic plan to address an unsubmitted SAK inventory through tracking, submission, and testing and consults on the creation and implementation of trauma-informed, evidenced-based policy and practice that align with national best practices and recommendations.

Addressing previously unsubmitted SAKs allows for an internal review of agencies' methods for investigating and prosecuting sexual assault cases. Furthermore, we expect that strategies that resolve the backlog of unsubmitted SAKs will also prevent their future accumulation by implementing policies that improve agencies' capacity to respond to sexual assault cases.

Agencies have the power to create a strategic, sustainable plan for an improved response to sexual assault that aligns with current best practices and national recommendations. We define an "improved response" as one that supports effective investigation

and prosecution of sexual assault cases, holds perpetrators accountable, and promotes healing and recovery for victims.

Improving the criminal justice system's response to sexual assault ultimately improves public safety, supports victims of sexual assault, rebuilds trust between criminal justice agencies and the communities served, and sends a message of intolerance to potential offenders. This guide, jurisdictions attempting an improved response to sexual assault for both cold-case sexual assaults and current-case sexual assaults, facilitates the creation of a process with milestones, goals, and suggested actions, all designed to support a successful and sustainable approach for addressing sexual assault cases.

How to Use This Guide

Although one agency can certainly spark a wider improved response to sexual assault, this guide, in alignment with national recommendations, emphasizes bringing together a multidisciplinary advisory committee (MDAC) as the core group engaged in the review and improvement of policy and practice associated with sexual assault response.

An MDAC should have representation from all disciplines associated with sexual assault response, including forensic medical personnel, forensic scientists, law enforcement, prosecutors, and victim advocates. The next section, "Laying the Groundwork," goes into more detail about MDAC makeup.

The MDAC should consider several core categories when structuring an improved response to sexual assault:

- MDAC structure and goals
- SAK Inventory for previously unsubmitted SAKs
- SAK evidence tracking system (ETS) for previously unsubmitted and currently received SAKs
- Innovative change for investigation to support an improved response to sexual assault
- Innovative change for prosecution to support an improved response to sexual assault

Different Federal Funding for SAKs


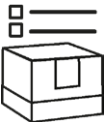
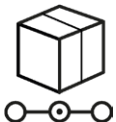


The SAKI program addresses the backlog of unsubmitted SAKs, which is not the same as SAKs that have been submitted to the laboratory for testing and are waiting to be tested. Federal funding, especially through the National Institute of Justice, has historically assisted crime laboratories with addressing submitted SAKs, not unsubmitted SAKs, by enhancing laboratories' SAK testing capacity. Several of these funding programs are now administered by BJA effective FY2020.

This guide divides each of these categories of sexual assault response reform into achievable stages at introductory, intermediate, and advanced levels. Each level builds upon the policies and practices from the previous one. For each level of each category, a series of goals, broken down into specific steps, defines the pathway for success in sexual assault response reform (Figure 1). We also provide a metric for each goal that can be used as an indicator of success or completion.

This list is provided as a starting point and is derived from national best practices and recommendations. Additional objectives, such as those mandated by state legislation, may align within the categories below or create additional categories.

The MDAC should address all of the categories simultaneously. However, progress through the levels across categories will probably be uneven; in other words, an agency may reach the advanced level for one category while still at the introductory level in another. The completion of a particular goal and advancement to the next level for that category may be independent of the completion of other goals. In addition, although always informed by the MDAC, individual agencies, or a subset of combined agencies, may carry most of the responsibility for addressing a particular category. Different agencies may have different levels of resources and capacity, and, while encouraged and held accountable by the MDAC, will proceed with reforms at their own pace.

Figure 1. Multidisciplinary advisory committee sexual assault response reform

	 MDAC Structure and Goals	 Sexual Assault Kit Inventory	 Sexual Assault Kit and Evidence Tracking	 Innovative Change for Investigation	 Innovative Change for Prosecution
1 Introductory	Define leaders, goals, and standards	Conduct inventory of unsubmitted SAKs	Implement an SAK evidence tracking system	Obtain foundational training	Obtain foundational training
2 Intermediate	Create an engaging, functional, and active MDAC	Develop an SAK testing strategy	Finalize considerations and recommendations for SAK evidence	Obtain supplemental training	Obtain supplemental training
3 Advanced	Evaluate the impact of the MDAC Ensure a sustainable MDAC	Submit SAKs to initiate testing and resolve inventory Create a submission plan to resolve additional testing needs	Initiate the ETS implementation plan Evaluate the ETS and develop an ETS improvement plan	Victim-centered, trauma-informed investigation of sexual assault cases	Victim-centered, trauma-informed, offender-focused prosecution of sexual assault cases

Notes: ETS = evidence tracking system; SAK = sexual assault kit

This guide is constructed to be flexible so that different agencies or working groups can use different components of the guide but come together under the umbrella of the MDAC to effectively create an overall improved community response to sexual assault. For example, an agency may have already identified a team of stakeholders to respond to state legislation mandating the implementation of a tracking system for SAKs. In that case, those stakeholders might be leading certain activities associated with the SAKs and evidence tracking category of this guide already and should have representation on the MDAC.

By following the plan in this guide, a jurisdiction's efforts to improve its response to sexual assault will evolve into a sustainable criminal justice approach that recognizes sexual assault as a violent crime, values victim engagement, and fosters a positive, trust-based relationship with the community.

Laying the Groundwork

This section outlines some key considerations and actions that help a jurisdiction or agency start improving their response to sexual assault.

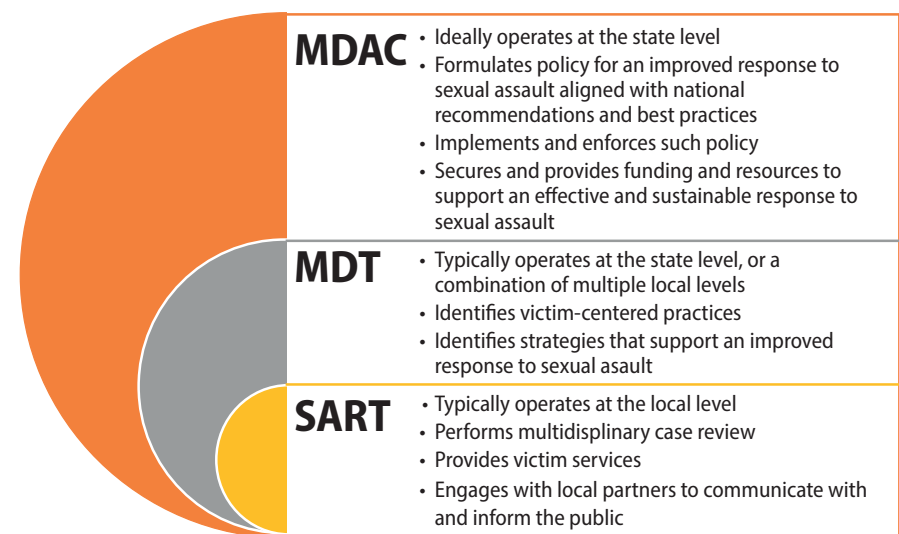
First and foremost, it is important for all groups involved in the sexual assault response reform process—from forensic medical personnel, to law enforcement, to the forensic laboratory, to prosecutors, to victim advocates¹—to work together. Agencies should avoid working in isolation or “silos.” As such, the formation of an engaged MDAC is key to a comprehensive and sustainable response to sexual assault. Some agencies may already belong to a team that is addressing sexual assault cases. For example, a sexual assault response team (SART) or

a multidisciplinary team (MDT) may already exist. For the purposes of this guide, the MDAC differs from these groups because it has the power to change policy, enforce policy, and secure the necessary resources from state legislative budgets to support an effective response to sexual assault. If the established SART or MDT has this same ability, then it is most likely equivalent to the MDAC. If that is the case, the established team should still use this guide to ensure they are performing all the suggested tasks and actions to optimize the sustainability of the response to sexual assault.

Figure 2 describes the typical differences observed between teams such as SARTs, MDTs, and MDACs. In this figure, the MDAC has oversight over all actions, even those conducted through already-existing SARTs and MDTs. Typically, a SART functions at the local level, an MDT functions at the state level or a combination of multiple local levels, and an MDAC functions at the state level addressing policy and legislation. If a jurisdiction does not have a SART or MDT, the MDAC should take responsibility for those actions as well.

If no such group exists, key stakeholders who wish to foster a coordinated, improved response to sexual assault typically initiate the MDAC. These

Figure 2. Typical differences observed between sexual assault response teams



Notes: MDAC = multidisciplinary advisory committee; MDT = multidisciplinary team; SART = sexual assault response team.

¹ Note that although this document does not specifically identify victim advocates as a separate category, it highlights the importance and role of victim advocacy as part of a collaborative partnership with law enforcement and prosecutors.

stakeholders identify additional members, recognized as leaders, champions, or exceptional practitioners, and invite them to join. Once the momentum for the MDAC begins, the members should seek out stakeholders to ensure representation from all relevant disciplines.

The MDAC can be defined at the local or state level, although a state-level MDAC is ideal and should be supported by local SARTs or MDTs to be most successful. If the MDAC is local, then it should address only local policy and practice; if the MDAC is functioning at the state level, it should consider state-level policy and recognize that local policy and practice may be incorporated in state-level policy. Both state and local MDACs can use this guide, and the suggestions presented here are the “gold standard” for improved response to sexual assault. If an MDAC is unable to conduct an activity, or meet a goal, because of limited resources, the MDAC should work closely with key stakeholders, including legislators, who can assist in identifying and allocating resources to resolve the issue.

Including Sexual Assault Survivors

Sexual assault survivors can be motivating and strong members of an MDAC. Before reaching out to a survivor, however, the MDAC should consider whether participation is something the survivor is likely to be willing and able to do at that stage of their healing process. Victim advocates can help identify and reach out to sexual assault survivors in the community. Keeping the continued healing of the survivors as paramount, the MDAC should work with them to determine their roles and allow for ample opportunity to provide honest input.

When creating an improved response to sexual assault, it is important to recognize that jurisdictions that struggle with large numbers of unsubmitted SAKs or lack of effective policies will also need to create a community engagement strategy that fosters rebuilding trust with victims of sexual assault as well as members of the community. A violent crime like sexual assault devastates a community, and the response from law enforcement and prosecutors heavily affects the trust a community has in the criminal justice system. This guide, through the activities within, is designed to assist with establishing a better and more-trusted relationship between the community and the criminal justice system.

