

Testimony of
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Secretary/Treasurer, Connecticut College of Emergency Physicians
Member SANE/SAFE Coalition
Before the
Public Health Committee on
Senate Bill 243
"An Act Requiring Acute Care Hospital to Make Forensic Nursing Services Available to
Patients"
March 3, 2008, 10:00 AM

Good Afternoon, Senator Handley, Representative Sayers, Members of the Committee. My name is Greg Shangold. I am speaking to you today as an elected officer of the Connecticut College of Emergency Physicians (CCEP) representing over 400 emergency physicians throughout the state. I have been representing CCEP on the SANE / SAFE Coalition for the past year and a half. This alliance has worked diligently towards creating a State-Funded Rapid Response SANE / SAFE Program. After a presentation to The Connecticut Health Association's ED Directors committee, the group has pledged support for the creation of a comprehensive state-wide system.

I recognize the spirit of this bill and the benefits it would bring to victims of crimes in Connecticut's emergency departments. Connecticut's emergency physicians are often on the front lines, treating patients of violent crimes and appreciate the need of providing health care while preserving forensic evidence essential for future prosecutions. CCEP feels this act, as written, creates a program that is too expansive and believes forensic nursing in the form of a State-Funded Rapid Response SANE / SAFE Program is a more appropriate initiative at this time.

As all of you are aware there are many burdens that confront Connecticut's emergency departments, as illustrated in the Governor's Task Force Report. Currently, emergency physicians and members of the emergency staff are responsible for collecting evidence after medically treating a sexual assault victim. There is considerable variability with how each hospital is able to perform this task. Using Massachusetts as an example, the SANE / SAFE Coalition believes a State-Funded Rapid Response SANE / SAFE Program improves upon the current system. Quoting from the Massachusetts program, "The SANE Program provides direct patient care to victims of sexual assault who present to SANE designated emergency departments and urgent care centers. The SANEs deliver coordinated, expert forensic and medical care

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necessary to increase successful prosecution of sex offenders and to assure essential medical intervention to victims..."

This program has made great strides in Massachusetts since its inception. I encourage all of you to review the attached fact sheet from the Massachusetts's program

[http://www.mass.gov/?pageID=eohhs2terminal&L=5&L0=Home&L1=Provider&L2=Certification%2C+License%2C+and+Registration&L3=Occupational+and+Professional&L4=Sexual+Assault+Nurse+Examiner+\(SANE\)&sid=Eeohhs2&b=terminalcontent&f=dph_com_health_violence_sane_p_overview&csid=Eeohhs2](http://www.mass.gov/?pageID=eohhs2terminal&L=5&L0=Home&L1=Provider&L2=Certification%2C+License%2C+and+Registration&L3=Occupational+and+Professional&L4=Sexual+Assault+Nurse+Examiner+(SANE)&sid=Eeohhs2&b=terminalcontent&f=dph_com_health_violence_sane_p_overview&csid=Eeohhs2). The emergency physicians, emergency nurses, and all the emergency staff strive every day to provide compassionate and timely emergency care. This is especially true of sexual assault victims. Although adequate evidence is collected with the current system, the stressors afflicting the state's emergency departments creates an environment that does not always make the victim the top priority. Many times there are long waits and interruptions that could be avoided if there was a dedicated practitioner. Connecticut's emergency departments have been performing a state function to collect the forensic evidence necessary for prosecution. A state funded rapid response SANE / SAFE program would create a system so the state could monitor, coordinate, and uniform the collection of evidence while always preserving the victim as the priority. I encourage the committee to support the SANE / SAFE coalition efforts to create such a system for Connecticut.

