



# **REPORT ON SEXUAL VIOLENCE RESPONSE IN TALLAHASSEE/LEON COUNTY**

**2014-2015**

**TALLAHASSEE/LEON COUNTY  
COMMISSION ON THE STATUS  
OF WOMEN AND GIRLS**

**Published June 2015**



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## 2014-2015 Tallahassee/Leon County Commission on the Status of Women and Girls Commissioners

| Commissioner               | Committee Service                                                              | Begin Term | End Term | Appointed By                       |
|----------------------------|--------------------------------------------------------------------------------|------------|----------|------------------------------------|
| Dr. Ada Puryear Burnette   | Sexual Assault Policy Group                                                    | 5/1/14*    | 9/30/16  | County Commissioner Bill Proctor   |
| Paige Carter-Smith         | Community Engagement Committee                                                 | 5/1/13     | 9/30/15  | City Commissioner Scott Maddox     |
| Gail Dixon                 | Organizational and Bylaws Committee; Sexual Assault Policy Group               | 5/1/13*    | 9/30/15  | CSWG                               |
| Mildred Hall               | Sexual Assault Policy Group                                                    | 5/1/13     | 9/30/14  | City Commissioner Nancy Miller     |
| R. Jai Gillum              | Community Engagement Committee                                                 | 5/1/13     | 9/30/15  | CSWG                               |
| Dr. Roxanne Hughes         | Organizational and Bylaws Committee; Chair, Research & Development Committee   | 5/1/14     | 9/30/16  | County Commissioner Kristin Dozier |
| Dr. Huberta Jackson-Lowman | Community Engagement Committee                                                 | 5/1/14*    | 9/30/16  | CSWG                               |
| Dr. Elizabeth Jakubowski   | Chair, Funding and Budget Committee (ad hoc); Research & Development Committee | 5/1/14     | 9/30/16  | CSWG                               |
| C. Sha'Ron James           | Community Engagement Committee                                                 | 6/10/14+   | 9/30/15  | County Commissioner Nick Maddox    |

\* Multiple Terms

+ Filled Vacancy



| Commissioner       | Committee Service                                                                    | Begin Term | End Term | Appointed By                      |
|--------------------|--------------------------------------------------------------------------------------|------------|----------|-----------------------------------|
| Jane Johnson       | Research & Development Committee                                                     | 5/1/14     | 9/30/16  | County Commissioner John Dailey   |
| Stephanie Land     | Sexual Assault Policy Group                                                          | 5/1/13*    | 9/30/15  | County Commissioner Jane Sauls    |
| Jessica Lowe-Minor | Chair, CSWG; Organizational and Bylaws Committee; Chair, Sexual Assault Policy Group | 5/1/14*    | 9/30/16  | Mayor John Marks                  |
| Marion McGee       | Vice Chair, CSWG; Organizational and Bylaws Committee                                | 6/19/13+   | 9/30/15  | City Commission at Large          |
| Ruth Nickens       | Community Engagement Committee                                                       | 5/1/14     | 9/30/16  | CSWG                              |
| Sharon Ofuani      | Community Engagement Committee                                                       | 11/12/14+  | 9/30/15  | City Commissioner Nancy Miller    |
| Dr. Jeanne O'Kon   | Community Engagement Committee; Chair, Organizational and Bylaws Committee           | 5/1/13*    | 9/30/15  | County Commissioner Bryan Desloge |
| Kelly Otte         |                                                                                      | 5/1/13*    | 5/12/14  | County Commissioner Nick Maddox   |
| Dr. Cheryl Rainey  | Research & Development Committee                                                     | 5/13/15+   | 9/30/15  | City Commissioner Gil Ziffer      |

\* Multiple Terms

+ Filled Vacancy



| Commissioner           | Committee Service                                                                                       | Begin Term | End Term | Appointed By                         |
|------------------------|---------------------------------------------------------------------------------------------------------|------------|----------|--------------------------------------|
| Dr. Cecile Reynaud     | Sexual Assault Policy Group                                                                             | 5/1/13     | 9/30/15  | CSWG                                 |
| Sara Saxner            | Chair, Community Engagement Committee; Organizational and Bylaws Committee; Sexual Assault Policy Group | 5/1/14     | 9/30/16  | City Commission at Large             |
| Gail Stansberry Ziffer | Community Engagement Committee                                                                          | 5/1/13     | 4/10/15  | City Commissioner Gil Ziffer         |
| Jaye Ann Terry         | Leon County Alliance for Girls; Organizational and Bylaws Committee                                     | 5/1/14     | 9/30/16  | City Commissioner Andrew Gillum      |
| Veronica Vasquez       | Research & Development Committee                                                                        | 5/1/13     | 9/30/15  | County Commissioner Mary Ann Lindley |
| Marcia Warfel          | Community Engagement Committee                                                                          | 5/1/14     | 9/30/16  | CSWG                                 |

\* Multiple Terms

+ Filled Vacancy



## Acknowledgements

This report has been made possible due to the diligent work and contributions of many individuals: Commissioners serving on the Tallahassee/Leon County Commission on the Status of Women and Girls' (CSWG) Sexual Assault Policy Group (SAPG), community contributors, and the staff of The Oasis Center for Women & Girls, Inc. (Oasis).

### Commissioners Serving on the SAPG

|                          |                    |                    |
|--------------------------|--------------------|--------------------|
| Dr. Ada Puryear Burnette | Gail Dixon         | Mildred Hall       |
| Stephanie Land           | Jessica Lowe-Minor | Dr. Cecile Reynaud |
| Sara Saxner              |                    |                    |

### Community Contributors to the SAPG

|                                                                                                      |
|------------------------------------------------------------------------------------------------------|
| Anna Benbrook, FSU Health Promotion, Sexual Health Educator                                          |
| Jennifer Gagen, FSU Victim Advocate Program, Associate Director                                      |
| Julia Kamm-Cohen, Refuge House, SART and Youth Services Coordinator                                  |
| Natalie Kato, Human Rights Watch, US Southern State Policy Advocate                                  |
| Sara LaTorre, Tallahassee Police Department, Victim Advocate                                         |
| Theresa Prichard, Florida Council Against Sexual Violence, Director of Advocacy/LAV Project Director |
| Kori Pruett, FSU Health Promotion, Sexual Violence Prevention Coordinator                            |
| Rose Rezaei, FSU Health Promotion, Assistant Director                                                |
| Tanya Tatum, FAMU Student Health Services, Director                                                  |

### Other Members of the Community Who Helped Make this Report Possible

|                     |                    |                        |
|---------------------|--------------------|------------------------|
| Sgt. Joanna Baldwin | Cici Battle        | Lorena Vollrath-Bueno  |
| Micheala Denny      | Crystal Kelly      | Dominique Mack         |
| Laura MacKinnon     | Emily Mitchem      | Susan Parmalee         |
| Helene Potlock      | Dr. Danette Saylor | Robin Hassler Thompson |
| Erin VanSickle      | Gwen Williams      |                        |

### The Oasis Center for Women & Girls Staff, Intern, and Volunteer

|                |                            |
|----------------|----------------------------|
| Haley Cutler   | Lisa Langenderfer-Magruder |
| Barbara Groves | Amy Harvey                 |
| Amy Beleckas   | Emily Clemons              |



## Executive Summary

The statistics are staggering. Nearly 1 in 5 American women will be a victim of rape in her lifetime.<sup>1</sup> Forty-four percent of victims are under the age of 18, and 80% are under the age of 30.<sup>2</sup> In the vast majority of assaults (four out of five), the perpetrator is someone who was known to the victim, and yet 68% of rapes are never reported to law enforcement and it is estimated that only 2% of rapists ever spend a day in jail.<sup>3</sup>

Over the last few years, there has been an increased awareness about the prevalence of sexual violence in the United States and, in particular, on college campuses. A lot of media attention has been focused on institutions' responses to allegations, highlighting the need for policies and procedures that will support victims who come forward, rather than dissuade them.

Due to its large student population, as well as its status as a capital city, Tallahassee has attracted widespread scrutiny for its handling of sexual violence. Several high-profile cases generated heated debate and, in May of 2014, it became clear to the Tallahassee/Leon County Commission on the Status of Women and Girls (CSWG) that a comprehensive overview of the community's response to sexual violence was necessary.

This report represents a year-long effort by the CSWG's Sexual Assault Policy Group (SAPG) to: (1) conduct fact-finding to determine what local policies, procedures, and services related to sexual assault were currently in place; (2) determine what models are considered national "best practices"; and (3) develop recommendations that would assist the community in improving its response and prevention efforts.

To assist in this task, the SAPG consulted with over 50 stakeholders and community members, who helped collect data and verify findings. The SAPG organized its work into six major areas: prevention, medical care, follow-up, school and workplace response, investigation and prosecution, and interagency collaboration.

While the CSWG's report reveals that there is much that we can do as a community to improve services to victims and hold perpetrators accountable, there have been several institutional advancements in the past year that are worth mentioning. The Tallahassee Community College (TCC) Police Department has entered into a memorandum of

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<sup>1</sup> Centers for Disease Control and Prevention. (2012). *Sexual violence: Facts at a glance*. Retrieved June 1, 2015 from [www.cdc.gov/ViolencePrevention/pdf/sv-datasheet-a.pdf](http://www.cdc.gov/ViolencePrevention/pdf/sv-datasheet-a.pdf).

<sup>2</sup> Rape, Abuse & Incest National Network. (2009). *Statistics*. Retrieved May 29, 2015 from <https://www.rainn.org/statistics>.

<sup>3</sup> Ibid.



understanding with Refuge House to formalize a collaborative relationship. Florida State University (FSU) has created a full-time Sexual Violence Prevention Coordinator position and established the kNow MORE Sexual Violence Prevention Campaign. Florida A&M University's Division of Student Affairs implemented a new sexual misconduct policy as part of the Student Code of Conduct. The Tallahassee Police Department (TPD) has partnered with End Violence Against Women International to update the Department's sexual assault investigation policies as well as train its sworn personnel on best practices. The City of Tallahassee, Leon County, and TCC have all instituted improved personnel policies regarding domestic violence, sexual violence, and stalking. Finally, Tallahassee Memorial Hospital and Refuge House are working collaboratively to create a new, standalone facility at which victims of sexual violence can receive forensic exams.

There is no question that creating an environment in which more perpetrators are held accountable increases public safety. A 2002 study found that, while only a small percentage of men committed rape, those that did were responsible for an average of six assaults each.<sup>4</sup> In other words, the vast majority of sexual assaults are committed by serial offenders who will continue to rape until they are stopped. Victims who have the courage to report an assault are the best weapons a community has against rapists, and it is critical that the system treats them with sensitivity and respect. Re-victimization and victim-blaming hurt not only the individual survivor involved, but also the entire community by deterring other victims from coming forward.

One way in which Tallahassee/Leon County can increase victims' likelihood to report attacks is by ensuring that its local law enforcement agencies are equipped to conduct thorough investigations and that their staff is specifically trained to work collaboratively with victims. To that end, the CSWG has recommended that **local law enforcement agencies should increase their capacities to conduct in-depth investigations of sexual violence reports by increasing the number of investigators on staff with specific training in both 1) responding to the unique needs of sexual violence victims, and 2) conducting thorough and consistent investigations.**

Another issue identified by the CSWG is the lack of uniform statistics regarding sexual assaults occurring in Tallahassee/Leon County. Because various institutions maintain their own statistics, there is little understanding of how reported cases may relate to one another. For example, a victim may report to FSU and Refuge House, but not to TPD. Or, they may report to TPD, but not to any other agency. Because agencies are not cross-

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<sup>4</sup> Lisak, D., & Miller, P. M. (2002). Repeat rape and multiple offending among undetected rapists. *Violence and Victims*, 17(1), 73-84.



checking their cases against each other, the community does not know the number of unique cases that are actually reported each year. Furthermore, there is insufficient data regarding demographics of victims and perpetrators, and little geographic information about where assaults originate (i.e., where assailants first meet potential victims). **Keeping victim needs and confidentiality in mind, the community should examine the feasibility of, and implement if possible, a shared data system to track locally occurring incidents of sexual violence.**

Finally, the best way to improve this community's response to sexual assault is to prevent rape in the first place. Bystander intervention training focuses on educating individuals and groups to recognize the warning signs of a potential sexual assault and to intervene beforehand by taking steps to separate victim and assailant. Such training also focuses on cultural stereotypes about rape and helps to foster a better understanding of gender dynamics, sexual violence, and consent. While there has been an effort to implement bystander intervention training within some of our area's institutions, we recommend that **the local community should work to implement a community-wide awareness program focusing on bystander intervention.**

Overall, the robust response from stakeholders and others to the CSWG's examination of this issue makes it clear that the Tallahassee/Leon County community is concerned about our local institutions' response to sexual assault. While there have been a number of positive steps taken over recent months, there is still much to be done to improve services to victims and hold perpetrators accountable. Mother Teresa once said, "I alone cannot change the world, but I can cast a stone across the waters to create many ripples." Taking inspiration from her words, the CSWG hopes that this report will serve as a proverbial stone to create ripples that will empower victims and decrease the occurrence of sexual violence in North Florida and beyond.



# About the Tallahassee/Leon County Commission on the Status of Women and Girls

## History of the CSWG

In April of 2011, The Leon County Board of County Commissioners established the Leon County Commission on the Status of Women and Girls as a citizens advisory committee. In March of 2013, the City of Tallahassee (hereafter, the City) joined Leon County (hereafter, the County) and created the new CSWG. By establishing and supporting this Commission, the City and County have taken a strong stand in support of women and girls in our community.

The primary purposes of the CSWG are:

- to promote awareness of issues pertaining to women and girls in Tallahassee and Leon County
- to serve in an advisory role, providing input to the City and County Commissions as needed.

The joint City/County enabling resolution<sup>5</sup> creating the CSWG acknowledges that progress has been made, but notes that “there is still work to be done before women and girls achieve economic, education and employment parity.” The resolution also acknowledges “we must understand the current challenges that face our female citizens in order to best equip girls with the knowledge, skills, and equal access to reach for the promise of tomorrow.”

The CSWG consists of 21 members. All appointments to the CSWG are on a volunteer basis and citizens must apply to be considered for appointment. Applications are accepted on a rolling basis and are available for download on the [CSWG's website](#),<sup>6</sup> [City's website](#),<sup>7</sup> and [County's website](#).<sup>8</sup>

The CSWG has produced two reports since its inception: *Report on the Status of Women and Girls in Leon County – 2012* and *A Call to Action: Improving the Status of Women & Girls in*

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<sup>5</sup> Board of County Commissioners, Leon County, Florida. (2013, March 12). *Adopting of an enabling resolution establishing the Tallahassee-Leon County Commission on the Status of Women and Girls*. Retrieved from <http://cms.leoncountyfl.gov/coadmin/agenda/attach/130312/A0301.pdf>

<sup>6</sup> <http://tallahasseeleoncswg.com/join-the-commission/>

<sup>7</sup> <http://talgov.com/treasurer/tlccswg.aspx>

<sup>8</sup> <http://cms.leoncountyfl.gov/committees/detail.asp?id=123>



*Tallahassee/Leon County 2013-2014.* The full reports and executive summaries are available for download on the [CSWG website](http://www.theoasiscenter.net/2.html).<sup>9</sup>

### **Structure of the 2014-2015 CSWG**

For the 2014-2015 CSWG year, Commissioners decided to focus their work on “building bridges to economic security for women and girls.” In addition to our standing Organizational and Bylaws Committee, the CSWG formed two Committees to orient and focus its work on economic issues facing women and girls locally: the Community Engagement Committee and the Research & Development Committee.

In addition to these committees, the CSWG also has two community-based groups. The Leon County Alliance for Girls is a coalition of girls’ services providers whose mission is “fostering strong inter-agency collaboration with the ultimate goal of providing quality, diverse, gender-specific programs for girls.” The second group, the Sexual Assault Policy Group, is described further below.

The City and County contract with Oasis to staff the CSWG and Oasis serves in this role. According to the Oasis staff, supporting the work of the CSWG fits strongly with its mission of “improving the lives of women and girls through celebration and support.” Oasis played a large part in encouraging the community of Tallahassee and Leon County to establish the CSWG. As support to the CSWG, Oasis schedules and notices meetings, maintains records on behalf of the CSWG, attends meetings of the CSWG and its committees, and has served as the managing editorial team for the report that follows. Oasis looks forward with excitement to continuing to serve the CSWG and the community.

### **About the Sexual Assault Policy Group**

The CSWG formed the Sexual Assault Policy Group (SAPG) in May 2014 as an ad hoc, community-focused group to address the topic of sexual violence in the local community. Commissioners solicited participation from interested community members, and local sexual violence experts in particular. Together, the SAPG Commissioners and contributors decided to focus on six overarching topics related to the sexual violence response:

- Prevention
- Medical
- Follow-Up
- School and Workplace Response
- Investigation and Prosecution

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<sup>9</sup> <http://www.theoasiscenter.net/2.html>



- Interagency Collaboration

The SAPG worked in small teams, each of which addressed one of the aforementioned topics in a two-step process. First, they engaged in fact-finding around the current local response to sexual violence. Second, they researched best practices for each topic. Based on their findings, the SAPG agreed upon three recommendations for community consideration:

1. Keeping victim needs and confidentiality in mind, the community should examine the feasibility of, and implement if possible, a shared data system to track locally occurring incidents of sexual violence.
2. Local law enforcement agencies should increase their capacities to conduct in-depth investigations of sexual violence reports by increasing the number of investigators on staff with specific training in both 1) responding to the unique needs of sexual violence victims, and 2) conducting thorough and consistent investigations.
3. The local community should work to implement a community-wide awareness program focusing on bystander intervention.

The following report is a compilation of the research the SAPG conducted for the purpose of collaboratively improving the response to sexual violence victims in our community.



## Preface

We believe that this report details important aspects of the local sexual violence response. However, we understand that this report is only an initial look into the state of the sexual violence response in Tallahassee/Leon County. Though we made every effort to be as comprehensive as possible, we understand that this report likely does not fully capture what is and is not being done to address sexual violence in our community.

It is important to note that language around sexual violence is technical and may vary by location and agency. For this reason, we refer throughout the report to “sexual violence” to encompass incidents of sexual assault and battery, as well as other sex-related crimes.<sup>10</sup> Moreover, we understand that those directly victimized by sexual violence may identify with various descriptors, which may change throughout their healing process. For the purposes of this report, we refer to these individuals interchangeably as “victims” and “survivors.”

In addition to differences in language specific to sexual violence, there are also interagency differences in role terminology. For example, though the Tallahassee Police Department uses the term “investigator” and the Leon County Sheriff’s Office uses the term “detective,” the terms are generally considered to be synonymous.

Finally, while the purpose of this report is to identify gaps in local and best practices, we would like to acknowledge and offer kudos to agencies that have recently or currently engaged in positive change efforts to better address sexual violence in Tallahassee/Leon County:

1. Tallahassee Community College (TCC) has an ongoing relationship with Refuge House. Last year, TCC proactively contacted Refuge House and worked with staff to record a video discussing campus sexual violence, Refuge House resources, and bystander intervention. This video is utilized for faculty, students, and staff. The video has been utilized in the student orientation process and linked to a blog written by the TCC Chief of Police.
2. The TCC Police Department has recently signed a memorandum of understanding with Refuge House to formalize their collaborative relationship.
3. Florida State University (FSU) created a full-time Sexual Violence Prevention Coordinator position within the Health Promotion Department of University Health Services.

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<sup>10</sup> However, other terminology (e.g., “sexual assault”) is used throughout the report when it is explicitly stated as by agencies, organizations, programs, or other citations.



4. FSU established the kNOw MORE Sexual Violence Prevention campaign. More information is available [online](#).<sup>11</sup>
5. In January 2015, the Tallahassee Police Department (TPD) adopted a new policy on sexual assault investigations that was developed in collaboration with End Violence Against Women International (EVAWI).
6. TPD is requiring all sworn personnel to take five training courses on sexual assault investigations that were developed by EVAWI.
7. TPD sent two representatives to EVAWI's International Conference on Sexual Assault, Domestic Violence, and Campus Response in April 2015.
8. TPD created an informational guide specifically for victims of sexual violence in partnership with the Florida Council Against Sexual Violence.
9. In June 2015, TPD is hosting a two-day training on trauma-informed sexual assault investigations by the International Association of Chiefs of Police (IACP). The training is intended to be multidisciplinary and include law enforcement, prosecutors, victim advocates, and other individuals who may work with victims of sexual violence.
10. Refuge House already coordinates a local Sexual Assault Response Team (SART), with members representing multiple local agencies. SARTs are considered a best practice within communities. See [Chapter 6: Interagency Collaboration](#) for more information.
11. Refuge House and Tallahassee Memorial Hospital are working to create a stand-alone facility for sexual violence victims to receive forensic exams, separate from the emergency room. The TPD Special Victims Unit Sergeant has also toured stand-alone sexual violence facilities in other areas to assist in making local recommendations. This new space will facilitate better privacy and feature amenities not previously available to those receiving exams.
12. The City of Tallahassee, Leon County, and Tallahassee Community College all instituted improved personnel policies addressing domestic violence, sexual violence, and stalking. For more information on these policies, see [Chapter 4: School and Workplace Response](#).

Finally, the CSWG would like to thank victim advocates, in all capacities and roles, who have always engaged in efforts to improve the community response to sexual violence.

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<sup>11</sup> <https://smr.fsu.edu>



## Chapter 1: Prevention

- Anna Benbrook, FSU Health Promotion, Sexual Health Educator
- Kori Pruett, FSU Health Promotion, Sexual Violence Prevention Coordinator
- Dr. Cecile Reynaud, Tallahassee/Leon County Commission on the Status of Women and Girls, Commissioner

### Fact Finding

#### Tallahassee Parks, Recreation and Neighborhood Affairs

According to Ashley Edwards, Director of Tallahassee Parks, Recreation and Neighborhood Affairs, all youth head coaches, youth assistant coaches, baseball and softball league park board members, and upper league baseball umpires undergo a national background screening. This screening includes social security verification (i.e., address trace, local criminal record search, national criminal record search) and a sex offender registry check. All other volunteers are internally screened through the Florida Department of Law Enforcement (FDLE) sexual predator database, as well as the Department of Corrections' and Leon County Clerk of Court Public Records' websites. All prospective employees undergo a criminal background check through the City of Tallahassee's Human Resources Department and all camp counselors undergo a Level II background check as required by state law.

In addition, Edwards states:

Our community recreation centers have previously hosted prevention workshops teaching youth self-defense techniques, how to protect themselves from online predators, the impact and potential consequences of their digital footprint, and how to properly report incidents that may occur.

The centers have successfully partnered with the Leon County Sexual Violence Prevention Program Community Action Team. Representatives from the Action Team have visited the centers to deliver the "Be in the Know" program, a series of topics designed to help parents and teens learn about health, hygiene, dating and healthy relationships.<sup>12</sup>

#### City of Tallahassee Senior Center

According to Ruth Nickens, Health and Wellness Program Coordinator at the City of

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<sup>12</sup> A. Edwards, personal communication, March 20, 2015



Tallahassee Senior Center (TSC) and CSWG Commissioner, TSC provides education focused on general safety and self-defense to its participants. Tanya Tatum, FAMU Student Health Services Director, shared that older adults are frequently vulnerable to sexual violence, as they may be unable to physically resist a perpetrator; may be taken advantage of due to diminished mental acuity (e.g., from dementia); and/or may be more frequently exposed, relative to other populations, to various individuals who are not well known to them in the course of their daily activities.

