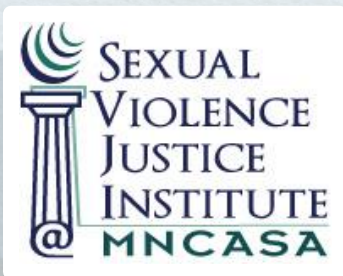


Cultivating SART Efficacy:

Insights on the Impact of the Virginia Sexual Assault Response Team Mandate

Sexual Violence Justice Institute @ Minnesota Coalition Against Sexual Assault

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July 2017

ACKNOWLEDGEMENTS

This project and report were made possible by the partnership between the Sexual Violence Justice Institute (SVJI) at the Minnesota Coalition Against Sexual Assault (MNCASA) and the Virginia Department of Criminal Justice Services (DCJS), with Violence Against Women Act funding from the Office on Violence Against Women. Jeanne Ronayne, Executive Director of the Minnesota Coalition Against Sexual Assault, provided support and facilitation for the May 17th on-site gathering in Richmond; Emily Tofte Nestaval, former SVJI Program Manager, and Leah Lutz, SVJI Program Manager, provided administrative oversight, and Jessica Jerney coordinated project support and management.

Kristina Vadas of DCJS was the main point of contact and entry point for working with Virginia project participants and freely offered her time, insights, and facilitation to advise on project methods and content. She also connected with all of the Virginia project participants. Kristina's colleagues Amia Barrows, Julia Fuller-Wilson, and Michelle Miles provided facilitation and hands-on guidance at the May 17th session to assist participants with the Implications Wheel[®] exploration. Results from that exploration provided the majority of specific examples that are used throughout this report.

Special appreciation goes to the Virginia professionals who shared their time and thoughts in the form of interviews, reviewing drafts of documents, participation in the day-long session on May 17th, and in the follow up web-meeting in July 2016 to discuss the results. Their names and agency affiliations are listed in Appendix B. If the project results are useful in advancing SART work in Virginia, it is because they took time for participation in this project. Their involvement reflected their commitment to advancing the cause of compassion and justice for all Virginia survivors of sexual assault.

Finally, the financial support and technical guidance from the Office on Violence Against Women (OVW) provides a 'backbone' to our collective efforts to ensure every community, in every state or territory, can expertly support a survivor who dares to disclose and seek justice for their experience of trauma. Twenty years after the initial passage of the Violence Against Women Act, OVW leadership continues to be crucial to what we do.

This project is supported by Grant Number 2012-TA-AX-K014 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the author and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

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Background

In 2009, the Code of Virginia was amended to mandate local sexual assault response teams (SARTs). As part of a national initiative to explore the impact of such mandates on the formation, performance and efficacy of SARTs, the Sexual Violence Justice Institute (SVJI) at the Minnesota Coalition Against Sexual Assault partnered with the Virginia Department of Criminal Justice Services (DCJS) to gather input and document as many of the legislation's implications as possible.

SARTs work to increase the coordination and collaboration of the community systems that respond to sexual assault—particularly the medical, criminal justice, and mental health/advocacy systems (Greeson and Campbell, 2012). Originally developed in the 1970's through grassroots efforts (Zajac, 2006), most SARTs are community-level interventions that vary somewhat in their structure, organization, and activities¹. In most cases, interested stakeholders start SARTs voluntarily. Starting in the 2000s, however, a few states began mandating local SARTs. State mandates bring SARTs to the full variety of community contexts across a state, and to responders who may not have chosen to organize their local response through a SART. SVJI became interested in exploring the impact of state mandates on the growth, formation, and development of these varied SARTs as part of its larger effort to gather insight into the ecosystem² all SARTs need to become strong and effective. This report summarizes insights gathered from SVJI's exploration of the impact of the Virginia SART mandate.

Laura Williams was the Project Consultant for the Sexual Violence Justice Institute, and Kristina Vadas of DCJS, was the main point of contact for the project in Virginia. Amia Barrows, Julia Fuller-Wilson, and Michelle Miles of DCJS provided facilitation and hands-on guidance.

Project Description

In 2016, SVJI worked with DCJS to identify a core group of people that were familiar with the background and history of Virginia's SART mandate. People with regional or statewide experience within advocacy, prosecution, law enforcement, and forensic nursing and with historical knowledge of the mandate were identified. Four professionals were interviewed in April 2016. SVJI Project Consultant, Laura Williams, worked with Kristina Vadas of DCJS to gather and analyze information about the Virginia mandate.

This information formed the basis for the approach used on May 17, 2016 in a day-long session with a cross-section of SART members and state organizations providing support or training to SARTs. SVJI led that session with assistance from four DCJS staff (Kristina Vadas, Amia Barrows, Julia Fuller-Wilson, and Michelle Miles) and a staff member (Kristine Hall) of the Virginia Sexual and Domestic Violence Action Alliance. Twenty-four other Virginians participated who had experience with the mandate and/or were SART members. Twenty-two different SARTs were represented (20 individual teams and 2 regional teams), with ten people representing two or more SARTs.

The main focus of the May 17th session was the following question: "What happened as a direct result of the Code of Virginia being amended in 2009 (§ 15.2-1627.4) to require each Commonwealth's Attorney to convene a SART?"

Together, participants reviewed and identified 136 results or ripple effects of the mandate's passing. They also shared lingering questions, surprises, and priorities to make all Virginia SARTs successful.

¹ Researchers have noted significant variation in SART implementation (Greeson & Campbell, 2014, p.15).

² We define a SART ecosystem as the interplay between local SARTs and the climate, organizations, and resources that affect their growth, development, and efficacy in a specific region. For more on this concept, see "Understanding SART Mandates: Insights from an exploration of the impact of state mandates on SART growth and development" published by the Sexual Violence Justice Institute.

Information collected at the May 17th session was then compiled and reviewed during a July 20, 2016 web meeting co-hosted by Laura Williams (for SVJI) and Kristina Vadas (of DCJS).

Context of the Virginia SART Mandate

The Mandate's Goal:

The mandate's lead proponent was the Virginia Sexual and Domestic Violence Action Alliance (Action Alliance). The Action Alliance was interested in raising the visibility, credibility, and promotion of coordinated sexual assault response work as a means to improve the response to sexual assault victims across Virginia. In seeking a mandate, they sought to build on the momentum that had grown from developing and passing important legislation in 2004 and 2008 that addressed a range of sexual assault response related issues.³ The 2004 legislation referenced a goal of coordinating local response to sexual assault when it required DCJS to "promote the use of local and regional sexual assault response team policy and protocol... as an integral part of an effective coordinated community response" (DCJS SART Model Protocol, 2011, p. 3). The 2008 legislation mandated law enforcement to create written policies on responding to sexual assault, restricted the use of polygraphs for victims in sexual assault cases, and addressed issues around the forensic medical exams done in sexual assault cases. This legislation brought Virginia in compliance with the requirements under the Violence Against Women and Department of Justice Reauthorization Act of 2005.

By 2009, the Action Alliance and other proponents of SARTs believed SARTs were a good way to ensure meaningful follow-through of the requirements that the General Assembly had passed the previous year. The Action Alliance also believed the mandate would start to solidify a framework that future proposals could build upon, by signaling to future legislators that the idea of a strong multi-agency and multidisciplinary response to advance victim safety and offender accountability had already been vetted.

Professionals interviewed from outside the Action Alliance indicated that they believed the purpose of the legislation was to solidify best practices, make sexual assault response a higher priority than it had been for many criminal justice agencies, and, according to one interviewee, help prosecutors "own the issue" to hold sex offenders accountable.

Passing the Mandate:

To meet these objectives, the bill was originally drafted to require Commonwealth's Attorneys to convene local SARTs and address issues related to: members' roles and responsibilities, protecting confidentiality, legal and health care issues, methods for chain of custody, and annual reporting of local response data.

As the bill moved through the legislative process, changes were made. For example, some criminal justice partners voiced concern about what evaluation would actually look like and who might be blamed for unfavorable data. The final version had far fewer requirements than what had been initially proposed. Signed by the Governor in April 2009, it:

- Required the attorney for the Commonwealth in each political subdivision to coordinate the establishment of a multidisciplinary response to criminal sexual assault
- Required the Commonwealth's Attorney to hold meetings (at least one annually) to discuss implementation of protocols and policies for sexual assault response, and establish and review

³ Many changes were to address requirements set forth in the Violence Against Women Reauthorization Act of 2005, including: victim access to medical forensic exams independent of their decision to report to law enforcement, payment for forensic medical exams from a source other than the victim, and prohibition on law enforcement polygraphing of victims.

guidelines for the community's response including handling of evidence from the PERK examinations,⁴ and

- Specified who shall be invited to the meeting.

The legislation passed without opposition from the Virginia Association of Commonwealth's Attorneys, the Virginia Association of Chiefs of Police, or the Governor's office⁵.

Pre-Mandate Landscape for Virginia SARTs

While there were some Virginia SARTs already working well together before the mandate⁶, this success was not widespread. SARTs that did exist were voluntarily initiated and varied in their approaches. There was not a shared definition or singular guidance as to the purpose of SARTs or members' roles. While DCJS had been given the responsibility by Code to create a model policy for SARTs in 2004, it had not yet been released⁷.

Existing SARTs tended to be located in urban areas where roles could be specialized within agencies, enabling there to be enough people to attend meetings. SARTs were less common in rural areas. Likewise, according to DCJS, rural areas were (and still are) less likely to have access to forensic nursing. There are 13 forensic nursing programs in Virginia and more are needed to ensure access to victims/survivors of sexual violence. In 2009, and as of the publication of this report, access to forensic nurse examiners is very limited or unavailable in many areas of the state, especially in rural areas. Victims/survivors in rural areas are often routed to facilities that have a forensic nursing program, which creates barriers for them in accessing services after an assault. Other response disciplines also were less likely to be fully staffed in some rural areas: some Commonwealth's Attorneys were part-time positions and many sexual and domestic violence advocacy agencies cover 5 to 6 localities each.

SARTs were not typically funded for their SART-specific work. A few active SARTs did pursue funding to support some level of coordination staffing for their SART by including it in grant requests for other relevant projects.

Findings:

This project focused on identifying the impact of the mandate on SART growth and functioning. Findings are presented in light of four related questions:

1. What was the impact of the mandate on the growth of Virginia SARTs?
2. What was the impact of the Virginia mandate on SART efficacy?
3. What were some of the challenges of mandate implementation?
4. What other notable events occurred as a result of mandating SARTs in Virginia?

⁴ PERK is an acronym for Physical Evidence Recovery Kit.

⁵ Governor Kaine's Sexual Violence Commission was established by Executive Order in 2006, met throughout 2007, and released its report in November 2007. It raised the profile around polygraphing, evidentiary kit-related issues, key payment issues and the multidisciplinary response (SARTs) with recommendations and commentary. While it didn't specifically recommend the SART mandate, some believe this Commission's work helped to pave the way for the Governor's support.

⁶ Those identified by interview subjects were: Arlington, Charlottesville, Chesapeake, Fairfax, Goochland County, Roanoke, and Virginia Beach.

⁷ DCJS released the SART model protocol in 2011.

What was the impact of the Virginia mandate on the growth of SARTs?

New SARTs were started as a result of the mandate, but just how many is not known. There was no SART census conducted prior to the mandate, and there is no required SART registration process post-mandate⁸. Since there are 120 attorneys for the Commonwealth, it is presumed that there is the potential for 120 community SARTs pursuant to the mandate⁹. However, project data make clear that there is not full compliance in every locality across the Commonwealth, and in some places there is just minimal compliance (i.e., holding one meeting and discouraging much coordination through the SART).

In general, it seems that new SARTs were started by Commonwealth's Attorneys who were dedicated to the issue;¹⁰ committed to upholding their statutory obligations; received training that answered their questions and provided tangible guidance; or were prompted to convene a team by the advocates, forensic nurses, or law enforcement in their locality.

Several statewide organizations offered training, technical assistance, and resource materials following the passing of the mandate to assist their constituencies in starting a SART. Training and assistance topics included: requirements under the mandate, the justification and benefits of SARTs, managing confidentiality, how to host a meeting, and training around best practices for sexual assault response (e.g., Forensic Experiential Trauma Interviewing, coordinated response for investigation and prosecution, trauma-informed responses). Resource materials included: a prosecutor's SART toolkit issued by the Commonwealth's Attorneys' Services Council¹¹, a Community Assessment Tool for SARTs and toolkit with sample meeting agendas and memoranda of understanding by the Virginia Sexual and Domestic Violence Action Alliance, and the Virginia SART Model Protocol created by the Virginia Department of Criminal Justice Services.

