



Connecticut Sexual Assault Crisis Services, Inc.

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Testimony of Connecticut Sexual Assault Crisis Services, Inc.

H.B. 6361 An Act Concerning the Establishment of a Sexual Assault Forensic Examiners Program

Elizabeth Cafarella, Director of Public Policy and Communication
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Public Hearing, February 11, 2009

Senator Harris, Representative Ritter, and members of the Public Health Committee, my name is Elizabeth Cafarella, and I am the Director of Public Policy and Communication at the Connecticut Sexual Assault Crisis Services, Inc (CONNSACS).

CONNSACS is the statewide association of nine community-based rape crisis centers in Connecticut. Our mission is to end sexual violence and ensure high quality, comprehensive and culturally competent sexual assault victim services.

During fiscal year 2007-2008 CONNSACS' community-based program staff and volunteers provided services to 4,166 sexual assault victims and their families.

I am here to offer testimony in support of HB 6361, An Act Concerning the Establishment of a Sexual Assault Forensic Examiners Program, which would establish a state-funded, rapid response Sexual Assault Nurse Examiner (SANE)/Sexual Assault Forensic Examiner (SAFE) program, housed in the Office of Victim Services (OVS), which would train and maintain SANE/SAFEs to be available 24 hours a day to participating hospitals for adolescent and adult sexual assault patients.

For the last three years, a coalition of key stakeholders including the Connecticut Hospital Association, the Connecticut College of Emergency Physicians, the International Association of Forensic Nurses, the Permanent Commission on the Status of Women, and the Office of the Victim Advocate have worked together to identify the most cost-efficient, effective, and timely way to provide treatment to rape victims, collect the evidence needed for the successful prosecution of sex offenders and ensure a judicious use of scarce hospital resources. This SANE/SAFE coalition has done its home work and appreciates the unanimous support of the Public Health Committee last year in moving this bill forward.

Connecticut is in the forefront in many ways in the treatment of victims and the collection of evidence in sexual assault cases. The state has established a standardized sexual assault exam; the state reimburses hospitals for evidence collection kits, and we have developed technical guidelines for the exam and evidence collection. The one,

critical component that is missing in this picture is a state-wide, coordinated, rapid response SANE/SAFE program.

SANEs and SAFEs are specifically trained to care for the immediate needs of victims of sexual violence. Unfortunately, there are not enough SAFEs practicing at enough hospitals to ensure that sexual assault victims will have access to them. When SAFEs are not available, the exam and evidence collection is left in the hands of staff who may have received little or no training. Without a SANE/SAFE dedicated to that victim's care, the experience can vary widely.

Our proposal, which is modeled on the successful Massachusetts SANE program, would cost an estimated \$275,000 to launch a start-up in one region. This funding would support the program in its first year, including the projected costs of a full-time program coordinator. The program coordinator would work with an advisory committee including medical professionals, sexual assault crisis service programs, prosecutors and police to establish SANE/SAFE requirements and standards. Upon establishment of the program, the coordinator would partner with hospitals and rape crisis programs, manage the on-call pool, and ensure quality care, case review, protocol development, and ongoing training of certified SAFEs. In its first year, the program would serve one region of 5-8 hospitals and establish a plan and budget to expand the program statewide.

The Massachusetts SANE program began in one region and initially served only adult and adolescent victims of sexual assault but has since grown—it is a statewide program and serves child victims as well. Since 1998, Massachusetts has had a 95% or higher successful prosecution rate when a SANE has collected evidence and testified in court.

Supporting an around-the-clock staff of SANE/SAFEs is, for most Connecticut hospitals, a financial and logistical impossibility. Many nurses across the state would like to be trained as SANES, but it is not cost-effective for their employer, the hospital, to pay for the training, especially if the nurses cannot maintain their skill level, because they may not see many victims of sexual assault at their particular hospital. A coordinated SANE program would eliminate this problem—nurses would be able to respond to sexual assault wherever they may occur, maintaining their proficiency.

It is difficult for those who have been sexually violated to come forward; the invasive exam they face, the fear of not being believed, and the trauma of re-living their experience is a lot to bear. Last year sexual assault crisis counselors responded to over 400 hospital calls at all hours of the day and night to support individuals who had been raped. The overwhelming majority of victims chose to undergo the invasive and lengthy forensic exam in the hopes of capturing evidence that would otherwise be lost.

When victims are met with a supportive first response in the hospital, it increases the likelihood that they will stay engaged with the process and it minimizes secondary health effects associated with sexual assault. Working together, SANEs and sexual assault crisis counselors provide the best response.

We recognize the depths of the financial crisis the state is grappling with. This is a small appropriation, and one that will have long term cost savings to our health care system, our criminal justice system and, most importantly, to victims.

Thank you for your consideration. I would be happy to provide additional information or answer questions you may have about our position or services.