### **The Greater Tallahassee Chamber of Commerce**

According to Barbara Boone, Vice President of Community Outreach for the Greater Tallahassee Chamber of Commerce, the Chamber is committed to strengthening the capital region and improving quality of life via a vibrant, engaged, and responsible business community. One of the mechanisms utilized by the Chamber to strengthen shared discourse is by hosting events and programs focused on topical and important community issues via the Professional Women's Forum or through Leadership Tallahassee's set of programs, including Youth Leadership Tallahassee. In addition, a number of Chamber members are non-profit service agencies that provide information and training in the area of sexual violence prevention.

### **Refuge House**

According to its staff,<sup>13</sup> for over 10 years, Refuge House has contracted with the Florida Department of Health (FLDOH) to provide sexual violence prevention education to high school- and middle school-aged students. Currently, prevention education modules are presented in a five-session curriculum, allowing students to learn more, process the information over time, and practice the skills they have learned. Every year, Refuge House provides these prevention trainings to over 1,000 students. Because there is not a universal requirement that schools participate, some students never receive the curriculum. However, during fiscal year 2012/2013, Refuge House provided sexual violence prevention education to 2,682 individuals under their Department of Health grant. Of those, 40 were middle school students; 1,947 were high school students; and 325 were college/university students. Moreover, 2,462 individuals received prevention education in curricula delivered in five or more sessions.

Within higher education, in 2014, Jessica Pinto presented at all of Tallahassee Community College's (TCC) summer orientations, providing students with information on support services and sexual violence. More recently, through a collaboration between Refuge House

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<sup>13</sup> Includes Meg Baldwin, Executive Director; Jessica Pinto, Training and Community Education Program Director; and Julia Kamm-Cohen, Former SART and Youth Services Coordinator.



and the TCC Police Department, Ms. Pinto recorded a video presentation that has been played at a number of orientations. The TCC Police Department has also posted Refuge House materials (e.g., posters, brochures) throughout campus. Refuge House continues to maintain a positive relationship with the TCC Police Department. In addition, Refuge House reports having established strong relationships with the Florida A&M University (FAMU) Office of Counseling Services and Rattler Wellness Center.

Within the larger community, Refuge House representatives attend various events centered on sexual and domestic violence to inform attendees about their available services. Refuge House also hosts multiple community events throughout the year, including fundraisers and awareness events during April and October, for Sexual and Domestic Violence Awareness Months, respectively. At present, they are engaging with more community partners, such as the Florida Department of Health in Leon, to work on awareness and healthy relationships programming for young adults. Although staff reports working most closely with the Florida Department of Health in Leon, they also work with many other organizations to provide Refuge House services as well as a broader range of education on domestic violence, sexual assault, and various related topics.

### **Florida Council Against Sexual Violence**

The state sexual assault coalition, The Florida Council Against Sexual Violence (FCASV), does not provide continuous programs or specific education activities in the Tallahassee community, as it is a statewide organization. FCASV responds to specific training requests from the community, when appropriate, and has provided training to Florida State University (FSU) on sex offenders and campus sexual assault. FCASV staff members served on FSU's sexual assault prevention and intervention workgroup. FCASV's staff attorney and Director of Advocacy, Theresa Prichard, Esq., directs the Legal Assistance for Victims project, which provides direct legal services to victims in legal matters arising from sexual assault, including housing, education, public benefits, employment, and Title IX. Grace Frances, Director of Certification and Special Projects, and Sgt. Rich Mankewich of the Orange County Sheriff's Office, recently developed and delivered to law enforcement professionals in Palm Beach and Hillsborough Counties a daylong training on conducting trauma-informed sexual assault investigations.

FCASV staff members have received Green Dot (bystander intervention) training;<sup>14</sup> Jose Carval, Program Specialist, provided training on engaging men in prevention efforts; and Jennifer Dritt, Executive Director, serves on the Statewide Sexual Violence Prevention Plan Steering Committee, coordinated by the Florida Department of Health. Additionally, Donna

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<sup>14</sup> More information on *Green Dot* is available throughout this report.



Brown, Research and Prevention Consultant, developed the pre- and post-tests used to evaluate the effectiveness of the Lauren's Kids, Inc. child abuse prevention curriculum for kindergarten, *Safer, Smarter Kids*, and conducted the evaluation. She will do the same for *Safer, Smarter Kids* grades 1-3 in fiscal year 2015-2016.

### Florida State University

According to Mary Coburn, Vice President for Student Affairs, FSU adopted a sexual violence prevention program that addresses multiple levels and is based on evidence-informed practices. The Social-Ecological Model is used to address risk and protective factors at multiple levels (Individual, Peer/Partner, Organization, and Community).

On the individual level, FSU adopted the *Green Dot* bystander intervention program, an empirically supported model that uses the social diffusion theory<sup>15</sup> to encourage bystanders to intervene in harmful situations. In addition, all new students are expected to complete an on-line educational curriculum addressing sexual misconduct and bystander intervention.

On the Peer/Partner level, student organizations such as Men Advocating for Responsible Conduct (MARC) and the Women's Student Union (WSU) facilitate peer-to-peer conversations that challenge traditional gender roles, encourage survivor support, and promote healthy relationships and communication. Additionally, FSU's Men Measure Up campaign utilizes the social norms marketing approach to correct student misperceptions of norms impacting sexual violence. Furthermore, clinical staff in University Health Services identifies and addresses high-risk behaviors in efforts to treat each patient holistically and refer those who need additional support.

On the organization level, FSU's kNOW MORE campaign purports to send a strong no tolerance message and encourage all members of the FSU community to hold each other accountable for their behavior. All new FSU students participate in a peer-led discussion during orientation that addresses sexual misconduct. These messages are reiterated the first few weeks of school through the on-line educational curriculum, and again throughout the school year, through on-going campus conversations and other events (e.g., films, events, presentations, workshops).

As an organization, FSU offers resources, trainings, and help for all members of the university community. FSU's Safety and Security Committee composed of faculty, administrators, and students, addresses ways to improve campus safety and serves as an advisory board to the Vice President for Finance and Administration. Support services

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<sup>15</sup> Rogers, E. M. (1983). *Diffusion of innovations* (3<sup>rd</sup> ed.). New York, NY: Free Press.



include the Victim Advocate Program, Employee Assistance Program, University Counseling Center, and University Health Services, among others. In addition, the FSU Police Department offers several risk avoidance and self-defense workshops while the office of Human Resources conducts trainings for all new employees along with online and in person trainings for current staff.

On the community level, FSU is an active partner to the Tallahassee/Leon County Commission on the Status of Women and Girls (CSWG) and the Leon County Responsible Decision Making Coalition (LCRDMC). FSU staff is also active at community-sponsored events to raise awareness, provide resources, and educate the community.

FSU currently has a full-time Sexual Violence Prevention Coordinator, Kori Pruett.<sup>16</sup> According to Pruett, she is working on collaborating with student groups and departments on campus to create different prevention strategies for sexual violence. Currently, FSU hosts hour-long “open conversations” on campus, which focus on data, services, definitions, consent, and bystander intervention. During the 2014-2015 academic year, FSU Health Promotion held four open conversations focusing on sexual violence, with all Panhellenic chapters in attendance for at least one conversation. Separate conversations were held for all fraternity and sorority chapters on campus in both the Fall and Spring semesters.

### **Florida State University Police Department**

According to Chief David L. Perry, the FSU Police Department’s cornerstone rape prevention program is Rape Aggression Defense, also known as “RAD.” Since FSU adopted the training program in 1996, thousands of women have attended the program. The mission of RAD is to develop and enhance the options of self-defense, so they may become viable considerations to a woman who is attacked. The FSU Police Department also presents a class called “Safe,” which is a shortened version of risk avoidance, awareness, and self-defense. Additionally, the FSU Police Department has developed DAARRT, or the Drug and Alcohol Assisted Rape Reduction Team. This law enforcement and community based initiative, which is currently under development, is designed to address drug- and alcohol-assisted sexual batteries, where assailants rely upon drugs and alcohol as weapons to facilitate sexual violence.

### **Florida A&M University**

According to Tanya Tatum, FAMU Student Health Services Director, beginning this summer, all incoming FAMU students will be expected to complete an online curriculum on sexual misconduct and bystander intervention. The on-line curriculum, *Haven*, targets college



students and provides basic information about sexual violence, bystander skill-building strategies, and more.<sup>17</sup>

Both the Office of Counseling Services and Student Health Services provide information to incoming students and their parents on the prevention of sexual violence and available services at New Student Orientation sessions. This information is also provided to incoming transfer and International students. The Title IX Coordinator also provides information to parents during orientation sessions.

The Office of Counseling Services and Student Health Services also provide sexual violence prevention presentations and programming to students in residence halls, classes, student organizations, Athletics, and many other venues. Both offices work with students to develop educational programs for national observances, such as Sexual Assault Prevention Month that occurs in April, and engage community providers to offer educational opportunities to students. A number of students have completed the volunteer training for Refuge House and bring back to campus a desire to engage other students in sexual violence prevention activities.

FAMU's student peer educators facilitate conversations about sexual and domestic violence, and develop opportunities to share information with other groups of students.

The Office of Counseling Services houses the Men of Strength program that engages collegiate men on sexual violence and dating violence prevention. The FAMU Chapter of Men of Strength has been ongoing for 5 years. The Men of Strength program was developed by Men Can Stop Rape and has been recognized by the Centers for Disease Control and Prevention (CDC) as one of the top programs in the country to successfully address gender violence.

Education and training opportunities on sexual violence prevention are provided campus-wide. The Department of Human Resources includes information in the training curriculum for new employees and several times throughout the year offers a workshop on Non-Discrimination and Harassment that includes information pertinent to Title IX. Faculty also receives information during the Faculty Pre-Planning Conference held every August. All staff in Residence Life participates in educational sessions on gender-based violence during their training programs scheduled in August and December. For several years, the FAMU Department of Public Safety participated in training on sexual violence facilitated by the Office of the State Attorney. Several officers are trained in the Rape Aggression Defense

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<sup>17</sup> Everfi. (n.d.). *Haven*. Retrieved May 6, 2015 from <http://www.everfi.com/haven>



(RAD) program, which is available for students. Officers and other departmental staff will continue to receive training in sexual violence prevention and response.

The Office of Counseling Services houses the Victim Advocate that works with student victims of sexual assault, educating them on available services and options for reporting, as well as supporting the victim as they decide what steps to take to address their situation. Student Health Services offers a sexual assault survivor support group. The group meets monthly during fall and spring semesters and via GroupMe over the summer session. Medical staff receives training to support early identification and treatment for victims of sexual violence. Once identified, they work with victims to ensure they receive appropriate medical care and referrals. Two nurse practitioners have completed training as Sexual Assault Nurse Examiners (SANE). These clinicians have the ability to provide student victims with accurate information about forensic exams and are able to take the time to walk them through that process if the student requests.

The Division of Student Affairs implemented a new sexual misconduct policy as part of the Student Code of Conduct.<sup>18</sup> This document provides students with clear information about what actions/activities constitute sexual misconduct, explains consent, and outlines victim/survivor rights. The FAMU Sexual Misconduct Resource Guide is also available [online](#).<sup>19</sup>

### **Planned Parenthood of North Florida**

Dustin Arceneaux, Director of Education at Planned Parenthood (PP), shared that PP offers various presentations and educational opportunities to the North Florida community. Its curriculum standards are derived from the National Sexuality Education Standards (K-12), established by the Future of Sex Education. The curriculum focuses primarily on healthy relationships, self-esteem, and communication to the younger population. They have worked with high schools, middle schools, elementary schools, universities, youth detention centers, resource centers, and runaway shelters. See [Appendix A](#) for further explanation of PP educators, presentations offered, and detailed lesson plans.

### **Florida Department of Health**

According to Tifini Austin, Sexual Violence Program Director at the Florida Department of Health (FLDOH), FLDOH's Sexual Violence Prevention Program is funded through the Centers for Disease Control and Prevention (CDC) and directly aids victims, provides

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<sup>18</sup> Florida Agricultural and Mechanical University. (n.d.). *Department of Judicial Affairs: Welcome*. Retrieved May 6, 2015 from <http://www.famu.edu/index.cfm?judicialAffairs&Welcome>

<sup>19</sup> <http://www.famu.edu/index.cfm?StudentAffairs&SexualMisconductResourceGuide>



hotline services, conducts prevention education, and funds rape crisis centers. A description of Florida's Sexual Violence Prevention Program is available [online](#).<sup>20</sup>

The FLDOH also provides local curriculums of over 15 different topics surrounding sexual violence prevention. Populations served include, but are not limited to, schools, churches, after school programs, parents, Capital City Youth Services, Date Street, Palmer Munroe Teen Center, Walker Ford Community Center, and Jack McLean Community Center. Facilitators have taken the 30-hour Advocacy Core Training (ACT) under FCASV. Florida's 2012-2017 Sexual Violence Prevention Strategic Plan is available [online](#).<sup>21</sup>

## Best Practices

New advances in the field of sexual and interpersonal violence prevention are changing the conversation from risk reduction practices to fostering meaningful discussion on the need for community response in order to truly eradicate these behaviors. According to Lee, Guy, and Perry (2008):

To address sexual violence prevention in a truly comprehensive manner, strategies to prevent its initial perpetration and victimization (primary prevention) must reach the same level of efficacy and adoption as programs that respond to its consequences (p. 7).<sup>22</sup>

The content below examines new approaches to prevention by looking at best practices for sexual violence as well as essential components to prevention practices generally. Though the following discussion focuses on best practices from both the higher education and community lenses, it is important to note that these efforts and recommendations are not mutually exclusive. Prevention is comprehensive and cannot be implemented solely on or off campus.

## Higher Education

Recently, national attention has been placed on universities and their handling of sexual violence. The 2014 White House report "Not Alone"<sup>23</sup> combines information from multiple levels that look at best practices for both response to and prevention of sexual violence.

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<sup>20</sup> <http://www.floridahealth.gov/programs-and-services/prevention/sexual-violence-prevention/index.html>

<sup>21</sup> <http://www.floridahealth.gov/programs-and-services/prevention/sexual-violence-prevention/strategic-plan/index.html>

<sup>22</sup> Lee, D. S., Guy, L., & Perry, B. (2008). Sexual violence prevention. In *Shifting the paradigm: Primary prevention of sexual violence* (pp. 7-9). Retrieved from [http://www.acha.org/sexualviolence/docs/acha\\_psv\\_toolkit.pdf](http://www.acha.org/sexualviolence/docs/acha_psv_toolkit.pdf)

<sup>23</sup> The White House Task Force to Protect Students from Sexual Assault. (2014). *Not alone*. Retrieved from <https://www.notalone.gov/assets/report.pdf>.



The White House Task Force was created to primarily look at protecting students from sexual violence, but the recommendations around prevention are applicable to both a community and university setting.

It is important to first mention the crucial components of an effective prevention strategy. All prevention efforts must be comprehensive, repeated, relative, and collaborative.<sup>24</sup> Prevention efforts should build on best available evidence and have a component that measures changes in behavior. Efforts must provide for multiple skills-based sessions. Hosting one-time sessions focusing on raising awareness or changing beliefs will not provide effective long-term advancements. The goal with prevention is to motivate both a behavioral and cultural change; this is most effective through intentional conversations and programs.<sup>25</sup>

Prevention is informed by the current climate. Data collection is essential to meeting the needs of the community. Educators need to be aware of trends in sexual violence both in perpetration and in the attitudes of community members around the issue.<sup>26</sup> The experience and knowledge of survivors and of those in the field, including advocates, educators, and practitioners, are key data sources in development.<sup>27</sup> During implementation of programs, evaluations should be conducted to determine changes in attitudes or thoughts around sexual violence.<sup>28</sup> Bystander intervention is a growing strategy of sexual violence prevention. Many of the universities funded through a CDC grant utilize bystander programs, including *Green Dot* and *Bringing in the Bystander*.<sup>29</sup>

There are only two programs that have robust evidence of effectiveness for preventing sexual violence: *Safe Dates* and *Shifting Boundaries*. The programs are developed for middle/high school students, but provide insight for the development of college programs.<sup>30</sup> Both programs focus on multiple interactions with students that build on

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<sup>24</sup> DeGue, S. (2014). Preventing sexual violence on college campuses: Lessons from research and practice. Retrieved March 22, 2015 from <https://www.notalone.gov/assets/evidence-based-strategies-for-the-prevention-of-sv-perpetration.pdf>.

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> Davis, R., Parks, L.F., and Cohen, L. (2006). *Sexual violence and the spectrum of prevention: Towards a community solution*. Retrieved from Prevention Institute website: [http://www.preventioninstitute.org/index.php?option=com\\_jlibrary&view=article&id=97&Itemid=127](http://www.preventioninstitute.org/index.php?option=com_jlibrary&view=article&id=97&Itemid=127)

<sup>28</sup> DeGue, S. (2014). *Preventing sexual violence on college campuses: Lessons from research and practice*. Retrieved March 22, 2015 from <https://www.notalone.gov/assets/evidence-based-strategies-for-the-prevention-of-sv-perpetration.pdf>.

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.



information every session and cover topics like boundaries, consent, healthy relationships, and gender roles.<sup>31</sup> Results from both programs show a drop in sexual violence victimization and perpetration rates. Use of these programs as guidelines for university programs would hopefully result in the same decrease in sexual violence.

Another promising program, developed at the University of Kentucky, is *Green Dot*. *Green Dot* is a bystander intervention program that targets specific influential populations on campus for comprehensive bystander trainings.<sup>32</sup> A study conducted by the CDC examined high schools that implemented *Green Dot* and found a greater than 50 percent reduction in self-reported frequency of sexual violence perpetration.<sup>33</sup> *Green Dot* looks to engage all people in the conversation around power-based violence by meeting people where they are and asking them to be part of the solution. *Green Dot* is available for educational as well as community institutions.

*Bringing in the Bystander* is a program that began at the University of New Hampshire. The program utilizes training like *Green Dot*, but also developed a poster campaign to continue the conversation. The program finds that the media campaign helps to break through norms and promote a culture of change. *Bringing in the Bystander* contributes to research in the field of bystander intervention and is expanding its programs.<sup>34</sup>

## Community

Sexual violence prevention in the community resembles initiatives on a college campus. It is essential to gather all key stakeholders and work towards expanding the conversation. There are two prominent models used for prevention in the community: 1) the Socio-Ecological Model, based on the CDC recommendations;<sup>35</sup> and 2) the Spectrum of Prevention.<sup>36</sup> The key is to ensure that all community stakeholders are at the table and have a voice in the conversation.

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<sup>31</sup> Ibid.

<sup>32</sup> Green Dot Etcetera. (2010). *Ending violence one green dot at a time*. Retrieved March 22, 2015 from <https://www.livethegreendot.com>

<sup>33</sup> Hautala, K. (2014, September 10). "Green Dot" effective at reducing sexual violence. *University of Kentucky News* [Lexington]. Retrieved from <http://uknow.uky.edu/content/green-dot-effective-reducing-sexual-violence>

<sup>34</sup> Prevention Innovation Research Center. (2015). *Bringing in the bystander*. Retrieved March 22, 2015 from <http://cola.unh.edu/prevention-innovations/bystander>

<sup>35</sup> Centers for Disease Control and Prevention [CDC]. (2014). *The Social-Ecological Model: A framework for prevention*. Retrieved March 22, 2015 from <http://www.cdc.gov/violenceprevention/overview/social-ecologicalmodel.html>

<sup>36</sup> Davis, R., Parks, L.F., and Cohen, L. (2006). *Sexual violence and the spectrum of prevention: Towards a community solution*. Retrieved from Prevention Institute website: [http://www.preventioninstitute.org/index.php?option=com\\_jlibrary&view=article&id=97&Itemid=127](http://www.preventioninstitute.org/index.php?option=com_jlibrary&view=article&id=97&Itemid=127)



The Social-Ecological Model (see Figure 1) promotes a continuum of activities that address multiple levels of the model: Individual, Relationship, Community, and Societal.<sup>37</sup> The Individual level focuses on attitudes, beliefs, and behaviors. The Relationship level includes mentoring and peer programs. The Community level looks at social norms and marketing campaigns. The Societal level looks at the factors that create a climate in which violence is encouraged or inhibited. Prevention efforts must focus on each level and work together to create a change.<sup>38</sup>

**Figure 1: The Social-Ecological Model**<sup>39</sup>



The Spectrum of Prevention (see Figure 2) also looks at prevention through the lens of six levels: 1) strengthening individual knowledge and skills (e.g., work with high school students on equitable relationships); 2) promoting community education (e.g., hold religious and political leaders accountable for providing clear and consistent messages); 3) educating providers (e.g., train little league coaches); 4) fostering coalitions and networks (e.g., engage the business sector to foster workplace solutions); 5) changing organizational practices (e.g., add more emergency call boxes and lighting); and 6) influencing policies and legislation (e.g., pass comprehensive high school policies that address sexual health, including sexual violence prevention).<sup>40</sup>

<sup>37</sup> Centers for Disease Control and Prevention [CDC]. (2014). *The Social-Ecological Model: A framework for prevention*. Retrieved March 22, 2015 from <http://www.cdc.gov/violenceprevention/overview/social-ecologicalmodel.html>

<sup>38</sup> Ibid.

<sup>39</sup> Ibid.

<sup>40</sup> Davis, R., Parks, L.F., and Cohen, L. (2006). *Sexual violence and the spectrum of prevention: Towards a community solution*. Retrieved from Prevention Institute website: [http://www.preventioninstitute.org/index.php?option=com\\_jlibrary&view=article&id=97&Itemid=127](http://www.preventioninstitute.org/index.php?option=com_jlibrary&view=article&id=97&Itemid=127)

Figure 2: The Spectrum of Prevention<sup>41</sup>



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<sup>41</sup> Ibid.

## Chapter 2: Medical

- *Stephanie Land, Tallahassee/Leon County Commission on the Status of Women and Girls, Commissioner*
- *Tanya Tatum, Florida A&M University, Student Health Services, Director*

### Fact Finding

#### Applicable Florida State Statutes

Chapter 794 of Florida Statutes, *Sexual Battery*, defines sexual battery, provides rules of evidence collection, mandates a duty to report sexual battery and the penalties for not reporting, mandates law enforcement to notify victims of their rights and services, provides for the access to services for victims of sexual battery, and mandates the notification to victims of the Rape Crisis Program, among others.<sup>42</sup>

Section 395.1021, Florida Statutes states:

Any licensed facility which provides emergency room services shall arrange for the rendering of appropriate medical attention and treatment of victims of sexual assault through: (1) Such gynecological, psychological, and medical services as are needed by the victim (2) The administration of medical examinations, tests, and analysis required by law enforcement personnel in the gathering of evidence required for investigation and prosecution (3) The training of medical support personnel competent to provide the medical services and treatment as described in subsections (1) and (2).<sup>43</sup>

#### Current Local Practices

To assess current local practice, the SAPG reviewed applicable policies, procedures, standards, and guidelines governing medical practice regarding care of sexual violence victims. In addition, members interviewed Tallahassee Memorial Hospital's (TMH) nursing personnel as well as Child Protective Services' (CPS) personnel to gain an understanding of protocols and best practices processes. Furthermore, members created a listing of different health care organizations throughout Tallahassee/Leon County that may have direct access to victims of sexual violence. Finally, members made contact with these healthcare

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<sup>42</sup> Retrieved August 11, 2014 from [http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0700-0799/0794/0794ContentsIndex.html&StatuteYear=2014&Title=%2D%3E2014%2D%3EChapter%20794](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0700-0799/0794/0794ContentsIndex.html&StatuteYear=2014&Title=%2D%3E2014%2D%3EChapter%20794)

<sup>43</sup> Retrieved March 22, 2015 from [http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0300-0399/0395/Sections/0395.1021.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0395/Sections/0395.1021.html)

organizations to inquire about their policies, procedures, and best practices if a patient is suspected of having been or reports having been sexually victimized.