In fact, after the mandate passed, staff for the Virginia Department of Criminal Justice Services convened a meeting with representatives of the Commonwealth's Attorneys' Services Council, Virginia Association of Chiefs of Police, and the Virginia Chapter of the International Association of Forensic Nurses to discuss coordination of training and technical assistance they could offer to encourage local SART growth. This additional support and guidance for local SARTs did play an important part in increasing the number of new SARTs that were started.

Yet despite the mandate and support resources, some Commonwealth's Attorneys simply did not convene a SART in their area. Some project participants believe this came as a result of these attorneys learning that there was no consequence for non-compliance or, as one participant stated, resenting "being told what to do." Others suggested resource constraints prohibited Commonwealth's Attorneys from starting teams. Those interviewed felt this was especially true about rural localities. For example, some small communities struggled with starting a team, indicating that they believe that no sexual assaults occur in their community. To assist these localities, the Action Alliance provided training that helped these communities to recognize the full range of sexual assault that might be happening in their area, and encouraged them to use mandate implementation as a way to design what their response could be.

In at least one locality, the Commonwealth's Attorney convened a group to meet the minimal standards in the legislation and made clear that no other work would be done by the group, much to the dismay of some team members. Representatives from response agencies in some localities lacking SARTs

⁸ The Commonwealth's Attorneys' Services Council did conduct a survey of prosecutors' offices after the mandate passed to determine compliance and training needs. Unfortunately, these survey results can no longer be located. Personal correspondence with K. Vadas and J. Chambers on July 27, 2016.

⁹ Since SARTs are also used to coordinate response within other contexts—such as military communities, campus/higher education, prison response—and can be created voluntarily, the potential number of total SARTs could be higher.

¹⁰ In at least one case, a new Commonwealth's Attorney who was dedicated to the work of addressing sexual assault came into office and started a SART because she believed in it—regardless of a mandate.

¹¹ The CASC updated the toolkit with information from the Action Alliance after the May 17th, 2016 session and placed on the prosecutor's portal on their website.

attended the May 17th session and voiced significant frustration that these Commonwealth's Attorneys are not convening meetings.

A notable discovery during this same meeting was that professionals in a non-SART locality decided to organize among themselves. The advocacy agency reached out to local law enforcement and provided them with a copy of the DCJS SART Model Protocol. This led to direct coordination between the two agencies to create policies and protocols for calling out an advocate, calling out law enforcement, and creating a memorandum of understanding.

Another signal of growth was a recent training in the Northern Neck area of Virginia where five or six SARTs came together to get the newest information on forensic exams. As one trainer noted "They all pulled together; a fantastic experience." Since the mandate had prompted a lot of discussion around the lack of services available in the Northern Neck and Eastern Shore areas, this sign of growth was encouraging to trainers.

What was the impact of the Virginia mandate on SART efficacy?

As some new SARTs were started after the mandate, some existing SARTs took the opportunity to discuss their purpose, functioning, and approach to mandate implementation. Many feel that this result—getting people talking together and broadening the perspective of team members—was a key benefit of the mandate. Indeed, research suggests that successful SARTs have a high degree of connection within and among team member agencies both inside and outside of team meetings (Campbell, Greeson, Bybee, & Neal, 2013 p. x-xi).

In general, research on SART efficacy is limited. One of the most significant studies to date was conducted by Campbell, Greeson, Bybee, and Neal (2013). By studying the relationship between SART structure and effectiveness,¹² they sought to understand if some ways of operating SARTs were more effective than others (Greeson, 2015, p. 8).¹³

Their findings suggest that "... formalization, regular collaborative processes, and broad active membership from diverse stakeholder groups are components of successful SARTs" (Campbell, Greeson, Bybee, & Neal, p. ix). Their research shows that how SARTs organize themselves directly to their perceptions of efficacy. This project uses these research-identified components to organize the Virginia data collected on SART efficacy. In the Implications Wheel® exploration of May 17, 2016, project participants documented the following actions by teams resulting from the mandate:

Membership Breadth:

- adding more allied professionals, expanding the team—including campus representatives
- meeting one-on-one with team members to train on what the SART is

Use of Formal Structures and Resources:

- evaluating the SARTs' function and focus
- developing a formal agenda (and making people stick to it)
- addressing how they work together, including: referral process, access to records, available resources, and ways different entities can work together to resolve issues

¹² "SART interventions often look quite different across communities—meaning their structure and function vary considerably (Campbell, Greeson, Bybee, & Neal, 2013, p. vii)

For a brief and accessible summary about the research findings on SART effectiveness prior to Campbell, Greeson, Bybee & Neal (2013), see Greeson (2015) pages 7-8.

¹³ Campbell, Greeson, Bybee, and Neal (2013, p. ix) characterized SART effectiveness as improvements in one or more of four domains—1) improvements related to victims' help-seeking experiences, 2) police processing and 3) prosecution of sexual assault cases, and 4) victims' participation in the criminal justice system-- and measured how the SARTs perceived themselves in each. These perceptions were cross-referenced to what SARTs had reported about how they had organized themselves based on looking at: 1) membership breadth, and 2) implementation as characterized by the use of formal structures and resources and the use of identified collaborative processes.

- restructuring and clarifying roles; splitting the child abuse Multidisciplinary Team (MDT)/SART meetings
- modifying meeting structure to combine a city and county SART together for 2 of their 4 meetings in a year
- discussing team member roles that began after a lack of trust among some members had been identified; led to process changes seen as positive
- addressing victim-blaming mindset of some team members

Use of Identified Collaborative Processes:

- identifying and developing training that was needed (strangulation, cross training law enforcement and forensic nurse examiners, trauma-informed best practices, Campus Sexual Violence Elimination Act)
- developing local protocol
- sending out MOUs to specific agencies

What were some of the challenges of mandate implementation?

Just as some SARTs deepened or expanded their work, others faced challenges from members who resented being told what to do. This resistance took the form of not starting a team, ignoring letters from allied professionals offering to help start a team, or not signing off on team protocols. This resistance led to deep frustration by other team members, who resented that one or two people could present such a roadblock to the team's work.

Three other areas of concern--who would make the ultimate decisions on the team, creating legally binding protocols, and hesitation to trust non-criminal justice partners on the team -- also marked early reluctance to implement the mandate.

One Commonwealth's Attorney advanced an interpretation that advocates attending mandated SART meetings would become an agent of the Commonwealth, and would thus be required to turn over all their records. While this was an extreme position that was quickly refuted by a highly respected and experienced prosecutor, it did signal some overall confusion around privacy and confidentiality obligations that played out several ways.

The disagreement about information sharing caused team members on one SART to stop meeting. The differences of opinion and competing obligations to share records of the SART meetings under the Freedom of Information Act on one end, and victims/survivors confidentiality on the other, seemed insurmountable. Another SART developed a case review process that excluded identifying information of victims. A third pulled back from case review to focus only on policy development after a campus partner said the Family Educational Rights and Privacy Act would prohibit their participation. And a law enforcement partner on a fourth SART, created a release of information form they require victims to sign before they share case information with other agencies, including counseling or advocacy services.

Yet the most significant question that arose around privacy and confidentiality was whether information shared at a SART meeting constitutes public information subject to Freedom of Information Act requirements and open meeting laws. These questions led to a review by the Virginia Freedom of Information Act Advisory Council and a memorandum to all Virginia SART members by the director of the Virginia Department of Criminal Justice Services (Ecker, 2015). The review determined that SARTs are public bodies that are subject to the Freedom of Information Act (FOIA). The DCJS memorandum strongly encouraged SARTs to keep meeting and outlined steps they should take to comply. Ultimately, a legislative fix was pursued, and recent amendments to the Code of Virginia (§2.2-3711, Subd. 49 and § 2.2-3705.7, Subd. 32) now make SART meetings and meeting records exempt from FOIA when individual sexual assault cases are discussed at SART meetings. Team findings shared in statistical or aggregate form that does not disclose the identity of individuals is still allowed.

Other implementation challenges mentioned by project participants included: a lack of enough qualified people, particularly forensic nurses, to provide effective services and/or staff teams; a lack of funding to support implementation, particularly SART coordination; a lack of evaluation or data to help make the case for SARTs and refine the assistance provided; and confusion over what SARTs should be doing. As a forensic nurse noted “sustaining a SART is much harder than starting one.”

This lack of clarity over what SARTs should be doing at meetings was suggested as one possible reason Commonwealth’s Attorneys do not start or fully support SARTs.

Early in implementation there was a tendency by some SARTs to replicate the case management focus of multidisciplinary teams (MDTs) that coordinate the response to child abuse¹⁴. In response, DCJS issued a fact sheet to highlight the similarities and differences between SARTs and MDTs (Virginia Department of Criminal Justice Services, January 2014), building off of the description and definition they gave of SARTs in the Virginia SART Model Protocol of May 2011. The Action Alliance discouraged a quick move to case review as well, believing that SARTs needed to establish a good foundation by first working together on policies and protocols. The initial legislative language had proposed more substantive guidance to SARTs about what they should be doing, but this language was removed in order to pass the law.

One forensic nurse that had the experience of visiting meetings of several different SARTs noted that there isn’t a common structure or way to run the meetings. This led a state level training and technical assistance partner to comment: “teams are all different...broken ones are all broken in different ways; and successful ones are successful in different ways...” It’s this variety that suggests that even if the mandate had provided more substantive guidance to teams, they would have still needed technical support, training, and assistance to do their work effectively.

Participants at the May 17, 2016 project session were asked, “What’s one thing that, if it could be done, would significantly improve Virginia SARTs?” Funding was the most common response, as the reference to some type of funding was written over 18 times, with funding for SART coordination being the most frequently mentioned. The second most common response was related to evaluation, research, or data collection.

What other notable events occurred as a result of mandating SARTs in Virginia?

Project participants identified several other notable ripple effects from the mandate, including the successful 2013 prosecution of an offender on a college campus, the creation of a Violence Against Women Resource Prosecutor position at the Commonwealth’s Attorneys’ Services Council, and an increase from 1 hour per year to 28 hours per year in the training they offer prosecutors on issues related to violence against women. DCJS also made completing the Model SART Protocol a priority and added a new position with responsibilities that include working with SARTs.

The training, technical assistance, and resources created by state agencies to support implementation is also notable. Due to its critical relationship to local SART growth and development, much of this has been discussed throughout this paper. Some additional activities documented by project participants include:

- DCJS provided Campus SART training in 2013-2014 regionally throughout Virginia, leading to a technical assistance session with the Virginia Commonwealth University SART to advance their work and an invitation from the Virginia State University (VSU) SART to the local advocacy program to join the VSU SART
- The Commonwealth’s Attorneys’ Services Council included SART information in executive training as early as December 2009 and in their Spring 2010 Institute, providing a justification for SARTs and explaining their benefits

¹⁴ One team actually started discussing child cases, losing their focus on adult sexual assault response.

- The Action Alliance provided guidance to local domestic violence and sexual assault advocacy programs on how to reach out to Commonwealth's Attorneys in their areas to offer assistance with convening and/or facilitating SARTs. This led to additional technical assistance and training across the Commonwealth
- The Virginia Association of Chiefs of Police sent out advisories and included information on the mandate in their trainings in 2009-2010. They continue to provide a law enforcement sexual assault response checklist to their biannual class for new police chiefs
- The Commonwealth's Attorneys' Services Council received federal funding (Violence Against Women Act) to provide training on trauma-informed investigation and prosecution to detectives, investigators, and prosecutors, leading to approximately 100 investigators trained
- DCJS provided training on Forensic Experiential Trauma Interviewing (FETI) to local and campus law enforcement organizations; local domestic violence, sexual assault, and victim/witness advocates; and campus advocates
- DCJS coordinated regional SART trainings that addressed trauma-informed, coordinated response for investigators, prosecutors, and advocates

Perhaps one of the most notable results was that the legislation provided a foundation for future legislation. In 2014, the General Assembly amended the Code of Virginia (§15.2-1627.5) to require attorneys for the Commonwealth to start (or use existing) multidisciplinary teams (MDT) for responding to child sexual abuse. One project participant felt that the explicit mention of advocates (i.e., a representative from local sexual assault crisis centers, the director of the local victim-witness advocacy program) to the list of additional people that may be invited to join the MDT was due to the enhanced standing that advocates experienced as a result of the SART mandate. An amendment to the SART mandate in 2016 added campus representatives to the list of entities that should be invited to the local SART. While some proponents believe the work for SARTs is significant enough to require campuses to convene their own SARTs, the resulting change certainly signaled that local SARTs are seen as an important foundation upon which to build.