Identify Key Stakeholders to Form the MDAC

As mentioned in the prior section, the MDAC should include representation from all disciplines associated with sexual assault response. At a minimum, membership should include the following:

- Forensic medical personnel and/or sexual assault nurse examiners (SANEs)
- Law enforcement personnel
- Victim advocates, both community-based (i.e., associated with a rape crisis center) and system-based (i.e., associated with law enforcement)
- Forensic laboratory personnel
- Prosecutors
- Sexual assault survivors
- Researchers or crime analysts

MDACs may also include other stakeholders who are likely to interact with sexual assault victims, such as first responders, leaders of faith-based organizations, school and college officials, crisis center personnel, and so on. The MDAC should be as large and as inclusive as is needed before an effective community-based response to sexual assault. The MDAC can be formed from already established MDTs or SARTs, however named. Because these teams may have been formed for a slightly different purpose than defined for the MDAC in this guide, members should evaluate whether additional representation from other disciplines or agencies is needed.

The MDAC should always strive to have representation from all disciplines, and the team should recognize this may be an ongoing quest because of agency turnover. Whenever an MDAC vacancy arises, the team should quickly identify new key stakeholders to ensure a continued high level of representation, input, and collaboration.

A successful MDAC receives input from its members equally and recognizes that perspectives and goals will differ across disciplines, even though all members share the same overall goal of improving the community’s response to sexual assault. These differences in perspectives and approaches stem from the training these disciplines receive and the metrics by which different agencies measure successful outcomes.

Bridging these gaps requires respect, listening skills, and the ability to view sexual assault response reform as a holistic process, which may include broadening metrics for success or even establishing new ones. Members of the MDAC must understand the perspectives of the various disciplines while collectively creating a sustainable plan for addressing sexual assault response reform in their community. To this end, the members of the MDAC should start by working together to create a list of guiding principles for the committee that all members agree are essential to sexual assault response reform.



Tip

Example of a guiding principle: Treat all victims and survivors of sexual assault with dignity and respect.

Perform a Self-Assessment of Current Policies and Practices

The MDAC's first task in creating a trauma-informed, victim-centered community response to sexual assault should be to review the current policies and practices associated with sexual assault response within the participating agencies. If the MDAC is functioning at a local level, then this review should encompass the policies and practices associated with the agencies of that local jurisdiction engaged in sexual assault response reform. If the MDAC is functioning statewide or across multiple jurisdictions, the policy review will be more complex, as policies across multiple agencies in multiple jurisdictions are not likely to be standardized. In this case, the MDAC will also need to consider standardization of policy and practices, which could be further supported by state legislation or mandates.

Policy review should be treated as a continuous dynamic process. We suggest that a preliminary policy review take place, but as the MDAC evolves in pursuit of its goals for reforming sexual assault response, a standardized process of review to ensure alignment with national recommendations and best practices will be necessary. This guide further draws attention to policy review, as the activity is embedded in various forms in the ongoing steps of progression defined throughout this document.



Tip

A trauma-informed approach involves educating victims, service providers, and the general community about the impact of trauma on the health and well-being of victims; attending to victims' emotional and physical safety; and using resources, services, and support to increase the victims' capacity to recover.

(National Institute of Justice, 2016)

Often, written policies may not actually reflect the current practice. This deviation may be a result of information being diluted as it is handed down over time, or simply a result of a change in activity and the accompanying written policy not being updated accordingly. Interagency and cross-agency policies typically are not evaluated or reviewed in a strategic manner, which may also result in an inaccurate representation of both the planned sexual assault response and the actual response.

The advantage of reviewing and discussing sexual assault response policies within an MDAC format, as opposed to within individual agencies, is the beginning of breaking down "silos" and creating a more holistic, big-picture view of sexual assault response reform. Maintaining this multidisciplinary input through the entire process will ensure identification of not only each discipline's specific challenges, but also any interagency gaps or barriers. This approach also sets the stage for individual agencies to work as a collective whole, and therefore to suggest changes in policy and practice that lead to a more-coordinated multidisciplinary response. Because each member of the MDAC brings their own discipline-specific perspective to the table, all members of the MDAC should be involved in the policy assessment.

Because each discipline will have a multitude of policies associated with sexual assault response, it may seem challenging to structure a review process. To ensure reviewers stay engaged and on-task, the MDAC should agree to a scope that clearly defines the level of detail for the policy review, and a review strategy that includes specific milestones.

This analysis should identify gaps, areas for improvement, and successes to highlight and share with other agencies or jurisdictions. The

MDAC should also verify alignment with current national best practices and recommendations. Such recommendations and best practices are evidence-based and upheld as a standard within the sexual assault response community.



Tip
National Recommendations and Best Practices can be found in the *National Best Practices for Sexual Assault Kits: A Multidisciplinary Approach* and at sakitta.org.



In future sections, the icon will indicate that more information can be found at sakitta.org

Although the MDAC should consider gold-standard strategies, reaching the optimal goal for a policy may not be immediately feasible. In these cases, the MDAC should consider a phased approach for implementation of the policy. Such an approach would include considerations for resolving resource issues, building capacity, and securing acceptance and support from relevant stakeholders.

Success Metric: Creation of a Policy Review Report

The MDAC should formalize this policy review in a report and share the report with relevant stakeholders. This report should remain available for future reference.

Strategic Considerations When Conducting a Policy Review

- Ensure every reviewer is educated in trauma-informed, victim-centered principles.
- Discuss, as an MDAC, all identified barriers and challenges.
 - Determine which policies or practices might resolve these challenges.
 - Determine specific resources that might be needed to support such policies and practices.
- Discuss, as an MDAC, areas for possible improvement, and identify specific needs associated with those gaps.
- Discuss, as an MDAC, policies and practices that are highly successful and, if these are isolated to certain jurisdictions, how such policies could be unrolled to other agencies.
- Recognize specifics that may be unique to a particular population or jurisdiction and ensure the MDAC crafts specialized policies to support these differences.

The report should include recommended changes to policy and practice as well as all relevant information to support a clearly defined action plan for the implementation of improved policy and practice associated with sexual assault response.

Additional information might include considerations for additional personnel or additional financial support, as well as financial projections and metrics such as number of sexual assaults reported, number of investigations, number of Combined DNA Index System (CODIS) hits, number of cases charged, and number of convictions.

Special Consideration: External Policy Review and Assessment

Even if the MDAC conducts its own internal policy review, an external policy review can bring in new suggestions, identify issues that are difficult to define internally, and provide a fresh perspective that leads to potential solutions.

An external review could be conducted by researchers fluent in sexual assault response reform policy and practice, practitioners who serve as peers in other jurisdictions whose policy and practice the MDAC would like to model, or both.

Special Consideration: Communication and Transparency

Because effective communication will be key to obtaining support, the MDAC should agree upon a dissemination plan for the report. The plan should designate a spokesperson from the MDAC to ensure the report is provided to identified stakeholders, present the report at specified meetings, and field any questions.

The MDAC also needs to decide how much information should be shared with the public and the press and provide that recommendation to relevant decisionmakers.

Many positive outcomes can come from full disclosure of a policy review, such as community recognition that issues are being addressed, which can help cultivate trust. If the MDAC opts not to share that level of detail, another option is updating the community when milestones are achieved and highlighting the effect of those milestones.

**Tip**

The SAKI Training and Technical Assistance program provides external policy review and assessment to a limited number of SAKI sites. Agencies interested in this approach, even if not a SAKI site, may contact SAKI Training and Technical Assistance at sakitta.org.

Regardless of the level of transparency, it is always essential for the MDAC to develop a communications plan and designate a committee spokesperson. The MDAC should anticipate additional inquiries and may want to engage outside public relations support. For further considerations associated with communication, see Appendix B.

Develop a Foundation for Sustainable Sexual Assault Response Reform

After completing the policy review, the MDAC, in collaboration with the supporting agencies, should create an overarching strategic plan for addressing change and supporting an improved response to sexual assault. This plan should outline the resources needed to support the implementation of new policies and practices, as well as consider how to sustain these changes through personnel turnover, loss of a champion, or resource restrictions.

Establish a Timeline with Milestones

The MDAC should work collaboratively to develop a strategic plan that clearly delineates the end goal of the reform to sexual assault response, the necessary steps or milestones required to achieve that goal, and considerations for sustainability.

The MDAC may already recognize areas of their agencies' response to sexual assault that need improvement, along with areas that are successful. If the MDAC recognizes practices and policies that are already successful, or could be successful with some modification, the MDAC should consider keeping them as long as these policies and practices are aligned with national best practices and recommendations. This need not be a "start from ground zero" approach.

The MDAC should start by identifying major goals that are in alignment with national best practices.

They should then break down each identified goal into smaller supportive goals. These supportive goals will be incremental, achievable steps based on resources and a defined strategy.

To further illustrate the strategic plan, the MDAC might consider creating a timeline or a flowchart that identifies the actions to be taken and their associated priority. This timeline should also illustrate any effects that one milestone may have on the time to complete another.

For example, many agencies will need to respond to legislation that provides direction regarding the submission and testing of SAKs. To respond, agencies may first need to implement an ETS that provides interagency communication and case details. Even if not stated in legislation, it is a best practice to conduct an inventory of previously unsubmitted SAKs.

Because an improved response to sexual assault encompasses both cold-case and current-case sexual assaults, the MDAC will need to ensure that the strategic plan considers approaches that have the best option for just resolution and victim support in both types of cases.

Considerations for the Timeline

1. Make the goals realistic: Consider the capability and capacity of the agencies involved. The MDAC should assess needs associated with each milestone and supportive goals and be aware of potential barriers. Resources often are limited. By identifying limitations on the front end, members of the MDAC can have thoughtful conversations with key stakeholders on ways to address resource limitations.
2. Build in flexibility: Priorities will shift as goals are accomplished or unforeseen challenges emerge. A rigid timeline is unlikely to be successful and may be detrimental to the overall goals and morale of the MDAC.

Identify Desired Trainings

The MDAC should identify and prioritize trainings to require for the different disciplines associated with sexual assault response reform. The MDAC should consider that some training topics are best provided in a multiagency format, with representation from different disciplines, so the training can emphasize interacting positively across agencies to support sexual assault response. This type of training

effectively breaks down silos and facilitates agencies working together as a collaborative team.

Although relationship-building is always a great outcome of a training, some topics may be discipline-specific and are best provided in a single-agency format. Regardless of the format chosen, the MDAC should consider a strategy for disseminating the information obtained from the trainings across all of the agencies involved in sexual assault response.

For more information on training, see Appendix A.

Available Training and Resources

Organizations such as the Bureau of Justice Assistance, Office of Violence Against Women, Office of Victims of Crime, and the National Institute of Justice offer freely available national trainings and resources aligned with national best practices and recommendations for sexual assault response reform.

