

Rowan University

Rowan Digital Works

---

Title IX Summit

Seventh Annual Title IX Summit

---

Jun 3rd, 10:15 AM - 11:30 AM

## AG Guidelines: Standards for Providing Services to Victims of Sexual Assault

Eileen Caraker, RN MSN  
*Gloucester County Government*

Follow this and additional works at: <https://rdw.rowan.edu/titleixsummit>



Part of the [Law Commons](#)

Let us know how access to this document benefits you - share your thoughts on our feedback form.

---

Caraker, RN MSN, Eileen, "AG Guidelines: Standards for Providing Services to Victims of Sexual Assault" (2019). *Title IX Summit*. 2.  
<https://rdw.rowan.edu/titleixsummit/2019/june3/2>

This Presentation is brought to you for free and open access by the Conferences, Events, and Symposia at Rowan Digital Works. It has been accepted for inclusion in Title IX Summit by an authorized administrator of Rowan Digital Works.

# **AG Guidelines**

## **Standards for Providing Services to Victims of Sexual Assault**

---

Eileen Caraker RN MSN  
FN-CSA, SANE-A, SANE-P  
Forensic Nurse Coordinator  
Sexual Assault Response Team Co.

# 1. Directive- Implementing Procedures and Protocols for SA Response and Referrals- Nov 2018

---

- Compliance with Attorney General  
Standards for Providing Services  
to Victim of Sexual Assault, 3<sup>rd</sup>



## 2. Immediate Notification of Sexual Assault Incidents by LE Agencies to County Prosecutors' Offices

---

- Notification to the County Persecutory office
- Pros office must be involved in the investigation from the very beginning. (24 hours)
- Communication regularly and following best practices
- County Prosecutor office develop and implement protocols that assist LE in complying with notification

### 3. Advising Victims of Resources Regardless of Case Resulting in Criminal Charges

---

- Advise each victim of availability of resources regardless of whether charges are pursued.
- Medical- Medical Forensic Exam
- Psychological- advocacy counseling
- Protective order – Sexual Assault Survivor Protection act N.J.S.A 2C:14-13 to -21



## 4. Supervisory Approval of Decisions Regarding Criminal Charges

---

- Prosecutor reviews each case before making a final charging decisions
- Supervisor in the SVU or Juvenile unit review and approve all final dispositions including decisions whether to bring or decline criminal charges

## 5 Consult Victim During Plea / Before Declining Charges

---

- AP handling case must provide the victim with and opportunity to meet in person, explain the basis for declining prosecution
- Communicate with victim prior to entering into a plea agreement with defendant N.J.S.A 2C:14-2.



## 6. Improved Reporting and Data Collection Involving SA Cases

---

- SART/FNE stats – # activations, # exams, #SAFE kits, # SAFE kits held
- Pros Office stats- # referral SART, non SART, declined charges, defendants charged, dismissed, SASPA
- Pros reasons for declination prior to charges
- Pros dismissal Post- charges
- Adult /Juvenile
- Report 6 months starting Jan 2019



## 7. Community Outreach/ Training

---

- Educate the public on how to report SA crimes and what services are available when they do report
- Submit plan outlining public education
- Office public website

# Attorney General Standards for Providing Services to Victims of Sexual Assault

---

- <https://www.nj.gov/oag/newsreleases18/AG-SART-Standards.pdf>
- 14 protocols that prioritize the needs and concerns of SA victims in NJ



# Purpose of the *Standards*

Developed in 1998, Rev. 2004, Rev 2018

- 
- Prioritize the need and concerns of sexual assault victims to ensure services are delivered in timely and non-judgmental manner
  - Uniform treatment of sexual assault victims/ Timely FME
  - Victim centered approach
    - Safety
    - Respecting the integrity, choices and autonomy of victim
    - Protecting the victim's privacy and confidential information
    - Identifying obstacles
    - Victim feedback in improving response to sexual assault



# Standard 1:

## Confidential Sexual Assault Advocacy

---

- Support of CSVA prior to and during medical & legal proceedings
  - Shall not participate in evidence collection or law enforcement interviews, shall not talk notes
  - Refer to CSVA regardless of when incident occurred
  - Maintain confidential communication
  - Offer follow up services