Discussion

Sexual assault response teams seek to improve the community response to sexual assault by coordinating efforts across responding systems—most typically the criminal justice response. As Greeson and Campbell write, “in a coordinated system, one system takes responsibility for helping survivors access other systems” (2013, p. 84). Virginia has several strong SARTs that are reportedly successful in doing this. The 2009 mandate was a policy effort aimed at extending these benefits to every Virginia community. While some new SARTs started as a result of the mandate and its associated implementation efforts, compliance has not been universal. Seven years later, there are still Virginia localities where Commonwealth's Attorneys do not convene a SART even for the annual required meeting. One project participant commented:

I think we've underestimated how much real team support and preparation we need to do to make everyone successful and [achieve] the real goal which is to make sure that we treat our victims professionally: with confidentiality, with respect, etc. Everyone has different goals at the table, so how do you make those work and treat that victim as they should be treated so that more people will come forward and report to law enforcement, or go seek counseling help, or whatever needs to be done?

Virginia is not alone in its challenge with compliance. In SVJI's national project to explore the impact of SART mandates on SART growth and development, Williams (2016, p.5) has found that several of the states that have passed similar mandates also face barriers to universal compliance with their state laws. Some barriers may be unique to states with mandates (e.g., resistance to starting a team from officials who don't like being told what to do), but many are not. In their research on SART implementation, Campbell,

Greeson, Bybee, and Neal write that “collaboration is a shifting dynamic process: members join and leave the team, goals shift, ideas for what constitutes best practice evolve, resources change, and so on” (2013, p. 139). Their research suggests that SARTs need enough structure¹⁵ to organize their work, amidst these changes, and that the use of formal structures provides a ‘backbone’ that keeps the team focused on its collaborative work (2013, p 139).

States and territories also face a shifting, dynamic environment in attempting to encourage collaboration in multiple SARTs across their jurisdictions. Williams (2016) proposes that states and territories cultivate a healthy SART ‘ecosystem’ that sets conditions for SART growth, efficacy and sustainability. Just as SARTs benefit from formal organization and leadership to organize their work, the state as a whole can benefit from creating the structures, networks, and resources that help local SARTs succeed (Williams, 2016). Based on information gathered in Virginia and in other states with mandates, Williams proposes seven elements of a SART ecosystem (2016, p 2-4). They are:

- Skilled and well-trained professionals to staff teams
- Guidance and support on how to create and sustain effective SARTs
- A commitment to SARTs as a chosen approach to improving response to adult sexual assault
- Cross-system coordination at multiple levels
- Formal structures that provide support within and among SARTs
- Dedication to learning within and across teams, and
- Sufficient resources to support the work

While further research is needed on SART implementation and the ecosystem that facilitates SART efficacy, states and territories can use this information to set conditions where more SARTs thrive. Cultivating such an ecosystem does not mean that *local* choice, initiative, and responsibility for SART efficacy matters less. Rather, this approach suggests that local efforts can matter more when they are fed by a system of connections, resources, and guidance that both informs them, and is informed by them. With the potential of at least 120 unique SARTs across the Commonwealth, the benefit to Virginia of formalizing their SART ecosystem could be substantial. Specific considerations are provided below.

Considerations

Some specific considerations for enhancing Sexual Assault Response Teams in Virginia:

Identify and empower an entity or agency to formally lead the work of SART ecosystem development.

This entity should facilitate across the Commonwealth the development of expertise on multidisciplinary collaboration, team learning, and SART development as well as best practices involved with sexual assault response. In addition to providing local SARTs a pathway to available resources, a lead SART entity can foster linkages between and among local SARTs, the disciplines that comprise them, and the state-level organizations that represent them. This coordination can ensure shared ideas around improvements, challenges, and emerging trends in the multidisciplinary response to sexual assault at all levels.

¹⁵ Formal structures mentioned in the research include: a formal leader; written agendas, minutes, and mission statements; sign in sheets, operating rules, and formal funding sources. The researcher’s scale rated teams’ use of 13 formal organizational structures and resources (Greeson & Campbell, 2014, p.11).

Some states have created multi-agency, multidisciplinary state level SARTs to lead some of this work. Others have created a home in a state agency or sexual assault coalition. Whatever the model, they need visibility, staffing, and dedicated resources.

Foster effective SART leadership; consider disconnecting it from a specific discipline and encourage fit with time and skills for leading effective SART work.

Effective SART leaders need knowledge and skill in *both* the recommended response to sexual assault and in effectively working in a collaborative, multidisciplinary context. These skills are critical if the work of the team is to look for systemic gaps and challenges that inhibit SART goals of improved victim experience and legal outcomes. With an average of 5.2% or less of the rapes committed resulting in conviction (Lonsway & Archambault, 2012), SARTs willing and able to consider big questions¹⁶ have an opportunity to make substantial improvements.

Create a SART registry

To facilitate the networking and coordination between SARTs, consider creating a registry where local SARTs identify a point-of-contact. Ultimately, the SART ecosystem as a whole will benefit if SART leaders are expected and supported to routinely connect with the larger network of teams. Further, such a registry may create additional visibility for the work of SARTs statewide and facilitate opportunities to support and improve SARTs¹⁷.

Continue to make relevant resources easy to find and access

Several Virginia state-level government agencies and nonprofit organizations have created resources to assist local SARTs. They include: a model protocol for SARTs (DCJS), a local community assessment guide (Action Alliance), checklists for the law enforcement response (DCJS), and a toolkit for local SARTs (Commonwealth's Attorneys' Services Council, Action Alliance). In late May 2016, the Commonwealth's Attorneys' Services Council updated their toolkit with resources provided by the Action Alliance, and then uploaded the toolkit into their on-line resources for prosecutors. Other national and state entities, or individual teams, have likely created additional materials that could also benefit Virginia SARTs. Since teams often face turnover of key team members, making resources easy to find and access can help newer team leaders and team members engage more quickly.

Consider what constitutes the right amount of standardization for SARTs and in what areas

One project participant relayed that she had visited a number of Virginia SART meetings for her course work. She noticed that there was significant variation among the team meetings she attended, remarking on how some seemed to struggle much more than others. Such differences are especially noticeable to professionals whose service area encompasses more than one team. This variation is not uncommon in SART implementation and has prompted researchers to consider how ways of organizing the work may impact SART success (Greeson & Campbell, 2014). As noted above, SARTs with more formal structures to organize their work perceive themselves to be more successful. It may be that increasing formalization in some areas of the work can harness the team's energy to take on more challenging collaborative projects. One or more conversations between SARTs and other key stakeholders about the formal

¹⁶ As perhaps the primary local leadership group on the response to sexual assault, there are many avenues SARTs can take to explore deeper questions about the scope and strength of what's happening in their community. For example, in addition to looking at how current cases are handled they may ask: Who are the survivors in our community that we're not seeing in our response system? Where are survivors disclosing, if not to us? How can those survivors get the services they need? What does our own data say about how many reports reach a particular type of intervention or response? Many resources, including the Action Alliance's Community Needs Assessment guide are available to help teams. The point here is teams benefit from skilled and resourced leadership to do this more substantive work.

¹⁷ National research on SARTs suffers from an ability to easily identify SARTs as well. Greeson and Campbell (2014, p. 4) note that due to the lack of a comprehensive list of U.S. SARTs the research team needed to use five different strategies to develop a sampling frame.

structures from which local SARTs could benefit may provide direction on whether, where, and how to standardize the work.¹⁸

Amplify SART success, resilience, and ingenuity

During the on-site project meeting (May 17, 2016), participants told a number of stories about SART resilience and ingenuity. For example, when their local Commonwealth's Attorney did not convene a SART meeting, the local advocacy agency reached out to the local law enforcement agency to discuss creating their own response protocols. In another example, a campus responder talked about the creative way their team approached reviewing existing protocols and building trust among team members. It's likely many other Virginia SARTs have useful stories to share about their ingenuity. Creating a process for finding and sharing these stories can help other SARTs in their work and support the entire SART ecosystem.

Determine evaluation and data needs

This is a growing area of SART work. Only 15% of the SARTs in a national random sample of over 800 SARTs engage in some form of evaluation of their SART (Greeson & Campbell, 2014, p.11). In strengthening its SART ecosystem, Virginia could consider what kind of information SART stakeholders (at all levels) need to inform their work. Resources exist (from SVJI and others) to help individual SARTs evaluate their efforts. One question for discussion might be: what information will our future colleagues need from us today to know what they should do to advance the work?

Explore options for quality assurance and compliance

As noted above, not every Virginia locality has a SART. And, there are some SARTs that may meet the letter, but not the spirit of the law. As one project participant said:

And quite honestly, there is still a life cycle to this 7 or 8 years later...there are some localities that really took this as an opportunity and really leveraged it to get some work going, and there are other localities where it continues to be a battle and what that annual meeting looks like is very different than what it looks like in the jurisdiction next door.

Project participants from jurisdictions with low functioning or non-existent SARTs voiced significant frustration about the lack of compliance during the May 17th project meeting. In fact, some participants believe that when prosecutors learned in post-mandate training that there would be no consequence for non-compliance, some Commonwealth's Attorneys simply opted to ignore the mandate.

To address this, Virginia might consider increasing compliance by connecting it with quality assurance, and exploring options around both. A participant in another state involved in SVJI's national project noted that child abuse multidisciplinary teams are subject to audits by external experts. She was a part of both the local MDT and SART, and felt that the MDT audit she experienced had been really informative and instructive. She wondered if such a system could be developed for SARTs, particularly when they are mandated (Williams, 2016, p. 3). Could such a system, incentivized or required, benefit Virginia SARTs as a whole?

The District of Columbia assigned an independent expert consultant to monitor the implementation of SART reforms. The position was funded to follow progress, provide assistance, and report at the end of a pre-determined cycle of work. A similar approach is being used by the U.S. Department of Justice to address compliance in communities where they have produced findings from their gender bias investigations¹⁹. Perhaps a peer-review monitoring system could be created whereby professionals with

¹⁸ Another SVJI project [Improving the Response to Sexual Violence through SARTs, 2017], asked 17 SARTs about the characteristics that they believe most facilitated their success. Drawing from characteristics identified in research on teams, SARTs worked through a structured process to form consensus on their choices. Findings from this project could be relevant and useful to a conversation on formal structures that can benefit teams.

¹⁹ See U.S. Department of Justice's Memorandum of Understanding with the City of Missoula regarding the Missoula Police Department's Response to Sexual Assault of 5/15/2013 and Memorandum of Understanding between the Montana Attorney General, the Missoula County Attorney's Office, and U.S. Department Of Justice 5/10/14 with Exhibits:

the expertise in both SART work and sexual assault response would audit a team's work and share ideas and report on strengths as well as areas for improvement. Exploring these options and others may help Virginia find the system that fits best.

Identify and share resources to advance local SARTs and the SART ecosystem

During the May 2016 on-site session, participants were asked "What is one thing that, if it could be done, would significantly improve the effectiveness of Virginia's SARTs?" Comments about funding were the most common response, with "fund SART coordinators" being the most consistent single response being cited 14 times (see Appendix C). It's clear that Virginia SART members believe additional funding is crucial. At the same time, there are also examples of how local and state level SART supporters have found ways to resource their work. This is valuable too. Healthy ecosystems are generative in that they use resources—financial or otherwise—to produce more resources to sustain themselves. In promoting a SART ecosystem, resources are needed to support SART growth, strength, and sustained success across time and geography.

Conclusion

In passing a SART mandate, Virginia advanced a belief that local responders can best design and enact the change their systems need to provide a consistent, high-quality intervention to sexual assault in their communities. With many high-performing SARTs across the Commonwealth, it is clear that a multi-agency, multidisciplinary approach can make a difference. Yet, not all Virginia communities have SARTs that meet the letter or the spirit of the mandate. While not uncommon among states that have such mandates, the lack of meaningful SART collaboration in these localities severely undermines the opportunity for the mandate to meet its promise. Cultivating a SART ecosystem may be a significant way to create the conditions that compel and enhance local efforts to build effective and sustainable SARTs.