Identify Required Resources

Implementing an improved response to sexual assault requires a committed investment in time and resources. The MDAC will need to determine the resources necessary to achieve each milestone of the strategic plan. Most likely, this process will identify several areas where capacity needs to be enhanced. The MDAC should consider both short- and long-term needs and should strive to resolve the identified resource gaps with sustainable strategies.

With the aid of the generated timeline, the MDAC should consider a phased approach, recognizing that capacity might be available in increments, rather than all at once.

It will be important for the MDAC to recognize successful movement along the timeline and effectively communicate those successes openly, as such actions gather support and keep the momentum for change.

Success Metric: Submission of Proposal for State and/or Federal Funding

The MDAC should consider both federal and state funding opportunities and initiate conversations that will help secure the support of key stakeholders, including state or local agency officials or representatives from state or local governments.

Then, informed by the strategic plan, the MDAC should submit formal proposals seeking state funding, federal funding, or both. By taking advantage of multiple funding opportunities, the MDAC can diversify resources and enhance capacity in several areas.

The Categories of Sexual Assault Response Reform: Building Blocks for Success

As mentioned previously, agencies have the power to create a strategic, sustainable plan for an improved response to sexual assault that aligns with current best practices and national recommendations. To facilitate this process, we have divided five categories supporting sexual assault response reform into achievable stages with milestones, goals, and suggested actions.

Category 1: MDAC Structure and Goals

The MDAC is the core of a successful approach to an improved response to sexual assault. As such, the MDAC plays a pivotal role in structuring evidence-based, trauma-informed policies and practices that incorporate a multidisciplinary perspective. The sustainability of the MDAC is paramount, as achieving the goals associated with an improved response to sexual assault takes time and should be an ever-improving processes. Figure 3 displays the structure and goals for this category of reform.

Figure 3. Multidisciplinary advisory committee (MDAC) structure and goals



MDAC Structure and Goals

Introductory	Intermediate	Advanced
Define leaders, goals, and standards	Create an engaging, functional, and active MDAC	Evaluate the impact of the MDAC Ensure a sustainable MDAC

Introductory: Define Leaders, Goals, and Standards

The MDAC may form by bringing together individuals who have demonstrated a commitment to addressing challenges associated with the investigation and prosecution of sexual assault cases and supporting victims of sexual assault. Additionally, individuals who have authority to uphold key decisions may be helpful. In general, the MDAC should seek a balance of policy makers, decision makers, and “boots on the ground” practitioners, as their collective knowledge and authority may establish the best foundation for the MDAC. Table 1 lists the activities associated with this goal.

Table 1. Defining multidisciplinary advisory committee (MDAC) leaders, goals, and standards

Activity	Description
1	Identify “champions” within each discipline
2	Define preliminary goals
3	Establish a communication and meeting plan
Success	Identified champion for each discipline

Identify “Champions” Within Each Discipline

As mentioned in an earlier section, it is important that the MDAC be composed of stakeholders that represent all of the relevant disciplines associated with a holistic response to sexual assault. The MDAC may consider having multiple representatives from each discipline. At a minimum, the MDAC should consist of representation from law enforcement, prosecution, and community or system-based victim advocacy. We also highly encourage representation from the forensic medical community, SANEs, the jurisdiction’s crime laboratory, and system-based victim advocacy.

It is critical that the MDAC include representatives from each discipline who can make and uphold decisions in their agencies, and who have subject-matter expertise in sexual assault response. Because different individuals hold different types of expertise



Tip

Collaborative teams such as SARTs or working groups can be a basis for identifying key stakeholders for the MDAC.

and authority within organizations, the multiple-stakeholder approach on the MDAC guarantees that each discipline is able to speak to each issue that comes before the committee.

With each discipline having multiple stakeholders on the MDAC, identifying leaders or designated spokespersons may be helpful. To this end, the MDAC may consider designating a single “champion” within each discipline. This should be someone who is a strong communicator and a successful consensus-builder, and who is capable of rallying support for MDAC goals within their agencies.

Define Preliminary Goals

The MDAC should identify a preliminary set of short- and long-term goals supporting an improved response to sexual assault. These goals should be holistic and have support from all of the disciplines involved in sexual assault response. One goal, which should be foundational to the MDAC, is the continuous review of policy and practice to ensure alignment with national best practices and recommendations.

Because each discipline approaches sexual assault response from its own particular perspective, it is important to understand how each discipline’s specific goals come together to support the overarching work of the MDAC. This understanding should be reflected in the set of holistic goals the MDAC identifies. After establishing these preliminary goals, the MDAC will need to hold further discussions to organize the goals into a realistic timeline with identified support.



Tips

- Some MDACs have found it useful to first establish a core set of values and a mission statement before defining specific goals.
- To foster collaboration, consider rotating the location of the MDAC meetings among the different representative agencies, rather than always holding the meetings at one agency location.

Establish a Communication and Meeting Plan

The MDAC should establish a communication and meeting plan that provides ample opportunity for discussion among all members; defines a primary point of contact; and identifies individuals responsible

for meeting agendas, minutes, and actionable items. The MDAC should give special consideration to ensuring attendees can participate remotely if necessary.

Success Metric: Identified Champion for Each Discipline

The MDAC should identify a champion, someone who has the ability, interest, and authority to move the goals of the MDAC forward, for each of the disciplines involved. Champions are important motivators and a driving force behind the successful implementation of MDAC-derived strategies and goals.

Intermediate: Create an Engaging, Functional, and Active MDAC

The responsibility of the MDAC will be to evaluate and improve policy and practice supporting sexual assault response reform from a holistic, multidisciplinary perspective. Ideally, every discipline will be represented by multiple members, including a champion. The MDAC will need to decide how the team will maintain momentum and strive for sustainability. Table 2 lists the activities associated with this goal.

Table 2. Creating an engaging, functional, and active multidisciplinary advisory committee (MDAC)

Activity	Create an engaging, functional, and active MDAC
1	Internal assessment of functionality
2	Establish approach for case review
3	Establish approach for policy discussion and derivation
Success	Statement of internal goals

Internal Assessment of Functionality

The MDAC should review its structure to identify challenges that may prevent the team from working cohesively, and then devise strategies to address each of those challenges. This internal assessment should be done periodically, especially as members of the MDAC fluctuate. The MDAC should consider whether additional representation is needed to bolster support for or provide deeper guidance on particular issues. There is no mathematical formula for a perfect MDAC. Whatever the composition, members of this

team need to communicate well and work effectively together as a cohesive unit.

Establish an Approach for Case Review

One of the primary responsibilities of the MDAC will be to conduct case reviews of current and cold sexual assault cases. It is important that, before initiating case review, the MDAC agree upon an approach in which every discipline is empowered and heard, and all views are received with openness and a willingness to learn from each other. Conducting a cold-case review, especially on cases that were not previously handled in a trauma-informed, victim-centered manner, can result in discussions that are heated with accusations and discontent. Similar conversations may also arise with current-case review, especially as the MDAC works to ensure trauma-informed practices are actively upheld. The MDAC should devise an approach for case review that allows equal input and representation from the entire team and allows the case to move forward within the criminal justice system.



Establish an Approach for the Policy Discussion and Derivation

Besides case review, the MDAC's other primary function is the creation of trauma-informed, victim-centered policy that promotes investigation and just resolution of sexual assault cases. Depending on how much progress the jurisdiction has made towards reforming sexual assault response, the MDAC may need to address previous policy and practice that resulted in the accumulation of unsubmitted SAKs, investigations that were not conducted effectively or were insensitive to the effects of trauma on a sexual assault victim, lack of victim engagement, and a failure to prosecute these cases. The MDAC must recognize that the goal is to change those practices and create policies ensuring such actions are not repeated in the future. Therefore, the MDAC must ensure support from key stakeholders and accountability from practitioners.



Tip

When communicating a new policy, consider providing training to facilitate implementation of the policy.

Success Metric: Statement of Internal Goals

All members of the MDAC should work together to draft a statement of goals and ensure these goals are met. This document should also define the mission and vision of the MDAC, the core principles the MDAC will abide by, and how the goals will be achieved. The goals should be dynamic, and discussions should clearly define short-term and long-term goals and identify strategies for support.

Advanced: Evaluate the Impact of the MDAC

Periodically, the MDAC should internally evaluate the progress made addressing their established goals and milestones, but also compare their established policies and practices to the latest evidence-based practices and national recommendations. Sexual assault response reform is an evolving process informed by research, and the MDAC should strive to remain current and aligned with national recommendations and best practices. Table 3 lists the activities associated with this goal.

Table 3. Evaluating the impact of a multidisciplinary advisory committee (MDAC)

Activity	Evaluate the impact of the MDAC
1	Perform case review of sexual assault cases
2	Review current policies and practices
Success	Trauma-informed policies and practices

Perform Case Review of Sexual Assault Cases

The MDAC should actively review current and cold sexual assault cases to recommend the best approaches for resolving the case, identify areas of possible improvement, and report on general trends. The review criteria for both types of cases should be grounded in victim-centered, trauma-informed approaches.

The MDAC will also need to address unfounded cases, defined as cases in which law enforcement has determined no crime has been committed. Research indicates that many cases may be inappropriately labeled as unfounded, and therefore not investigated, because investigators do not fully understand the effects of trauma. To address this issue, the MDAC should define the possible reasons why a case might

be labeled unfounded and establish a documentation and review process for these cases. The MDAC should track these case reviews and have this information available to present to key stakeholders if needed. If operating at a statewide level, the MDAC should provide guidance to local SARTs, MDTs, or working groups (however identified) on the case review processes and expectations for documentation of the case review.

Review Current Policies and Practices

The MDAC should review newly implemented policies and practices for effectiveness, sustainability, and alignment with national recommendations. The MDAC should seek feedback from criminal justice practitioners on the challenges and successes associated with the implementation of the policies and evaluate what practices need to be modified to ensure the desired goals are met. The MDAC should ensure a policy exists defining when and how the review will be conducted; if such a policy does not exist already, the MDAC should create one. The review should be documented and shared with relevant stakeholders if needed. The MDAC may also consider having an external peer review to gain a fresh perspective.

Success Metric: Trauma-Informed Policies and Practices

The MDAC should ensure policies and practices are sustainable, trauma informed, victim centered, and in alignment with national best practices and recommendations. The review process provides an opportunity not only to share successes, but also to plan improvements.

Advanced: Ensure a Sustainable MDAC

A critical factor in ensuring longevity for sexual assault response reform, including continuous support for and dedication to improved services, is a sustainable, engaged MDAC. The MDAC is at the core of sexual assault response, creating trauma-informed policies and practices, sharing knowledge and progress with peers, and consistently aligning with national recommendations and best practices. Table 4 lists the activities associated with this goal.