### **Refuge House**

According to its Executive Director, Meg Baldwin, Refuge House is the only state-certified rape crisis/sexual assault services provider in Tallahassee/Leon County. Refuge House is the primary provider of forensic/medical exams for adult victims of sexual assault. The Refuge House Rape Crisis Program, known as the “SANE” (Sexual Assault Nurse Examiner) Program, is currently staffed by three SANE-A certified registered nurses, a Medical Director, and a 24/7 rotation of on-call rape crisis advocates, all contracted or employed by Refuge House. Within the eight counties it serves, the Refuge House SANE Program provides medical/forensic care to over 93% of all adult survivors of sexual assault every year seeking medical/forensic services in the aftermath of an attack, and covers 88% of a 24/7 schedule rotation. Currently, these services are provided and available in the Tallahassee Memorial Hospital (TMH) Bixler Emergency Center. All forensic/medical services provided by Refuge House are performed consistently with best practices guidelines established by the International Association of Forensic Nurses (IAFN), the Florida Office of the Attorney General, and the Florida Council Against Sexual Violence certification standards.

On occasion, victims may present to Capital Regional Medical Center, or the TMH Northeast Emergency Center for a forensic exam. Those patients may receive a forensic exam performed by medical staff at those facilities, or be transported to the TMH Bixler Emergency Center to have the exam performed by a Refuge House SANE nurse. TMH Bixler Emergency Center personnel may perform exams in the event that a Refuge House SANE nurse is not available.

### **Tallahassee Memorial Hospital**

TMH, the only non-profit community hospital in Leon County, has implemented internal controls relating to sexual violence victims. These controls consist of implementing best practices; collaborating with Refuge House to provide forensic exams to victims of sexual violence; and having working relationships with law enforcement, Child Protection Services (CPS),<sup>44</sup> and Refuge House.

### **Higher Education**

Both major universities in Tallahassee/Leon County, Florida State University (FSU) and Florida A&M University (FAMU), maintain health clinics. These health clinics provide

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<sup>44</sup> For victims under the age of 18



medical services for students that have been sexually victimized; however, they do not perform forensic exams (i.e., “rape kits”). If a student patient wants a forensic exam, they are escorted to TMH. Both facilities have procedures and protocols for handling sexual violence cases.

### **Child Protection Team**

The Child Protection Team (CPT) serving the Tallahassee/Leon County area is located in the headquarters building of Children’s Home Society. CPT services are provided to children under age 18 who are alleged to be victims of physical or sexual abuse. The CPT facility offers a separate entrance that is not visible from the street to protect victim identity. The portion of the building where CPT services are provided is secure and can only be accessed by authorized personnel.

The medical exam room is decorated to provide a supportive and non-threatening environment to victims, with soft lighting and child-friendly colors. A fully stocked clothing closet is available to replace any clothing that must be kept for evidence if an investigation is still active when the exam is conducted. All children seen through CPT are given a stuffed animal when they leave.

Clinical staff (physicians and nurses) must complete special training before working with young victims of sexual abuse and specially trained licensed counselors are available to conduct interviews and provide ongoing therapy, if appropriate. The interview room is also child-friendly and is equipped with a non-invasive video taping system so victims do not have to repeat their story. These videos can be used as evidence in court proceedings.

### **Tallahassee Veterans Affairs Outpatient Clinic**

According to Cheri Monger, Military Sexual Trauma (MST) Coordinator for the Lake City Veterans Affairs Medical Center, the U.S. Department of Veteran’s Affairs (VA) uses the term “MST” to refer to sexual assault or repeated, threatening sexual harassment that occurred during a veteran’s military service. Recently, services provided by the VA were expanded to include active National Guard and Reservists who experience MST if they are on weekend drill or deployed. The Tallahassee VA Outpatient Clinic serves local veterans, which includes the provision of MST services outlined below.

The VA responds to MST in a variety of ways. Since 1992, the VA has been developing programs and policies to improve its ability to identify MST survivors and ensure that they have access to specialized care. For example, all veterans seen in VA healthcare settings are asked if they experienced MST. All treatment for physical and mental health conditions



related to MST is free and unlimited in length. The VA engages in outreach to veterans about services available and ensures that staff receives training on MST-related issues. As with disabilities due to other experiences during military service, veterans can receive compensation for disabilities or injuries resulting from MST.

Veterans do not need to have a disability rating (that is, be “service-connected”), have reported the incident(s) at the time, or have other evidence that MST occurred in order to receive free MST-related care. There are no time limits on eligibility for this care, meaning that Veterans can seek out treatment even many years after discharge.

### Written Policies Regarding Sexual Violence

To the best knowledge of the contributors to this report, many medical establishments (e.g., doctor’s offices, health clinics) do not have a written sexual violence policy for their practitioners. The majority of establishments who do not have a written policy refer patients to TMH. Some primary care physicians and well-woman service providers refer their patients to TMH.

For a listing of major local community agencies and organizations with and without written policies for sexual violence, please refer to Table 1. In addition to those providers included in Table 1, the SAPG reached out to a small sample of individual physicians and found that existence of written policies regarding sexual violence is inconsistent between providers.

**Table 1: Written Sexual Violence Policies among Major Community Agencies and Organizations**

| Organization                    | Clientele                             | Written Policies                                                                                                                                                                                             |
|---------------------------------|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Capital Regional Medical Center | General medical and emergency medical | Yes, offers patient options to a) report to law enforcement and b) have a forensic exam (performed by physician or mid-level provider with a nurse present); Refuge House victim advocate services contacted |
| Tallahassee Memorial Hospital   | General medical and emergency medical | Yes                                                                                                                                                                                                          |



| Organization                                               | Clientele                                                                 | Written Policies                                                                                                                                                                       |
|------------------------------------------------------------|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TMH Emergency Center—Northeast                             | General medical and emergency medical                                     | Yes                                                                                                                                                                                    |
| Child Protection Center                                    | Children only emergency medical and counseling care center                | Yes                                                                                                                                                                                    |
| Refuge House Medical/Forensic                              | All sexual assault victims age 18 and older, certified rape crisis center | Yes                                                                                                                                                                                    |
| Capital Health Plan                                        | Members-only medical care center                                          | No, refers to local hospitals                                                                                                                                                          |
| Gynecology and Obstetrics Associates, Inc.                 | Female medical care                                                       | Yes                                                                                                                                                                                    |
| North Florida Women's Health and Counseling Services, Inc. | Female medical care                                                       | No                                                                                                                                                                                     |
| Veteran's Administration Outpatient Medical Treatment      | Military only medical services                                            | Yes                                                                                                                                                                                    |
| Florida Department of Health in Leon                       | Community medical services                                                | Yes, follows Florida Department of Health policies for assessment and referrals; refers to Refuge House or, in the case of a recent assault, the emergency room of the victim's choice |
| Bond Community Health Center                               | Community medical services                                                | Yes, refers to Refuge House                                                                                                                                                            |
| Neighborhood Health Services                               | Community medical services                                                | No, refers to TMH                                                                                                                                                                      |
| Planned Parenthood                                         | Community medical services                                                | No, refers to TMH                                                                                                                                                                      |
| Florida State University Health Services                   | FSU students                                                              | Yes, refers to TMH for forensic exams                                                                                                                                                  |
| Florida A&M University Student Health                      | FAMU students                                                             | Yes, refers to TMH for forensic exams                                                                                                                                                  |



### *Becoming a SANE Certified Nurse*

According to Micheala Denny, Program Development Director of the Florida Council Against Sexual Violence (FCASV), there is no Florida certification for SANE nurses, only the national certification offered through the International Association of Forensic Nurses (IAFN).<sup>45</sup> SANE nurses undergo extensive training to perform their duties.

Meg Baldwin shared that SANE nurse credentials are defined at three levels: SANE trained (40 hours of initial training), SANE qualified/competent (clinical and other training criteria met, according to local program), and SANE certified (requires at least two years of SANE experience). All Refuge House SANE nurses are SANE-A certified.

The IAFN recommends that registered nurses (RNs) have at least two years of practice prior to becoming a SANE.<sup>46</sup> After completion of the SANE training, a clinical skills course must be completed with competency demonstrated. According to the IAFN, the minimum course hours to apply to sit for the Commission for Forensic Nursing Certification examinations are as follows:<sup>47</sup>

- **Adult/Adolescent**—a minimum of 40 hours of coursework; 40 nursing continuing education contact hours, or academic credit or the national equivalent; and clinical components, not calculated as a part of the 40 hours.
- **Pediatric/Adolescent**—a minimum of 40 hours of coursework; 40 nursing continuing education contact hours, or academic credit or the national equivalent; and clinical components, not calculated as a part of the 40 hours.
- **Combination Adult/Adolescent and Pediatric/Adolescent**—a minimum of 64 hours of coursework; 64 nursing continuing education contact hours, or academic credit or the national equivalent from an accredited educational institution; and clinical components, not calculated as a part of the 64 hours.

Each course must provide nursing contact hours, nursing academic credits, or a national equivalent that demonstrates proof of hours and course content. More detailed information about SANE training is available through the IAFN.<sup>48</sup>

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<sup>45</sup> M. Denny, personal communication, February 5, 2015

<sup>46</sup> International Association of Forensic Nurses [IAFN]. (2013). *Sexual assault nurse examiner (SANE) education guidelines*. Retrieved March 23, 2015 from [http://c.ymcdn.com/sites/www.forensicnurses.org/resource/resmgr/Education/Sexual\\_Assault\\_Nurse\\_Educational.pdf](http://c.ymcdn.com/sites/www.forensicnurses.org/resource/resmgr/Education/Sexual_Assault_Nurse_Educational.pdf)

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.



The FCASV provides more information on SANE competency and certification in Florida on their [website](#).<sup>49</sup>

### *Limitations of Information*

We recognize that this section of the report only touches the surface regarding community health care providers' response to sexual violence. Notable missing providers include, but are not limited to, The Apalachee Center, nursing homes, adult day centers, and child daycare centers. While Group members attempted to obtain as much information as possible, the Group experienced difficulty in getting information from neighborhood hospitals and clinics regarding whether they had written policies regarding patients who have possibly experienced sexual violence. Of the five neighborhood health clinics, only three responded to information inquiries.

### *Concerns*

Based on the information provided to us, the SAPG has two concerns regarding SANE examinations. First, TMH's and CPS' examination tables are situated in a manner that could allow for privacy violations and may make the victim more uncomfortable than necessary (i.e., the beds face the door; when someone opens the door, the victim is exposed). Second, TMH does not currently have restroom facilities available in its sexual violence exam room. There is no toilet, sink, or shower in the forensic exam room for sexual violence victims. However, the SAPG is aware that Refuge House is currently working with TMH to improve the overall experience for victims receiving a SANE exam by creating a new, separate facility for exams.

### **Best Practices**

The Office on Violence Against Women (OVW) developed a national protocol for sexual assault medical forensic examinations under the supervision of the Attorney General in accordance with the Violence Against Women Act of 2000.<sup>50</sup> The Protocol was created through consultation with national, state, local, and tribal experts on sexual violence.<sup>51</sup> In April 2013, the OVW released an updated national protocol.<sup>52</sup> The protocol provides an

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<sup>49</sup> Florida Council against Sexual Violence. (2014). *Competency and certification*. Retrieved March 22, 2015 from [http://www.fcasv.org/sites/default/files/Competency%20and%20Certification%20Revised%20March%202013\\_0.pdf](http://www.fcasv.org/sites/default/files/Competency%20and%20Certification%20Revised%20March%202013_0.pdf)

<sup>50</sup> U.S. Department of Justice, Office on Violence Against Women. (2013). *A national protocol for sexual assault medical forensic examinations* (2<sup>nd</sup> ed. (NCJ 228119)). Retrieved from <https://www.ncjrs.gov/pdffiles1/ovw/241903.pdf>.

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.



outline for the focused training of health care providers who desire to perform as Sexual Assault Forensic Examiners (SAFEs). The principles included within the protocol present a course of action to train SAFE applicants to work together with additional responders in order to carry out the healthcare, forensic, and instruction/material requests of adult and adolescent sexual violence victims who require a health forensic assessment. This outline is anticipated to direct those who create, amend, manage, and/or carry out SAFE instruction concerning the basic points of training needed to train participants for their position.

Though these principles do not provide specific timeframes for the initial SAFE training, it is currently accepted among the majority of associations and persons who present fundamental instruction that the educational segment should, at a minimum, last 40 hours.

To obtain certification, RNs must complete the educational component, followed by supervised practice to document competency, and finally pass the IAFN certification exam.<sup>53</sup> Though there are no specific training requirements for medical personnel who conduct forensic exams, the IAFN does outline competency objectives.<sup>54</sup> More information on competency versus certification is available through the FCASV.<sup>55</sup>

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<sup>53</sup> Florida Coalition against Sexual Violence. (2014). *Competency and certification*. Retrieved March 22, 2015 from [http://www.fcasv.org/sites/default/files/Competency%20and%20Certification%20Revised%20March%202013\\_0.pdf](http://www.fcasv.org/sites/default/files/Competency%20and%20Certification%20Revised%20March%202013_0.pdf)

<sup>54</sup> Ibid.

<sup>55</sup> Ibid.



## Chapter 3: Follow-Up

- *Julia Kamm-Cohen, Former SART and Youth Services Coordinator for Refuge House<sup>56</sup>*
- *Sara LaTorre, Tallahassee Police Department, Victim Advocate*

### Fact Finding

#### Refuge House

Refuge House is recognized as the primary rape crisis provider across the eight counties of the Big Bend. Follow-up services are provided for a victim to feel informed, supported, and empowered. Refuge House offers a wide array of free services to survivors of sexual violence at all stages of healing, whether the violence occurred recently or in the distant past.

If a survivor comes to Refuge House through the Rape Crisis Response Program, a sexual violence counselor will call the survivor within two to three days after the hospital visit. The counselor provides information for medical follow-up services, as well as counseling services. If the survivor is interested in seeking counseling, a counseling appointment can be scheduled over the phone.

If any survivors are interested in receiving services and have not been through the Rape Crisis Response Program, they can call the 24-hour hotline (850-681-2111). The hotline advocates will send referrals to the appropriate staff members, who will then contact the survivor within two to three days.

Refuge House provides free and confidential individual and group counseling to survivors. Secondary survivors, including friends, partners, and family members of survivors, are also eligible for counseling services. It is not uncommon for secondary survivors to experience vicarious trauma, or just need someone to talk to about their own feelings. Counseling services for secondary survivors are also free and confidential.

Both short-term and long-term counseling services are available. Individuals receiving short-term counseling can receive up to 12 sessions. With supervisor approval, a counselor may be able to see the individual beyond the 12 sessions. A licensed clinical social worker (LCSW) provides long-term counseling, without any session number limits. This means that the survivor may see the LCSW for years.

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<sup>56</sup> Community contributor and former Refuge House employee



There is no limit as to how often a survivor can seek services. For example, a survivor who has received counseling from Refuge House may always come back in the future to receive additional counseling. Refuge House currently has four sexual violence counselors, each focusing on one of the following: human trafficking and prostitution; mental illness and long-term counseling; teenagers, college students, and young adults (12 years and older); and all other survivors. Refuge House staff can assist the survivor with filing for victim compensation, and certified staff members can assist with filing for Sexual Battery Relocation.

Refuge House also provides victim advocacy and accompaniment services. Counselors, as well as victim advocates, will accompany survivors to important appointments, such as meetings with law enforcement, court proceedings, and doctor appointments. With written release from the survivor, Refuge House staff may advocate on the survivor's behalf. Examples of advocacy include contacting law enforcement investigators, advocating to school or workplace officials, and advocating to other programs within Refuge House.

By state law and rule, as the certified rape crisis provider in Tallahassee/Leon County, Refuge House is required to provide six core services set forth in Florida Statute 794.055:

- 24-hour hotline,
- Information and referral,
- Crisis intervention,
- Advocacy/accompaniment,
- Community awareness, and
- System coordination.

In addition, Refuge House provides the “enhanced” services, therapy, and medical intervention, set forth in Florida Statute 794.055. Refuge House's operations are reviewed every two years to assure compliance with all quality assurance measures for program and organizational management.

### Law Enforcement

After sexual violence occurs, law enforcement advocates are available through the Tallahassee Police Department (TPD) and the Leon County Sheriff's Office (LCSO). Both agencies provide crisis intervention services and follow-up. Depending on which local law enforcement agency is handling a reported case, a victim advocate from either TPD or LCSO may be called. If LCSO is handling the case, it notifies one of its victim advocates, who then



responds to the hospital or scene to provide advocacy. TPD may request one of its victim advocate's presence at any time they feel one is beneficial during the initial report. After the initial report is received, the responding agency's victim advocates reach out to the victim and inform them of their rights, educate them on the investigative process, assist with filing for victim compensation, and assist with connecting them to available community resources, such as Refuge House, campus advocates, or other social service agencies. Law enforcement victim advocates may accompany victims during investigative interviews, assist with filing for an injunction, and act as a liaison between victim and investigator. A victim may request to speak to a law enforcement victim advocate with no obligation to complete a report. Law enforcement advocates are available 24/7, and provide on-going services, as needed, to sexual violence victims.

### **Local Universities**

Our local universities, Florida State University (FSU) and Florida A&M University (FAMU), have victim advocates available to assist students, faculty, and those who have been victimized by enrolled students. FSU victim advocates will respond to hospitals to provide crisis intervention services to victims of on-campus sexual violence. Much like the above-mentioned law enforcement advocates, they can accompany victims to investigative interviews, make referrals for counseling, provide education on the criminal justice process, and assist with filing for victim compensation. Campus advocates cater to the special needs of the student population; they can advocate to faculty and administration on behalf of the student and educate victims on the judicial student conduct process and Title IX. Campus advocates will provide services on a continuous basis, including through the criminal prosecution phase.

### **Department of Children and Families**

For youth (i.e., up to age 22) victims of sexual abuse who are in the Child Welfare system, there are specialized services available through the Department of Children and Families (DCF) and the local child welfare organization, Big Bend Community-Based Care (CBC).

If DCF receives a call to the Abuse Hotline alleging that a child is suspected or known to have been sexually exploited, that case must be assigned to DCF child protective investigators and CBC case managers who have specialized intensive training in handling cases involving a sexually exploited child. The training must have occurred prior to receipt of such cases.

If the youth is involved with the Department of Juvenile Justice (DJJ), the DJJ juvenile probation staff or contractors administering the detention risk assessment instrument



must receive specialized intensive training in identifying and serving sexually exploited children.

Throughout these cases, regular multidisciplinary staffings for sexually exploited children must be conducted by DCF, Big Bend CBC and its contracted providers to ensure critical sharing of information is known to all providers and parties. These staffings should include parties or providers across systems, including, but not limited to:

- Child's guardian ad litem,
- Juvenile justice system staff,
- School district staff,
- Service providers, and
- Victim advocates.

### **Child Protection Team**

Child victims of sexual violence receive follow-up services through the Child Protection Team (CPT) of Children's Home Society. After the incident is reported, CPT staff will maintain contact with the family for 60-90 days, make referrals for counseling, and notify them of other social service agencies available in the community.

### **State Attorney's Office**

When a case moves to the criminal prosecution phase, the State Attorney's Office victim advocates begin to assist. State Attorney's victim advocates can assist with all resources and referrals mentioned above, as well as keep victims informed on all judicial hearings and the victim's right to be present and heard at such hearings. State Attorney's Office victim advocates act as a liaison between the victim and the State Attorney's Office to ensure that the victim's wishes are heard. They also provide emotional support, including accompaniment during deposition and trial, and help the victim prepare a victim impact statement.

It is important to note that the roles in which advocates serve and the services they provide are not limited to what is listed above. The follow-up needed is individual to each victim as part of the victim's healing process.

### **Best Practices**

There is no singular standard protocol or timeline established for what is considered best practice when following up with victims of sexual violence, for which there may be two reasons. First, societal focus is currently on the investigation and prosecution of



perpetrators to hold them accountable. Second, because victim service providers aim to both honor victims' rights to self-determination and empower victims by enabling them to make their own decisions throughout the healing process, there is no singular recognized best-practice approach to victim follow-up. In fact, this individualized approach to follow-up is a best practice in and of itself, meaning follow-up does not necessarily look consistent from one victim to the next.

### Applicable State Statutes

Listed below are Florida State Statutes that pertain to follow-up treatment of sexual violence victims.

Per 2014 Florida Statute 794.052,<sup>57</sup> law enforcement:

...must assist the victim in obtaining medical treatment, if medical treatment is necessary as a result of the alleged incident; provide a forensic examination, and advocacy and crisis-intervention services from a certified rape crisis center and provide or arrange for transportation to the appropriate facility.

Per Florida Statute 794.055, victims who have reported the offense to law enforcement must have access to sexual battery recovery services, which "include the following services:

1. A telephone hotline that is operated 24 hours a day and answered by a sexual battery counselor or trained volunteer, as defined in s. 90.5035
2. Information and referral services
3. Crisis-intervention services
4. Advocacy and support services
5. Therapy services
6. Service coordination
7. Programs to promote community awareness of available services
8. Medical intervention

For victims who have not reported the offense to law enforcement:

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<sup>57</sup> Retrieved March 18, 2015 from

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=794.052&URL=0700-0799/0794/Sections/0794.052.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=794.052&URL=0700-0799/0794/Sections/0794.052.html)



1. A telephone hotline that is operated 24 hours a day and answered by a sexual battery counselor or trained volunteer, as defined in s. 90.5035
2. Information and referral services
3. Crisis-intervention services
4. Advocacy and support services
5. Therapy services
6. Service coordination
7. Programs to promote community awareness of available services.”<sup>58</sup>

Additional information on victims’ rights that can apply to sexual violence victims can be found in Florida State Statute 960 (*Victim Assistance*).<sup>59</sup> This statute has information on a victim’s right to be present and heard. Additionally, it provides information on victim compensation and relocation funds. The Violence Against Women Act of 2005 (reauthorization) requires states receiving Services, Training, Officers, Prosecutors (STOP) Formula Grant funds to ensure that victims of sexual violence have access to forensic examination, regardless of reporting status. That is, victims do not have to report to law enforcement in order to receive a forensic examination and have that examination paid for with Crimes Compensation funds, administered by the Office of the Attorney General.

As the certified rape crisis services provider in our community, Refuge House must demonstrate continuing compliance with all program and operations certification standards required by the Florida Department of Health, Florida Council Against Sexual Violence, and Florida Statute 794.056 (2). Refuge House was the first rape crisis program in the State of Florida to be certified.

Additional information on victims’ rights can be found in [Chapter Five: Investigation and Prosecution](#).