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Appendices

Appendix A:

Key Events Timeline

Appendix B:

Project Methods
Preparation materials & methods
Virginia specific materials
Interview Participants
In-person Session Attendees

Appendix C:

May 17, 2016 Session Results:

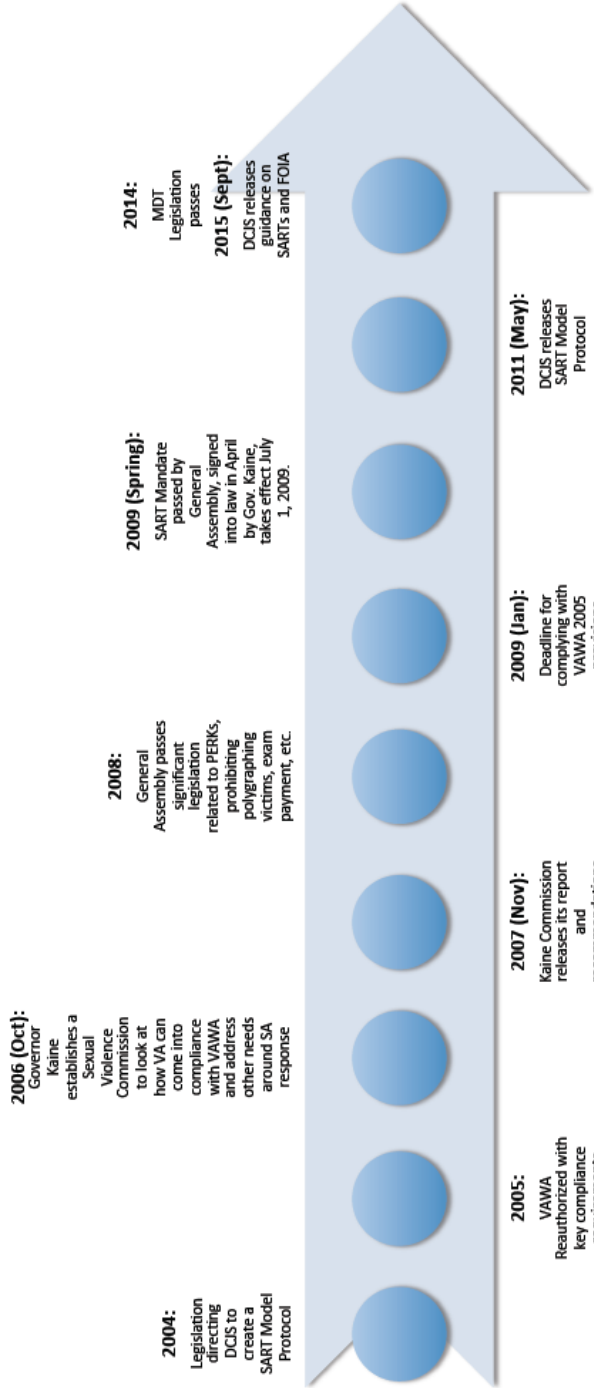
Implications Wheel® Exploration: *What happened as a direct result of the Code of Virginia being amended in 2009 (§ 15.2-1627.4) to require each Commonwealth's Attorney to convene a SART?* Available from the Sexual Violence Justice Institute (St. Paul, MN) or the Virginia Department of Criminal Justice Services (Richmond, VA). Led by Laura Williams, May 17, 2016.

Feedback From Group Questions

Notes from "What is one thing that, if it could be done, would significantly improve the effectiveness of Virginia SARTs?"

Appendix A:

Key Events Timeline--Virginia SART Mandate



Appendix B:

Project Methods:

In summer and late fall 2015, the Sexual Violence Justice Institute (SVJI) at the Minnesota Coalition Against Sexual Assault contacted Kristina Vadas at the Virginia Department of Criminal Justice Services (DCJS) to introduce the project and assess interest. Project Consultant, Laura Williams, began working with Kristina Vadas of DCJS in November 2015 to explain both the national and state aspects of the project and develop the approach that would fit in Virginia. Conversations through the following months solidified the project approach for Virginia. DCJS was interested in full collaboration to make the project successful. Kristina identified key informants, facilitated interviews, provided background documents, reviewed project documents and provided feedback, and collaborated to host an in-person session to explore the ripple effects of the mandate using a tool called the Implications Wheel®.

DCJS identified the following desired benefits and information they hoped to gain from joining with SVJI in this project:

- strengthen the code mandate; make it more beneficial and effective
- figure out what's next for teams in Virginia—what can we put in place to assist them? Can we hear about their needs?
- What can DCJS, the state Coalition, or other entities do to provide or strengthen their work?
- Is there a funding piece or other resources they need? For example, do they need paid coordinators, a state level advisory group, or other resources directed to this work?

Four semi-structured phone interviews were conducted between March 30, 2016 and April 8, 2016. Interviews generally sought to collect background information on the subject (their time in the field, their job at the time of the mandate's passing, etc.) and their knowledge about the pre and post-mandate climate for SARTs in Virginia. Participant understanding of the purpose of the mandate and any knowledge they had of the process for introducing and passing the mandate was also sought. Participants were told of the project's focus and goals, and offered a summary of project findings for their time. A written synthesis identifying the climate for SARTs before, during, and after the mandate's passing was sent to interview participants for review, clarification and feedback. A separate document listing some of the initial ripple effects of the mandate's passing was also sent for review. A call with DCJS and three of the four interview participants was held on April 25, 2016. Corrections were made and these documents were used to prepare for the in-person session and as the basis for report writing.

The in-person session was held on May 17, 2016 in Richmond, Virginia and co-hosted by SVJI and DCJS. In preparation for the session, Kristina and four DCJS colleagues received orientation to the Implications Wheel® tool and training for their facilitation roles during the session. Twenty-four other Virginians participated who had experience with the mandate and/or were SART members. Twenty-two different SARTs were represented (20 individual teams and 2 regional teams), with ten people representing two or more SARTs. The exploration centered around the question: "What happened as a direct result of the Code of Virginia being amended in 2009 (§ 15.2-1627.4) to require each Commonwealth's Attorney to convene a SART?"

Together, participants reviewed and identified 136 results or ripple effects of the mandate's passing. They also shared lingering questions, surprises and priorities to make all Virginia SARTs successful. Information collected at the May 17th session was then compiled and reviewed with eleven people on July 20, 2016 during a web meeting co-hosted by Laura Williams (for SVJI) and Kristina Vadas (of

DCJS). The resulting Implications Wheel® documentation and other meeting reports are available below or from the Virginia Department of Criminal Justice Services.

The following details the materials produced for various stages of the project. A list of Virginia participants is also included.

Preparation materials and methods included:

- Mandated Teams Overview Flyer (November 20, 2015)
- Mandated Teams—Role of State Lead/Coordinator—Host Agency (January 8, 2016 draft for discussion)
- Virginia project work plan by month with roles outlined
- Web training for state level leads: “Exploring the Impact of Mandating SARTs: Introduction to the Implications Wheel® process” on February 29, 2016
- A practice session using the Implications Wheel® and the Implications Wheel® software designed for state level leads
- Web training for state level leads: “Exploring the Impact of Mandating SARTs: Our Practice Implications Wheel®” on March 31, 2016
- Joint call on April 25, 2016. A VA interview summary document was reviewed and revised based on input gathered in this call.
- Web meeting on May 11, 2016 with identified small group facilitators for in-person session (Amia Barrows, Michelle Miles, Julia Fuller-Wilson, Kristina Vadas from DCJS participated, Jeanne Ronayne from the Minnesota Coalition Against Sexual Assault attended)
- Project Talking Points (draft of 2-24-16)
- Electronic mail invitation/request for interview
- Invitation to participants for the May 17, 2016 in-person session
- Pre-session message for registered participants (shared May 9, 2016)
- May 17, 2016 meeting design and agenda

Virginia-specific materials produced:

- Summary of the climate for SARTs during the pre, during, and post mandate passage based on interviews with key informants
- Key Events Timeline-VA SART Mandate (shared May 15, 2016)
- Center and Details for the Implications Wheel exploration® on the Virginia SART Mandate
- Virginia exploration ‘First orders’ document
- Virginia SART Mandate Implications Wheel® created on May 17, 2016
- Notes from May 17th: Feedback from Group Questions, and “What is One Thing...” Exercise
- Web Meeting on July 20, 2016 to review and discuss results of the May 17th session
- Cultivating SART Efficacy: Insights on the Impact of the Virginia Sexual Assault Response Team Mandate (Report of September 2016).

Interviews sessions:

- Kristine Hall, Policy Director, Virginia Sexual and Domestic Violence Action Alliance. April 8, 2016.
- Nancy Oglesby, Deputy Commonwealth’s Attorney, Henrico County, Virginia. April 8, 2016.
- Bonnie Price, Director, Bon Secours Forensic Nurse Program. March 30, 2016.
- Dana Schrad, Executive Director, Virginia Association of Chiefs of Police. April 4, 2016.
- Kristina Vadas, Sexual Assault Program Coordinator for the Virginia Department of Criminal Justice Services, provided background information, context and clarification in conversations from January 2016 to September 2016.

- A joint call between interviewees was held on April 25, 2016 to review a draft of the synthesized information. Ms. Oglesby was unable to join the call. The summary document was reviewed and revised based on input gathered in this call.
- A web-based meeting was held on July 20, 2016 to discuss results of the May 17, 2016 in-person session. P. Adams, T. Berry, K. Carpenter, E. Casey, J. Clayborne, M. Harper, T. Knupp, B. Price, J. Ronayne (SVJI), D. Schrad, and K. Vadas participated.

In-Person Session and Implications Wheel® Exploration (Richmond, VA, May 17, 2016):

- Phyllis Adams, Women's Health Nurse Practitioner, James Madison University Health Center
- Amia Barrows, Victims Services Programs Specialist, Virginia Department of Criminal Justice Services
- Teresa Belcher, Domestic Violence Action Center Project Manager, Fairfax County Office for Women & Domestic and Sexual Violence Services
- Teresa Berry, Executive Director, Sexual Assault Response and Awareness, Inc.
- Rhonda Boyett, Program Coordinator Forensic Nursing Program, Sentara Northern Virginia Medical Center
- Craig Branch, Chief of Police, Germanna Community College Police Department
- Kelly Carpenter, SAFE Payment Program Coordinator, Virginia Victims Fund
- Elliott Casey, Staff Attorney, Commonwealth's Attorneys' Services Council
- Jane Chambers, Director, Commonwealth's Attorneys' Services Council
- Jane Clayborne, Director of Community Relations, James House
- Debbie Evans, Division Chief- Sexual Assault Center and Domestic Violence Program, Alexandria Sexual Assault Center
- Julia Fuller-Wilson, VAWA Administrator, Virginia Department of Criminal Justice Services
- Taryn Giroux, Program Coordinator, Henrico County Victim/Witness Program
- Kristine Hall, Policy Director, Virginia Sexual and Domestic Violence Action Alliance
- Melissa Harper, Forensic Nurse Examiner, CARILION Clinic
- Tina Knupp, Sexual Assault Program Coordinator, Choices, Council on Domestic Violence for Page County, Inc
- Patrick Meacham, Detective, University of Richmond Police Department
- Ruth Micklem, Program Director, The Haven Shelter and Services, Inc.
- Michelle Miles, Victim Services Program Specialist, Virginia Department of Criminal Justice Services
- Ellen Plummer, Associate Vice Provost for Academic Administration, Virginia Tech
- Bonnie Price, Director, Bon Secours Richmond Forensic Nurse Program
- Tammi Slovinsky, Deputy Title IX Coordinator, Virginia Commonwealth University
- Fatima Smith, Assistant Director of Sexual & Intimate Partner Violence, Stalking, & Advocacy Services, Virginia Commonwealth University
- Tabitha Smith, Title IX Coordinator and Director of Compliance Programming, The University of Virginia's College at Wise
- Mary Ann Sprouse, Director, Wellness, Alcohol and Violence Education and Services at George Mason University
- Lindy Swinson, Court Advocate, Choices, Council on Domestic Violence for Page County, Inc

- Kristina Vadas, Sexual Assault Program Coordinator, Virginia Department of Criminal Justice Services
- Mary Vail Ware, Director of Programs and Community Outreach, Virginia Office of the Attorney General
- Jewell Worley, Associate Vice Chancellor for Compliance & Conduct, The University of Virginia's College at Wise

Appendix C: May 17, 2016 Session Results

See below.

What is one thing that, if it could be done, would significantly improve the effectiveness of Virginia SARTs?

(and then one more thing...)