Table 4. Ensuring a sustainable multidisciplinary advisory committee (MDAC)

Activity	Ensure a sustainable MDAC
1	Secure support from relevant stakeholders
2	Review and update policies and practices
Success	Continuity plan

Secure Support from Relevant Stakeholders

The MDAC must consider ways to maintain the support of key stakeholders who recognize the value and contribution of the MDAC to an improved response to sexual assault. As elected officials turn over or change their priorities, the MDAC should remain diligent in maintaining the relationships and having the conversations that support the continuation of its work. Also, the MDAC itself, like other committees, is subject to personnel turnover, and therefore must proactively plan for that scenario. Strategies might include mentoring new members and incorporating them into the team before a known departure, identifying emerging leaders and assisting in their transition to active champion, and fostering continuous team engagement and internal support.

Review and Update Policies and Practices

The MDAC should regularly review its current policies and practices, discuss opportunities to address challenges, and actively pursue solutions that benefit the criminal justice community. The MDAC must be aware of current and emerging national recommendations and strive to align its policies with those recommendations. The MDAC should also seek out other agencies that have created victim-centered responses to sexual assault and reach out to those entities to gain knowledge, success stories, best practices, and general input for discussion. The MDAC must convey to practitioners, stakeholders, and the community it serves that striving for

excellence in response to sexual assault is a continuous effort that builds on previous accomplishments and always works toward the next goal.

Success Metric: Continuity Plan

The MDAC should create a continuity plan that defines the approach the team will take to ensure sustainability. Helpful features to incorporate into this plan include ways to enhance the use of current resources, the availability of continued resources, a timeline or checklist of specific actions the MDAC will need to take to keep the continuity plan on track, and considerations for personnel turnover. The MDAC should discuss the continuity plan at least quarterly.

Category 2: SAK Inventory

SAKs contain forensic evidence critical to the investigation and prosecution of sexual assault cases.

It is important that each law enforcement agency has an accurate count of how many SAKs it has taken possession of, how many have been submitted to the laboratory, how many are waiting to be submitted, and how many will not be submitted. In the latter case, we highly recommend that law enforcement include documentation of why a SAK will not be submitted in the inventory. Maintaining a comprehensive inventory of SAKs provides relevant information on sexual assault response, including trends in the amount of sexual assault cases reported, progression of sexual assault investigations, and efficiency of the testing workflow. In addition, this inventory informs strategies for the effective submission of SAKs for testing.

For agencies that do not have an SAK ETS in place, or who need to account for SAKs before the implementation of an SAK ETS, an inventory is the best approach. Figure 4 displays the structure and goals for this category of reform.

Figure 4. Sexual assault kit (SAK) inventory



Introductory: Conduct Inventory of Unsubmitted SAKs

Before devising an appropriate strategy for testing unsubmitted SAKs, the MDAC must understand the scope of the problem. Therefore, the MDAC should conduct an SAK inventory.

These unsubmitted SAKs may be associated with cold cases, or they may have been received before the effective date of legislation requiring the jurisdiction to submit all SAKs for testing. Note that these are different from untested SAKs, which are SAKs submitted to the laboratory waiting to be tested.

Regardless, taking an accurate count is the first step to ensuring these SAKs are submitted for testing, and that these cases are thoroughly investigated and prosecuted. Table 5 lists the activities associated with this goal.

Table 5. Conducting inventory of unsubmitted sexual assault kits (SAKs)

Activity	Conduct inventory of unsubmitted SAKs
1	Define the area (or scope) the inventory will address
2	Define the inventory method or design
3	Identify data elements to be collected
4	Identify a point of contact from the multidisciplinary advisory committee (MDAC)
Success	Completed inventory verified by MDAC

Define the Area (or Scope) the Inventory Will Address

The MDAC’s first step in designing this inventory is defining the geographical area it will encompass, whether a local city or county, a combination of several local areas, or an entire state.

Next, the MDAC should identify the law enforcement agencies associated with the area that will participate in the inventory. Conducting an inventory becomes more challenging as the geographical range and number of law enforcement agencies involved increases.

Because a particular district may be made up of several different law enforcement agencies, which may vary in their size and their capacity to support

the effort, the MDAC should consider an approach that builds in flexibility to address unique challenges for particular agencies. It is also important to provide a reasonable time frame in which even the smallest agencies can complete the task.

For large geographical areas, such as an entire state, or geographical areas that may consist of multiple rural agencies separated by large distances, the MDAC might want to consider a multisectional inventory approach. In such an approach, the MDAC divides the geographical area into discrete sections and conducts the inventory one section at a time. This approach allows the MDAC to concentrate support and resources and to structure the timeline around anticipated completion times for each section.



Tip

Sometimes SAKs are stored in places besides the law enforcement agency. The MDAC should contact area hospitals, rape crisis centers, and any other service agencies that may have SAKs in their possession of the policy.

Define the Inventory Method or Design

The most accurate way to conduct the inventory is through a manual count. Although this approach has a higher associated level of effort, it lets individuals physically verify that the SAK exists, collect specific data or metrics from each SAK, and note the condition of the SAK (all from the exterior).

Even if the inventory is based on information from an ETS or participating law enforcement agencies, a manual verification of the location and condition of the SAK, conducted onsite, is still a best practice.

Conducting an unsubmitted SAK inventory requires commitment, planning, and the allocation of dedicated resources. The MDAC should therefore ensure that resources exist to support the effort. Resources may include financial compensation, personnel, tracking sheets, and communication and data sharing plans, among others.

The MDAC may consider sending individuals to the law enforcement agencies to assist with the manual count of the SAKs. These individuals will work in close collaboration with the agency and can ease the

burden of law enforcement dedicating personnel to this task.



Tip
We recommend a manual verification of the location and condition of all inventoried SAKs as a best practice.

Identify Data Elements to Be Collected

The MDAC should consider which data elements should be collected during the inventory. Certainly, the total number of SAKs is important, but additional information may help the MDAC create a strategy to address the submission of these SAKs to the crime laboratory for testing. For example, the date of the offense may be important if a statute of limitations applies. The age of the victim and condition of the SAK may also be useful to include. Additionally, the MDAC should note information pertaining to the destruction of a SAK or circumstances that might potentially affect testing outcomes.

Identify a Point of Contact from the MDAC

Lastly, the MDAC should have a designated point of contact during the inventory process for unexpected issues that may arise during the inventory. The point of contact should be a liaison between the MDAC and the personnel conducting the inventory. This person will be responsible for providing answers to unanticipated questions or issues, such as whether the inventory should include SAKs in which the jurisdiction of the offense differs from the jurisdiction where the sexual assault exam was conducted, or how to document and address SAKs that are damaged or missing relevant information, as verified by exterior visual inspection.

Success Metric: Completed Inventory Verified by MDAC

The MDAC should evaluate the data from the inventory for any missing information. If no additional input or clarification is required, the MDAC should approve the completion of the inventory, generate a final report summarizing important information obtained from the inventory, and submit this report to relevant stakeholders.

Intermediate: Develop an SAK Testing Strategy

For a jurisdiction addressing previously unsubmitted SAKs or responding to legislation that requires the submission and testing of all SAKs within a specified timeframe, the next critical step, once the inventory is complete, is creating an effective strategy for the submission and testing of the SAKs. Table 6 lists the activities associated with this goal.

Table 6. Developing a sexual assault kit (SAK) testing strategy

Activity	Develop an SAK testing strategy
1	Determine local laboratory testing capacity
2	Determine submission methodology
3	Evaluate the submission methodology
Success	Best practices for SAK testing
Success	Policy for data associated with SAK testing

Determine Local Laboratory Testing Capacity

It is imperative that agencies work collaboratively with their local laboratories to determine the laboratories' ability and capacity to test the inventoried SAKs. Testing strategies may consist of working with the local laboratory to outsource the testing of the SAKs to a commercial laboratory or may include an arrangement with the local laboratory to test a certain number of SAKs each month. In addition, the agency and laboratory should discuss an approach to ensure adequate resources exist to support the testing plan. Such discussions may have to take place with additional stakeholders, and MDACs should consider leveraging grant funds for this purpose. Lastly, in collaboration with the laboratory, MDACs should create clear documentation identifying the specific testing parameters, including the number of samples tested, the type of testing to be completed, and how results will be communicated.



Tip
To address the volume of testing associated with an increased submission of SAKs, laboratories should consider approaches that streamline workflows, including a direct-to-DNA approach.

Determine Submission Methodology

There are three primary methods to select previously unsubmitted SAKs for submission for testing: prioritization, forklift, and modified forklift.

Several agencies have used a prioritization strategy that attempts to identify the “low-hanging fruit,” such as cases that appear to be easy wins for investigation and prosecution purposes or where the win might be particularly appealing to specified stakeholders. This strategy should be approached with caution for multiple reasons. First and foremost, all victims of sexual assault, regardless of race, gender, socio-economic status or age, deserve equal support from the criminal justice system. Prioritization strategies can send a negative message to victims of sexual assault and the community. Second, research from the SAKI program and other efforts (Campbell et al., 2015) indicates that approximately 50% of tested SAKs will yield a CODIS-eligible profile. CODIS is a powerful investigative tool, and in the situation of cold sexual assault cases, oftentimes CODIS is the only investigative lead obtained. Likelihood of jury appeal and stakeholder bias toward investigating a particular type of sexual assault have no bearing on the ability to obtain a CODIS-eligible profile. Rather, strategies such as a forklift or modified forklift optimize case review and testing capacity.

A forklift approach is a submission of all SAKs, or a random selection of SAKs, and does not involve reviewing cases before submission for testing. This approach is beneficial for agencies with relatively few SAKs, where the estimated timeframe for completion of testing is relatively short or where the number of SAKs to be submitted for testing is within the laboratory’s capacity. In those situations, all SAKs can be submitted and moved into the testing process essentially at the same time, or as a single batch. In situations where a relatively low number of SAKs are to be submitted, but the submission will require more than one batch to the laboratory, then cases should be selected at random to create a batch. The emphasis should be on moving the SAKs into the testing phase as soon as possible to obtain CODIS information in a timely manner.

Many agencies are dealing with large numbers of previously unsubmitted SAKs. MDACs must consider a strategy that recognizes the laboratory’s capacity to address the testing of these SAKs. In these situations, the laboratory often will dictate how many SAKs can be submitted per month and the total time needed to complete testing of all the SAKs. Most agencies choose a modified forklift approach. This approach consists of selecting a batch of cases at random. The individual cases within that batch are quickly prioritized by the MDAC for submission using minimum criteria defined by the MDAC. These criteria may include statute of limitations expiration date, age or health of the victim (either currently or at the time of the offense), and adjudication status of the case. Cases that meet the prioritization criteria are moved as a batch for submission for testing. Cases that do not meet the prioritization criteria are held until all of the cases meeting the criteria have been submitted.