### **Additional Best Practices**

While working with sexual violence victims, it is important to empower them to exercise their rights. Therefore, it is imperative that law enforcement officers allow the victim access to a victim advocate as soon as an allegation has been made and through every step

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<sup>58</sup> Retrieved March 18, 2015 from [http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0700-0799/0794/Sections/0794.055.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0700-0799/0794/Sections/0794.055.html)

<sup>59</sup> Retrieved March 18, 2015 from [http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0900-0999/0960/0960ContentsIndex.html&StatuteYear=2014&Title=%2D%3E2014%2D%3EChapter%20960](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0900-0999/0960/0960ContentsIndex.html&StatuteYear=2014&Title=%2D%3E2014%2D%3EChapter%20960)



of the investigative process. A 2013 Human Rights Watch report, which investigated the D.C. Metropolitan Police Department's mishandling of sexual abuse cases, recommended allowing a victim to have one full sleep cycle before a primary interview is conducted, and returning a victim's call within one business day.<sup>60</sup> Applying these principles to follow-up care can create an environment where a victim can feel believed and cared for following sexual violence.

Another suggested best practice is for a victim to have access to crisis-based advocacy response 24/7. Sexual violence causes a great amount of trauma, so it is important for a victim to have access to an advocate when a need arises, whether it is immediately after or in the years following the violence.

According to Sara LaTorre, TPD Victim Advocate, a final best practice for consideration is ensuring that a victim is aware of what information is kept confidential. During the process, some advocates may have a duty to report or can be subpoenaed to a court of law. A victim needs to know the circumstances under which the right to confidentiality applies. Follow-up care is completely focused on what the victim needs to regain control of after sexual violence occurs. Each individual is unique, so it is important that each community is equipped to provide a response that fits each victim's healing path.

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<sup>60</sup> Human Rights Watch. (2013). *Capitol offense: Police mishandling of sexual assault cases in the District of Columbia*. Retrieved March 18, 2015 from [http://www.hrw.org/sites/default/files/reports/us0113ForUpload\\_2.pdf](http://www.hrw.org/sites/default/files/reports/us0113ForUpload_2.pdf)



## Chapter 4: School and Workplace Response

- *Jennifer Gagen, FSU Victim Advocate Program, Assistant Director*
- *Kori Pruett, FSU Health Promotion, Sexual Violence Prevention Coordinator*

### Fact Finding

In addition to the information provided below, information on employment screenings per Florida Statute can be found in [Appendix B](#).

### Leon County School Board

The Leon County School Board has a domestic violence leave policy, which grants leave for an employee if he/she or a family or household member is the victim of domestic or sexual violence.<sup>61</sup> There are limitations to the leave and proper notification/proof is suggested. In order for the leave to be paid, employees must also exhaust all annual or vacation, personal, and sick leave prior to utilizing the domestic violence leave. Domestic violence leave is kept confidential.

The Leon County School Board also complies with Title IX. There are both formal and informal complaint processes. An informal process will find interim measures to help assist the complainant and may potentially look at mediation or increased educational material to help the matter, or change in job or assignment for the complainant. A formal complaint process will use the investigation process and question witnesses, collect evidence, interview both parties, and inform the respondent of the charge. The finding should be made within 20 business days of receiving the report. The policy also prohibits retaliation against the complainant.

All information on the policy and procedure must be disseminated to School Board staff and school employees. The policy requires training for District students and staff where appropriate.

### Leon County

All employees have the right to report forms of harassment to a supervisor. Employees may also report to the Human Resources Director or Employee Relations Manager. If the complaint involves a County Commissioner, employees are directed to approach supervisors. If it involves the Chairman or the employee is uncomfortable presenting the issue to supervisors, the County will make a referral to a private law firm outside the

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<sup>61</sup> Retrieved March 22, 2015 from <http://www.neola.com/leon-fl/search/policies/po3430.02.htm>



County's jurisdiction to investigate. After that referral, the other party can be notified. Interviews with all parties and those who might have knowledge will be interviewed. The accused has the opportunity to respond verbally and/or in writing.

The policy also allows the County to investigate incidents of violent behavior on- or off-duty. It also applies to members of the public who are violent toward County employees. Employees are required to report violent behaviors or observed actions using the Workplace Violence Report Form. If a person is convicted of a felony or misdemeanor that is violent, she or he is required to notify his or her supervisor within one day.

Leon County's Human Resources policies and procedures can be found on their [website](#).<sup>62</sup>

In 2013, the Violence Against Women and Girls Committee of the Tallahassee/Leon County Commission on the Status of Women and Girls (CSWG) provided over 100 hours of technical assistance to local bodies to develop workplace policies that would specifically address violence, including sexual violence.<sup>63</sup> On September 10, 2013, the Board of County Commissioners of Leon County voted to approve Policy No. 13-2, *Domestic Violence, Sexual Violence, and Stalking in the Workplace*.<sup>64</sup> The policy specifically states that, "Leon County will not tolerate acts of Domestic Violence, Sexual Violence, or Stalking in its Workplace, or the use of Leon County resources by Employees to perpetrate such acts."<sup>65</sup> In addition to assisting the Board of County Commissioners of Leon County, the CSWG also assisted the City of Tallahassee Commission and Tallahassee Community College with their policies (see below).

### **Leon County Sheriff's Office and Leon County Jail**

According to Leon County Sheriff's Office (LCSO) Lieutenant James McQuaig, LCSO initiates a criminal investigation for all cases of sexual violence reported to them. In addition to a criminal investigation, if the alleged perpetrator in a case is an LCSO employee, Internal Affairs (IA) conducts a separate, parallel investigation to determine if and which policies the employee violated, as well as determine internal consequences for any violations.

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<sup>62</sup> <http://cms.leoncountyfl.gov/Home/Departments/Human-Resources>

<sup>63</sup> Tallahassee/Leon County Commission on the Status of Women and Girls. (2012). *Report on the Status of Women and Girls - 2012*. Retrieved March 30, 2015 from <http://tallahasseeleoncswg.com/wp-content/uploads/2013/10/CSWG-2012-Full-Report.pdf>

<sup>64</sup> Board of County Commissioners: Leon County, Florida. (2013). *Domestic violence, sexual violence and stalking in the workplace*. Retrieved from <http://www.leoncountyfl.gov/bcc/policy/pdf/11-06.pdf>

<sup>65</sup> Ibid.



General Order 52.1, pertaining to IA investigations, is available on the LCSO [website](#).<sup>66</sup> The Orders describe the duties of IA to inform parties of the outcome, start a criminal investigation if needed, and keep complaints secure.<sup>67</sup> IA has 180 days to complete the internal investigation. There is also a policy prohibiting retaliation. The LCSO policies also apply to the Leon County Jail. The Leon County Jail Inmate Handbook is available [online](#).<sup>68</sup>

### City of Tallahassee

The City of Tallahassee's Administrative Policies and Procedures Manual, Section 706, outlines personnel policies and procedures related to working conditions. Section 706.08 states:

It is the policy of the City of Tallahassee as both an employer and representative institutional model for community standards to reasonably provide for a work environment, facilities, and programs which are civil, safe, secure, and free from threats, intimidation, abusive behavior, and physical and emotional violence. Acts of any type of violence, direct or indirect verbal threats, stalking, aggressive or intimidating behavior, provocation or bullying, which could lead to violence, will not be tolerated.<sup>69</sup>

On October 18, 2013, the City revised personnel policy 706.09, Domestic, Sexual, and Dating Violence and Stalking. Specifically, the Statement of Policy reads:

The City of Tallahassee recognizes that domestic violence, sexual violence, dating violence, and stalking are workplace issues and impact the workplace even if the incidents occur elsewhere. Such acts, including but not limited to the above violent behaviors, direct or indirect verbal threats, aggressive or intimidating behavior, or provocation which could lead to violence, will not be tolerated. Any such behaviors perpetrated by an employee during on- or off-duty periods are prohibited. In addition, the City recognizes that being a victim of such violence can cause physical and psychological harm, as well as compromise the safety of victims, co-workers and the public.

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<sup>66</sup> Leon County Sheriff's Office [LCSO]. (n.d). *General orders*. Retrieved June 2, 2015 from [http://www.leoncountysoc.com/tools/general\\_orders.asp](http://www.leoncountysoc.com/tools/general_orders.asp)

<sup>67</sup> Ibid.

<sup>68</sup> Leon County Sheriff's Office, Leon County Jail. (2014). *Inmate handbook: Rules, regulations, and general information*. Retrieved June 2, 2015 from <http://www.leoncountysoc.com/leon-county-jail/inmate-handbook>

<sup>69</sup> City of Tallahassee. "Administrative policies & procedures: Personnel policies and procedures manual." Internal Document.



Violence also impacts the City of Tallahassee in a number of ways including lost productivity, increased health care costs, increased absenteeism, and increased employee turnover.<sup>70</sup>

### **Tallahassee Community College**

Similar to Leon County and the City of Tallahassee, Tallahassee Community College (TCC) recently implemented a policy denouncing violence. Adopted November 17, 2014, Policy No. 03-35 states:

Tallahassee Community College (TCC) strongly disapproves of violence against women, men or children in any form, whether as an act of workplace violence or in any student's or employee's personal life.

The College recognizes that domestic violence, dating violence, and stalking are society issues and impact the campus and workplace even when incidents occur elsewhere. Domestic violence can spill over into the workplace, compromising the safety of both victims and co-workers.<sup>71</sup>

Per the policy, TCC is committed to providing reasonable accommodations to any student, faculty member, or staff member who has experienced, or is helping a family member who has experienced, domestic violence, dating violence, or stalking. Sexual violence is expressly mentioned in regard to leave time:

The College will work in collaboration with the student, faculty or staff member to provide reasonable and flexible leave options when a student, faculty or staff, or a child, spouse, or parent of a student, faculty or staff, is a victim of domestic violence, sexual violence, dating violence, and stalking.<sup>72</sup>

### **Florida State University**

Florida State University (FSU) has issued comprehensive sexual misconduct guidance, which states:

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<sup>70</sup> Ibid.

<sup>71</sup> Tallahassee Community College Board of Trustees. (2014). *Domestic violence, dating violence, and stalking*. Retrieved March 22, 2015 from <https://presentations.tcc.fl.edu/BOT/policy/Documents/03.0%20-%20General%20Administration/3-35%20-%20Domestic%20Violence,%20Dating%20Violence,%20and%20Stalking.pdf>

<sup>72</sup> Ibid.



Sexual misconduct, including sexual harassment, sexual violence (rape, sexual assault, domestic violence, dating violence, & stalking), and all other forms of sex discrimination are violations of University policy and contrary to the University's values, which recognize the dignity and worth of each person. They are also illegal. Sexual misconduct will not be tolerated by Florida State University, whether by faculty, staff, students, visitors, or others. If you have experienced sexual misconduct, FSU wants to help.<sup>73</sup>

In September of 2014, the University launched the kNOw MORE initiative, which is dedicated to raising awareness on campus about responsible conduct and the meaning of consent as well as prevention, intervention, and resources for sexual assault victims. The [knowmore.fsu.edu](http://knowmore.fsu.edu) website is a one-stop location for information about sexual violence. The site clearly outlines how to report an incident, answers frequently asked questions, and lists important contact information and resources available to students and employees, including the Victim Advocate Program and the University Counseling Center.

FSU maintains and disseminates a [Title IX Statement](#),<sup>74</sup> Sexual Harassment Policy, Non-Discrimination Policy, and Sexual Battery Policy, all of which prohibit sex and gender-based violence. These policies can be found online on FSU's [website](#).<sup>75</sup> Informal and formal complaint procedures are offered under these policies to address reports of misconduct. Complainants are protected against retaliation under FSU policies.

All FSU employees receive training regarding sexual misconduct related policies and procedures upon hire. Advanced training courses are offered throughout the year. FSU also offers Domestic Violence Leave and Sexual Violence leave, [4-OP-C-7-E1.11](#),<sup>76</sup> to assist employees if they or a family or household member have been a victim of sexual or domestic violence.

## Best Practices

### Community Best Practices

It is important to address interpersonal violence in the workplace and school. In the Tallahassee/Leon County Commission on the Status of Women and Girls' (CSWG) report, *A Call to Action: Improving the Status of Women and Girls in Tallahassee/Leon County 2013-*

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<sup>73</sup> Florida State University. (2014). *Sexual misconduct resources*. Retrieved April 23, 2015 from <http://compliance.hr.fsu.edu/PDF/SexualMisconductResources.pdf>

<sup>74</sup> [http://hr.fsu.edu/?page=eoc/eoc\\_sexual\\_misconduct](http://hr.fsu.edu/?page=eoc/eoc_sexual_misconduct)

<sup>75</sup> Ibid.

<sup>76</sup> <http://policies.vpfa.fsu.edu/personnel/3i.html>



2014, best practice approaches were identified and recommendations were made.<sup>77</sup> Specifically, adoption of the Domestic Violence, Sexual Violence, and Stalking in the Workplace Policy was encouraged.

As previously stated, both Leon County<sup>78</sup> and the City of Tallahassee<sup>79</sup> adopted these policies in recent years. In November 2014, Tallahassee Community College adopted a version of the policy as well.<sup>80</sup> Based on several recommendations<sup>81</sup> included in *A Call to Action*, once best practices are identified, the next step is to encourage implementation. The report also identifies the need for more interagency collaboration, as well as training by local experts at various public and private institutions.

### Title IX/Sexual Misconduct Policies

Nationally, strong attention has been placed on university response to sexual misconduct. Based on the *Not Alone* report from the White House,<sup>82</sup> the following are best practices for a Title IX/ Sexual Misconduct Policy:

1. Ensure representation from all areas of campus including, but not limited to: LGBTQ+ groups, law enforcement (campus and local), survivors, providers, and administration.
2. Consider retaining an outside expert and encourage a vetting period to allow for significant feedback.
3. Ensure that the policy is in multiple languages and readily available for students with disabilities.
4. Coordinate the policy with other institutional policies and procedures.
5. Once the policy is prepared, widely publicize and hold mandatory trainings.
6. Ensure that the policy is prepared and that it is accessible online.

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<sup>77</sup> Tallahassee/Leon County Commission on the Status of Women and Girls. (2014). *A Call to Action: Improving the Status of Women and Girls in Tallahassee/Leon County 2013-2014*. Retrieved March 22, 2015 from [http://tallahasseeleoncswg.com/wp-content/uploads/2014/06/A-Call-to-Action\\_PDF.pdf](http://tallahasseeleoncswg.com/wp-content/uploads/2014/06/A-Call-to-Action_PDF.pdf)

<sup>78</sup> Board of County Commissioners: Leon County, Florida. (2013). *Domestic violence, sexual violence and stalking in the workplace*. Retrieved from <http://www.leoncountyfl.gov/bcc/policy/pdf/11-06.pdf>

<sup>79</sup> The City's policy has been shared with City leadership and through them with employees. In addition, it is easily accessible to all employees through the City's intranet site.

<sup>80</sup> Tallahassee Community College Board of Trustees. (2014). *Domestic violence, dating violence, and stalking*. Retrieved March 22, 2015 from <https://presentations.tcc.fl.edu/BOT/policy/Documents/03.0%20-%20General%20Administration/3-35%20-%20Domestic%20Violence,%20Dating%20Violence,%20and%20Stalking.pdf>

<sup>81</sup> Recommendations 18, 19, 20, 43-61

<sup>82</sup> The White House Task Force to Protect Students from Sexual Assault. (2014). *Not alone*. Retrieved from <https://www.notalone.gov/assets/report.pdf>



### *Model for Title IX/Sexual Misconduct Policies*

Based on *Not Alone*, a suggested model policy for Title IX/sexual misconduct is as follows:<sup>83</sup>

1. Introduction (School statement)
2. Scope of Policy (Identify all things covered by the school's policy, applies to all persons, and brief confidentiality)
3. Options for Assistance Following an Incident of Sexual Misconduct
  - a. Immediate
  - b. Ongoing
4. Title IX Coordinator
5. Definitions (Conduct prohibited by the policy, and additional terms that must be defined like consent and incapacitation)
6. Reporting Policies and Protocols
7. Investigation Procedures and Protocols
8. Grievance/Adjudication Procedures
9. Prevention and Education
10. Training

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<sup>83</sup> Ibid.



## Chapter 5: Investigation and Prosecution

- *Natalie Kato, Human Rights Watch, US Southern State Policy Advocate*
- *Rose Rezaei, Florida State University, University Health Services, Assistant Director of Health Promotion*
- *Sara Saxner, Tallahassee/Leon County Commission on the Status of Women and Girls, Commissioner*

### Fact Finding

There is importance in understanding the processes of investigation and prosecution in cases involving power-based violence, which include cases of sexual assault, rape, intimate partner/relationship violence, stalking, and sexual harassment. For purposes of the charge set forth by the SAPG, the following information will focus on the state and local processes of investigation and prosecution. However, institutions of higher education typically have their own procedures of investigation and prosecution.

### Rights Under the State of Florida

According to Florida Constitutional Amendment, Article I Sec. 16. (Rights of accused and of victims):<sup>84</sup>

In all criminal prosecutions the accused shall, upon demand, be informed of the nature and cause of the accusation, and shall be furnished a copy of the charges, and shall have the right to have compulsory process for witnesses, to confront at trial adverse witnesses, to be heard in person, by counsel or both, and to have a speedy and public trial by impartial jury in the county where the crime was committed. If the county is not known, the indictment or information may charge venue in two or more counties conjunctively and proof that the crime was committed in that area shall be sufficient; but before pleading the accused may elect in which of those counties the trial will take place. Venue for prosecution of crimes committed beyond the boundaries of the state shall be fixed by law.

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<sup>84</sup> Retrieved March 18, 2015 from <http://www.leg.state.fl.us/Statutes/Index.cfm?Mode=Constitution&Submenu=3&Tab=statutes#A1S16>



## Applicable Florida State Statutes

### *Florida Statute 960: Victims' Rights in Court and Clemency Proceedings*

General victim rights are included in Chapter 960 of Florida Statutes.<sup>85</sup> Regarding victim rights in court and clemency proceedings, victims of crime are entitled to information concerning services and protection available to victims of adult and juvenile crime, notification of scheduling changes, advance notification concerning judicial proceedings and the right to be present at those proceedings, an opportunity to be consulted by the state attorney to express their views, prompt return of property held for evidentiary purposes unless there is a compelling law enforcement reason for retaining it, notification to employer for cooperation in the prosecution of the case and explanation to creditors the reason for such serious financial strain, notification of the right to request restitution and submit an impact statement, information concerning the escape of the defendant, and general victim assistance.

Victims' next of kin will be sent information explaining the capital clemency process and notification that a Florida Commission on Offender Review Investigator will be requesting an interview and the nature of the interview. Victims will be offered the opportunity to submit written impact information in lieu of an interview, notification and explanation of a clemency hearing, and the opportunity to be present and submit a written or oral statement at the clemency hearing. Upon request, victims may receive copies of the actual transcript of any statements or testimony of the inmate.

Under F.S. 960, victims of sexual crimes have rights afforded to them by Florida law. Rights specific to victims of sexual violence are found in other statutes aside from the general victims' rights. Rights specific to sexual violence victims include, but are not limited to the:

- Right to have the defendant tested for HIV and Hepatitis B;
- Right for the victim's identifying information to be "blacked out" of court documents;
- Right for a victim's prior sexual history to be protected from questioning;
- "An offender's use of a prophylactic device, or a victim's request that an offender use a prophylactic device, is not, by itself, relevant to either the issue of whether or not the offense was committed or the issue of whether or not the victim consented;"<sup>86</sup>

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<sup>85</sup> Retrieved March 18, 2015 from

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0900-](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0900-)

[0999/0960/0960ContentsIndex.html&StatuteYear=2014&Title=%2D%3E2014%2D%3EChapter%20960](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0900-0999/0960/0960ContentsIndex.html&StatuteYear=2014&Title=%2D%3E2014%2D%3EChapter%20960)

<sup>86</sup> Florida Statute 794.022. (2014). Sexual battery—Rules of evidence.



- Right to a victim's manner of dress not be relevant to the issue of consent;
- Right to have the courtroom cleared when a victim of sexual violence is testifying;
- Right to have the victim of sexual violence remain in the courtroom during the testimony of other witnesses, even though this is in direct conflict with the rule of sequestration;
- Right for the identity of a sexual violence victim to be protected by the media; and
- Right for the forensic medical exam to be covered by the Crimes Compensation Fund and not charged to the victim.

Additional information on victims' rights can be found in [Chapter Three: Follow-Up](#).

### *Florida Statute 918: Conduct of Trial*

In Chapter 918.16 of Florida Statutes, sex offenses are discussed.<sup>87</sup> In a trial:

If the victim of a sex offense is testifying concerning that offense in any civil or criminal trial, the court shall clear the courtroom of all persons upon the request of the victim, regardless of the victim's age or mental capacity, except that parties to the cause and their immediate families or guardians, attorneys and their secretaries, officers of the court, jurors, newspaper reporters or broadcasters, court reporters, and, at the request of the victim, victim or witness advocates designated by the state attorney may remain in the courtroom.

## **Roles of Statewide and Local Agencies**

### *State's Attorney*

The role of the State's Attorneys is to prosecute criminal cases. The decision to prosecute a case related to sexual violence is the decision of the State Attorney, regardless of any objections by the victim.

### *The Florida Attorney General's Division of Victim Services*

Florida's Constitution recognizes the importance of victims in judicial proceedings. The Florida Attorney General's Division of Victim Services serves as an advocate for crime victims and victims' rights and administers a compensation program to ensure financial assistance for innocent victims of crime. As part of its responsibility, the Division also notifies victims of the statuses of any appellate decisions regarding their cases.

<sup>87</sup> Retrieved March 18, 2015 from

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0900-0999/0918/0918ContentsIndex.html&StatuteYear=2014&Title=%2D%3E2014%2D%3EChapter%20918](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0900-0999/0918/0918ContentsIndex.html&StatuteYear=2014&Title=%2D%3E2014%2D%3EChapter%20918)



### *State Attorney's Office*

According to an inquiry report<sup>88</sup> prepared for the Tallahassee/Leon County Commission on the Status of Women and Girls by The State Attorney's Office (SAO), 2<sup>nd</sup> Circuit, Leon County prosecuted 436 cases of sexual violence between January 2009 and November 2014. One hundred twenty-eight cases involved adult victims of sexual violence. Out of 436 total cases, 20 were dismissed without being prosecuted by the office. From January 2014 through November 2014, there were 104 cases of sexual violence in Leon County, with 26 cases involving adult victims. See [Appendix C](#) for the full inquiry report.

No statistics are kept on cases that were submitted to office for review, but denied for prosecution.

### *Florida State University Police Department*

According to Chief David L. Perry, Florida State University Police Department criminal investigators attend advanced law enforcement training addressing sex crime investigations and human trafficking, as well as training geared toward working with victims who have been subjected to sexual trauma.

### *Leon County Sheriff's Office*

According to the Leon County Sheriff's Office (LCSO) General Order (GO) 41.12, *Sexual Violence*:

Law enforcement response to sexual violence shall not be based on the status or profession of the victim or perpetrator, or the nature of the relationship between the victim and perpetrator. High priority shall be assigned to ensuring victim safety, preserving and collecting physical evidence, and referral to appropriate services.<sup>89</sup>

Outlined in the policy includes responsibilities pertaining to the Consolidated Dispatch Agency, initial response/investigation and victim support, deputies providing a written offense/incident report, and the follow-up investigation. Information also includes arrest procedures and collecting of "Jane Doe" Physical Evidence Kits.<sup>90</sup>

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<sup>88</sup> See Appendix C.