TABLE (1) RESPONSES:

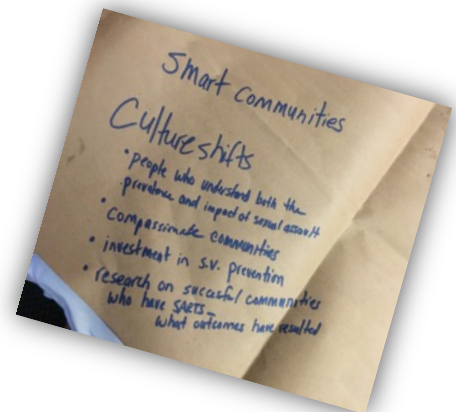
Making SARTs Effective in VA:

- Buy-in from the Commonwealth's Attorneys and other allied professionals
- more details in the Code regarding the mandate (i.e. penalties for failure to comply)
- more resources for funding SART coordination
- Change the *culture around sexual assault
- Have a funded SART coordinate who has convening authority
- Building trust among disciplines
- Explaining the benefits to CAs and other allied professionals for having a SART
- Measure the community response to SA and create a baseline for success

Smart communities

Culture shifts

- People who understand both the prevalence and impact of sexual assault
- Compassionate communities
- Investment in sexual violence prevention
- Research on successful communities who have SARTs—what outcomes have resulted



Funded SART Coordinators

Yearly education for SARTs including initial training for new members

Culture change—most important, “start by believing.”

- 1) Have a funded SART Coordinator for every jurisdiction who has convening authority
- 2) Elect Hillary

#1) Changing Culture

#2) Engage “players’—make them care about the issue

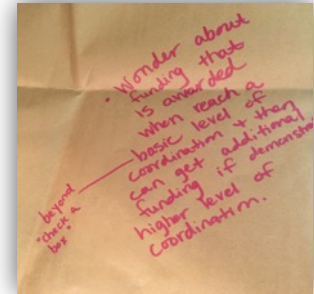
TABLE (2) RESPONSES:

State Funding

Collaboration

Buy-In from top, but has to be conveyed down

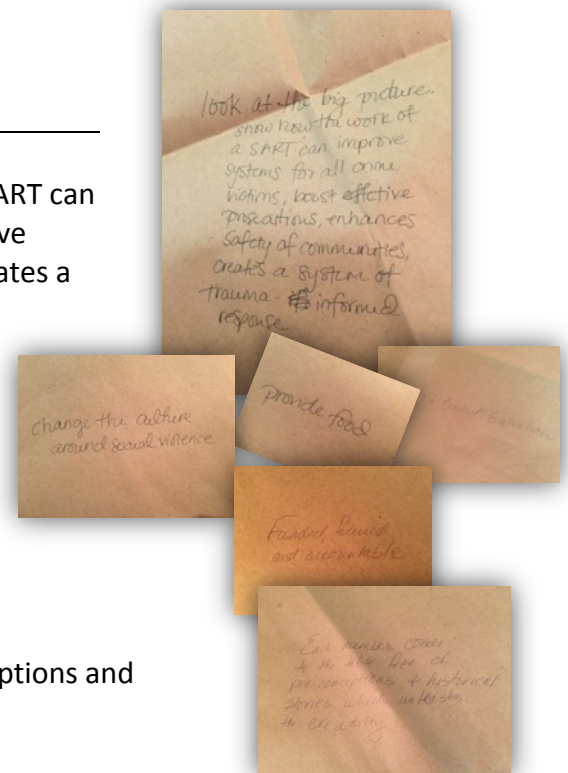
- Wonder about funding that is awarded when reach a basic level of coordination (beyond “check a box”), and then can get additional funding if demonstrate a higher level of coordination.



Funding for community coordination (perhaps to hire a coordinator); particularly if funds go to community agency that has and implements community violence prevention plan (i.e. coordination of SART should be part of overall plan in community)c

TABLE (3) RESPONSES:

- Look at the big picture—show how the work of a SART can improve systems for all crime victims, boost effective prosecutions, enhances safety of communities, creates a system of trauma-informed response.
- Provide food
- Establish evaluation process on efficacy of SARTs
- Change the culture around sexual violence
- Funded, focused, and accountable
- SARTs conduct evaluation
- Each member comes to the table free of pre-conceptions and historical stories which unleashes the creativity



FOOD

Overall effectiveness of meeting

People comfortable talking with each other about sexual assault

Exploring the Impact of Mandating SARTs: Using the Implications Wheel
A Session on the Virginia Code SART Mandate on May 17, 2016

Money for in-depth training around the effects of sexual assault on community

Get everyone on the same page; work together—remember all victims are our reason

Other Notes:

- 2009-2016
- Time—no one has any
- Have no fear; think positive
- Homes—be comfortable and confident in your work & desire to make a difference
- Data
- education

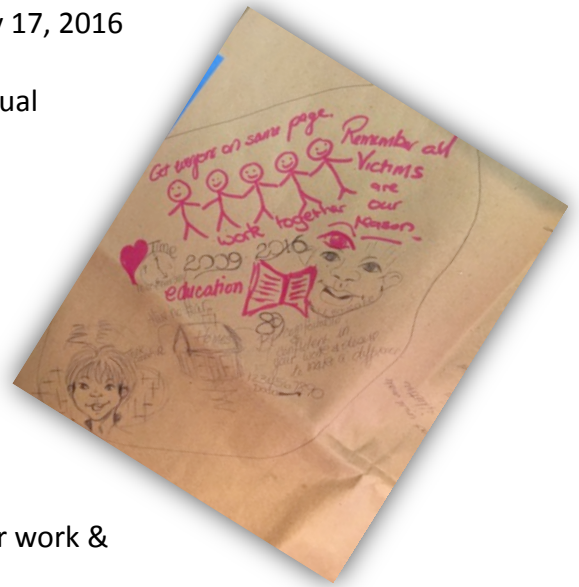
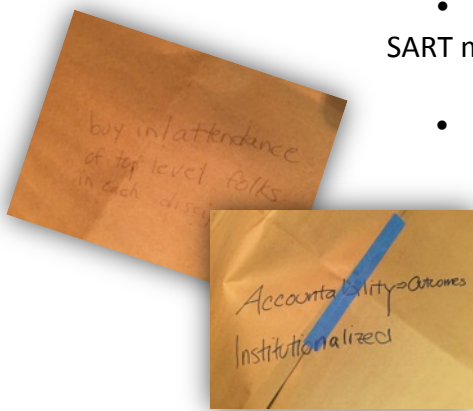


TABLE (4) RESPONSES:

- True collaboration, (i.e. actually making referrals to other SART member agencies)

- Buy-in/attendance of top level folks in each discipline

- Enforcement
- Education
- Accountability => Outcomes
- Institutionalized



Direct funding of S/A Prosecutors

Direct funding of Forensic nurses

1. Building a strong team (i.e. “team building”)
2. Educating the entire team at the same time

- \$
- A True team response

Exploring the Impact of Mandating SARTs: Using the Implications Wheel
 A Session on the Virginia Code SART Mandate on May 17, 2016

- Specialize LE/SA team
- Team response -> called together
- Educate/train to be on the same page (terms->confident->roles)

TABLE (5) RESPONSES:

- On-going/annual SART training statewide...SART Conference?
- “Top-Down” Buy In within communities
- Funding support for teams/Paid SART coordinators
- Statewide emphasis on improving sexual assault response

- 1) Fund person to coordinate and operating \$
- 2) Data on statewide data by CA; plus local data
 - a. “successful cases”
 - i. arrest
 - ii. prosecution
 - iii. conviction
 - b. include:
 - i. quantitative numbers
 - ii. qualitative interviews

- 3) Educate CA and others with data; what is the CA’s interest?
 - a. Identify and prosecute perp and
 - b. Successful prosecution
 - ^arrests
 - ^prosecution
 - ^conviction

- 1) fund a SART coordinator
- 2) Hand pick members (the ones that have passion)
- 3) Round table discussion; once a year of exiting SARTs

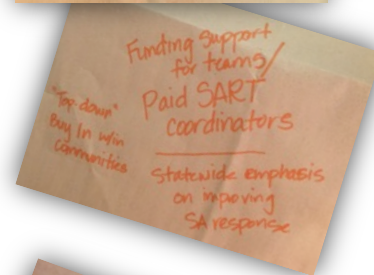
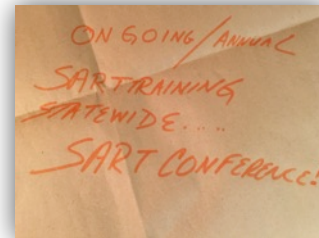
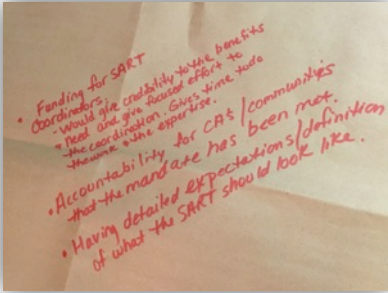


TABLE (6) RESPONSES:

- More staff where needed
- Appropriate \$ to fund appropriate action



Funding for SART coordinators:

- Would give credibility to the benefits and need and give focused effort to the coordination. Gives time to do the work and the expertise.
- Accountability for the CAs/communities that the mandate has been met
- Having detailed expectations/definition of what the SART should look like

Recognition for + outcomes (wall of fame)

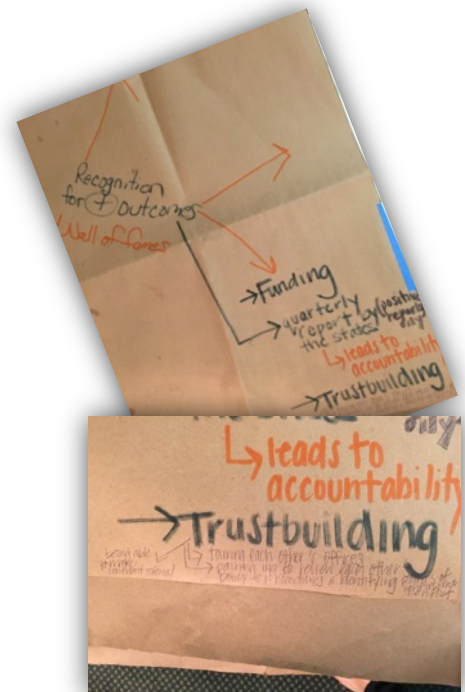
Funding

Quarterly report by the states (positive reports only)