Using criteria such as the statute of limitations, age of the victim, or adjudication of the case can positively affect case outcomes, even independent of CODIS. For example, prioritizing cases that are approaching the statute of limitations improves the opportunity to prosecute that case after testing is completed, and considering the age or health of the victim can create an opportunity to resolve the case and support the well-being of the victim before further decline in health. In theory, adjudicated cases should already have a lawfully owed sample in CODIS. Although these SAKs are assigned a lower priority in this approach, the goal is still to test these SAKs. Preliminary research from the SAKI program indicates that lawfully owed samples from adjudicated cases are often not tested and populated into CODIS; testing these SAKs improves the ability to effectively populate CODIS.

It is important to note that the goal of these approaches is that all SAKs are submitted for testing. Regardless of the approach used, agencies should work collaboratively with the laboratories to ensure the actual submission of the SAKs is in alignment with laboratory submission policies.



Tip
The MDAC should review relevant legislation to ensure it follows all evidence tracking requirements.

Evaluate Submission Methodology

The MDAC should periodically review the submission methodology with all contributing agencies and the crime laboratory to ensure the process is consistent and effective. It is not unusual to discover that different agencies within the same jurisdiction have different methods. These differences may present challenges for the laboratory and hamper effectiveness, especially when large numbers of SAKs are being submitted. The MDAC should also foster a positive and open relationship with the laboratory. The MDAC should be as responsive as possible to any concerns the laboratory may have and work collaboratively with the laboratory to address those concerns.

Success Metric: Best Practices for SAK Testing

The MDAC should develop localized best practices for SAK submission and testing that are in alignment with national best practices. Depending on available resources, the MDAC may need to consider implementing the most-important best practices first while gathering stakeholder support to address resource gaps.

Success Metric: Policy for Data Associated with SAK Testing

The MDAC should consider a policy for collecting, analyzing, and storing data associated with SAK testing. These data could include the number of cases tested, the number of CODIS hits received, the number of serial offenders identified, and the number of cases resulting in a conviction.

The MDAC should think strategically about how the data could be used to maintain programs, obtain additional resources, and expand programs, such as specialized investigative units, in the future. In addition, the policy should consider who has access to the data, how often the data are updated, and what portion, if any, will be shared with the community. A research partner can be exceptionally helpful

with this task, and the MDAC may want to consider establishing such a partnership.

Lastly, the MDAC should consider evaluating the data not only to determine the level of success but also to identify areas where improvement and additional resources may be needed.

Advanced: Submit SAKs to Initiate Testing and Resolve Inventory

Using the effective submission and testing plan created in the previous section, the MDAC should begin submitting SAKs. The MDAC should stay in active communication with the testing laboratory to address any concerns or questions in a timely manner, and the committee should monitor the process to ensure all SAKs identified in the inventory are submitted for testing. Table 7 lists the activities associated with this goal.

Table 7. Submitting sexual assault kits (SAKs) to initiate testing and resolve inventory

Activity	Submit SAKs to initiate testing and resolve inventory
1	Initiate submission of SAKs
2	Track SAKs with Combined DNA Index System (CODIS) entry
Success	Submission of accumulated SAKs

Initiate Submission of SAKs

The process of submitting SAKs for testing can be complex, especially if the activity is being conducted across multiple jurisdictions or as a statewide effort. The MDAC should frequently review the process and communicate regularly with agency representatives and the laboratory to ensure a smooth and efficient workflow.

Track SAKs with CODIS Entry

Research has demonstrated that approximately half of the SAKs submitted for testing will result in a CODIS-eligible DNA profile (Campbell et al., 2015). The MDAC should track this information closely, as the SAKs that do not yield a CODIS-eligible profile will require additional investigative strategies, such as detailed investigative case review, submission and testing of additional sexual assault

evidence associated with the case, and entry of the case information into the FBI's Violent Criminal Apprehension Program (ViCAP).

Success Metric: Submission of Accumulated SAKs

Successful submission of all previously unsubmitted and accumulated SAKs is a significant milestone in an improved response to sexual assault. An agency should consider highlighting this goal through the media. That message can be further bolstered by data showing the number of SAKs tested, CODIS hits obtained, investigations initiated, and convictions obtained.

Advanced: Create a Submission Plan to Resolve Additional Testing Needs

As mentioned previously, research demonstrates that not all SAKs will result in a CODIS-eligible profile. The overarching goal for SAK testing for an improved response to sexual assault is to optimize CODIS entry of sexual assault evidence. Therefore, the MDAC will need to consider additional testing strategies for cases with SAKs that did not produce a CODIS-eligible DNA profile. Table 8 lists the activities associated with this goal.

Table 8. Creating a submission plan to resolve any additional testing needs

Activity	Create a submission plan to resolve any additional testing needs
1	Conduct case reviews for additional testing considerations
2	Verify that no additional sexual assault kits (SAKs) have accumulated
Success	Support for additional testing

Conduct Case Reviews for Additional Testing Considerations

The MDAC should conduct a case review for each SAK that did not yield a CODIS-eligible profile to see whether any additional sexual assault evidence may be submitted for testing. Additional sexual assault evidence often consists of clothing, linens, or other items. Furthermore, the MDAC should confirm with the laboratory that all samples in the SAK were tested to completion and that the testing methods optimized the chances of yielding a CODIS-eligible profile. Lastly, the MDAC and the laboratory should

discuss additional testing methods, such as Y-STR testing or forensic genealogy approaches, that may provide additional investigative leads. The MDAC should consider that, according to data from other jurisdictions addressing sexual assault response reform, the number of SAKs that will not yield a CODIS-eligible profile could be as many as half the SAKs in the inventory (Campbell et al., 2015). Therefore, it will be important for the MDAC to have a strategic plan that includes the required resources to support this activity successfully.

Verify That No Additional SAKs Have Accumulated

The MDAC should verify that all SAKs in the established inventory have been tested to completion and that no additional SAKs have accumulated since the submission process began. It is not unusual for an MDAC to discover, during the stages of this process, that SAKs have accumulated in additional storage locations or that recent SAKs have not been efficiently submitted, especially those in which the investigation has stalled, or the case was labeled as unfounded or a false report. In these situations, the MDAC should verify that corrective actions are taken.

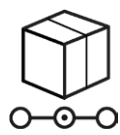
Success Metric: Support for Additional Testing

The goal of resolving an inventory of accumulated SAKs is achieved when the inventory is completely eliminated. If the MDAC decides to test additional evidence from SAKs that did not yield a DNA profile, or if additional SAKs are discovered outside of the original inventory, the MDAC will need to extend its testing process beyond the initial scope. This will most likely require additional funding. The MDAC should identify and connect with additional funding sources, emphasizing the importance of achieving this goal.

Category 3: SAK Evidence Tracking

Evidence tracking for SAKs, both current cases and cold cases, is a critical component of effective accountability for the receipt, custody, submission, testing, and storage of SAKs. Additionally, an ETS helps MDACs generate reports of relevant data, such as how many SAKs are currently submitted for testing compared with those already tested. Such data can be used to identify policies that support efficient practices or areas of improvement. Figure 5 displays the structure and goals for this category of reform.

Figure 5. Sexual assault kit (SAK) and evidence tracking



Sexual Assault Kit and Evidence Tracking

Introductory	Intermediate	Advanced
Implement an SAK evidence tracking system	Finalize considerations and recommendations for SAK evidence	Initiate the ETS implementation plan Evaluate the ETS and develop an ETS improvement plan

Notes: ETS = evidence tracking system

Introductory: Implement an SAK ETS

It is important that law enforcement agencies implement an ETS for SAKs to prevent the unidentified accumulation of unsubmitted SAKs, and to provide stakeholders, including sexual assault victims, with current and relevant information pertaining to the processing of SAKs and the status of their case. Table 9 lists the activities associated with this goal.

Table 9. Implementing a sexual assault kit (SAK) evidence tracking system (ETS)

Activity	Implement an SAK ETS
1	Conduct a needs analysis
2	Review relevant ETS resources
Success	Recommendations for the ETS

Conduct a Needs Analysis

Whether the MDAC is evaluating a current system or making recommendations for a new system, a needs analysis will help the MDAC determine the necessary and optional functions for the ETS. We recommended structuring the ETS to promote cross-agency information sharing and communication and to allow victims of sexual assault to opt in and obtain information regarding the processing of their SAK and the status of their case.

The MDAC should consider an ETS that can interface with the current Records Management System, includes a barcoding tracking system, and can communicate with the crime laboratory information management system. Other useful features include web-based portals that allow designated users access to information, as well as the ability to track additional data points besides the SAK processing status, such as case investigation and prosecution status, CODIS hit information, and the final

disposition of the case. The system interface should be user-friendly and should allow practitioners to generate relevant data reports.



Tip

MDACS should consider local, state, and federal funding opportunities to support implementation.

Review Relevant ETS Resources

When evaluating different ETS options, the MDAC should review information and ask questions about information technology (IT) support and requirements for implementation, as well as more long-term considerations such as maintenance agreements or upgrades. Equal consideration should be given to ETSs available for purchase, systems that are freely available, and solutions that can be developed in-house. We also recommend connecting with peers in other jurisdictions and asking questions about their ETS, how much they were able to customize it to their needs, and any lessons learned from their own selection process and user experience.



Success Metric: Recommendations for the ETS

The MDAC should prepare a report summarizing the needs analysis, justifying the identified “must-haves” and “nice-to-haves” in the new ETS, and considering the allocation of resources. The report should clearly identify the short-term and long-term resources required for implementation.

Intermediate: Finalize Considerations and Recommendations for SAK ETS

Once the needs analysis is complete and the MDAC has had the opportunity to review various ETS options, the committee should select an ETS and create a plan to successfully support the implementation. Table 10 lists the activities associated with this goal.

Table 10. Finalizing considerations and recommendations for sexual assault kit (SAK) evidence tracking system (ETS)

Activity	Finalize considerations and recommendations for SAK evidence tracking
1	Identify key stakeholders for ETS discussion
2	Decide on the ETS
Success	Creation of an ETS implementation plan

Identify Key Stakeholders for ETS Discussion

The MDAC should consider whether the decision-making process would benefit from additional stakeholders joining the discussion. For example, it might be helpful to speak with people at other agencies who have implemented a system to learn what they like or dislike about the system they chose. It could also be useful to include additional representatives from the IT department or their equivalent. We highly recommend including the individuals who would be responsible for data entry and system maintenance in the conversation.