<sup>89</sup> Leon County Sheriff's Office [LCSO]. (2014). *General order 41.12: Sexual violence*. Retrieved March 23, 2015 from [http://www.leoncountysoc.com/tools/dms\\_documents/2147.pdf](http://www.leoncountysoc.com/tools/dms_documents/2147.pdf).

<sup>90</sup> Ibid.



LCSO has a Victim Advocate Unit.<sup>91</sup> The LCSO advocates assist in providing emotional and moral support, conducting on scene crisis intervention and grief and bereavement counseling, identifying and informing victims of their rights under the law, and ultimately acts as a liaison between the victim, deputies, detectives, and community based agencies. The Victim Advocate Unit offers assistance with filing a victim compensation claim, helps prepare victims for court injunction hearings, and provides court advocacy and accompaniment. Benefits available through Victim Compensation include wage loss, loss of support, disability, funeral/burial expenses, treatment expenses, mental health, property loss reimbursement, domestic violence relocation, sexual battery relocation, and human trafficking relocation.<sup>92</sup> As a continual advocate for the victim, the Unit will provide information regarding case status, and provide transportation to court, offer referrals to shelters, and help with safety planning. For more information on LCSO victim advocacy, refer to [Chapter Three: Follow-Up](#).

LCSO has a Violent Crimes Unit with two Sergeants and eight Detectives who report to the Violent Crimes Section Lieutenant and the Criminal Investigations Bureau Captain.<sup>93</sup> Working on a wide variety of cases, the Unit handles harassing phone calls, violations of injunctions, child abuse, sex crimes, robberies, death investigations, and homicides. Detectives usually have experience in other units before moving to the Violent Crimes Unit. The Unit often works with other units including Internet Crimes Against Children, Victim Advocates, and Crime Scene Unit.

Under Florida State Statute 960,<sup>94</sup> victims have the right to be informed, present, and heard when relevant at all crucial stages of a criminal proceeding. In the case of a minor, the victim's parent or guardian is given notice. In the case of a homicide, the next of kin of a victim is given notification.

### *Tallahassee Police Department*

Revised on January 16, 2015, TPD's General Order (GO) 50 outlines the investigative

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<sup>91</sup> Leon County Sheriff's Office [LCSO]. (2012). *Victim advocate*. Retrieved March 23, 2015 from <http://www.leoncountysos.com/divisions/criminal-investigations/victim-advocate>

<sup>92</sup> Office of the Attorney General, Bureau of Victim Compensation. (n.d.). *Bureau of Victim Compensation*. Retrieved April 23, 2015 from [http://myfloridalegal.com/webfiles.nsf/WF/MRAY-8CVP5T/\\$file/BVCVictimCompensationBrochure.pdf](http://myfloridalegal.com/webfiles.nsf/WF/MRAY-8CVP5T/$file/BVCVictimCompensationBrochure.pdf)

<sup>93</sup> Leon County Sheriff's Office [LCSO]. (2012). *Violent crimes unit*. Retrieved March 23, 2015 from <http://www.leoncountysos.com/divisions/criminal-investigations/violent-crimes-unit>

<sup>94</sup> Retrieved March 18, 2015 from [http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0900-0999/0960/0960ContentsIndex.html&StatuteYear=2014&Title=%2D%3E2014%2D%3EChapter%20960](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0900-0999/0960/0960ContentsIndex.html&StatuteYear=2014&Title=%2D%3E2014%2D%3EChapter%20960)



process of sexual batteries. Specifically, the GO 50 policy reads, “When investigating sexual battery incidents, Department members shall focus first on the physical and mental care for the victim and then the criminal investigation.”<sup>95</sup> GO 50 outlines procedures regarding call taking protocols, responding officer responsibilities, transporting the victim to the hospital, sexual assault evidence kit protocols, investigator on-scene responsibilities, interview protocols, post investigative follow-up review with victim advocacy protocols, juvenile sexual battery victims, delayed reporting of sexual battery incidents, and jurisdictional concerns.<sup>96</sup> See [Appendix D](#) for TPD GO 50, Sexual Battery Investigations.

According to GO 50, the primary responsibility of responding officers and investigators is to focus on care for the victim and then the investigation. This initial contact is critical by the officer in an effort to establish a rapport and work cooperatively with the victim through the investigation. With the recent update to GO 50, it is now required that an investigator respond to all sexual batteries, regardless of a time delay in reporting.

TPD GO 51, Sexual Offender/Predator, provides guidelines for a sexual predator and offender program for community notification of a sexual predator. There are general guidelines, outlining processes for internal notification, community notification, address verifications, and documentation.<sup>97</sup>

In addition to its patrol officers, TPD has dedicated personnel that handle sexual violence cases. The Special Victims Unit (SVU), Violent Crimes Unit – North, and Violent Crimes Unit – South has one sergeant and six investigators each. TPD has recently added one additional SVU investigator and has requested funding for an additional SVU investigator in fiscal year 2016. Additionally, TPD has four full-time victim advocates to assist victims (See [Chapter 3: Follow-Up](#)). As part of their work, members of SVU and victim advocates attend the local Sexual Assault Response Team meetings.

TPD provided the CSWG with a general investigative checklist for situation assessment, on-scene investigative tasks, locating and interviewing the suspect, and notifications. The Department also provided a sexual assault investigative checklist with the previously stated sections, including special sections for both adult victims of sexual battery and for

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<sup>95</sup> Tallahassee Police Department [TPD]. “General orders manual: Sexual battery investigations.” Internal Document.

<sup>96</sup> Ibid.

<sup>97</sup> Tallahassee Police Department. (2011). General orders manual—Sexual Predator/Offender. Internal document.



child victims of sexual and lewd and lascivious batteries. See [Appendix E](#) for these checklists.

Information from 2010 to present for adult sexual battery cases reported and number of arrests is found in the table below. According to TPD SVU Sergeant Joanna Baldwin, “The number of arrests indicates the number of cases with an arrest, but does not indicate the number of charges for each case. Many times, there are multiple charges for different crimes in each case. These numbers also do not reflect the number of juvenile lewd and lascivious cases that were reported.” Table 2 shows TPD’s accounting of sexual battery cases from 2010 to 2014:

**Table 2: Sexual Batteries, 2010-2014**

| Year | Forcible Rape Reports | Arrests |
|------|-----------------------|---------|
| 2010 | 130                   | 23      |
| 2011 | 107                   | 17      |
| 2012 | 115                   | 25      |
| 2013 | 160                   | 21      |
| 2014 | 198                   | 46      |

#### TPD’s Sexual Battery Investigation Process

The investigation process includes many steps, the order of which may differ on a case-by-case basis. These steps may include, but are not limited to:

- First report of the incident to law enforcement;
- Medical treatment of the victim;
- Sexual assault forensic examination of the victim;
- Collection of evidence;
- Collection of photographs;
- Victim services;
- Interview of victim, witnesses, suspects;
- Analysis of evidence;
- Presentation of facts to SAO;
- If probable cause exists or charges are approved by SAO, an arrest may be made or warrants obtained;
- Arrest of suspect; and
- Case then goes into the court system.



TPD has recently updated its policies and procedures related to sexual battery investigations. At TPD, the investigation begins with the patrol officer, who takes the original report from the victim. If the victim reports to the hospital for a forensic exam, a Refuge House representative will meet the victim there. If the victim reports to Tallahassee Memorial Hospital, a Sexual Assault Nurse Examiner will collect evidence for possible future analysis. If the victim reports to Capital Regional Medical Center, a physician or mid-level provider performs a forensic exam with a nurse present. The victim is given a victim's rights pamphlet<sup>98</sup> and the TPD Sexual Battery Information Guide pamphlet. See [Appendix F](#) for the TPD Sexual Battery Information Guide, which includes TPD's Chart of Victim Reporting Options.

TPD has developed a stand-alone interview room for victims of sexual batteries. The room is comforting and allows victims to be interviewed discretely. It is in the process of being outfitted with audio/video capabilities.

All reported sexual battery cases are reviewed and assigned to the Criminal Investigations Division. The case is assigned to an investigator with the SVU. These investigators handle all sexual-related crimes.

The investigator works closely with the victim to ensure his or her emotional and physical needs are met, then begins to focus on the investigative process. This investigative process with the victim includes interviews and identifying any evidence, witnesses, and the suspect(s).

The investigator will ensure the victim's information is provided to a TPD Victim Advocate. The advocate will reach out and make contact with the victim. The advocate's role is to support the victim, explain the process and services available, and explain how the case may move forward. The advocate is there to answer any questions the victim may have regarding the case or to serve as a liaison with the investigator and the victim. The advocate also assists the victim with victim compensation paperwork. For more information on TPD victim advocacy services, refer to [Chapter 3: Follow-Up](#).

Each case has its own set of circumstances. If an arrest is not made immediately in a sexual battery case, once an investigator has enough information, or once the investigation is complete, TPD may present the information to the SAO for review. At that point, the SAO

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<sup>98</sup> Retrieved May 6, 2015 from <http://www.talgov.com/Uploads/Public/Documents/tpd/pdf/victim.pdf>



determines if there is enough evidence to move forward with criminal charges. If charges are approved, a warrant for the suspect's arrest is obtained.

If no arrest is made, the TPD investigator and the advocate will reach out to the victim and explain this. The victim is given an opportunity to review the report, discuss any questions with the investigator, and make a statement about the report.

**TPD Training for Individuals Involved in Handling and Investigating Sexual Battery Cases**  
When a new investigator is assigned to the SVU, she or he is paired with a veteran SVU member who shadows them on calls until the new investigator is comfortable working independently.

SVU seeks to participate in any available sex crimes training. The below trainings are attended when available:

- Online training from End Violence Against Women International (EVAWI)
- Two-day Non-Stranger Sexual Assault Response and Investigation
- Five-day Sex Crimes Investigations Course at the local law enforcement academy

In addition, TPD is actively seeking out new training opportunities. All sworn law enforcement personnel at TPD are actively participating in five online training modules through EVAWI. The 32-hour training is scheduled to be completed by June 30, 2015 and includes the following modules:

- Effective Report Writing: Using the Language of Non-Consensual Sex (3 hours)
- Dynamics: What Does Sexual Assault Really Look Like? (4 hours)
- Victim Impact: How Victims are Affected by Sexual Assault and How Law Enforcement Can Respond Successfully (8 hours)
- Preliminary Investigation: Guidelines for First Responders (6 hours)
- Interviewing the Victim: Techniques Based on the Real Dynamics of Sexual Assault (11 hours)

In May 2015, the Department sent two SVU investigators to the 2015 International Conference on Sexual Assault, Domestic Violence, and Campus Response in New Orleans, Louisiana as well as two investigators to the Southern Police Institute's Sexual Battery Investigations School, hosted by the University of Louisville.

In June 2015, TPD is hosting a two-day International Association of Chiefs of Police sex



crimes investigation class in Tallahassee.

## Best Practices

Better relations with victims lead to better results. In other words, ensuring that the victim is treated well and feels that she or he can trust law enforcement and the prosecutor leads to more effective cooperation and an increased likelihood of the perpetrator being held accountable.

The importance of a victim-centered approach, versus one that emphasizes quickly closing cases, cannot be overstressed. According to a report released by Human Rights Watch, “a Model Policy published in 2005 by the International Association of Chiefs of Police stresses the importance of officers’ and investigators’ attitudes towards victims in ensuring victims’ cooperation and ability to cope with the emotional effects of the crime” (p. 3).<sup>99</sup>

## Training

Good policing and victim confidence begin with the victim’s initial contact with law enforcement. Training patrol officers to respond to sexual violence is key, as an improper initial response may sabotage the entire investigation. In fact, the training police normally receive with respect to investigation of other crimes can be counterproductive if applied to sexual violence survivors. Officers should be trained in the effects of trauma on memory and should avoid traditional interrogation techniques, which could cause the victim to shut down.

TPD reported to the SAPG that its SVU investigators attend specialized sexual assault training when available, including the training by EVAWI, which is one of the leaders in sexual assault law enforcement response. TPD should continue to send as many SVU investigators as possible to this type of training to ensure high standards. TPD hosted an eight-hour non-stranger sexual violence seminar, in collaboration with the Florida Council Against Sexual Violence, at Tallahassee Community College (TCC); TCC Police Department officers attended the training. LCSO and law enforcement bodies at Florida State University and Florida A&M University should also make every effort to send their sexual assault investigators to these types of trainings to ensure that all victims receive the respect they deserve during the investigative process.

## Contact with Law Enforcement

Proper training for law enforcement officers is only the first step. Law enforcement

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<sup>99</sup> Human Rights Watch. (2013). *Improving police response to sexual assault*. Retrieved March 23, 2015 from [http://www.hrw.org/sites/default/files/reports/improvingSAInvest\\_0.pdf](http://www.hrw.org/sites/default/files/reports/improvingSAInvest_0.pdf)



agencies should review their internal practices to ensure that they are as victim-centered as possible.

The first responding officer should limit the amount of information gathered from a sexual violence victim immediately after the sexual violence incident, and follow-up interviews should be delayed, unless there are pressing circumstances that require the immediate identification and arrest of the accused individual.<sup>100</sup> TPD and LCSO both appear to use this model for investigations, but could improve upon the current practice by having an internal policy that, when possible and practical, allows for the same investigator to contact the victim every time, regardless of overtime concerns.

### Interview Techniques and Environment

Constructive reforms for the victim interview process have generally focused on making it easy for the victim to meet with the investigators by providing transportation, ensuring childcare issues are resolved, and, when appropriate, interviewing the victim in a place where she or he is comfortable, even if it is the victim's home. At a minimum, departments should ensure the environment is comfortable and that the interview is conducted privately, such as in an interview room rather than in a cubicle.

If the above-mentioned techniques are not currently practiced by local law enforcement, agencies should review their internal policies to ensure that they implement these or similar reforms. For example, even allowing the victim to, when possible, do the interview or the SANE exam first can help the victim feel more in control of the situation, an important step in the healing process.

Taping an interview can be helpful because it allows the investigator to concentrate on the exchange and avoid inconsistencies in victim testimony resulting from inaccurate notes. It appears that both LCSO and TPD are in the practice of videotaping victim interviews, and this practice should be continued, provided the victims give their consent.

### Advocates

LCSO, TPD, and the SAO all appear to have robust victim advocacy programs and rely on the advocates to empower the victim. Law enforcement agencies can improve their victim advocacy programs by ensuring their advocates receive ongoing training and reducing caseloads to ensure that each victim receives the individual attention she or he deserves.

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<sup>100</sup> Ibid.



## Chapter 6: Interagency Collaboration

- *Gail Dixon, Tallahassee/Leon County Commission on the Status of Women and Girls, Commissioner*

### Fact Finding

Interagency collaboration is a fundamental component of a community response to the issue of sexual violence. Every element of response – prevention, victim services, criminal justice, and long-term social change – is dependent upon positive working relationships.

Such collaboration is essential in order to:

- Provide a compassionate response to victims at every stage of the process;
- Build culturally competent services;
- Address violence at both individual and systemic levels;
- Integrate prevention, intervention, and recovery approaches;
- Streamline access to victim services;
- Hold offenders accountable;
- Provide consistent responses through the civil and criminal justice system; and
- Address sexual violence as a major public health, criminal justice, and social justice concern.

Reporting requirements from funders and confidentiality restrictions can be barriers to this kind of coordination, but these barriers might be overcome with sufficient political will. For example, the Tallahassee Community College Police Department has recently signed a memorandum of understanding with Refuge House to formalize their collaborative relationship.

In its 2013-2014 report, the Tallahassee/Leon County Commission on the Status of Women and Girls (CSWG) completed an extensive study on the issue of violence against women and girls, including sexual violence.<sup>101</sup> This study included a public hearing conducted on June 17, 2013. One of the key findings of the public hearing was the continuing need for improved information sharing (with the consent of the victims) by law enforcement,

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<sup>101</sup> Tallahassee/Leon County Commission on the Status of Women and Girls. (2014). *A Call to Action: Improving the Status of Women and Girls in Tallahassee/Leon County 2013-2014*. Retrieved March 22, 2015 from [http://tallahasseeleoncswg.com/wp-content/uploads/2014/06/A-Call-to-Action\\_PDF.pdf](http://tallahasseeleoncswg.com/wp-content/uploads/2014/06/A-Call-to-Action_PDF.pdf)



human services, and healthcare-related agencies in order to ensure efficient and effective services are provided with the least amount of intrusive, duplicative efforts that re-victimize people seeking help.

The report cited the compelling testimony of “Jane Doe,” a survivor of sexual violence, who praised the compassion of local service providers, but indicated that there are gaps that still need to be addressed in order to have a truly comprehensive response that addresses the multiple needs of victims of violence.<sup>102</sup> Speakers at the aforementioned public hearing emphasized that the victim has to provide information over and over again as she or he moves from one agency to another.

Tallahassee/Leon County has a local organization that facilitates collaboration between agencies serving victims of sexual violence. The local Sexual Assault Response Team (SART), coordinated by Refuge House, holds monthly meetings and works on issues surrounding sexual violence. Its membership is open and comprised of representatives from law enforcement, Refuge House, local universities, and others who work with survivors of sexual violence in Leon County. End Violence Against Women International (EVAWI) recognizes the SART approach as a best practice throughout the United States.<sup>103</sup>

Tallahassee/Leon County also has a Sexual Assault Nurse Examiner (SANE) program, operated by Refuge House out of the Tallahassee Memorial Hospital (TMH) Bixler Emergency Center. The SANE program is also recognized nationally as a best practice in providing effective victim-centered response to sexual violence.<sup>104</sup> This program provides specially trained nurse examiners to conduct the forensic examination (i.e., evidence collection) for sexual violence victims who seek assistance through law enforcement, medical professionals, and/or victim services organizations. TMH has standards regarding and a special area designated for forensic evidence collection. The Florida Council Against Sexual Violence (FCASV) trains nurses. There is a very short supply of trained nurse examiners.

## Best Practices

The CSWG provided the following recommendations regarding interagency collaboration

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<sup>102</sup> Ibid.

<sup>103</sup> End Violence Against Women International [EVAWI]. (2015). *SARRT overview*. Retrieved May 6, 2015 from <http://www.evawintl.org/PAGEID7/Best-Practices/Resources/SARRTs>

<sup>104</sup> Department of Justice: Office of Public Affairs. (2013, April 24). Justice Department releases updated protocol to improve standards for responding to rape and sexual assault. Retrieved from <http://www.justice.gov/opa/pr/justice-department-releases-updated-protocol-improve-standards-responding-rape-and-sexual>



as part of the 2013-2014 report:

Local service providers should work to develop a shared protocol for services to victims of sexual and domestic violence. The protocol should include common data/information collection, appropriate releases, and confidentiality protections to help victims who report crimes and seek assistance so that they are not revictimized by having to retell their stories repeatedly and that they are not forced to go to multiple venues to obtain services (p. 74).

Interagency collaboration is generally understood as a mutually beneficial and well-defined relationship entered into by two or more individuals or organizations to achieve common goals. Commonly, such collaboration includes a commitment to:

- A definition of mutual relationships and goals,
- A jointly developed structure and shared responsibility,
- A mutual authority and accountability for success, and
- A sharing of resources and rewards.

Collaboration is a more formal relationship than communication, consultation, or coordination. It involves long-term, specifically defined roles; shared responsibility; and accountability. Interagency collaboration may be undertaken on a voluntary basis by organizations serving the same client populations or addressing the same social problems or it may be mandated by funders or through legislative action. The intent of interagency collaboration is generally two-fold: 1) to increase positive outcomes for the persons being served, and 2) to improve system efficiency and effectiveness.

Because there are so many components in the prevention of sexual violence and the response to its victims and survivors, interagency collaboration may be required both within and across service sectors. For example, specialized collaboration between law enforcement and the judicial system may occur in addition to broader community collaboration, such as a SART. For the purposes of this report, best practices within single sectors of the community (e.g., medical, law enforcement) are described in those sections. This portion of the report addresses the broader context of interagency collaboration for the purpose of community decision-making, resource allocation, and accountability.

The most widely recognized best practice for a comprehensive community response to sexual violence is a SART, members of which generally include victim advocates, law



enforcement officers, forensic medical examiners, forensic scientists, and prosecutors. Multidisciplinary SARTs work together to formalize interagency guidelines that prioritize victims' needs, hold offenders accountable, and promote public safety.

According to the National Sexual Violence Resource Center, in addition to using data to inform planning, SARTs should engage in the following functions in order to improve the community's response to sexual violence:

- “Evaluate the response to sexual violence through victim experience surveys, focus groups, or interviews;
- Evaluate the quality of services victims received when SART agencies refer victims to other community resources;
- Identify and address gaps in the availability of community support services for victims;
- Determine available options for victims not pursuing a criminal justice response; [and]
- Disseminate a community resource/referral list for providers not actively involved in the SART” (pg. 3).<sup>105</sup>

The FCASV has identified SART as a best practice for Florida, indicating that SARTs provide victims with a more effective, caring response from each discipline.<sup>106</sup> This approach also encourages communities to promote guidelines for monitoring and evaluating practices within agencies and across disciplines, which enables stakeholders to expand their focus beyond their own areas of responsibility in ways that they may not have considered without being at the collaborative table. SARTs are positioned to spot gaps and problems in specific cases quickly and to proactively address issues, which benefits victims now and in the future.

As previously stated, the Tallahassee and Leon County community has a SART, which achieves many of the goals listed above. However, one critical gap in the local response is the absence of a shared data system that can allow for tracking a single incident or case through the continuum from the point of contact with the service system (not only law enforcement) and through various stages of law enforcement, judicial, medical, and

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<sup>105</sup> National Sexual Violence Resource Center. (2011). *Sexual assault response team development: A guide for victim service providers*. Retrieved March 23, 2015 from [http://www.nsvrc.org/sites/default/files/Publications\\_NSVRC\\_Guide\\_SART-Development.pdf](http://www.nsvrc.org/sites/default/files/Publications_NSVRC_Guide_SART-Development.pdf)

<sup>106</sup> Florida Coalition Against Sexual Violence [FCASV]. (2009). *SART: Sexual assault response teams*. Retrieved March 23, 2015 from <http://www.fcasv.org/training/sart>



support service delivery. Concerns regarding confidentiality, lack of shared terminology, multiple reporting needs and data points, differing priorities, and the significant number of outcomes to be tracked have traditionally deterred efforts to develop such collaborative information management. In addition, disagreements among participating agencies over who “owns” the data and how the data will be used may be seen as an obstacle. However, a clear understanding of the entire picture of the community’s response to this critical issue is essential if we are to improve outcomes for survivors.

There is, however, some research being conducted on how to implement shared data systems for sexual violence. EVAWI assisted in facilitating the Making a Difference (MAD) Project, wherein professionals working with sexual violence victims submitted anonymous data to a shared data tracking spreadsheet.<sup>107</sup> Between January 2005 and December 2006, researchers collected data from eight disparate locations in the U.S.:<sup>108</sup> Austin, TX; Bozeman, MT; Columbia, SC; Grand Rapids, MI; Jacksonville, FL; San Diego, CA; Kansas City, MO; and Washington, D.C.<sup>109</sup> In each location, five primary disciplines participated in MAD: 1) law enforcement, 2) prosecution, 3) forensic medicine, 4) community-based victim advocacy, and 5) system-based victim advocacy.<sup>110</sup> Professionals from the 40 participating agencies contributed in two ways: 1) they provided data on all felony-level sexual assault cases handled during data collection, and 2) they took a primary role in the development of data collection forms.<sup>111</sup> It is important to note that cases were excluded if they were based on the victim’s inability to consent (e.g., victim’s age, victim’s institutionalization).<sup>112</sup>

A total of 9,398 cases were submitted to the MAD Project, with data on:<sup>113</sup>

- Victim gender
- Victim race/ethnicity
- Victim age at assault
- Victim age at contact (e.g., police report, forensic exam, services sought)

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<sup>107</sup> End Violence Against Women International [EVAWI]. (2015). *Making a Difference Project: Basic research design*. Retrieved March 30, 2015 from <http://www.evawintl.org/mad.aspx?subpage=5>

<sup>108</sup> Sites were not randomly selected due to practical concerns.