## Standard 2: Law Enforcement

---

- Immediate safety
- Obtain basic information (taped interview after FME)
- Offer SART activation – closest location
- Direct victim to participating SART
- NO SART – offer CSVA- over age 13
- Under age 13 – County child abuse protocol, DCP&P
- Conclusion of exam –Pick up kit chain of custody
  - SAFE kit –dry storage, Tox kit- refrigerate



## Standard 3:

# Medical Forensic Exam & Treatment

---

- Forensic Nurse Examiner Coordinator
- No fee services MFE
- MFE within 5 days
- History of assault
- Head to toe assessment for injury
- SAFE kit, Tox kit
- Medication
- Discharge referral



## Standard 4: SAFE Kits

---

- Patient consent or decline any part of kit
- Chain of custody
- HOLD Kit
  - 5 year
  - 18 yrs of age-18 + 5
  - Anonymous kit
  - Convert to active case

## Standard 5: Examination Facilities

---

- No fee for services associated with medical forensic examination
- Routine MSE
- Medications
- Private interview and treatment areas
- Security of all forensic equipment
- Collaborate with SART



## Standard 6: Child & Adolescent

---

- CP&P
- County Protocol for Medical Forensic Exam
- CARES
- 13 year and older CSVA



# Standard 7: Vulnerable Population

---

- CP&P
- Adult protective services – vulnerable adult in community
- Office of the Ombudsman resident in nursing homes 60 yr
- Division of Dev Disabilities
- Dept of Human Services
- SART
  - Interpreter
  - Language line
  - Sign interpreters

# Standard 8:

## Discharge & Referral

---

- Medical follow up
- CSVA & DV
- FNE co contact
- LE
- Victim Witness
- Victim of crime Compensation Office
- Crime Victim Bill of Rights
- DCP&P
- Protective orders



## Standard 9: Assessment of SART Services

---

- SART Co review all activation
- Victim Survey
- SART team member survey – return to SART Co within 72 hours
- Report to SART ad board

# Standard 10: Prosecution

---

- Asst Pros with specialized training in investigation & Prosecuting sexual assault cases
- Maintain storage of 5 yr HOLD kit
- Opportunity to discuss their case the prosecution attorney prior to concluding and plea negotiation
- Opportunity to discuss disposition of SA investigation not to prosecute
- Communication with Victim Witness- right to obtain a court order HIV test, counseling and medical care



# Standard 10

## Continue

---

- Protective orders
  - Nicole's Law – Sexual Offense Restraining Order (SORO)  
Pretrial condition of release- no contact
- SASPA

# Standard 11: SART Team Training

---

- SART training : FNE, LE, CSVA
  - Law enforcement
  - Forensic Nurse
  - CSVA
  - Hospital
  - EMS
  - Public



## Standard 12: County SART Advisory Board

---

- SART activations
- Evaluate existing SART program
- Recommendation best practice
- Quarterly meeting
- SART co Address reported or issues
- County SART training

# Standard 13:

## Statewide SART Ad Board

---

- Monitor the operation of 21 county SART programs
- Review effectiveness of services
- Make recommendation to AG needed changes in standards, regulations, state policy concerning provision of victim services
- Meeting Trenton
- Members- AG, DOW, Chief Victim Witness, NJCASA, BON, Pros Association, SART/FNE program



## Standard 14: SART Complaint Procedures

---

- Address any complaints , issues or unusual occurrences in County SART
- Assure best Practice
- Complaints to County SART coordinator
- Unresolved may rise to State SART Advisory board

# Trending issues

- NJ SAFE kit Audit
- State wide SART advisory board
- State Police – training
- Clear training- Pros & supervision
- Gov Advisory Council against Sexual violence
  - Title 9 changes
- CAC –New Jersey Children Alliance
- NJ Child Abuse task force
  - Prevention education
  - Juvenile diversion programs
  - SVU



# Questions?

---

Eileen Caraker, RN, MSN, FN-CSA  
Gloucester County SART Coordinator and  
Forensic Nurse Coordinator

856 384 5555