Decide on the ETS

With the information from the needs analysis, the review of various ETS options, and the input from various stakeholders, the MDAC should now be in a position to select a system. If the expense or the implementation timeline is too great for a one-time purchase, the MDAC may also consider a phased approach to system implementation, provided that is an option from the ETS vendor or developer and that resources supporting such an approach can be secured over the long term. In addition, agencies may consider developing a system in-house or securing a free system already developed by another agency; note that such systems may require modification.

Success Metric: Creation of an ETS Implementation Plan

The creation of an MDAC-approved plan for the implementation of an ETS is a key step toward an effective system to track SAKs, case information, and outcomes and toward a platform for improving interagency communication and victim engagement in the criminal justice system.

Advanced: Initiate the ETS Implementation Plan

Now that the MDAC has decided on the ETS, including whether it will be purchased or built in-house and whether the implementation will be done all at once or in a phased approach, the MDAC must seek approval and support to move forward. Table 11 lists the activities associated with this goal.

Table 11. Initiating the evidence tracking system (ETS) implementation plan

Activity	Initiate the ETS implementation plan
1	Secure funding for the ETS
2	Designate ETS point of contact
Success	Implementation of an ETS

Secure Funding for the ETS

The MDAC should now have a robust description and justification for the desired ETS and a strategy for its implementation. If the MDAC was able to bring stakeholders into the discussions who would be key in obtaining support and resources for the system, then, ideally, these stakeholders will have already begun the conversations necessary to secure the required funding. If not, then the MDAC will need to clearly outline the ETS approach to those stakeholders at this time and devise a method to secure funding. The MDAC should be aware that securing funding for an ETS can be challenging, as it typically requires a significant amount of funding all at once.



Tip

MDACS should consider local, state, and federal funding opportunities to support implementation.



Designate ETS Point of Contact

Undoubtedly, additional questions will arise pertaining to the usage, purchase, and implementation of the ETS. Therefore, the MDAC should assign a designated point of contact to streamline communication. This point of contact will work closely with the MDAC and relevant stakeholders to ensure an efficient process for the purchase, installation, and implementation of the ETS. If the point of contact does not have IT experience, that person should work closely with an IT representative to address any technical concerns.

Success Metric: Implementation of an ETS

The successful implementation of an ETS positively supports sexual assault response by providing accurate case and SAK information and creating a successful platform for interagency communication and victim engagement in the criminal justice system.

Advanced: Evaluate the ETS and Develop an ETS Improvement Plan

Even with the most-proactive approach, it is unlikely that the implemented ETS will function perfectly right away. Therefore, the MDAC should create a strategy for encouraging practitioners to use the ETS and offer feedback on their experience. Table 12 lists the activities associated with this goal.

Table 12. Evaluating the evidence tracking system (ETS) and developing an ETS improvement plan

Activity	Evaluate the ETS and develop an ETS improvement plan
1	Review and assess the ETS
Success	Support for the improvement plan

Review and Assess the ETS

Early on in the implementation process, the MDAC should reach out to agencies to gauge the ETS's performance.

Typically, the feedback received will touch upon aspects that need improvement. Some of these identified issues may be resolved with better communication or additional training. Some issues may have been unforeseen during the planning phase and will need to be addressed. The MDAC should prioritize resolving these issues and create a method for obtaining more rounds of feedback. It is important that the system work correctly and be user-friendly for practitioners. If substantial improvements are needed, the MDAC will need to secure additional funding and support.

Success Metric: Support for the Improvement Plan

Ensuring the continued use of the ETS further supports an improved response to sexual assault and ensures effective tracking and monitoring of sexual assault cases and SAKs.

Category 4: Innovative Change for Investigation

Sexual assault cases are some of the most challenging cases for law enforcement to investigate. Therefore, policies to effectively investigate sexual assault cases in a victim-centered, trauma-informed manner are critical.

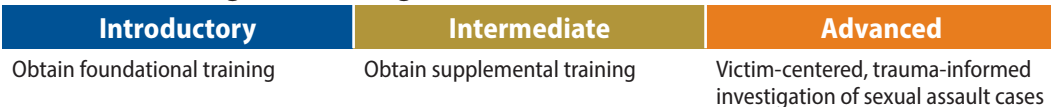
The training topics identified below, which address methods for more-effective investigation strategies, including case review; CODIS hit follow-up; and approaches for successful, trauma-informed engagement with victims of sexual assault will give investigators a foundation for understanding and implementing the ideal policies. By progressing through the guide, law enforcement agencies receive a basis for creating an improved response to sexual assault that, when communicated to the community, can build trust and confidence between law enforcement and the community.

Figure 6 displays the structure and goals for this category reform.

Figure 6. Innovative change for investigation



Innovative Change for Investigation



Introductory: Obtain Foundational Training

Introductory training for law enforcement is an important component for transitioning to a culture that supports victims of sexual assault while also obtaining impactful investigative information that may support resolving cases. Sexual assault investigators need more than one level of training; the training curriculum is complex and takes time. Therefore, concepts for initial training provide the foundation of trauma-informed investigation.

It is imperative that law enforcement officials tasked with investigating sexual assault cases receive training on the effects of trauma on sexual assault victims so they can conduct effective interviews in a victim-centered, trauma-informed manner. In addition, understanding the effects of trauma benefits the case review process and investigative strategy. Lastly, by learning about the role of victim advocates, law enforcement officials can understand how partnering with a victim advocate can benefit case investigative outcomes. Table 13 lists the activities associated with this goal.

Table 13. Obtaining foundational training

Activity	Obtain foundational training
1	Training: Neurobiology of trauma
2	Training: Sexual assault case review
3	Training: The role of victim advocates
Success	Number of trained individuals

Training: Neurobiology of Trauma

One of the most significant challenges for investigators is a lack of understanding of the effect of trauma. For sexual assault victims, trauma may manifest in a variety of ways that may seem unexpected to an individual not trained in post-trauma responses. For example, victims may have difficulty remembering details or the order of events, or their demeanor may seem odd to the investigator. Failure to anticipate how victims of sexual assault will respond during a law enforcement interview, and a failure to understand *why* they respond as they do, have historically been detrimental to the investigation of sexual assault cases, contributing to the significant accumulation of SAKs never submitted for testing. Understating the effects of trauma and conducting

sexual assault victim interviews in a trauma-informed manner improves the investigative process and provides the best opportunity for law enforcement to obtain the information they need.

It is a national best practice that members of law enforcement receive training that provides an overview of the neuroscience associated with trauma—and more specifically, provides examples of how trauma manifests in victims of sexual assault in the short and long term. This type of training lays the foundation for approaching a sexual assault investigation in a trauma-informed manner. As with any training, the MDAC should not only ensure that this course is available to all new investigators but also offer advanced trainings on the topic for more-seasoned members.



Training: Sexual Assault Case Review

It is a national best practice that an MDAC, an MDT, a SART, or a similar multidisciplinary team review sexual assault cases. Doing so provides the best foundation for maintaining a victim-centered, trauma-informed approach. In addition, we recommend that law enforcement receive specialized training that addresses the complexities of these cases and enhances practices to effectively investigate them. This is especially true for reviews of cold-case sexual assaults that were hurt by practices that were not trauma informed.



Tip

Both current and cold sexual assault cases benefit from an effective case review conducted through a multidisciplinary approach.

Training: The Role of Victim Advocates

Victim advocates are specially trained in trauma-informed practices that support victims of sexual assault. Although the perspective of a victim advocate will be different from that of law enforcement, when the two agencies work together, they provide the most benefit to victims and the best possible outcome for the sexual assault case.

Partnering with a victim advocate can ease the burden for law enforcement when it comes to victim engagement, victim communication, and transparency of information. Such partnerships also foster practices that assist the victim throughout the criminal justice process. For example, victim advocates can be extremely helpful in locating, communicating with, and establishing rapport with sexual assault victims.



Tip

Community-based and system-based victim advocates differ with respect to their roles in the criminal justice system. An agency should understand these differences to provide the best possible outcome. Resources describing these differences can be found at sakitta.org.

Success Metric: Number of Trained Individuals

Ensuring that all investigators receive the above trainings is a first step in creating a culture that understands and supports victims of sexual assault, recognizes sexual assault cases as a violent crime and a public safety issue, and investigates these cases effectively with the goal of holding perpetrators accountable.

Intermediate: Obtain Supplemental Training

The previous section focused on foundational trainings essential to successful investigation of sexual assault cases. Several more-advanced topics require additional training for investigators. This list, although not exhaustive, does define what is considered to be the core training needed for sexual assault investigations to be in alignment with national recommendations and best practices. The MDAC may consider additional trainings. Table 14 lists the activities associated with this goal.

These trainings supplement policy and practice to ensure sexual assault investigations are conducted effectively and maximize the potential of investigative information. Providing training to all levels of sexual assault investigators, including unit supervisors and individuals in leadership and decision-making positions, provides the best opportunity to address both individual and group behavior, which empowers policy change.

Table 14. Obtaining supplemental training

Activity	Obtain supplemental training
1	Training: Combined DNA Index System (CODIS) hit prioritization
2	Training: Investigative strategies for non-CODIS cases
3	Training: Understanding the value of DNA testing
4	Training: Trauma-informed interviewing
Success	Implementation of improved policies

The MDAC should periodically review the required trainings and a sustainability strategy to ensure that refresher training is provided on a regular basis to veteran investigators, along with the foundational training for new members. The MDAC should also stay abreast of new national recommendations and emerging research relevant to sexual assault investigations and incorporate trainings that address those topics.

Training: CODIS Hit Prioritization

Research indicates that approximately half of the SAKs submitted for DNA testing will yield a CODIS-eligible profile, and of those, approximately half will result in a CODIS hit. Legislation or policies directing all SAKs to be submitted for testing and efforts to test previously unsubmitted SAKs will continue to populate the CODIS database with sexual assault forensic evidence, increasing the probability of obtaining additional CODIS hits. An investigative agency must have policies to address the influx of CODIS hits expected as a result of effective SAK testing. Providing training on methods for prioritization of CODIS hits will lead to more-effective investigations that optimize the potential for arrest and prosecution.

Training: Investigative Strategies for Non-CODIS Cases

Half of SAKs submitted for testing will not yield a CODIS-eligible profile. However, alternative strategies can still move these cases forward and result in a successful investigation. Trainings exist on how to conduct an investigative case review to identify possible additional investigative options, including identifying case follow-up opportunities and possible additional evidence, employing additional forensic

testing methods, and entering case data into the FBI’s ViCAP program.

Training: Understanding the Value of DNA Testing

Investigators should have a basic understanding of the flow of data in CODIS to better understand CODIS hit reports and limitations of CODIS. In addition, investigators should have a foundational understanding of the different types of DNA testing available and the investigative support those results may provide.