<sup>109</sup> Lonsway, K. A. (2012). *Summary of research methods for the “Making a Difference” (MAD) Project*. Retrieved from End Violence Against Women International [EVAWI] website: <http://www.evawintl.org/images/uploads/ResearchMethods.pdf>

<sup>110</sup> Ibid.

<sup>111</sup> Ibid.

<sup>112</sup> Lonsway, K. A., Archambault, J., & End Violence Against Women International [EVAWI]. (n.d.). *MAD data findings: Sexual assault cases of police prosecutors, forensic examiners, and victim advocates*. Retrieved June 2, 2015 from [http://www.evawintl.org/images/uploads/BasicDataFindings\\_12-07-09.pdf](http://www.evawintl.org/images/uploads/BasicDataFindings_12-07-09.pdf)

<sup>113</sup> Ibid.



- Victim drug/alcohol use
- Victim injury
- Suspect(s) gender
- Suspect(s) race
- Suspects(s) age
- Suspect(s) drug/alcohol use
- Relationship between victim and suspect
- Sex acts involved in the assault
- Type of assault (e.g., force, threat, fear; incapacitated; unconscious; disability)
- Completed vs. attempted sexual assault
- Tactic used to commit assault (i.e., weapon, physical force, verbal threat, chemical restraint)

In addition to the aforementioned variables, discipline-specific (i.e., law enforcement, medical, prosecution, advocacy) data was collected.<sup>114</sup> Specific MAD data findings are available [online](#).<sup>115</sup>

EVAWI has publicized all of its original research materials, which are available for agencies to tailor and implement at their discretion.<sup>116</sup> The original tracking forms were updated in July 2009 based on “lessons learned” feedback provided by participants at a Research and Reform Summit.<sup>117</sup> Original and revised materials are available on the EVAWI [website](#).<sup>118</sup>

As part of their training bulletins, EVAWI explores recommendations for law enforcement regarding clearing or closing their cases, with several recommendations that may inform a collaborative tracking system.<sup>119</sup> Those recommendations include:<sup>120</sup>

- “Track information about case outcomes, including whether or not cases are referred for prosecution and whether or not the prosecutor files formal charges” (p. 4)

<sup>114</sup> Ibid.

<sup>115</sup> Ibid.

<sup>116</sup> End Violence Against Women International [EVAWI]. (2015). *Making a Difference Project: Basic research design*. Retrieved March 30, 2015 from <http://www.evawintl.org/mad.aspx?subpage=5>

<sup>117</sup> End Violence Against Women International [EVAWI]. (2015). *Making a Difference Project: Research materials*. Retrieved March 30, 2015 from <http://www.evawintl.org/mad.aspx?subpage=6>

<sup>118</sup> Ibid.

<sup>119</sup> End Violence Against Women International [EVAWI]. (2013). *Training bulletin—Police clearance methods: Best practices*. Retrieved from <http://www.evawintl.org/Library/DocumentLibraryHandler.ashx?id=58>

<sup>120</sup> Ibid.



- “Eliminate the pressure on officers, investigators, and supervisors to clear a high percentage of their cases” (p. 6)
- “Use alternative procedures for inactivating cases” (p. 6)
- “Use graphics to visually review the balance of cases in the various dispositional categories” (p. 7)

More information on these recommendations can be found [online](#).<sup>121</sup>

According to its Executive Director, Meg Baldwin, “Refuge House strongly endorses development of a full data tracking system as recommended by EVAWI as a best practice.”

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<sup>121</sup> Ibid.



## Chapter 7: Recommendations

Based on the content contained in this report, the Sexual Assault Policy Group puts forth three recommendations for community consideration:

### Recommendation 1

Keeping victim needs and confidentiality in mind, the community should examine the feasibility of, and implement if possible, a shared data system to track locally occurring incidents of sexual violence.

Victim services providers, law enforcement, prosecutors, and others involved in the response to sexual violence would be responsible for collaborating on this system to ensure accurate accounting of sexual violence in the community and noting if, when, and where in the process victims are being underserved. The local SART team is particularly well positioned for leading this task, given its overarching goals, existing participation from many of the stakeholders, and regular meeting schedule. Templates for tracking forms are available through End Violence Against Women International.<sup>122</sup>

One possible way to work toward a shared tracking system is to create a multi-agency memorandum of understanding that allows for the sharing of information between colleges and universities with respect to sexual violence and/or Title IX and the Violence Against Women and Girls Act.

### Recommendation 2

Local law enforcement agencies should increase their capacities to conduct in-depth investigations of sexual violence reports by increasing the number of investigators on staff with specific training in both 1) responding to the unique needs of sexual violence victims, and 2) conducting thorough and consistent investigations.

According to Human Rights Watch's (2013) report, *Improving Police Response to Sexual Assault*, the number of times a victim must recount their story should, ideally, be limited; therefore, they recommend that, when it is necessary to contact the victim, the same investigator make contact each time.<sup>123</sup> This, coupled with the comprehensive investigative checklists provided by the Tallahassee Police Department, indicate a potential need to

<sup>122</sup> End Violence Against Women International [EVAWI]. (2015). *Making a Difference Project: Research materials*. Retrieved March 30, 2015 from <http://www.evawintl.org/mad.aspx?subpage=6>

<sup>123</sup> Human Rights Watch. (2013). *Improving police response to sexual assault*. Retrieved March 23, 2015 from [http://www.hrw.org/sites/default/files/reports/improvingSAInvest\\_0.pdf](http://www.hrw.org/sites/default/files/reports/improvingSAInvest_0.pdf)



increase the capacity of law enforcement agencies to conduct these thorough investigations. Understanding potential funding constraints, unique to each agency, funding bodies and local law enforcement agencies should collaborate to determine ideal staffing at the investigative level and work toward implementing that ideal. The Tallahassee Police Department has already added one Special Victims Unit investigator and has requested funding for a second for fiscal year 2016.

### **Recommendation 3**

The local community should work to implement a community-wide awareness program focusing on bystander intervention.

Though those who provide services to victims often lead efforts to eradicate sexual violence, there is a place for all community members to be active in addressing this important issue. One way to engage the community at large is by implementing a bystander intervention training targeting individuals who may not already work within the realm of sexual violence, but who may be well positioned to intervene if and when they see “red flags.” Bystander intervention programs, such as *Green Dot*, are available in community formats and would complement the bystander intervention programs being implemented in local institutions of higher education.



# APPENDICES



# Appendix A: Planned Parenthood Documents

## What You Can Expect from a Planned Parenthood Educator



### What You Can Expect from a Planned Parenthood Educator

Presentations that contain medically accurate sexual health information

Age and culturally appropriate programs designed to fit the specific needs of the school and community

Instructionally sound lesson plans and teaching methodology

Discussions about abstinence that are based on the following:

- Abstinence is the only way to completely prevent pregnancy and STDs.
- Statistics show that most adolescents are abstinent.
- Abstinence is an expression of personal power and self confidence.
- People have the right to abstain at any time in their lives.
- Abstinence is supported by effective communication in a relationship.

The recognition of the following universal values; values that are widely agreed upon by most communities, cultures and religions:

- All individuals deserve respect.
- Parents are the primary source for sex education.
- Every family's values are important.

The recognition that beliefs or values about the following issues (and others) are not universal:

- Masturbation
- Homosexuality
- Abortion
- Sex outside of marriage

Because there is a range of beliefs in the communities we serve, Planned Parenthood educators will always respond to questions about these and other controversial issues by employing the following Value Question Protocol:

#### Value Question Protocol

1. Affirm the asker
2. Identify the question as relating to values
3. Answer the factual part of the question
4. Describe the range of community beliefs about the issue
5. Refer to family, trusted adult, or religious and spiritual leaders

When Teen Council\* members are facilitating classroom presentations they will always:

- Be accompanied by a professional, adult educator
- Adhere to school district policies
- Follow all of the same guidelines that Planned Parenthood educators do including using the Values Question Protocol when discussing controversial issues
- Empower youth to make informed and healthy life choices

\*Teen Council members are high school peer educators, who are trained to give classroom presentations and answer questions.



# Appendix A: Planned Parenthood Documents

## Presentation Request Form



Planned Parenthood of North Florida

### PRESENTATION REQUEST FORM

Complete this form and fax it ATTN: Education to (352) 374-6823 or  
E-mail completed form to [dir.education@ppnfl.org](mailto:dir.education@ppnfl.org)

School/Organization: \_\_\_\_\_

Contact Person Name & Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

#### Presentation Date Preferences

First Preference Date(s): \_\_\_\_\_ Time(s): \_\_\_\_\_

Second Preference Date(s): \_\_\_\_\_ Time(s): \_\_\_\_\_

Third Preference Date(s): \_\_\_\_\_ Time(s): \_\_\_\_\_

#### Presentation Topic(s) – Check one per hour/class:

- ☐ Abortion
- ☐ Advocating comprehensive school sex education
- ☐ Advocating reproductive rights
- ☐ AIDS/HIV
- ☐ Contraception/family planning
- ☐ Delaying intercourse
- ☐ Healthy relationships
- ☐ Male responsibility
- ☐ Media literacy
- ☐ Parent-child communication
- ☐ Planned Parenthood
- ☐ Pregnancy and birth
- ☐ Pregnancy options
- ☐ Puberty
- ☐ Self-esteem
- ☐ Sexually Transmitted Infections

#### Age Group of Audience – Check One:

- ☐ Under 6 years old
- ☐ 6-11 years old
- ☐ 12-14 years old
- ☐ 15-18 years old
- ☐ 19-24 years old
- ☐ 25-30 years old
- ☐ 31-50 years old
- ☐ Over 50 years old

#### Gender & Size of Audience

- ☐ Female, #: \_\_\_\_\_
- ☐ Male, #: \_\_\_\_\_

#### Additional Program Request Notes:

\_\_\_\_\_  
\_\_\_\_\_

*We will make every attempt to accommodate your request. Please note that presentation requests submitted at least 2 weeks prior to the requested presentation date(s) will take precedence over those submitted within 2 weeks of the proposed presentation date(s).*

Administrative Office / Central Clinic: 3850 Beach Blvd • Jacksonville, FL 32207 • (904) 599-2800

Gainesville Clinic: 914 NW 13<sup>th</sup> Street • Gainesville, FL 32601 • (352) 377-0881

Tallahassee Clinic: 2121 W. Pensacola Street • Tallahassee, FL 32304 • (850) 574-7455

[www.ppnfl.org](http://www.ppnfl.org)



# Appendix A: Planned Parenthood Documents

## Lesson Plan: Communication in Relationships

### *UbD Lesson Plan: Communication in Relationships*

**Topic:** Communication in Relationships  
**Audience:** High School Students  
**Time:** 1 hour  
**Enduring Understandings:** I understand the fundamentals of what communicating means

#### **Essential Questions (EQ):**

1. What is good communication?
2. How do I communicate with others? What do I need to improve on?

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#### **EQ#1: What is good communication?**

- What is communication? It is sending and listening to messages.
- To have healthy relationships, partners need to understand how to communicate with each other.
- Verbal Communication: using your words to say what you mean to your partner.
- Nonverbal Communication: your face and body language used to send a message to your partner.
  - Examples: positive or negative; face, voice, body language
- How do we communicate without using words?

#### **EQ#2: How do I communicate with others? What do I need to improve on?**

- Everyone communicates differently. It is important to learn your style of communication because relationships can improve when we understand others.
- How do you communicate with others?
  - ✓ Talking face to face
  - ✓ Talking on the phone
  - ✓ Writing an e-mail
  - ✓ Texting
  - ✓ Instant messaging or chat
  - ✓ Telling a story
- How do you think you can improve your communication skills?

#### **Choose an Activity**

- Active Listening
  - ✓ Split the class up into pairs. Number them off in 1's and 2's.
  - ✓ Have number 1 tell a story. It can be on any topic they feel comfortable sharing, just make sure it is appropriate.
  - ✓ After they have told the story, tell the groups that now number 2 must repeat what they remember of that story to their partner.
  - ✓ Number 1 must decide if it was an accurate representation of what they told.



## Appendix A: Planned Parenthood Documents

- ✓ Switch roles and repeat the activity.
- ✓ Ask the group as a whole questions:
  - How did you feel when you were the listener?
  - Did you find yourself listening closely after you knew what the assignment was?
  - As the receiver, did you misunderstand what the talker was telling you?
  - How do you feel when you tell someone something and they don't listen carefully?
- Body Language- For small groups
  - ✓ Ask one volunteer to leave the room while the group agrees to act out one emotion.
    - Angry, sad, shy, afraid, happy, nervous, embarrassed, bored, etc.
  - ✓ Ask the volunteer to return and watch while everyone acts out the same emotion.
  - ✓ Ask the volunteer to identify the emotion and to discuss the range of expressions they saw for conveying that one emotion.
    - What are some of the ways that people expressed the same emotion differently?
    - When you are trying to send a message, which is more effective: body language or verbal communication?
    - Sometimes people are offended by body language. How can you communicate to make sure that does not happen?
- Body Language Charades-For large groups
  - ✓ Write the adjectives on index cards; Angry, sad, shy, afraid, happy, nervous, embarrassed, bored, etc.
  - ✓ Mix them up and have each student pick an adjective out of a jar.
  - ✓ Have them act it out without using words until someone guesses it correctly. After they guess it correctly, the next student draws and it is their turn to act.
  - ✓ When all the feelings have been acted out discuss what they thought about the activity and if it was tough to guess the emotions.
  - ✓ Consider writing a chart on the board with "Feeling" and "Behavior" as titles. See what behaviors the students associate with the feelings you discussed.

# Appendix A: Planned Parenthood Documents

## Lesson Plan: Healthy Relationships

### *UbD Lesson Plan: Healthy Relationships*

**Topic:** Healthy Relationships  
**Audience:** High School Students  
**Time:** 1 hour  
**Enduring Understandings:** I understand the fundamentals of what a healthy relationship means to me

#### **Essential Questions (EQ):**

1. What constitutes a healthy relationship?
  2. What characteristics are important to me in a healthy relationship?
- 

#### **EQ#1:** What constitutes a healthy relationship?

- There are many different types of relationships people can enter into. Discuss what they think it means to be in a healthy relationship.
- To have a healthy relationship, partners need to understand each other.

#### **EQ#2:** What characteristics are important to me in a relationship?

- People are attracted to one another and enter into relationships for different reasons.
- Discuss what traits someone may look for in a partner, may lead with:
  - ✓ Honesty
  - ✓ Sense of Humor
  - ✓ Intelligence
  - ✓ Attractiveness
  - ✓ Good communication
- Explain that we are going to do activities today to learn which traits may be most important to you and why.
- It is important to know what you are looking for before you enter a relationship.

#### **Choose an Activity**

- What makes a good relationship: *Masking tape, markers*
  - ✓ Ask for volunteers to record what traits the students say.
  - ✓ Tell the class to name characteristics they are looking for when they think of a lasting relationship with someone.
  - ✓ Have students choose which trait they think is MOST important and have them stand next to it.
  - ✓ Students can talk with others who chose that same trait as to why they chose it.
  - ✓ Have the participants explain why they chose that characteristic.
    - i. What is so important to you about this characteristic?
    - ii. Why is it more important than the others?
    - iii. Is there a relationship between some of these characteristics?
  - ✓ As a large group, discuss the activity
    - iv. Are there themes in the choices people made?
    - v. How can you tell if a person in a relationship has the characteristics you are looking for?



## Appendix A: Planned Parenthood Documents

- vi. Do you have the characteristics that you identified as most important?
  - vii. Were you surprised by anything you heard?
  - viii. Did you change your mind about what was important to you in a relationship?
  - ix. What traits were less important to you?
  - x. Was it hard to choose just one?
  - xi. How might your priorities for relationships be different later on in your life?
- Power in Relationships – Fish Bowl
    - ✓ Go over ground rules.
    - ✓ Divide students into same gender groups.
    - ✓ Pick one to go first, and have them sit in a circle. Then have the other group sit in a circle around the inner circle.
    - ✓ Explain that the inner circle will discuss a topic among themselves, while the outer circle observes without interruption.
    - ✓ Ask members of the inner circle:
      - i. When have you felt pushed around in a relationship?
      - ii. When have you felt powerful in a relationship?
    - ✓ Ask the outer circle to give feedback about what they heard and saw during the discussion. They can express their feelings, but tell them not to answer the question itself.
      - i. How did you feel while you were listening to the conversation?
      - ii. How did it feel not to respond?
      - iii. What did you hear that was surprising?
    - ✓ Switch places and repeat.
    - ✓ Process the activity by asking:
      - i. What did you think of the activity?
      - ii. What did you learn about another gender? About your own gender?
      - iii. How might what you have learned influence how men and women negotiate power in relationships with each other?
      - iv. Did all the members of the same gender feel the same way?
      - v. In what ways might you use what you learned in future relationships?

## Appendix B: Background Screenings

### Background Screenings

The requirements for Level One and Level Two Employment Screenings are found in Chapter 435 Florida Statutes.<sup>124</sup> Level One screening requires an employment history check, statewide criminal correspondence checks through the Florida Department of Law Enforcement (FDLE) (i.e., name-based check), and a check of the Dru Sjodin National Sex Offender Public Website. Local law enforcement checks may also be conducted.<sup>125</sup> Level Two screening requires fingerprinting for statewide criminal history checks through FDLE and national criminal history checks through the Federal Bureau of Investigation (FBI); local law enforcement checks may also be conducted.<sup>126</sup> Florida Statute 435.04 lists disqualifications based on background screening results, including, but not limited to:

- Anyone arrested for and awaiting final disposition of prohibited offense, regardless of adjudication;
- Anyone who has entered a plea of nolo contendere or guilty to a prohibited offense; and
- Any case in which the record of committing a prohibited offense has not been sealed or expunged.

Level two background checks are fingerprint-based screenings for personnel who will be having contact with children (e.g., teachers, teacher's aides, sports coaches, umpires, playground supervisors, summer camp counselors, activities volunteers, school janitors, bus drivers) and includes a fingerprint-based criminal background check processed by the FBI's National Crime Information Center. At all times when youth are present, a screened and certified Head Coach or Assistant Coach must also be present.

In the vast majority of cases, level two background screens are also required for contract personnel who are permitted access on school grounds when students are present, or if someone will have direct contact with students or have access to or control of school funds. By law, only certified law enforcement personnel can fulfill the fingerprinting process, as they must attach their police ID number to the fingerprint card. This process certifies that

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<sup>124</sup> Retrieved March 20, 2015 from

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0400-0499/0435/0435ContentsIndex.html&StatuteYear=2014&Title=%2D%3E2014%2D%3EChapter%20435](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0435/0435ContentsIndex.html&StatuteYear=2014&Title=%2D%3E2014%2D%3EChapter%20435).

<sup>125</sup> Retrieved March 20, 2015 from

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0400-0499/0435/Sections/0435.03.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0400-0499/0435/Sections/0435.03.html).

<sup>126</sup> Retrieved March 20, 2015 from

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0400-0499/0435/Sections/0435.04.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0400-0499/0435/Sections/0435.04.html)



## Appendix B: Background Screenings

an individual's identity was verified by a police officer in order to curtail someone else from fraudulently being fingerprinted on another's behalf. Oftentimes, school districts have their own set of requirements, implemented into each contractor's request for proposal bids. In addition, they may require criminal background checks from local police departments where an applicant has previously resided.



# APPENDIX C: INQUIRY REPORT PREPARED BY THE STATE ATTORNEY'S OFFICE

## Inquiry Report Prepared by the State Attorney's Office

### COMMISSION ON STATUS OF WOMEN AND GIRLS

#### Sexual Assault Investigation and Prosecution

#### WHO IS INVOLVED IN THE INVESTIGATION AND PROSECUTION OF SEXUAL ASSAULT CASES IN LEON COUNTY?

Sexual Violence cases can be reported to law enforcement in different ways. In cases involving adult victims, the victim, a family member or friend of the victim reports it directly. Many victims report first to the hospital where they meet with Refuge House and a SANE nurse and then law enforcement is contacted from there. There are several law enforcement agencies that investigate sexual violence in our community: both university police departments, TCC police department, Tallahassee Police Department, Florida Highway Patrol and Leon County Sheriff's Office. A victim would typically meet first with the responding officer, then later with the assigned law enforcement investigator. An interview with an adult victim of sexual violence is often audio or videotaped. Typically, a law enforcement advocate accompanies the victim during the law enforcement interview.

Often in the case of child sexual abuse, the abuse is first disclosed to a teacher, counselor, school resource officer or other mandatory reporter who then contacts the Florida Abuse Hotline. Child Protective Investigators with the Department of Children and Families respond within 24 hours and notify law enforcement. In child sexual abuse investigations, the child is taken to the Children's Home Society Child Protection Team for a forensic interview and medical evaluation, if needed. The forensic interview is audio and videotaped for possible use in a criminal trial. DCF and law enforcement personnel attend the forensic interview by watching it from an adjoining room in order to reduce the number of times the child is interviewed. Florida Statutes limit the amount of times that a child is to be interviewed in relation to a case involving sexual abuse. F.S. 92.55 and F.S. 914.16.

Sometimes law enforcement arrests the suspect immediately because there is enough probable cause to do so. This is called an on-view or on scene arrest. But in most cases, law enforcement completes an investigation to determine if there is probable cause to arrest the suspect. At the conclusion of the investigation, law enforcement can decline to make an arrest or create a warrant outlining the allegations and evidence collected and submit to the State Attorney's Office for review. Select experienced prosecutors review warrants alleging sexual violence to determine if it is prosecutable. Many of the prosecutors are called during the investigation to give guidance or advice on what further investigation can be done or whether there is probable cause to arrest a suspect on scene. These phone calls can occur at all hours of the day and night. The State Attorney's Office does not keep statistics on the number of sexual violence warrants given for review yet denied for prosecution. Sometimes a case is submitted for review weeks or months after the date of the crime due to delayed reporting by the victim, delays in the investigation, or awaiting results of DNA evidence to be processed. After a warrant is approved by The State Attorney's Office, it must then be approved by a Judge.



## APPENDIX C: INQUIRY REPORT PREPARED BY THE STATE ATTORNEY'S OFFICE

Once an arrest is made, the suspect is now called a defendant. The defendant is required to appear before a judge within 24 hours for a First Appearance hearing. The Court will then determine whether or not the defendant is entitled to a bond, the amount of bond and any special conditions of bond necessary to protect the victim and the public. County Court judges routinely serve as first appearance judges and have a standard bond schedule as a guide but they have much discretion on bond amount and conditions of a defendant's release. Most of the time, a defendant is legally entitled to a monetary bond, however, there are a few sexually violent crimes where defendants are not legally entitled to a bond, i.e. Sexual Battery on a Child under the age of 12 by defendant 18 years of age or older. There are several conditions the judge can impose on a defendant while out on a bond such as active GPS monitoring, drug or alcohol testing, no contact with the victim, no contact with anyone under 18 years of age, no personal use of computer, etc. The Court may hear argument from the State, the Defense and the victim before making any decisions.