➔ -> leads to accountability

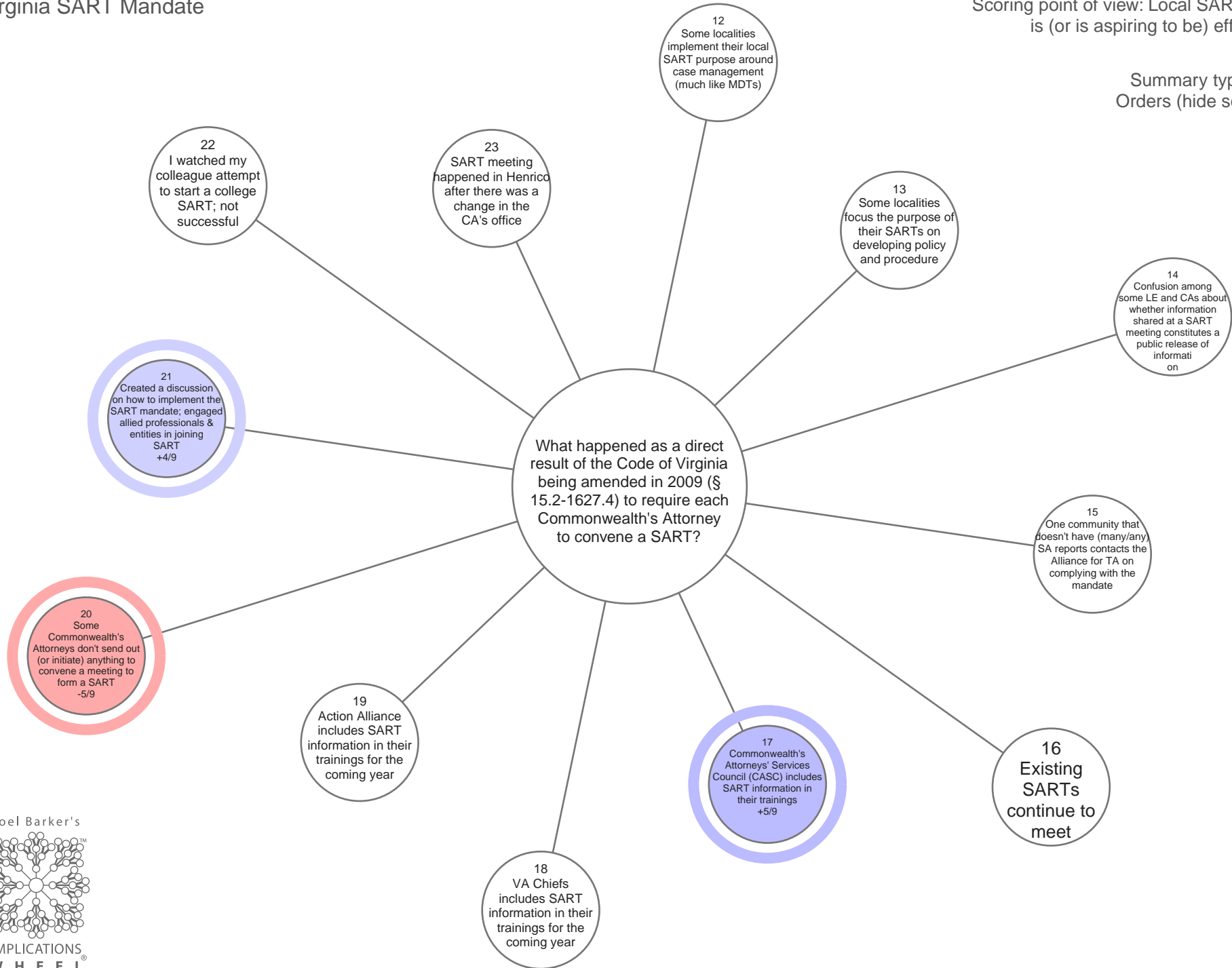
➔ Trustbuilding

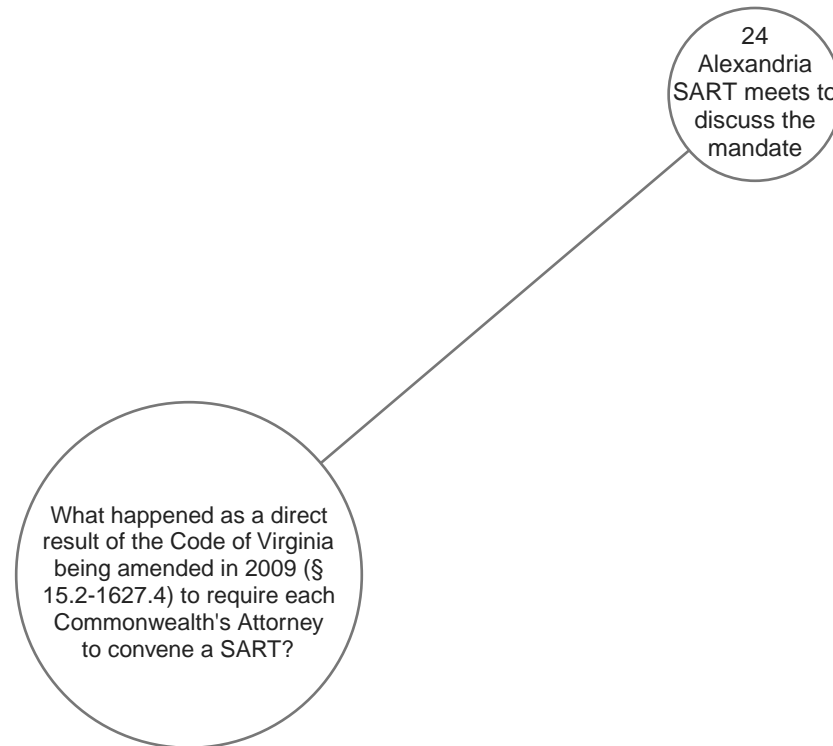
(Richmond-VCU SART—toured each others' offices; paired up to review each other's policies and procedures to identify points of confusion and conflict....these also led to being able to make confident referrals

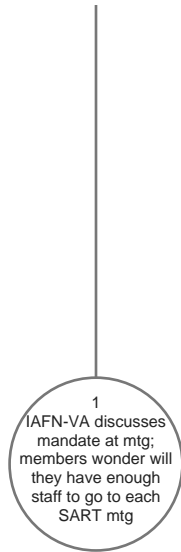


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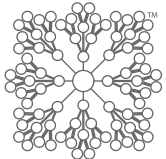






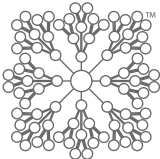
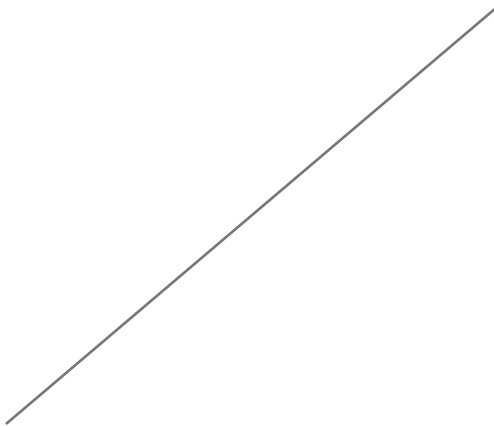
2
Bon Secours and VCU regional forensic programs work with SDVA programs to discuss including advocates in during forensic exams/ interviews

Joel Barker's



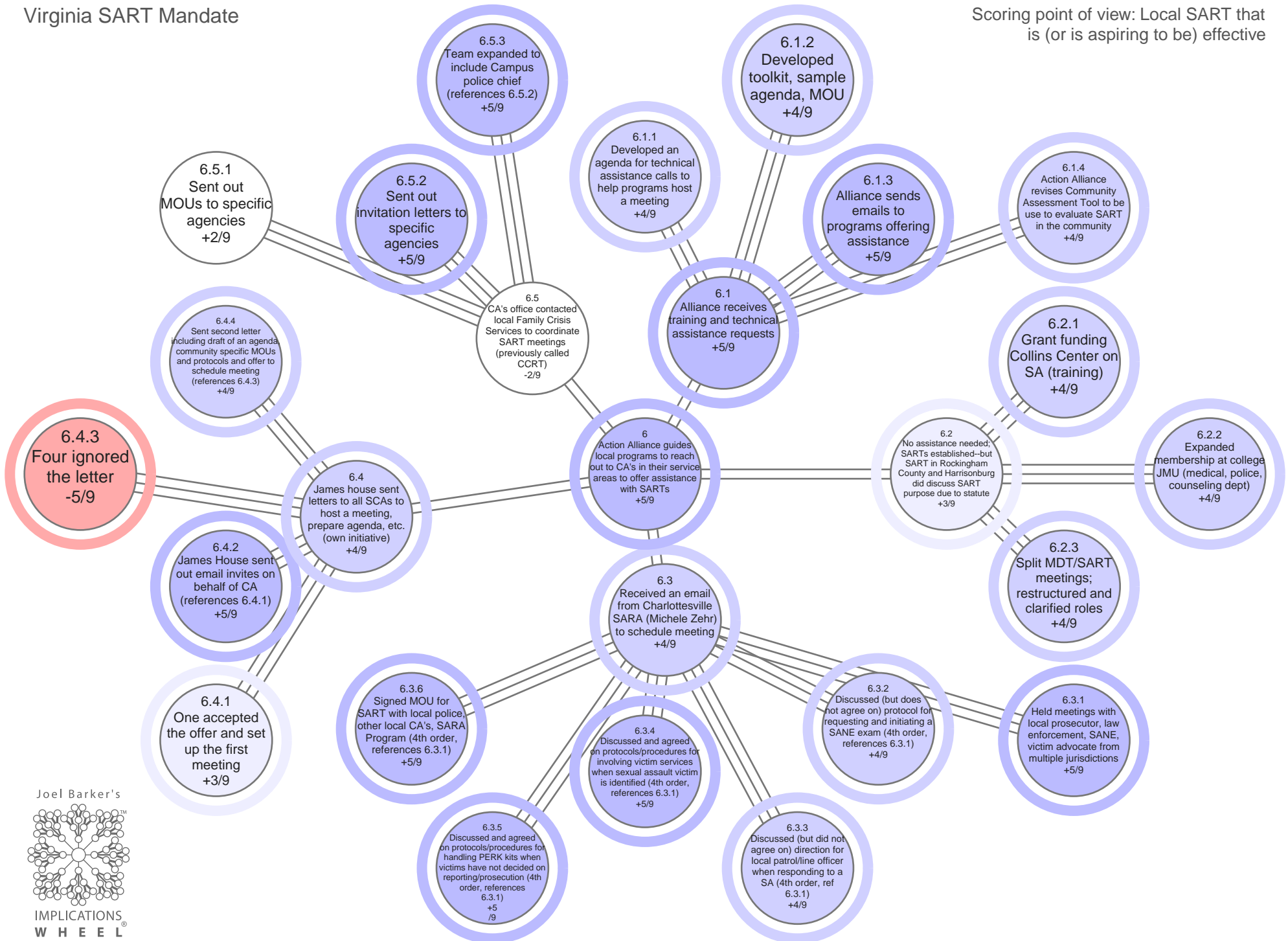
IMPLICATIONS
W H E E L®

3
DCJS heightened the priority of completing the SART protocol to give guidance to local SARTs (required by earlier legislation)

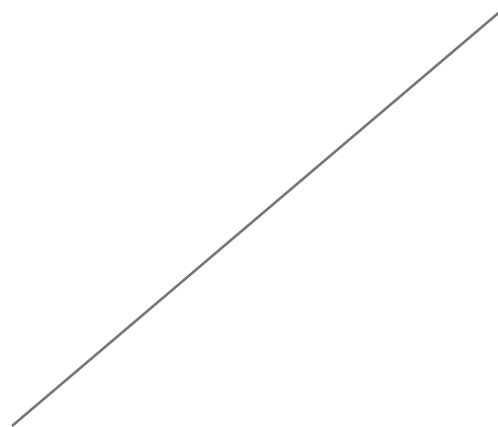




5
One CA says that advocates attending these meetings become an agent of the Commonwealth; need to turn over records



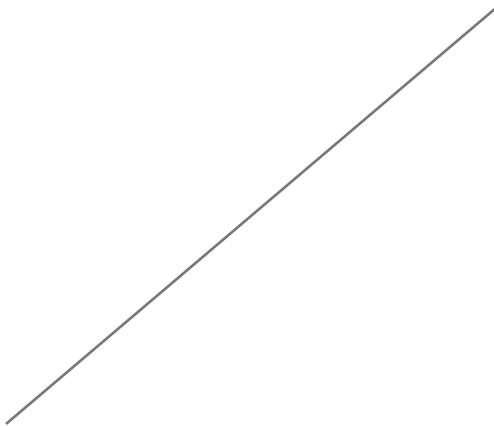
7
Chief's association sends out advisory to Virginia chiefs about what to expect regarding implementation