Training: Trauma-Informed Interviewing

Traditionally, investigators are trained to interrogate suspects. However, a victim interview is exactly that—an interview—not an interrogation. Investigators who learn how to use different forms of questioning, a different tone of voice, and non-aggressive body language when interviewing a victim of sexual assault create an opportunity for trust with the victim. In these circumstances, a victim is more likely to be engaged in the investigative process.

Investigators are seldom trained in techniques that account for the effects of trauma on a sexual assault victim. As mentioned earlier, victims may have difficulty remembering details accurately, or in the right order, which—without proper training provided to the investigator—can result in a “dead end” for the case. Receiving training in trauma-informed victim interviewing will help investigators build rapport with the victim and provide the best opportunity for an investigator to obtain the information needed to move the case forward.



Tip

Consider having a victim advocate present during the victim interview to assist with communication and ensure the interview stays trauma informed.

Success Metric: Implementation of Improved Policies

The MDAC should help investigating agencies write and implement improved policies and practices that incorporate the objectives discussed in these

trainings and align with national best practices and recommendations.

Advanced: Victim-Centered, Trauma-Informed Investigation of Sexual Assault Cases

The law enforcement agency is often the first responder in a sexual assault case. The initial interaction between law enforcement and a victim of sexual assault can set the tone for whether that victim will remain engaged with the criminal justice process. Therefore, it is imperative that investigators use trauma-informed, victim-centered strategies. In addition, effective polices for the testing of sexual assault forensic evidence maximizes the use of forensic databases to provide investigative leads and solve sexual assault cases. Table 15 lists the activities associated with this goal.

Table 15. Conducting victim-centered, trauma-informed investigation of sexual assault cases

Activity	Victim-centered, trauma-informed investigation of sexual assault cases
1	Implement trauma-informed policies and practices
2	Consider specialized training
3	Resolve DNA collection policies and practices to support database entry
4	Assess policies and practices
Success	Sustainable policies and practices supporting improved sexual assault response

Implement Trauma-Informed Policies and Practices

With guidance provided by the MDAC, law enforcement agencies will need to actively implement and follow trauma-informed policies to support an improved response to sexual assault. The MDAC should support these policies with associated training and ensure the policies are incorporated into the case review process. Implementation of these policies will require support and accountability within the law enforcement organization, and the organization should take every opportunity to identify barriers to implementation and, with support from the MDAC, remove those barriers, ensuring sustainable change.

Consider Specialized Training

Specialized or advanced training exists that provides instruction and case examples to facilitate the incorporation of trauma-informed policies and practices. With guidance from the MDAC, law enforcement agencies should take advantage of additional training that enhances an improved response to sexual assault. Topics for consideration might include trauma-informed interviewing skills for interviewing victims of sexual assault, how to conduct sexual assault case reviews, effective strategies for following up on CODIS hits, or understanding the serial nature of perpetrators who commit sexual assaults.

Resolve DNA Collection Policies and Practices to Support Database Entry

Databases can be extremely valuable in the resolution of violent crimes, including sexual assaults. CODIS has clearly demonstrated its effectiveness in providing investigative leads. To ensure optimization of CODIS's ability to support investigation, it is imperative that law enforcement submit forensic sexual assault evidence to the crime laboratory in a timely manner for testing and uploading into CODIS. This includes the submission of SAKs.

Furthermore, law enforcement is the primary agency for the submission of what are often termed "lawfully owed DNA samples." These are samples obtained from individuals either at arrest or conviction of a qualifying offense for upload into national crime databases, such as CODIS or ViCAP, that can connect cases and generate investigative leads.

It has recently come to national recognition that the policies and practices associated with the collection and submission of lawfully owed DNA samples need review and improvement. The MDAC should review collection, submission, and testing policies and practices associated with lawfully owed samples to ensure effective use of CODIS and ViCAP. These databases are limited only by the data uploaded to them, so policies must support efficient data entry. Such policies should address any resource issues and provide clear guidance on who is responsible for data entry.

Assess Policies and Practices

Law enforcement agencies, with guidance from the MDAC, should have a structure in place for the periodic review and assessment of policies and practices associated with sexual assault response reform to ensure alignment with national recommendations and best practices. Agencies should notify the MDAC of gaps or challenges for input on a strategy to address the issue. Agencies should also consider conducting an external assessment of their collective sexual assault response policies and practices. This could be conducted from a research or a peer/practitioner perspective; either way, the assessment should involve input from the MDAC.

Success Metric: Sustainable Policies and Practices Supporting Improved Sexual Assault Response

A sustainable approach to improving sexual assault response strengthens the safety of the community, provides transparency, rebuilds trust, and supports the healing process for victims of sexual assault. Using trauma-informed, victim-centered approaches to sexual assault cases sends a message that sexual assault victims matter, and that law enforcement will investigate these cases thoroughly and hold perpetrators accountable to the best of their ability.

Category 5: Innovative Change for Prosecution

Prosecuting sexual assault cases to the fullest extent possible demonstrates to the community and victims of sexual assault that the criminal justice system will not tolerate this violent crime and will support victims of sexual assault by seeking just resolution to these cases whenever possible. Sexual assault cases are some of the most challenging cases to prosecute as these cases are often complicated by factors that may not affect other types of violent crimes, such as lack of eyewitnesses; failure to understand that trauma may result in delayed reporting or other responses that a jury may misinterpret; and, in some cases, lack of certain types of physical evidence that a jury might expect because of misinformation or societal influences. In addition, sexual assault cases are complicated by the fact that oftentimes the assailant is known to the victim; a spouse or partner of the victim; a family member, relative, or close family friend of the victim; or someone respected

in the community. These factors are not trivial, but they can be overcome. As more sexual assault cases are prosecuted, the likelihood of eradicating societal misconceptions associated with sexual assault cases increases. Prosecutors will benefit from training on the creation of successful courtroom strategies to address the above-listed challenges to ensure jurors connect with the victim’s experience and understand the reality of the victim’s experience. Figure 7 displays the structure and goals for this category of reform.

Introductory: Obtain Foundational Training

Training is one of the first steps in creating strategies to successfully prosecute sexual assault cases. The training topics identified in this guide create a foundation for an improved approach to resolving sexual assault cases through the understanding that these cases oftentimes cannot be approached in the same manner as other cases. These trainings heavily affect practice, and the MDAC should consider how the information learned can effectively be implemented into policy. Some resulting changes may be methodological and address the strategic approach to the case, whereas others may be more cultural. For example, when prosecuting sexual assault cases, value should not be placed exclusively on the number of cases won, but rather on the fact that prosecuting sexual assault cases helps to support victims of sexual assault in their healing process and repairs

the damage in trust this violent crime brings to a community. This guide aligns relevant training topics with changes in policy so a jurisdiction can create a robust methodology for supporting victims of sexual assault by the successful prosecution of sexual assault cases. Table 16 lists suggested foundational training topics.

Training: Prosecution Considerations for Sexual Assault Cases

Prosecutors need to consider several factors when prosecuting sexual assault cases, including the safety and privacy of the victim, maintaining victim engagement through this part of the criminal justice process, and the impact of trauma on the victim. As part of their strategy, prosecutors also need to consider how to get the most out of expert testimony. We recommend that an agency determine the mandatory, fundamental curricula for both current and cold-case sexual assaults and ensure such training is available on a regular basis.



Training: Neurobiology of Trauma

It is a national best practice that prosecutors receive training that provides an overview of the neuroscience associated with trauma—and more specifically, provides examples of how trauma

Figure 7. Innovative change for prosecution



Innovative Change for Prosecution

Introductory	Intermediate	Advanced
Obtain foundational training	Obtain supplemental training	Victim-centered, trauma-informed, offender-focused prosecution of sexual assault cases

Table 16. Obtaining foundational training for prosecutors

Activity	Obtain foundational training
1	Training: Prosecution considerations for sexual assault cases
2	Training: Neurobiology of trauma
3	Training: Victim engagement
4	Training: The role of victim advocates
Success	Number of trained individuals

manifests in victims of sexual assault in the short and long term. This training, created specifically for prosecutors, provides the opportunity for the full narrative of the victim's experience to be understood. Understanding this narrative and the victim's responses through a trauma-informed perspective allows a prosecutor to identify and convey to the jury a victim's psychological and physiological responses to the offender's conduct. As with any training, an agency should not only ensure that this course is available to all new investigators but also offer advanced trainings on the topic for more-seasoned members. Understanding the impact of trauma on sexual assault victims provides the foundation for victim-centered engagement and practices.

Training: Victim Engagement

The road to the prosecution of a sexual assault case often is very long, and the victim is at high risk for disengaging at many points along the way. Although the victim's sense of well-being and healing is paramount in the criminal justice process, sexual assault cases are negatively affected when the victim disengages. Prosecutors need to maintain transparent, frequent communication with the victim and give special consideration to victim safety and privacy. This may mean legal motions and rulings, or it may mean ensuring the victim has access to resources and support for continued healing. To ensure a trauma-informed approach and optimize the potential for victim engagement, prosecutors must recognize that the offender caused the victimization and inflicted trauma on the victim. The effects of this may be exemplified by the victim's delayed disclosure, or subsequent contact with the victim. Understanding the complexities of the impact of trauma avoids a "victim blaming" atmosphere and improves the potential to maintain victim engagement.

Training: The Role of Victim Advocates

Victim advocates are specially trained in crisis intervention and victim-centered, trauma-informed practices that support victims of sexual assault. Therefore, victim advocates can be especially helpful in the prosecution phase of the criminal justice process. They can support the victim by giving them additional information and clarity around

the prosecution process, providing testimony, and answering safety and privacy questions. They can also ensure the victim has access to relevant resources and support to promote healing. Prosecutors who partner with a victim advocate benefit from having improved communication with the victim and an increased opportunity for ensuring the victim remains engaged through the process.



Tip

Victim advocates should clearly explain differences in the confidentiality practices of community-based and system-based advocates to victims, especially if both types of advocates are involved in their case. More information about the difference between system- and community-based victim advocates can be found at sakitta.org.

Success Metric: Number of Trained Individuals

Ensuring that all prosecutors receive effective training in the topics listed above is a first step in creating a successful foundational culture that understands and supports victims of sexual assault, recognizes sexual assault as a violent crime, and prosecutes these offenders to the fullest extent possible.