The Victim Advocate Unit within the Office of the State Attorney notifies all victims of sexual violence by phone and/or letter after First Appearance. In addition to the First Appearance contact by the V/W unit, there is a letter automatically generated by secretarial staff with information about victim services and the advocate's name assigned to their case.

The goal of the V/W advocate is to make contact with a victim of sexual violence within a month of the defendant's arrest. If it is a child victim, meetings occur with the guardian of the child and not the child themselves until later in the criminal justice process. This is so that in the event the defendant enters a plea, the child does not have to endure meeting more justice professionals than necessary. As mentioned earlier, there is a specific statute that limits the number of interviews of child victims.

In the initial meeting with adult victims of sexual violence, the advocate reviews the role of the advocate, the role of the prosecutor, the trauma of victimization, counseling referrals, campus based advocacy (if needed), various victim rights such as testing of the defendant for HIV and Hepatitis B, explanation of the stages of the criminal justice system, confirmation of contact information, thoughts on prosecution and punishment, restitution issues, explanation of Crimes Compensation fund and answers any questions related to the criminal justice process. Meetings with guardians of child victims follow a similar pattern with the addition of talking to the guardian on how they are dealing with the victimization, how they interact with the child related to the victimization, as well as interactions with other agencies such as Dept. of Children and Families, Guardian Ad Litem, Children's Home Society, etc. Prosecutors often attend the initial meeting between the advocate and sexual violence victim. Written material is also offered for educational purposes.

Once the initial face to face meeting has concluded, updates on the status of the case within the system are given by phone or by mail. An attempt is made by the advocate and/or prosecutor to reach the victim by phone when significant court hearings are scheduled such as bond hearings, modification of release conditions, Williams Rule hearings, plea hearings, depositions, trial dates, restitution hearings, etc. because victims have the right to be present and in the event of a deposition or trial are required to be present.



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When depositions are scheduled with sexual violence victims, another face to face meeting is set up with the advocate and/or prosecutor to prepare victims for what to expect. The victim will be given a copy of audiotaped or written statements for review. The same face to face meeting is scheduled in advance of the trial date. Statements are reviewed again along with any transcripts of deposition testimony if available. An orientation to the courtroom is also included so the victim can visualize where personnel will be in the courtroom when he/she comes to testify. Proper dress, transportation issues, separate waiting areas in the courthouse and emotional support are all explored prior to the trial date.

If the defendant chooses to accept a plea in lieu of a trial, the victim will be consulted by the State Attorney's office before an offer is made. The victim also has the right to be present and heard in the form of a Victim Impact Statement but is not required to be present. If it is an agreed upon plea, the victim's statement to the court will not alter the punishment already agreed upon. However, if the defendant is entering a straight up plea to the judge, the victim's statement can influence the judge's decision on punishment at sentencing. When a prosecutor meets with a victim and discusses the different penalties and sanctions available in the resolution of the case they also explain that the ultimate decision belongs to the state as to how the case is resolved.

Most of the sexual violence cases only last one day in trial, sometimes the trial may take two days, rarely more than three days. A victim does not have to stay for the entire course of the trial but can if he/she chooses. With child victims, especially young children, they are free to leave the courthouse once their testimony is completed. A victim is only in the courtroom when they testify and remain outside the courtroom when others testify. This is a standard rule that the judge requires of all witnesses in every criminal trial called the rule of sequestration.

The Victim Advocate accompanies the victim the entire day of trial. We meet with the victim before trial to help calm them. We sit with them while they wait to testify and we accompany them in the courtroom while they testify. We debrief with them after they testify and stay with them up to and including the reading of the verdict and the sentencing by the judge.

As mentioned before, the victim remains outside the courtroom until his/her name is called. Special attention is given to whether or not the defendant is in custody at the time of the trial. If the defendant is not in custody, the advocate attempts to avoid any possible contact outside the courtroom between the victim and defendant. If the victim has safety concerns we utilize our SAO investigators to help get victims in and out of the courthouse securely.

The stages of a trial include: pre-trial motions and hearings that require a ruling by the judge, the initial introduction to the jury of the trial process, opening statements made by the prosecutor and defense attorney, testimony of state witnesses and defense witnesses, jury instructions read aloud to the jury by the judge, closing statements made by the prosecutor and defense attorney, deliberations by the jury and jury verdict.



## APPENDIX C: INQUIRY REPORT PREPARED BY THE STATE ATTORNEY'S OFFICE

While the advocate and victim are waiting outside the courtroom during the trial process, discussions are held regarding the victim's presence during closing arguments and the jury verdict. Victims are entitled to be present during the closing arguments of the attorneys and are provided guidance by the advocate as to the emotional impact closing statements and jury verdict can have on a victim. Any time the victim is in the courtroom during a trial an advocate accompanies them. While the advocate and victim are not allowed to discuss their testimony while the trial is still in progress, the advocate's main responsibility is to provide emotional support and reassurance.

If the victim is not physically present when the jury decides on a verdict, a phone call is made to the victim immediately upon the decision by the jury. If the verdict is not guilty, the defendant receives no punishment. If the verdict is guilty, the defendant is usually taken into custody. Sometimes the sentencing immediately follows the jury verdict but most often is rescheduled on a different day. In rare instances, the judge will allow the defendant to remain on bond pending the sentencing hearing so he is not incarcerated. If the defendant has not already been convicted of a felony, he/she is entitled to a Pre-Sentence Investigation by the judge. This is a summary done by an officer with the Department of Corrections who conducts interviews of the defendant's family and friends, employers, etc. so the judge will have a comprehensive summary of the defendant's work history, criminal history, substance abuse or mental health history, etc. The victim has a right to give a statement to the probation officer to be included in this report. They also have the right to review the Pre-Sentence Investigation Report (with specific areas redacted including defendant's physical/mental health and substance abuse).

As stated previously, any victim of sexual violence or parents of a child victim of sexual violence have a right to address the judge prior to sentencing as to how this crime has affected their life. This is called a Victim Impact Statement (VIS). A VIS does not have to be in the form of a statement. It can be a poem, picture, song, or audiovisual presentation. Sentencing options include probation (with or without sex offender conditions), jail time, prison, community control (house arrest), a suspended prison sentence, jail work camp hours, community service hours and/or sexual offender/predator designations as outlined in the statutes. Once a defendant is sentenced to incarceration in jail or prison, he/she is called an inmate.

Advocates with the Department of Corrections are available to keep victims informed of the inmate's location. There is a program called V.I.N.E. that provides automated notifications to victims regarding the defendant's location in the state prison system. State Attorney advocates also refer victims to an advocate at The Attorney General's Office to keep them updated on any appeals filed by the defendant.

### RECENT CHANGES TO THE PROSECUTION PROCESS

The law allows forensic interviews to be used as evidence in cases involving children up to the age of 16. In the past, only interviews of children through age 11 were admissible in court.

The law prohibits law enforcement from requesting a victim take a polygraph test in order to judge a victim's credibility in a sexual violence case.



## APPENDIX C: INQUIRY REPORT PREPARED BY THE STATE ATTORNEY'S OFFICE

The law allows an animal therapy team to accompany any child or vulnerable adult of sexual violence into the courtroom while the victim testifies.

The law includes Hepatitis B testing along with HIV testing of a sexual violence defendant to be ordered by the judge, upon request by the victim.

### **VICTIM RIGHTS:**

Most of the victim rights statutes are included in Chapter 960 but there are others specific to victims of sexual violence that can be found in other statutes. General victim rights include:

- Right to be present, informed and heard at all crucial stages of the criminal justice system
- Right to Crimes Compensation for payment of crime related expenses
- Right to crisis intervention services and counseling, social service referrals and victim treatment programs
- Right to know the stages of the criminal justice system
- Right to timely disposition of the case
- Right to be informed of a suspect's arrest
- Right to be informed of a suspect's release from custody
- Right to notification of scheduling changes within the criminal justice system
- Right to be consulted on plea offers given to the defendant
- Right to the return of property
- Right to notification to employers as to participation within the system and to explanation to creditors regarding the financial impact of victimization
- Right to request restitution
- Right to submit a Victim Impact Statement at the resolution of the criminal case
- Right to notification of an inmate's escape from prison
- Right to have a Victim Advocate present during a discovery deposition
- Right to have a Victim Advocate present during a forensic medical examination
- Right to be treated with dignity and respect

The rights specific to sexual violence victims include but are not limited to:

- Right to have the defendant tested for HIV and Hepatitis B
- Right for the victim's identifying information to be "blacked out" of court documents
- Right for a victim's prior sexual history to be protected from questioning
- Right to offender's use of a condom or victim's request that a defendant wear a condom not be relevant to the issue of consent
- Right to a victim's manner of dress not be relevant to the issue of consent
- Right to have the courtroom cleared when a victim of sexual violence is testifying



## APPENDIX C: INQUIRY REPORT PREPARED BY THE STATE ATTORNEY'S OFFICE

- Right to have the victim of sexual violence remain in the courtroom during the testimony of other witnesses even though this is in direct conflict with the rule of sequestration.
- Right for the identity of a sexual violence victim to be protected by media
- Right for the forensic medical exam to be covered by the Crimes Compensation fund and not charged to the victim

### RECOMMENDATIONS FOR IMPROVEMENT:

There is lapse in the statutes between a simple battery and a sexual battery. Cases where the vaginal area or the breasts of an adult are touched in a sexual manner is only a misdemeanor battery. The attempted sexual battery statute does not address this particular criminal conduct. A statute describing this kind of conduct could be charged as a sexually motivated felony battery.

There needs to be more specialized training for law enforcement, prosecutors and judges on the prosecution of sexual violence cases as well as specialized prosecution units focused on sexual violence in State Attorney's Offices. The Florida Prosecuting Association of Attorney's offers this training free of charge to State Attorney Offices and can offer more information as to the offices that avail themselves of this training.

Revised statutes regarding the admissibility of child hearsay statements in child sex cases. However, the greater issue isn't the statutes themselves; it's the appellate court's application of the law to the legislation.

It is getting harder to harder to prosecute cases involving sexual battery on a physically helpless victim. In the past few years, the law has changed to allow defense attorneys to hire experts to tell juries that victims were in "blackouts" at the time of the sexual encounter which resulted in them consenting to the sex when they cannot remember or remember bits and pieces of the event.

Testing for sexually transmitted diseases of the defendant such as Gonorrhea, Syphilis and Chlamydia in addition to Hepatitis B and HIV is needed.

Other states in the nation do not allow discovery depositions by defense attorneys on criminal cases. Florida is a state that has what is known as "open book discovery" and in fact has one of the broadest applications of discovery in the United States. Oftentimes, depositions are more difficult to endure than the trial itself because of the invasion of privacy and depth and breadth of legal questioning.

Closed circuit testimony is only offered for children of sexual violence. Some vulnerable adults could also benefit from this accommodation.



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Defendants have a right to a speedy trial and a case can be dismissed if not enforced. Victims, by statute, also have the right to a speedy trial but it is underutilized by prosecutors and has no method of enforcement.

There could be a better method of sharing information between law enforcement and state attorneys as to the documentation and enforcement of criminal no contact orders while a sexual violence case is pending.

Currently, judges have much discretion at first appearance related to bond and release conditions. More consistent and uniform decisions by first appearance judges are needed.

Stricter laws concerning use of social media in cases involving transmission of sexual pictures of adults that were consensual but upon the end of the relationship are used for blackmail.

Making indecent exposure charges enhanceable like battery charges so that they become felonies after the second offense is needed. Research tells us that peeping toms and people that expose themselves in public often go on to commit more serious crimes including burglary and sexual assault.

Ensuring that different circuits are complying with F.S. 914.16 which requires an Administrative order limiting the number of interviews that can be conducted on a victim of child abuse or sexual abuse who is under the age of 16 or has an intellectual disability. Currently Leon County does not have such an order.

### STATISTICS

From January 2009 – November 2014, there were a total of 436 cases of sexual violence prosecuted by the Office of the State Attorney for Leon county: 308 cases involving child victims and 128 cases involving adult victims of sexual violence. During this same time period, there were 12 cases of attempted sexual battery although this number is conservative as these kinds of cases could also be classified under other statutes such as felony battery or aggravated assault. Out of 436 total cases, 20 of those cases were dismissed without being prosecuted by our office.

Since January 2014 to November 2014, there were a total of 104 cases of sexual violence in Leon county: 78 cases involving child victims and 26 cases involving adult victims of sexual violence.

As mentioned earlier, our office does not keep statistics on cases that were submitted to our office for review but denied for prosecution.

Prepared by:

Lorena Vollrath-Bueno, Assistant State Attorney, Second Judicial Circuit, Tallahassee, FL

Susan Parmalee, Victim/Witness Advocate, Second Judicial Circuit, Tallahassee, FL

Helene Potlock, Victim/Witness Program Director, Second Judicial Circuit, Tallahassee, FL



## APPENDIX D: TPD General Order 50

### TPD General Order 50, Sexual Battery Investigations

#### **TALLAHASSEE POLICE DEPARTMENT** **GENERAL ORDERS MANUAL**

|                                                                                                                  |                                                     |                                    |                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <br>Proudly Policing Since 1841 | <b>SUBJECT</b><br><br>Sexual Battery Investigations |                                    | <br>Nationally Accredited 1986 |
|                                                                                                                  | <b>CHIEF OF POLICE</b><br><i>Signature on File</i>  |                                    |                                                                                                                   |
| <b>NUMBER</b><br>50                                                                                              | <b>ORIGINAL ISSUE</b><br>07/15/1985                 | <b>THIS REVISION</b><br>01/16/2015 | <b>TOTAL PAGES</b><br>15                                                                                          |

#### **AUTHORITY/RELATED REFERENCES**

FS 39.906, Referral to Centers and Notice of Rights  
FS 794.011, Sexual Battery  
General Order 18, Criminal Investigations  
General Order 42, Impounding and Controlling of Property and Evidence

#### **ACCREDITATION REFERENCES**

CALEA Chapters 42, 55  
CFA Chapter 18

#### **KEY WORD INDEX**

|                                                  |                |
|--------------------------------------------------|----------------|
| Advocacy Protocols – Adults                      | Procedure X    |
| Advocacy Protocols – Juveniles                   | Procedure IX   |
| Call Taking Protocols                            | Procedure I    |
| Delayed Reporting of Sexual Battery Incidents    | Procedure XII  |
| Interview Protocols – Adults                     | Procedure VII  |
| Interview Protocols – Juveniles                  | Procedure XI   |
| Investigator On Scene Responsibilities           | Procedure VI   |
| Jurisdictional Concerns                          | Procedure XIII |
| Juvenile Sexual Battery Victims                  | Procedure XI   |
| Post Investigative Follow up Review with Victims | Procedure VIII |
| Responding Officer Responsibilities              | Procedure II   |
| SAEK Protocols – General                         | Procedure IV   |
| SAEK Protocols – Jane Doe                        | Procedure V    |
| Transporting Victim to the Hospital              | Procedure III  |

#### **POLICY**

When investigating sexual battery incidents, Department members shall focus first on the physical and mental care for the victim and then the criminal



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investigation.

#### DEFINITIONS

**CPT:** Child Protection Team.

**Jane Doe SAEK:** A Sexual Assault Evidence Kit (SAEK) collected from a reported sexual battery victim who, at the time of the collection, desires to remain anonymous.

**Recently Occurred Sexual Battery:** Any sexual battery incident reported within one hundred twenty (120) hours of its occurrence.

**SAEK (Sexual Assault Evidence Kit):** Sexual battery evidence (e.g., photos, semen, saliva, blood, skin, hair) collected and packaged by a SANE nurse after a forensic physical examination.

**SANE (Sexual Assault Nurse Examiner) Program:** A program designed to provide a coordinated response to sexual battery victims by law enforcement, Tallahassee Memorial Hospital, and the Refuge House. The program utilizes specially trained nurse practitioners to perform forensic physical exams in conjunction with Refuge House crisis counselors.

**Sexual Battery:** The non-consensual oral, anal or vaginal penetration by, or union with, the sexual organ of another, or the anal or vaginal penetration of another by any other object.

#### PROCEDURES

##### I. CALL TAKING PROTOCOLS

If a switchboard operator receives a telephone call reporting a sexual battery, the operator will promptly transfer the caller to the Consolidated Dispatch Agency (CDA) and remain on the line until the transfer is confirmed.

##### II. RESPONDING OFFICER RESPONSIBILITIES

When responding to the report of a recently occurred sexual battery, the officer(s) on scene shall:

- A. Determine the immediate medical needs of the victim and summon emergency medical assistance as warranted.



## APPENDIX D: TPD General Order 50

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- B. Obtain necessary information pertaining to the incident to determine if a crime has been committed and to obtain suspect information.
- C. If suspect information is available, issue a BOLO (be on the lookout) if necessary.
- D. Determine the location of the actual crime scene or crime scenes, and secure all such scenes.
- E. In cases where a known suspect may be present at the crime scene, coordinate with the on-call Special Victims Unit (SVU) investigator prior to securing the scene to ensure no investigative leads are compromised by making contact with the suspect.
- F. Not perform any visual examination of the victim's genitalia, buttocks, or any other body area normally covered while wearing a swimsuit.
- G. Be aware of different reporting options available to the victim. The victim may request to:
  - 1. Have a SAEK performed and provide a full disclosure of the incident.
  - 2. Have a SAEK performed, provide a partial disclosure of the incident and remain anonymous. The victim's name or other identifying information will not be included in the sexual battery offense report.
  - 3. Have a Jane Doe SAEK performed without giving their name or any additional information to law enforcement.
  - 4. Provide a full disclosure of the incident, and choose not to have a SAEK performed.
  - 5. Provide a partial disclosure of the incident, remain anonymous, and choose not to have a SAEK performed.
  - 6. Not report the incident to law enforcement and not have a SAEK performed.
- H. Inform the victim of the following information:
  - 1. Their decision on how to proceed (or not proceed) at the time of reporting is not necessarily considered final,
  - 2. They may change the decision at any time, and



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3. Although every effort will be made to respect their wishes, certain circumstances may dictate additional steps be taken by the Department (e.g., domestic situations).
- I. Gather information about the incident from the victim, and once there is a clear understanding of the circumstances, request supervisory approval for a response by the on-call SVU investigator – being mindful of the following:
  1. An SVU investigator shall respond to all reported sexual batteries regardless of the time delay or jurisdiction of occurrence, and
  2. The on-call investigator does not need to be contacted if the victim requests to only have a Jane Doe SAEK performed.
- J. With supervisory approval, request the on-call forensics specialist for any crime scene processing needs.
- K. In situations where a suspect is detained or arrested for the reported sexual battery, ensure the suspect's body is treated as evidence.
  1. If the incident recently occurred, do not allow the suspect to wash their hands, use the bathroom or change clothes.
  2. Ensure an SVU investigator has the opportunity to interview the suspect prior to transporting to a detention facility.
- L. Regardless of the reporting option chosen by the victim, document each incident of a reported sexual battery.
- M. Complete offense reports, including supplements, and submit for supervisory approval before the end of the tour of duty.
- N. Provide the victim with the following:
  1. Sexual Battery Rights and Services Brochure from the Florida Council Against Sexual Violence
  2. Sexual Battery Information Guide (PD 165)
  3. Crime Victim Rights & Information pamphlet (PD 233)



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- O. Leave all sexual battery offense reports in an "open" status so the incident can be assigned to an investigator. This applies to on-view arrests as well.

#### III. TRANSPORTING VICTIM TO THE HOSPITAL

- A. The primary officer shall ask the victim of a recently occurred sexual battery if they are willing to go to the hospital for treatment and examination.
  - 1. If the victim agrees, arrangements shall be made to transport the victim to the hospital for treatment of any injuries and a physical exam.
  - 2. The transport should be completed by either the primary officer or the investigator assigned to the case.
- B. Members are responsible for explaining the possible benefits of a medical examination to the victim in regards to their well-being and evidence collection, and shall not:
  - 1. Discourage a victim from having a medical examination,
  - 2. Coerce the victim to go to the hospital, or to provide a sample for drug screening.
- C. The member assigned to transport the victim shall:
  - 1. Ensure the victim takes a complete change of clothing (if available) to the hospital because the clothing worn at the time of the sexual battery will be impounded for evidence processing.
  - 2. Direct the CDA operator to notify the emergency room charge nurse the victim is being escorted to their facility for treatment of any injuries and a physical exam (do not give victim identification information over the police radio).
  - 3. Make all reasonable efforts to ensure the victim is taken directly to the SANE program sexual battery examination room – avoiding the triage and general waiting room area.
  - 4. Ensure the victim is not left alone during their time at the hospital.



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#### IV. SAEK PROTOCOLS – GENERAL

- A. The member shall ask the victim if they are willing to consent to a Sexual Assault Evidence Kit (SAEK) and other treatment. The victim may decline any or all parts of the examination.
- B. If the victim or member suspects a sexual battery may have been facilitated with drugs or alcohol, the member shall notify the SANE nurse as soon as practical, and with the victim's consent, request blood and urine collection from the victim.
- C. A SAEK may be conducted up to one hundred twenty (120) hours after a sexual battery has occurred.
- D. If a SAEK is collected, the impounding member shall adhere to the applicable procedures in:
  - 1. General Order 42 (Impounding and Controlling of Property and Evidence), and
  - 2. The Property and Evidence Packaging Manual kept in the After-Hours Property and Evidence Room.
- E. The SAEK shall be impounded as soon as possible and shall not be exposed to extreme heat.
- F. In cases where a SAEK is collected, the investigator assigned follow-up responsibility for the case is responsible for submitting the SAEK for forensic analysis.
  - 1. If circumstances warrant the SAEK not be submitted for analysis, the SVU investigator is required to explain the circumstances to the SVU supervisor in order to obtain permission for the non-submission.
  - 2. If a non-submission is approved, the SVU investigator shall document the reason and the approving authority in a supplemental offense report.
- G. An officer who receives a request from the Property and Evidence Unit to dispose of evidence in a sexual battery case, shall forward the request to the SVU supervisor for review and disposition.
- H. Once SAEK evidence has been analyzed and the results have returned, the assigned investigator shall complete a supplemental



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report indicating the results, complete any required follow up activities, and notify the victim of any pertinent case updates.

#### V. SAEK PROTOCOLS – JANE DOE

- A. Jane Doe Sexual Assault Evidence Kits (SAEKs) shall be impounded by the primary officer only when received directly from a SANE nurse.
- B. When impounding a Jane Doe SAEK, the officer shall:
  - 1. Adhere to the applicable procedures in General Order 42 (Impounding and Controlling of Property and Evidence).
  - 2. Provide a copy of the Property & Evidence Receipt (PD 139) to the SANE nurse.
  - 3. Document the impounding in an offense report classified as an Admin/Documentation.
  - 4. Indicate the case disposition as "open inactive."
  - 5. Refrain from using the person's biographical or other identifying information.
  - 6. Use either the SAEK control number, or the Refuge House Hotline number (this is the number the Refuge House assigns to every person seeking their services) to identify the victim.
  - 7. Notify the SVU via an e-mail to "TPD CID On-Call Notifications Group."
- C. Jane Doe SAEKs shall be stored as evidence in the Property and Evidence Unit in accordance with General Order 42 (Impounding and Controlling of Property and Evidence).