SUPPORT HB 6361

A STATE FUNDED RAPID RESPONSE SANE/SAFE PROGRAM

HB6361 AN ACT CONCERNING THE ESTABLISHMENT OF A SEXUAL ASSAULT FORENSIC EXAMINERS PROGRAM Connecticut has taken great steps to establish a standardized sexual assault exam and evidence collection kit. A SANE/SAFE program is needed to ensure that there are enough nurses or physicians trained and available in hospitals to care for sexual assault victims and to collect the evidence needed for the successful prosecution of the offender.

- The SANE/SAFE coalition is requesting \$275,000 to launch a State SANE/SAFE program, housed in the Office of Victim Services (OVS), which would train and maintain SANE/SAFEs to be available 24 hours a day to participating hospitals for adolescent and adult sexual assault patients.

WHAT IS A SANE/SAFE?

A Sexual Assault Nurse Examiner (SANE) or Sexual Assault Forensic Examiner (SAFE) is a registered nurse or physician who provides comprehensive care, timely collection of forensic evidence, and testimony in sexual assault cases. A SANE/SAFE has completed specialized training in sexual assault victim dynamics and care and the collection of evidence. They understand how to document and collect evidence so as to negate contamination risks and establish the critical chain of evidence. Should a case go to trial, the SANE/SAFE is available to testify.

- The funding would support the program in its first year, including the projected costs of a fulltime program coordinator, SANE/SAFE training, and fees for nurses to be on call to respond to hospital calls.
- The OVS SANE/SAFE coordinator would work with an advisory committee including representatives from hospitals, physicians, nurses, sexual assault crisis service programs, forensic practitioners, prosecutors and police and the Department of Public Health to establish SANE/SAFE requirements and standards.
- In its first year the program would serve one region of 5-8 hospitals and establish a plan and budget to expand the program statewide.

- The program is modeled on the successful Massachusetts SANE program, which has improved patient care, support for victims, and prosecution rates of sex offenders.

BENEFITS OF A SANE/SAFE PROGRAM

A State funded rapid response SANE/SAFE program will ensure that Connecticut hospitals have specialized staff, that sexual assault victims receive the best care and treatment, and that State's Attorneys have the best possible evidence to prosecute sex offenders.

- When skilled SANE/SAFEs are utilized, sexual assault victims are more likely to feel supported and believe that the invasive exam will prove helpful in obtaining evidence that can be used in the successful prosecution of an offender. A strong first response increases the likelihood of a victim staying involved with the case and minimizes secondary health effects associated with sexual assault.
- SANE/SAFE program will decrease the waiting time for an exam and the length of time that an exam currently takes.
- A state funded rapid response SANE/SAFE program is the most cost effective and efficient way to ensure that hospitals have access to SANE/SAFEs to care for sexual assault patients.
- 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. With an established

program, SANE/SAFEs will build proficiency and receive ongoing training, supervision, and quality assurance monitoring. (over)

- Prosecutors will establish relationships with SANE/SAFEs and enhance confidence in the evidence collected and testimony that a SANE/SAFE can provide. The State can solve crimes, arrest sex offenders and help provide justice for rape victims.

THE MASS SANE PROGRAM

In Massachusetts, multi-disciplinary, statewide collaboration has resulted in numerous advancements in the quality of care being delivered and the quality of 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.
- SANEs have testified and provided quality forensic evidence in 54 sexual assault trials, 51 of which have resulted in conviction. Evidence collection and SANE testimony were important elements in achieving convictions in all of the cases.
- 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.
**(www.Mass.Gov, Office of Health and Human Services)*

THE CURRENT RESPONSE

There are not enough SANE/SAFEs practicing or being utilized at enough hospitals to ensure that sexual assault victims will have access to them. Hospitals facing financial difficulties and overcrowding have been unable to develop or maintain SANE/SAFE programs.

- It is estimated that there are 60-70 nurses who work in emergency departments throughout Connecticut who have received SANE/SAFE training.
- During FY 08 approximately 400 adolescent and adult men and women survived a sexual assault and went to a hospital in Connecticut for treatment and a sexual assault forensic exam.
- Sexual assault victims often wait upwards of five hours in hospitals for treatment and the forensic exam. During this time they are advised to not wash, drink, or go to the bathroom so as not to lose valuable evidence. Some victims are unable to wait and leave out of frustration.
- The exam itself is invasive and time consuming. The nurse who cares for the patient and administers the exam must remain with the patient to maintain the chain of evidence. Many hospital staff feel unprepared to perform the exam, which includes providing unbiased and compassionate care and the careful documentation of evidence including: identification of genital injury, collection of hair samples, genital swabs, and fingernail scraping.
- Performed by a non-SANE/SAFE, the exam may take upwards of 8 hours.

CONNECTICUT SANE/SAFE COALITION MEMBERS

Connecticut College of Emergency Physicians, Connecticut Hospital Association, Connecticut International Association of Forensic Nurses, Connecticut Sexual Assault Crisis Services, Connecticut Women's Health Campaign, Office of the State Victim Advocate, Permanent Commission on the Status of Women, Young Women's Leadership Program

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The Official Website of the Office of Health and Human Services (EOHHS)

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Health and Human Services

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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 [Department of Public Health](#).