Intermediate: Obtain Supplemental Training for Prosecutors

To successfully prosecute sexual assault cases, prosecutors must overcome several challenges. In the criminal justice system, practitioners are aware of "rape myths" or "rape stereotypes" that often influence a jury. Prosecutors must devise strategies that mediate the biases that exist in our society, and therefore in the jury, and shift the focus from an examination of the victim to an examination of the perpetrator. Because sexual assault perpetrators often victimize known acquaintances, it can be easy for jurors to dismiss the attack as possibly invited by the victim. And because perpetrators are also likely to victimize members of vulnerable populations, issues such as mental illness or homelessness may lead jurors to question a victim's credibility. Trainings at this level help the prosecutor address these challenges in court in addition to maintaining engagement with the victim (Table 17).

Table 17. Obtaining supplemental training for prosecutors

Goal	Obtain supplemental training
1	Training: Strategies for the successful prosecution of sexual assault cases
2	Training: Trauma-informed interviewing
Success	Implementation of improved policies

Training: Strategies for the Successful Prosecution of Sexual Assault Cases

Prosecutors should be trained in successful strategies for maintaining victim-centered, offender-focused prosecution and addressing the common defenses presented in sexual assault cases. This training should cover motions and tactics that support the entire case beyond courtroom testimony. Additionally, cold-case sexual assaults have some unique aspects that are not as prevalent or even present in current-case sexual assaults. Therefore, prosecutors should receive specialized training on cold-case sexual assaults before trying these cases in court.

The prosecutor’s office, in collaboration with the MDAC, should identify the relevant training desired and secure support for such training. Prosecutors may also consider peer-to-peer learning opportunities to discuss outcomes from cases and share knowledge, experience, and tactics.

Training: Trauma-Informed Interviewing

Prosecutors, like investigators, can benefit from training on trauma-informed interviewing so they can further assist the victim through the trial portion of the criminal justice process. This type of training will give the prosecutor a strong skill set to engage with the victim and prepare them for trial, including preparation for being an expert witness.

Success Metric: Implementation of Improved Policies

The MDAC should help prosecutors’ offices write improved policies and practices that incorporate the objectives discussed in these trainings. The MDAC should also periodically review the required trainings and a sustainability strategy to ensure that veteran prosecutors receive refresher training on a regular basis, and that new members continue to receive

Table 18. Conducting victim-centered, trauma-informed, offender-focused prosecution of sexual assault cases

Activity	Victim-centered, trauma-informed, successful prosecution of sexual assault cases
1	Implement trauma-informed policies and practices
2	Consider specialized training
3	Assess policies and practices
Success	Sustainable policies and practices supporting improved sexual assault response

foundational training. Finally, the MDAC should stay abreast of new national recommendations and emerging research relevant to sexual assault cases and incorporate trainings that address those topics.

Advanced: Victim-Centered, Trauma-Informed, Offender-Focused Prosecution of Sexual Assault Cases

Prosecutors must address the complications associated with pursuing sexual assault cases. These cases are not easily won and require experience, training, and hard work. Prosecutors can benefit by working collaboratively with the corresponding law enforcement agency and with victim advocates to increase opportunities for obtaining the information needed to charge the case, present the case in court, and earn a conviction. Through this lengthy process, prosecutors must maintain engagement with the victim and respond to the victim’s needs, including safety concerns. Prosecutors who are properly trained in victim-centered, trauma-informed processes are integral to an improved response to sexual assault. Table 18 lists the activities associated with this goal.

Implement Trauma-Informed Policies and Practices

Prosecutors, with guidance provided by the MDAC, should implement and follow trauma-informed policies to support offender-focused prosecution of sexual assault cases. These policies should be accompanied by relevant training, which may include mock courtroom trial activities or role-playing exercises that provide an opportunity for applying the training material in realistic scenarios. Successful implementation of these policies will require support and accountability by prosecutors. Prosecutors should bring any barriers they identify to the attention of the MDAC to ensure corrective actions are taken.

Consider Specialized Training

Prosecutors should consider receiving specialized training for prosecution of sexual assault cases. These trainings should be in alignment with national recommendations and best practices and, with input from the MDAC, assist in further incorporation of trauma-informed, victim-centered policies for an improved response to sexual assault. These trainings might include advanced topics pertaining to victim safety and privacy issues, maintaining victim engagement, improving expert witness testimony provided by criminal justice practitioners, overcoming the consent defense, and understanding the serial nature of perpetrators who commit sexual assaults and the likelihood that they have committed other violent acts. With input from the MDAC, prosecutors should actively seek support and resources to participate in identified trainings and share that knowledge with their peers.



Tip

Specialized training for jury selection using questions that lay the foundation for the case can enhance a prosecutor's ability to educate the jury and avoid "victim blaming."

Assess Policies and Practices

The MDAC should periodically review the policies and practices associated with the prosecution of sexual assault cases to ensure continued alignment with national recommendations and best practices. This review should be a platform for discussion regarding sustainability and areas for improvement, as well as for sharing successes and lessons learned with peers.



Tip

The MDAC should consider a case review strategy for cases prosecutors have declined. This strategy should help foster a realignment of success metrics and identify opportunities for improved prosecution.

A primary goal for improving a community's response to sexual assault is to support the victims of sexual assault. In that spirit, prosecutors should consider defining a case's success not by whether

they won or lost in court, but by the healing victims may receive from having their cases prosecuted. By reviewing cases that are declined or lost, the MDAC can gain insight into areas for improvement, including expert testimony, strategic jury selection, or offender-focused direct examination of the victim.

Success Metric: Sustainable Policies and Practices Supporting Improved Sexual Assault Response

A sustainable approach to improving sexual assault response strengthens the safety of the community, provides transparency, rebuilds trust, and supports the healing process for victims of sexual assault. Using trauma-informed, victim-centered approaches to sexual assault cases sends a message that sexual assault victims matter, and that prosecutors will pursue these cases thoroughly and hold perpetrators accountable to the best of their ability.

Conclusion

An improved criminal justice response to sexual assault improves public safety, builds trust with victims and with the community, promotes healing for survivors, and holds perpetrators accountable.

The MDAC is at the core of sexual assault response reform success, as a multidisciplinary approach incorporates the expertise of the entire criminal justice system, breaks down silos for effective case resolution strategies, and facilitates critical discussions with key stakeholders, federal representatives, and state legislators.

The MDAC, as the driving force behind the implementation of trauma-informed, victim-centered policy and practice, must ensure overall alignment with national best practices and recommendations as well as current research on sexual assault cases.

By supporting sustainable change, the MDAC empowers agencies to actively reform sexual assault response and provides the best opportunity for a just resolution to these cases.

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Appendix A. Training

Training Needs

The multidisciplinary advisory committee (MDAC) should help determine agencies' training needs, including which trainings should be multidisciplinary and which should be discipline specific.

For example, training on how to function effectively together as a sexual assault response team (SART), or training that provides further understanding of the effects of trauma on sexual assault victims, should be considered multidisciplinary, as stakeholders from the different agencies of the criminal justice system could all benefit greatly.

However, a specialized course, such as trauma-informed interviewing skills to support effective sexual assault investigations, may be considered more discipline-specific and offered only to select stakeholders. However, discipline-specific trainings should not enforce silos or create a process that differs from the multidisciplinary trainings. In addition, even if an identified training is primarily for a specific discipline, the MDAC should ensure that the training is available to members of all disciplines, should they wish to attend.

Formats

The MDAC should consider different training delivery methods and strike a balance that fits the learning styles of the different disciplines while keeping costs in mind. Although in-person trainings are traditionally the most appealing, these trainings are often not as cost-effective as virtual options. Given the technology available today, the MDAC should explore all training formats, including live-stream presentations, webinars, and online learning options.

Frequency

The MDAC must consider not only who receives the training but also the frequency of each training.

Some types of training might be most beneficial as an introductory course, and therefore available to individuals new to an agency. Others might be considered "advanced" and designated for individuals who perform a specific function or conduct a specialized activity. Lastly, some training might

be considered "refresher" training and provided periodically to make sure that everyone remains on the same page.

Although some courses, such as foundational trainings, might be mandatory for certain individuals, the MDAC should also be open to providing the training to anyone who wishes to attend.

Costs

Finding resources to support ongoing training can be a challenge.

The MDAC should consider a variety of possible resources, including federally funded trainings. Many federally supported programs either provide training at no cost or provide grants to pay for attendance at trainings and conferences.

It can also be helpful to have conversations with elected officials, community foundations, and other stakeholders regarding available grant opportunities and appropriations to increase training budgets.

Grants are an excellent opportunity to obtain initial fiscal support to establish a training program. From there, the MDAC can demonstrate the effectiveness and success of the program through data, creating a stronger case when applying for a more-sustainable funding source, such as government appropriations.

Typically, members of the MDAC would not consider themselves grant writers, but helpful resources are available for learning such skills. The MDAC should discuss a strategy to either identify an individual to support the grant writing and grant application process or work with a grant-writing individual or team available through MDAC member agencies.

Peer-to-Peer Training

The MDAC should also consider peer-to-peer training, where the committee looks to other agencies or jurisdictions that have successfully addressed a particular challenge and bring someone from that group to an MDAC meeting. These types of trainings may be more discussion-based, rather than presentation-based, but can be just as effective.

Appendix B. Communications

Communications from the Multidisciplinary Advisory Committee

As the multidisciplinary advisory committee (MDAC) forms its plan for sexual assault response reform, it should not underestimate the importance of clear, strategic communication with the press and the community. This is a significant consideration at all stages of the reform process.

The first question is how transparent to be with the community. Should the public have access to all levels of information? Or is there a compelling case to be made for keeping some aspects of the MDAC's work confidential?

Once the MDAC has decided what types of milestones should be communicated to the public, it should consider the best strategies for disseminating that information. In addition to traditional media, blogs and social media can be supportive. Blogs and social media also offer the MDAC full control over the content and timing of the message (although the committee should consider a policy on how to respond to comments on social platforms). Public forums or "town hall" meetings could also be used.

Regardless of the medium, the MDAC should identify the best spokespeople and storytellers for particular phases of work.

Communications from Law Enforcement

Law enforcement agencies should strive for a positive relationship with the community and the media. For sexual assault cases, this may mean holding themselves accountable for previous failures and communicating to the community how they will improve their response to sexual assault with the implementation of MDAC-approved policies and practices that align with national recommendations.

The MDAC should help investigative agencies establish a process and protocol for transparent communication with the community, covering topics such as progress made in improving the agency's response to sexual assault, successful cases ending in arrest, and improved strategies for victim reporting and engagement with the criminal justice system.

Communications from Prosecutors

Similarly, prosecutors should strive for a positive relationship with the community and the media. Rather than only emphasizing the successful cases, prosecutors should consider an approach that assures the community that they will recognize sexual assault cases as violent crimes and prosecute them as such. The MDAC should also help prosecutors convey a message highlighting actions taken for an improved response to sexual assault.

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