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Overview

SANE FACTS

SANEs in Action

- Sexual Assault Nurse Examiners (SANEs) are specially trained and certified professionals skilled in performing quality forensic medical-legal exams. Should a case go to trial, the SANEs are then available to testify
- SANEs are available by beeper and respond within 40-60 minutes to the designated SANE site ready to care for the victim of sexual assault
- SANEs will document the account of the assault, perform necessary medical exams, testing and treatment, then collect crucial, time sensitive evidence using the Massachusetts Sexual Assault Evidence Collection Kit distributed by the Executive Office of Public Safety
- A forensic exam performed by a SANE can take up to 4 hours from beginning to discharge of the patient.
- SANEs provide medical care to survivors without interruption, therefore maintaining the chain of evidence from the exam
- SANEs perform exams with state of the art forensic equipment and supplies and are kept up to date with the latest in forensic science developments
- SANEs receive expert training, supervision, and quality assurance monitoring
- SANEs provide preventative treatment for HIV, STDs, and pregnancy

SANE Enhances Public Safety through Increased Prosecution of Rapists

- SANEs have testified and provided quality forensic evidence in 54 sexual assault trials of which, 51 have resulted in conviction. Evidence collection along with SANE testimony were important elements in achieving convictions in all of the cases.
- In FY'02 through FY'04 evidence submitted to the Boston and State Police Crime Lab revealed that overall, SANEs are collecting better evidence than non-SANE providers
- Massachusetts DA's anecdotally report alleged perpetrators are more likely to plead guilty before trial when the prosecution presents evidence collected by SANEs, saving enormous prosecution costs.
- Ongoing developments in the science of evidence collection, e.g. DNA testing, require a higher level of expertise and consistency in the collection of evidence for sexual assault cases.
- Standardizing the preservation of the chain of evidence by:
 - Providing expertise by quickly and uniformly incorporating improvements in forensic evidence collection techniques
 - Ensuring that SANE evidence is transported properly to the proper crime lab
 - Monitoring the quality of evidence submitted to the crime lab

SANE has Broad Criminal Justice and Health Care Community Endorsement and Support

- The Emergency Nurses Association has endorsed the MA SANE Program as a national model
- Members of the **Massachusetts SANE Board** include :
 - Boston Police Sexual Assault Unit
 - Jane Doe Inc, the Massachusetts Coalition Against Sexual Assault and Domestic Violence
 - Department of Social Services
 - MA District Attorney's Association
 - Disabled Persons Protection Commission
 - MA Office for Victim Assistance
 - Massachusetts College of Emergency Physicians
 - Emergency Nurses Association
 - Massachusetts Nurses Association
 - Boston Police and State Crime Labs
 - Executive Office of Public Safety, Programs Division

Recent SANE Program Achievements

This multi-disciplinary, statewide collaboration has resulted in numerous advancements in the quality of care being delivered and the quality evidence being collected and preserved.

- **Since 1998 there has been a range of 95-100% successful prosecution rate in Massachusetts when a SANE has collected evidence and testified in court.**
- In collaboration with the Executive Office of Public Safety (EOPS), new date rape drug testing guidelines for sexual assault victims are being implemented statewide at the Massachusetts State Police Crime Lab. Data from this testing has yielded a significant number of patients with date rape drugs in their systems during the time of the assault. **This evidence collection kit in Massachusetts is now used by the manufacturer as the national standard.**
- **In collaboration with the Boston Area Rape Crisis Center, a toll free hotline was established for victims who wish to obtain toxicology results from unreported cases. (866-269-4265) Victims who wish to receive results from reported cases can contact their local DA's office.**
- Protocol developments now enable victims of sexual assault to access the results of date rape drug testing without having to report with police
- To increase the compliance rate for health care provider mandatory reporting for sexual assault cases, the Executive Office of Public Safety uses the SANE documentation forms as the statewide mandatory reporting form. As a result, there has been an increase in the reporting by 700%.
- The SANE Program has offered statewide trainings to Emergency Department providers on the standards of evidence collection and **the SANE Program has released and distributed an instructional video for health care providers with tools and techniques for collecting quality forensic evidence.**
- The SANE Program has completed an intensive collaboration with the Sexual Abuse Intervention Network (SAIN), the Executive Office of Public Safety, clinical experts, and the Child Advocacy Centers which has produced statewide recommendations and guidelines for the delivery of care and evidence collection for child victims of sexual abuse and assault under the age of 12. In addition a Pediatric Evidence Collection Kit has been produced with overarching principles of "Do No Harm" for patients under the age of 12.
- In order to provide services to the most injured sexual assault patients who may immediately be admitted to intensive care units, protocols now allow SANEs to see victims outside of the ED setting

This information is provided by the Violence Prevention and Intervention Services within the