#### VI. INVESTIGATOR ON SCENE RESPONSIBILITIES

An SVU investigator shall respond to all reported sexual batteries regardless of the time delay or jurisdiction of occurrence, and investigators responding to the report of a sexual battery shall:

- A. Seek out and receive an incident briefing from the officer or supervisor with the most knowledge of the circumstances surrounding the reported crime.

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- B. If practical, examine the crime scene(s) for evidence.
- C. If necessary, coordinate with the forensic specialist concerning:
  - 1. Evidentiary items to collect from the crime scene(s).
  - 2. Photographs of the crime scene(s) and the victim's injuries.
- D. Explain the investigative process to the victim (e.g., details of the medical exam).
- E. Ensure the victim, if desired, has access to a victim advocate.
- F. Conduct follow-up activities, as warranted, in coordination with district officers, forensic specialists, and other investigators.

#### VII. INTERVIEW PROTOCOLS – ADULTS

- A. Member interviews of the victim shall not delay any bona fide medical treatment for the victim.
  - 1. Briefly obtaining the basic facts of the reported incident prior to the rendering of medical treatment is acceptable if the injuries are not life threatening.
  - 2. During medical treatment or a sexual battery forensic exam, the primary officer or assigned investigator should remain in close proximity to the victim (e.g., just outside the treatment room or in the room if the member is the same gender as the victim).
- B. Members shall not use judgmental or accusatory statements or questions when interviewing the victim. Examples of such inappropriate dialog include, but are not limited to, the following:
  - 1. Are you sure you want to report this?
  - 2. Did you just do something you regret?
  - 3. Maybe you had too much to drink and did something stupid.
- C. Officers shall not ask a victim if they wish to move forward with a case, or if they wish to have the suspect prosecuted (this is the purview of the assigned investigator and/or victim advocate).



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- D. Members shall not ask, offer, or suggest a victim submit to a lie detection screening (e.g., CVSA, polygraph) during any part of a sexual battery investigation.
- E. In conducting the victim interview, members should assess the victim's ability to relay clearly articulate facts concerning the reported sexual battery, and such factors to be considered are the victim's:
  - 1. Willingness to talk about the incident,
  - 2. Physical condition (e.g., impairment, fatigue, incapacitation, injuries),
  - 3. Emotional/mental state, and
  - 4. Mental capacity.
- F. If the assigned investigator believes an adult (due to a diminished mental capacity) may benefit from a forensic interview at the CPT instead of a traditional interview, the investigator shall coordinate this interview with the CPT.
- G. The primary officer or assigned investigator should assess the need for a composite drawing based upon the victim's recollection of the suspect's description, and the totality of the investigation.
- H. In conducting the victim interview, the member should:
  - 1. Provide an interview area as private and comfortable as possible,
  - 2. Conduct the interview alone, and
  - 3. Keep the pace of the interview at a level comfortable for the victim.
- I. If the victim is not able to continue answering questions, or requests to stop the interview, the member shall stop the interview and attempt to reschedule it for another time.
- J. The member shall inform the victim of the intent to audio/video record the interview, or other conversations, and receive the victim's permission before recording the interview or conversation.



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### TALLAHASSEE POLICE DEPARTMENT

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#### VIII. POST INVESTIGATIVE FOLLOW UP REVIEW WITH VICTIMS

The procedures in this section ensure statutory compliance with FS 794.052(1)(c) which states, "*Prior to submitting a final report, permit the victim to review the final report and provide a statement as to the accuracy of the final report.*"

- A. The final report is considered closed when the assigned investigator has worked the case to its final conclusion and submitted it to the SVU supervisor, or other appropriate supervisor, for final approval.
- B. Once the supervisor has approved the final report, but prior to sending it to Records (i.e., Admin), the approving supervisor is responsible for assigning the appropriate investigator to make contact with the victim for review of the report.
- C. In a post investigative follow up review with the victim, the appropriate investigator is responsible for the following:
  - 1. Allowing the victim to read the final report.
  - 2. Allowing the victim to make whatever written comments they may want to make on a supplement report form.
  - 3. Informing the victim of their right to complete a written statement expressing their disagreement with the final report.
  - 4. Informing the victim they do not have to complete a written statement if they agree with the final report.
  - 5. Informing the victim a written statement is considered (and treated as) case evidence and a public record.
- D. The investigator conducting the post investigative follow up review with the victim is responsible for documenting the review – to include the date and time – in a supplemental report.
- E. In instances where all reasonable efforts to contact the victim are unsuccessful or the victim refuses or declines to participate in a post investigative follow up review, the appropriate investigator shall ensure that fact is documented – to include the date and time – in a supplemental report.

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### TALLAHASSEE POLICE DEPARTMENT

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#### IX. ADVOCACY PROTOCOLS – JUVENILES

- A. If advocacy services for a juvenile victim are needed, the assigned SVU investigator shall coordinate such services through the CPT.
- B. Department VAs do not typically respond to sexual battery incidents involving juvenile victims (because CPT programs are in place), but the services of a Department VA shall be offered when:
  - 1. The victim is not being taken to the CPT, and the primary officer, supervisor or assigned investigator believes the victim or their immediate family would benefit from such advocacy services, or
  - 2. The victim is being taken to the CPT, and despite their efforts, the assigned investigator believes the victim or their immediate family would benefit from Department advocacy services.
- C. If the juvenile victim is not being referred for services through either CPT or DCF, the assigned Investigator will request a Department VA to follow up with the immediate family.

#### X. ADVOCACY PROTOCOLS – ADULTS

- A. If the victim is an adult, the primary officer shall ensure the hospital staff has notified the Refuge House on-call Rape Crisis Counselor to respond to assist the victim.
- B. The primary officer or, if more appropriate, the assigned investigator is responsible for:
  - 1. Informing the victim of Department victim advocate (VA) services, and
  - 2. If at any time the victim requests a Department VA, with supervisory approval, summon the on-call advocate.
- C. Department VAs do not typically respond to sexual battery incidents where the victim is taken to the hospital (because the SANE and Refuge House programs are in place), but the services of a Department VA shall be offered when:
  - 1. The victim is not being taken to the hospital, and the primary officer, supervisor or assigned investigator believes the victim would benefit from such advocacy services, or



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2. The victim is being taken to the hospital, and despite SANE and Refuge House efforts, the assigned investigator believes the victim would benefit from Department advocacy services.
- D. A Department VA shall be assigned to each adult sexual battery case for follow-up advocacy services with the victim.
- E. If a Department VA does not meet with an adult victim at the time the sexual battery is reported, a VA should follow up with the victim the following day.
- F. Regarding subsection E above, if the following day is a weekend or holiday, the SVU investigator is responsible for contacting the appropriate VA to relay the victim's contact information so contact can be made within 24 hours.

#### XI. JUVENILE SEXUAL BATTERY VICTIMS

- A. In conjunction with all applicable procedures outlined above, when the victim of a recently occurred sexual battery is a juvenile, these additional directives are also applicable:
  1. Medical Treatment and Sexual Battery Examination:
    - a. Officers shall not transport a juvenile sexual battery victim to the CPT for an examination until after coordinating such transport with the SVU investigator.
    - b. Because of the involvement of the CPT, the juvenile victim should only be transported to the hospital if there is an injury that needs immediate attention.
  2. Interviews of Juvenile Victims Under 13 Years Old:
    - a. Officers shall not interview juvenile victims in this age group.
    - b. Officers should direct all fact-finding questions to the person to whom the juvenile victim reported the sexual battery and other adults with pertinent information about the juvenile or incident.
  3. Interviews of Juvenile Victims 13 – 17 Years Old:
    - a. Officers should not interview juvenile victims in this age group until after consultation with an SVU investigator.



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- b. Officers should direct most of the fact-finding questions to the person to whom the juvenile victim reported the sexual battery and other adults with pertinent information about the juvenile or incident.
- 4. Officers shall ensure a statement is obtained from the person to whom the victim first disclosed the incident, and such statements should address at least the following:
  - a. How the victim made the disclosure (i.e., what conversation led to the disclosure),
  - b. The questions asked, if any, of the victim to illicit the disclosure, and
  - c. The words or statements used by the victim in the disclosure.
- 5. Members shall not ask, offer, or suggest a juvenile victim submit to a lie detection screening (e.g., CVSA, polygraph) during any part of a sexual battery investigation.
- B. The assigned investigator is responsible for coordinating all arrangements for medical examinations and forensic interviews with the CPT.
- C. CPT trained personnel should be used when juvenile victims require a forensic interview, but a member may conduct such an interview when all of the following conditions are met:
  - 1. CPT personnel are not available,
  - 2. An exigent circumstance exists, and
  - 3. The member is trained in forensic interviews.
- D. The primary officer shall ensure the following incidents are reported to the Florida Department of Children and Families (Florida Abuse Hotline) at 1-800-962-2873:
  - 1. Suspected sexual abuse on a juvenile perpetrated by a caretaker (i.e., a person responsible for the care of a juvenile such as a parent, guardian, baby-sitter, or teacher).
  - 2. A known or suspected juvenile sex offender.



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3. A child who has exhibited inappropriate sexual behavior.

#### **XII. DELAYED REPORTING OF SEXUAL BATTERY INCIDENTS**

- A. In response to the delayed reporting of a sexual battery incident, members shall abide by the policy statement and adhere to applicable procedures herein.
- B. Even if the incident being reported possibly occurred outside of the statute of limitations, the incident shall still be documented in an offense report.

#### **XIII. JURISDICTIONAL CONCERNS**

- A. If a member establishes the incident being reported occurred outside of Department jurisdiction, the member is still responsible for making reasonable and prudent efforts to assist the victim, to include:
  1. Determining any immediate medical needs of the victim, and
  2. Summoning emergency medical assistance as warranted.
- B. If the jurisdiction of occurrence is within close proximity to Tallahassee (i.e., Leon, Wakulla, Gadsden, Jefferson) the officer shall:
  1. Make contact with the agency which has jurisdiction, and determine if they will send a representative to interview the victim and investigate the incident, and:
    - a. If the agency is responding, remain with the victim until the other agency representative arrives and makes contact with the victim.
    - b. If the agency declines to respond, treat the incident as though it occurred within Department jurisdiction.
  2. Document the incident in an offense report.
    - a. Regardless of whether or not the other agency responds, classify the report as an Agency Assist.
    - b. In situations where the other agency responds, document the agency member who responded.



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- c. In situations where the other agency does not respond, document the agency member who was contacted.
- 3. Notify the on-call SVU investigator.
- C. If the jurisdiction of occurrence is not in close proximity to Tallahassee, the officer shall:
  - 1. Treat the incident as though it occurred within Department jurisdiction.
  - 2. Document the incident as an Agency Assist.
  - 3. Make case notification to the agency which has jurisdiction, and document the contact (including the person contacted) in the offense report.
  - 4. Notify the on-call SVU investigator.

History: Issued 07/15/1985, revised 01/01/1991, 08/22/1994, 10/15/2001, 06/18/2007, 11/17/2008, 07/04/2009, 02/02/2012, 03/02/2012, and 08/02/2013.



## APPENDIX E: Tallahassee Police Department Investigative Checklists

### Tallahassee Police Department Investigative Checklists

Sergeant Joanna Baldwin of the Tallahassee Police Department's (TPD) Special Victims Unit provided the following investigative checklists for the agency: General Investigation Checklist, Sexual Assault Investigation Checklist, and Child Abuse and Neglect Checklist.

#### TPD General Investigation Checklist

##### *Situation Assessments*

- Assess situation and observe all conditions, events, statements, remarks
- Verify criminal or investigative authority, jurisdiction, etc.
- Locate initial and any secondary crime scenes
- Maintain and protect all crime scenes; is there a need to expand perimeters?
- Post officers around crime scene perimeter and designate scribe
- Are there sufficient personnel on scene to accomplish investigative tasks?
- Notify supervisory/support personnel and establish incident command
- Locate and identify any suspects as soon as possible; keep separate
- Locate and identify any victims, witnesses, by-standers; keep separate
- Develop an investigative plan of action

##### *On-Scene Investigative Tasks*

- Obtain briefing from primary officer at the scene
- Interview victim, witnesses, and by-standers to verify original information and to seek additional information
- Involve Forensics Unit early and ensure the evidence has been preserved, photographed, collected and submitted for evidence
- Review crime scene to verify facts and seek additional information
- Conduct a neighborhood canvas? Or K-9 evidence search? As appropriate
- Are there security videos in area?
- Consider the strategic advantages of media releases
- De-brief investigative team prior to leaving scene

##### *Locating and Interviewing Suspect*

- Re-Issue most current suspect person and vehicle information (FCIC/PMDC)
- Check computer databases (CJNet, DAVID, CCIS, CrimeNtel, IIQ, Tjail, etc.)
- Check cellular tracking, phone usage traces, etc.
- Check with crime analysis, field interrogation reports, pawn shop
- Submit latent print comparisons to Forensics



## APPENDIX E: Tallahassee Police Department Investigative Checklists

- Locate most recent photo for suspect photo line-up
- Disseminate suspect information to patrol and other agencies
- Once located, is the suspect properly secured during the interview?
- Activate audio/video recording equipment
- Obtain waiver of Miranda and search, as appropriate
- De-brief suspect for involvement in other crimes
- Follow legal protocols for counsel requests, juveniles, breaks, etc.
- Obtain written statements whenever available

### *Notifications*

- Additional investigative and forensic support
- Follow the Command Staff Notification Protocol
- Notify other police agencies, as appropriate
- Public Information Officer (PIO), as appropriate
- Victim Advocates

### **TPD Sexual Assault Investigation Checklist**

#### *Situation Assessment*

- Assess situation and observe all conditions, events, statements, remarks
- Verify criminal or investigative authority, jurisdiction, etc.
- Locate initial and any secondary crime scenes
- Maintain and protect all crime scenes; is there a need to expand perimeters?
- Post officers around crime scene perimeter and designate scribe
- Are there sufficient personnel on scene to accomplish investigative tasks?
- Notify supervisory/support personnel and establish incident command
- Locate and identify any suspects as soon as possible; keep separate
- Locate and identify any victims, witnesses, by-standers; keep separate
- Develop an investigative plan of action

#### *On-Scene Investigative Tasks*

- Obtain briefing from primary officer at the scene
- Interview victim, witnesses, and by-standers to verify original information and to seek additional information
- Involve Forensics Unit early and ensure the evidence has been preserved, photographed, collected and submitted for evidence
- Review crime scene to verify facts and seek additional information



## APPENDIX E: Tallahassee Police Department Investigative Checklists

- Conduct a neighborhood canvass? Or K-9 evidence search? As appropriate
- Are there security videos in area?
- Consider the strategic advantages of media releases
- De-brief investigative team prior to leaving scene

### *Adult Victims of Sexual Battery*

- Request SA Kit - Any time the assault has taken place within the last 72 hours. Make sure you instruct the SANE nurse or staff that will be collecting the SA Kit of any specifics you need, i.e. breast swabs, finger swabs, blood or urine draw immediately due to possible date rape drugs (most cycle out of the system very fast, take both blood and urine). Also, if the victim is advising they have blocks of missing memory or patchy memory, it is good to get the blood and urine ASAP
- Contact the SANE nurse - The SANE nurse should notify the refuge house so a victim advocate can respond to the hospital; they do this on all rapes. It is a mandatory notification even if the victim has access to TPD, FSU or FAMU VAs. If your medical personnel are not trained SANE nurses, you will need to make the notification, 681-2111 (Refuge House).
- Obtain the SA Kit - Make sure you receive the SA Kit envelope with the swabs, sealed and signed, also any clothing and blood or urine. All of the packages should be sealed and signed by the nurse and impounded as soon as possible (refrigerator for SA Kit, blood and urine, regular for clothes)
- Collection of Evidence from Suspect
- Penile swabs, finger swabs and buccal swabs for DNA standard

### *Collection of Evidence from Scene*

- Consent or Search Warrant
- Child Victims of Sexual Battery and Lewd & Lascivious Battery
- Has DCF been notified (required when a custodial relationship exists between the victim and alleged suspect); the LEO report line quicker
- Contact the Child Protection Team (CPT) to arrange the services you need

### *Victims of Child Neglect and Abuse*

- Treat like an aggravated battery case
- Pictures of the injuries
- Get the alleged weapon (think DNA gathering is needed)
- Photograph the scene (especially on neglect cases)
- Notify DCF if they have not already been notified



## APPENDIX E: Tallahassee Police Department Investigative Checklists

- Arrange Forensic interview w/ CPT if necessary
- Arrange for a medical exam with Dr. Moorer through CPT to check the child, document all injuries (even the ones you can not see) and give an evaluation

### Locating and Interviewing Subject

- Re-Issue most current suspect person and vehicle information (FCIC/PMDC)
- Check computer databases (CJNet, DAVID, CCIS, CrimeNtel, IIQ, TJail, etc.)
- Check cellular tracking, phone usage traces, etc.
- Check with crime analysis, field interrogation reports, pawn shop
- Submit latent print comparisons to Forensics
- Locate most recent photo for suspect photo line-up
- Disseminate suspect information to patrol, and other agencies
- Once located, is the suspect properly secured during the interview?
- Activate audio/video recording equipment
- Obtain waiver of Miranda and search, as appropriate
- De-brief suspect for involvement in other crimes
- Follow legal protocols for counsel requests, juveniles, breaks, etc.
- Obtain written statements whenever available

### Notifications

- Additional investigative and forensic support
- Follow the Command Staff Notification Protocol
- Notify other police agencies, as appropriate
- Public Information Officer (PIO), as appropriate
- Inquiry Report Prepared by State Attorney's Office



## APPENDIX F: TPD Sexual Battery Information Guide

### TPD Sexual Battery Information Guide



## **Sexual Battery** Information Guide



**TALLAHASSEE POLICE DEPARTMENT**  
**234 E. Seventh Avenue**  
**Tallahassee, FL 32303**  
**(850) 891-4200**



## APPENDIX F: TPD Sexual Battery Information Guide

### TPD's Commitment to Victims of Sexual Violence

The Tallahassee Police Department's first priority is to focus on your physical and emotional care, before focusing on the criminal investigation.

The Special Victims Unit (SVU) at TPD investigates all types of sexual related crimes reported to our agency. SVU investigators are here to help you and explain the process along the way.

TPD has four victim advocates who assist crime victims. A TPD Victim Advocate will be assigned to your case and will assist you throughout the process.

A TPD Victim Advocate can help provide the following services to those who have been a victim of sexual violence:

- ❖ On-Scene Assistance
- ❖ Crisis Intervention
- ❖ Community Information-Referrals
- ❖ Safety Planning,
- ❖ Civil Injunction Assistance,
- ❖ Victim Compensation Information

**You do not have to report a crime or make a report to contact a TPD Victim Advocate. Speaking with an advocate may help you understand your options more thoroughly.**

**A TPD Victim Advocate can be reached by calling our Criminal Investigations Division at 850-891-4331.**



## APPENDIX F: TPD Sexual Battery Information Guide

### What Are My Reporting Options?

A victim of a sexual battery is encouraged to obtain a forensic exam regardless of their decision to file a report with law enforcement. The exam is provided free of charge and typically occurs at the Tallahassee Memorial Hospital. Victims are assisted by trained Sexual Assault Nurse Examiners (SANE).

Refuge House, Inc. is a certified rape crisis center for the Tallahassee area. The Refuge House provides free and confidential advocacy to victims, their family and friends. This service is provided regardless of the victim's decision to report to law enforcement.

Victims of sexual violence have the right to have a victim advocate from a certified rape crisis center present during a forensic exam. Law enforcement officers may be present only with the explicit consent of the victim. TPD understands and respects these rights.

#### Your Options:

Refer to the chart on the back for your options regarding forensic exams and reporting to the Tallahassee Police Department.

**Even if you never intend to pursue criminal charges against the person who assaulted you, you are encouraged to report the incident and/or have a forensic exam.**



## APPENDIX F: TPD Sexual Battery Information Guide

### What Can I Expect From TPD?

Upon reporting the incident to the Tallahassee Police Department a victim will be informed and assisted with all the following:

- Treatment of any injuries you have
- A medical and/or forensic exam
- Place you in contact with an Advocate
- An interview with you
- An interview with witnesses
- Collection of evidence
- Contact/interview of suspect
- Contact with the State Attorney's Office
- Arrest of the suspect or other disposition of the case

Your information will remain confidential. TPD will not share information about your case outside of law enforcement without your consent. This includes speaking with your parents, friends, etc. about your case.

The Tallahassee Police Department ensures victims have the opportunity to provide as much input as possible during the investigative process.

It is vitally important to TPD that victims feel comfortable with the process and feel they can freely communicate any questions or concerns they have to the responding officer, the investigator, or the victim advocate working their case.



## APPENDIX F: TPD Sexual Battery Information Guide

\*In all cases, victims of sexual battery have the right to free and confidential advocacy and counseling services from Tallahassee's certified rape crisis center, Refuge House. A TPD Victim Advocate will also be made available to victims.

| Forensic Exam & full disclosure report*                                                                              | Forensic Exam & anonymous report*                                                                                                                                                                                | Forensic Exam & no report*                                                                                                                                              | Report only & no forensic exam*                                             | Anonymous report & no forensic exam*                                                                                        | No report & no forensic exam*                                               |
|----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| Victim receives a forensic exam and reports the full details of the sexual battery to TPD for further investigation. | Victim receives a forensic exam, chooses to speak with TPD, but keeps all identifying information anonymous. Kit will be stored for 48 months so it may be used if the victim decides to report at a later time. | Victim receives a forensic exam, and chooses not to speak with TPD. Kit will be stored for 48 months so it may be used if the victim decides to report at a later time. | Victim files a report with TPD, but chooses not to receive a forensic exam. | Victim files a report with TPD but keeps all identifying information anonymous. Victim chooses not to have a forensic exam. | Victim chooses not to report the sexual battery or receive a forensic exam. |

## APPENDIX F: TPD Sexual Battery Information Guide

You may contact a Special  
Victims Unit Investigator or a  
TPD Victim Advocate for  
questions by calling the  
Criminal Investigations  
Division 850-891-4331

**Crime victimization** can leave victims and their families-friends in a state of turmoil. As a result of the multifaceted needs of victims of trauma, TPD relies on community resources to provide assistance. The following is a list of local network service providers:

|                                    |              |
|------------------------------------|--------------|
| Refuge House - (Sexual Violence)   | 850-681-2111 |
| Refuge House (Relational Violence) | 850-681-2111 |
| 2-1-1 Big Bend (I & R/Counseling)  | 2-1-1        |
| FSU Victim Advocacy                | 850-644-7161 |
| FAMU Victim Advocacy               | 850-599-3145 |
| Leon County Sheriff's Victim Adv.  | 850-922-3300 |
| State Attorney Victim Advocates    | 850-606-6112 |
| Legal Services of N. Florida       | 850-385-9007 |
| Office of the Attorney General     | 850-414-3300 |
| Tallahassee Memorial Hospital      | 850-431-1155 |
| CDA-Consolidated Dispatch Agency   | 850-606-5800 |

### *Keep in mind...*

*Whatever impacts one area of life  
will impact all areas.*

*As we work through this process, we  
re-establish the sense of control needed  
to function on a daily basis. However,  
no one can tell us how long it will take  
to move through these stages.*

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