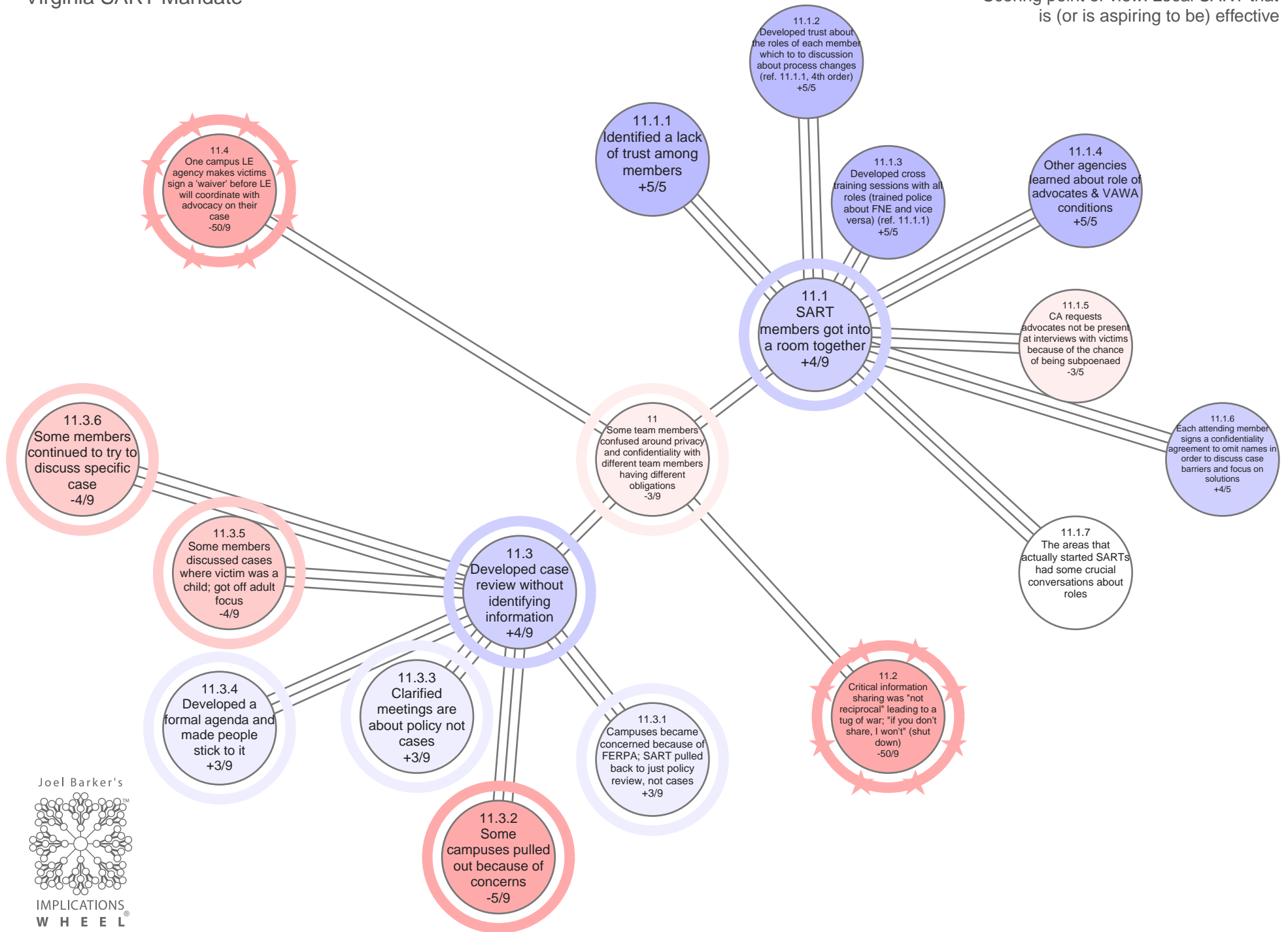


8
Commonwealth's
Attorneys' Services
Council works with a local
prosecutor to plan
training/encourage
buy-in by other
CA's

9
Commonwealth's
Attorneys send out
letters to set the first
SART meeting in
their locality

10
Some CAs express concern about how procedures and protocols may bind them legally





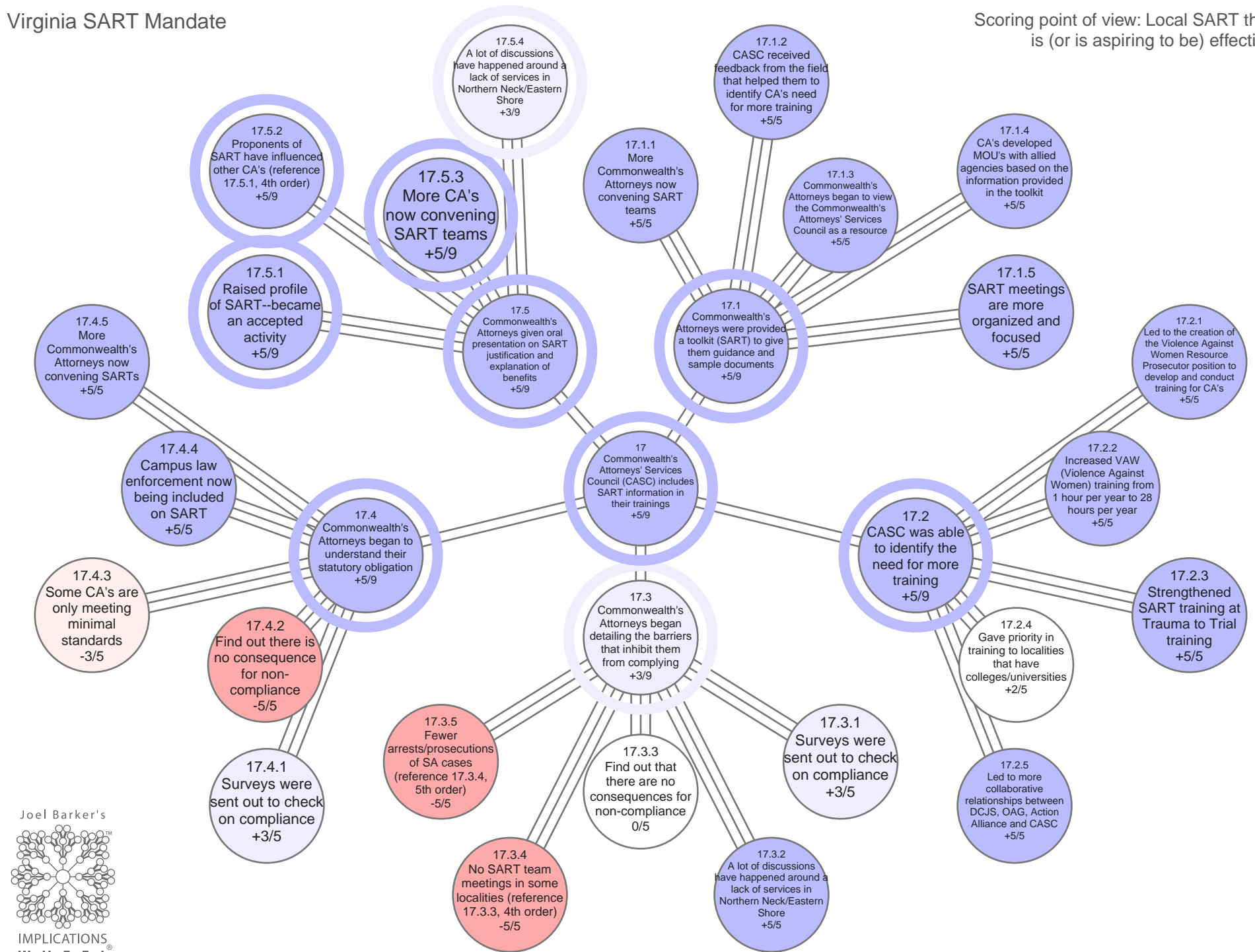
12
Some localities implement their local SART purpose around case management (much like MDTs)

13
Some localities focus the purpose of their SARTs on developing policy and procedure

14
Confusion among some LE and CAs about whether information shared at a SART meeting constitutes a public release of information

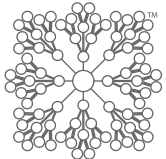
15
One community that doesn't have (many/any) SA reports contacts the Alliance for TA on complying with the mandate

16
Existing
SARTs
continue to
meet



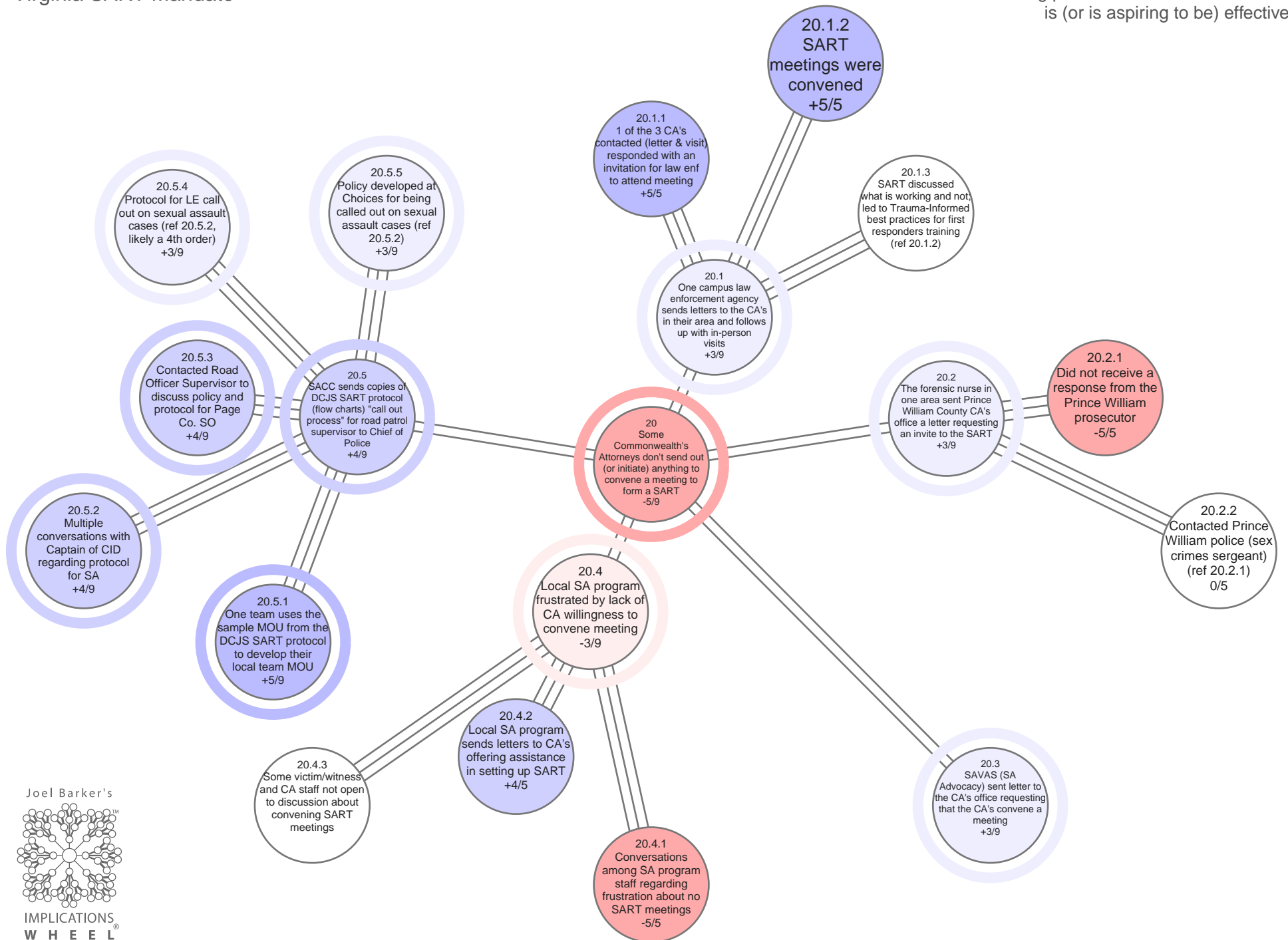
18
VA Chiefs
includes SART
information in their
trainings for the
coming year

Joel Barker's



IMPLICATIONS
W H E E L[®]

19
Action Alliance includes SART information in their trainings for the coming year





22
I watched my
colleague attempt
to start a college
SART; not
successful

23
SART meeting
happened in Henrico
after there was a
change in the
CA's office



24
Alexandria
SART meets to
discuss the
mandate

Virginia SART Mandate

Center:

What happened as a direct result of the Code of Virginia being amended in 2009 (§ 15.2-1627.4) to require each Commonwealth's Attorney to convene a SART?

Details of the Center:

Requirement included:

- coordinate the establishment of a multidisciplinary response to criminal sexual assault as set forth in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2

AND:

hold a meeting (at least annually) to:

- discuss implementation of protocols and policies for sexual assault response teams consistent with those established by the Department of Criminal Justice Services
- establish and review guidelines for the community's response, including the collection, preservation, and secure storage of evidence from Physical Evidence Recovery Kit examinations

Shall invite to participate in the meeting:

- the attorney for the Commonwealth;
- the sheriff;
- the director of the local sexual assault crisis center providing services in the jurisdiction, if any;
- the chief of each police department and the chief of each campus police department of any institution of higher education in the jurisdiction, if any;
- a forensic nurse examiner or other health care provider who performs Physical Evidence Recovery Kit examinations in the jurisdiction, if any; and
- the director of the victim/witness program in the jurisdiction, if any.

Other Context from 2009:

- the was signed in April 2009 by Governor Kaine and then took effect in July 2009.
- In 2016, there are 120 elected Commonwealth Attorneys and approximately 645 Assistants statewide

- in 2009, some Commonwealth's Attorneys were elected to part-time positions which meant they were not staffing their offices full-time.
- some communities already had active SARTs, others did not
- the Virginia Sexual & Domestic Violence Action Alliance led the effort to pass the legislation
- the version of the legislation that was passed was less directive than what had been originally proposed
- as proposed, the legislation showed up in Section One of the code; by the time the governor had signed it, it was in the main section of the Code.
- the legislation passed without opposition from the Virginia Association of Commonwealth's Attorneys, the Virginia Association of Chiefs of Police, or the Governor's office
- there is no explicit funding for SARTs in VA, although some SARTs have benefited from others in their area getting funding and sponsoring some or part of a position to coordinate the SART's efforts within that funding
- there are 13 forensic nursing programs in Virginia, but only 1 or 2 receive any dedicated funding. So, most forensic nurses are doing on-call shifts. In 2009, as today, there were not enough forensic nurses to have a regional medical center staffed with a trained nurse available when a victim walks in. (Note—forensic nurses are "SANE-Trained" but are trained in other areas of injury from violence and abuse as well, as they treat more than sexual assault).
- there were approximately 55-60 Sexual and Domestic Violence advocacy agencies (SADV's) in Virginia in 2009; most programs cover 5 to 6 localities
- In 2009, there wasn't a single consensus definition or guidance as to the purpose of SARTs, or as to the role of the members on a SART.

This legislation came after a few other key efforts related to the multidisciplinary response to sexual assault:

- in 2004 General Assembly passed a requirement that DCJS promote the use of local and regional SART policy and protocol as an integral part of a coordinated community response to sexual assault. DCJS was also required to “establish training standards and publish a model policy and protocols for local and regional sexual assault response teams” (§9.1-102).
- In 2008 the General Assembly passed legislation related to PERK kits and polygraphing victims to become compliant per the VAWA 2005 requirements (a year before the SART legislation)

- Governor Kaine’s Sexual Violence Commission was established by Executive Order in 2006, met throughout 2007, and released its report in Nov 2007 (just before 2008 General Assembly session—raised profile around polygraphing, PERK, key payment issues and the multidisciplinary response—one of the recommendations that came out with Senator Round supporting Sexual Assault Response Teams across the Commonwealth. It didn’t mention legislation specifically, but made reference to DCJS supporting SART work (from 2004 legislation).

Implication Details:

4.1

DCJS provided Campus SART training 2012-2013 for all VA College campuses

Details:

Addressed operating and policy and procedure:

Fatima M. Smith-VCU
Tammi Slovinsky-VCU

Preceding Implication: June 2009 meeting between DCJS, Action Alliance, VA Chiefs, CASC, and IAFN-VA to discuss TA and training offerings

4.1.1

DCJS came to VCU campus to provide technical assistance on SART development

Details:

Established how confidentiality would be maintained by having each members sign a confidentiality form at the beginning of each meeting.

Developed a list of areas where access it limited--transportation and counseling

Review of membership as in who should be involved and how many from each office and why

Broke up into teams of two to review each office's department policy and procedure re: response to SA, DV, stalking

VCU campus SART developed goals around SART policy, response: 1) access to services, 2) referral process

Preceding Implication: DCJS provided Campus SART training 2012-2013 for all VA College campuses

Details:

Addressed operating and policy and procedure:

Fatima M. Smith-VCU
Tammi Slovinsky-VCU

4.1.4

University of Richmond began a campus SART in 2013

Details:

Membership included: Campus LEO, Detective, Campus Advocate, Title IX Coordinator, Campus staff

psychologist, student health director

Preceding Implication: DCJS provided Campus SART training 2012-2013 for all VA College campuses

Details:

Addressed operating and policy and procedure:

Fatima M. Smith-VCU
Tammi Slovinsky-VCU

4.5

DCJS provided FETI Training to local & campus LEO, local DVSA, campus advocates

Details:

this was listed as a third order without a second order--as participants thought some event probably happened prior to this one, but were not sure what it was

Editor's NOTE: many factors contributed to bringing this training to Virginia and it may be completely unrelated to the SART Code Mandate

Preceding Implication: June 2009 meeting between DCJS, Action Alliance, VA Chiefs, CASC, and IAFN-VA to discuss TA and training offerings

4.6

LAP train-the-trainer offered in 2015 through DCJS and the Office of the Attorney General

Details:

this was listed as a third order without a second order--as participants thought some event probably happened prior to this one, but were not sure what it was

Differing opinions as to whether it was a ripple effect of the SART mandate

Preceding Implication: June 2009 meeting between DCJS, Action Alliance, VA Chiefs, CASC, and IAFN-VA to discuss TA and training offerings

6.1.4

Action Alliance revises Community Assessment Tool to be use to evaluate SART in the community

Details:

In 2016--the Haven uses the Assessment Tool to begin to evaluate SART in the community

Preceding Implication: Alliance receives training and technical assistance requests

6.3.5

Discussed and agreed on protocols/procedures for handling PERK kits when victims have not decided on reporting/prosecution (4th order, references 6.3.1)

Details:

note read: "...when victims have not yet decided whether to seek law enforcement or prosecution"
--edited given software's character limits

Preceding Implication: Received an email from Charlottesville SARA (Michele Zehr) to schedule meeting

10

Some CAs express concern about how procedures and protocols may bind them legally

Details:

Indicate this is a concern because they lack implementation guidance on how to set up the SART

Preceding Implication: What happened as a direct result of the Code of Virginia being amended in 2009 (§ 15.2-1627.4) to require each Commonwealth's Attorney to convene a SART?

11.1.6

Each attending member signs a confidentiality agreement to omit names in order to discuss case barriers and focus on solutions

Details:

minority report (from +4)--I agree the practice is highly desirable, I just can't sign it...Challenge for some--SA crisis center may find it difficult to share information even if they leave out identifying information because of the small number of cases they have. Even without a name, people will still know what case your referring to.

Preceding Implication: SART members got into a room together

11.4

One campus LE agency makes victims sign a 'waiver' before LE will coordinate with advocacy on their case

Details:

This references an "Authorization for the Release of Victims Information" form provided by a campus law enforcement to sexual assault victims outlining that law enforcement cannot disclose information about their identity to the public except in specific circumstances or with the victim's written consent. It notifies the victim that under Title IX the university is required to conduct and administrative investigation and indicates who will receive that report.

The form also references a campus organization that can provide support and advocacy and gives the victim the opportunity to indicate her/his permission for law enforcement to provide that agency with

information about the victim so they can provide services.

Concern from campus health is that it creates a roadblock for victims who do not know what they are signing and why

Preceding Implication: Some team members confused around privacy and confidentiality with different team members having different obligations

14

Confusion among some LE and CAs about whether information shared at a SART meeting constitutes a public release of information

Details:

concern then that this same information would need to be shared with the media

Preceding Implication: What happened as a direct result of the Code of Virginia being amended in 2009 (§ 15.2-1627.4) to require each Commonwealth's Attorney to convene a SART?

17

Commonwealth's Attorneys' Services Council (CASC) includes SART information in their trainings

Details:

Training offerings that include SART information are: Executive Training Dec. 2009, Spring Institute (most CAs and ACAs)-2010

Preceding Implication: What happened as a direct result of the Code of Virginia being amended in 2009 (§ 15.2-1627.4) to require each Commonwealth's Attorney to convene a SART?

17.1.4

CA's developed MOU's with allied agencies based on the information provided in the toolkit

Details:

The toolkits outlined how to build collaboration and communication and as a result, CA's began developing MOU's with allied agencies.

Preceding Implication: Commonwealth's Attorneys were provided a toolkit (SART) to give them guidance and sample documents

17.2

CASC was able to identify the need for more training

Details:

Trauma to Trial is now being offered nationally

When CASC began including SART info into their trainings, the questions and feedback that was received through the training evaluations and/or during the workshops helped them identify areas that CA's needed additional training

Preceding Implication: Commonwealth's Attorneys' Services Council (CASC) includes SART information in their trainings

Details:

Training offerings that include SART information are: Executive Training Dec. 2009, Spring Institute (most CAs and ACAs)-2010

17.2.4

Gave priority in training to localities that have colleges/universities

Details:

minority report (-3); Bonnie and Fatima feel that prioritizing colleges for training further promotes oppression of marginalized groups--it does not account for the fact that the majority of survivors are not in college...it also speaks to the fact that we allow colleges to handle crime instead of the criminal justice system

Preceding Implication: CASC was able to identify the need for more training

Details:

Trauma to Trial is now being offered nationally

When CASC began including SART info into their trainings, the questions and feedback that was received through the training evaluations and/or during the workshops helped them identify areas that CA's needed additional training

17.3.4

No SART team meetings in some localities (reference 17.3.3, 4th order)

Details:

As prosecutors found out that there are no consequences for non-compliance

Preceding Implication: Commonwealth's Attorneys began detailing the barriers that inhibit them from complying

17.3.5

Fewer arrests/prosecutions of SA cases (reference 17.3.4, 5th order)

Details:

Julia's comment: this is now a 5th order stemming from 17.3.4 which is now a 4th order

Preceding Implication: Commonwealth's Attorneys began detailing the barriers that inhibit them from

complying

17.5.2

Proponents of SART have influenced other CA's (reference 17.5.1, 4th order)

Details:

From Julia: It raised the profile of SARTs as they became an accepted activity. Also related to 17.4.5 and 17.1.1-more Commonwealth Attorneys are now convening SARTs.

Preceding Implication: Commonwealth's Attorneys given oral presentation on SART justification and explanation of benefits

20.1.3

SART discussed what is working and not; led to Trauma-Informed best practices for first responders training (ref 20.1.2)

Details:

Is this a 4th order implication off the "SART meetings were convened."

Preceding Implication: One campus law enforcement agency sends letters to the CA's in their area and follows up with in-person visits

20.2

The forensic nurse in one area sent Prince William County CA's office a letter requesting an invite to the SART

Details:

Letter included a copy of the mandate

Preceding Implication: Some Commonwealth's Attorneys don't send out (or initiate) anything to convene a meeting to form a SART

20.2.1

Did not receive a response from the Prince William prosecutor

Details:

Minority Report-Chief Branch....believes this should be a -50 for the complete lack of response

Preceding Implication: The forensic nurse in one area sent Prince William County CA's office a letter requesting an invite to the SART

Details:

Letter included a copy of the mandate

20.5

SACC sends copies of DCJS SART protocol (flow charts) "call out process" for road patrol supervisor to Chief of Police

Details:

SACC stands for "Sexual Assault Crisis Center"

Preceding Implication: Some Commonwealth's Attorneys don't send out (or initiate) anything to convene a meeting to form a SART

20.5.1

One team uses the sample MOU from the DCJS SART protocol to develop their local team MOU

Details:

MOU was done between SA/DV, DSS, LE, Health Dept., Juvenile Intake, FNE, VW

Preceding Implication: SACC sends copies of DCJS SART protocol (flow charts) "call out process" for road patrol supervisor to Chief of Police

Details:

SACC stands for "Sexual Assault Crisis Center"

20.5.3

Contacted Road Officer Supervisor to discuss policy and protocol for Page Co. SO

Details:

I was referred to Clay Nentt--road officer as point of contact

Was this intended to be a 4th order (of 20.5.2) or it's own 3rd order?

Preceding Implication: SACC sends copies of DCJS SART protocol (flow charts) "call out process" for road patrol supervisor to Chief of Police

Details:

SACC stands for "Sexual Assault Crisis Center"

20.5.5

Policy developed at Choices for being called out on sexual assault cases (ref 20.5.2)

Details:

Is this intended to be a 4th order?

Preceding Implication: SACC sends copies of DCJS SART protocol (flow charts) "call out process" for road patrol supervisor to Chief of Police

Details:

SACC stands for "Sexual Assault Crisis Center"

21

Created a discussion on how to implement the SART mandate; engaged allied professionals & entities in joining SART

Details:

Roanoke Valley SART

Preceding Implication: What happened as a direct result of the Code of Virginia being amended in 2009 (§ 15.2-1627.4) to require each Commonwealth's Attorney to convene a SART?

21.2

Addressed ways that all members (from different entities) can work together and resolve issues

Details:

Addressed: referral process, access to records, identified resources for programs to utilize, modified current resources

Preceding Implication: Created a discussion on how to implement the SART mandate; engaged allied professionals & entities in joining SART

Details:

Roanoke Valley SART

21.3.1

Modified meeting structure to combine a city and county SART together for 2 of their 4 meetings in a year

Details:

Roanoke County and Roanoke City decided that since most members of both SARTs were attending the same meetings (thus meeting 8 times a year) that it would be best to combine their meetings. Following the mandate, they decided to meet individually twice a year and together twice a year. They developed partnerships with other entities to include Roanoke College Campus Police and the school's Title IX representative.

Preceding Implication: Evaluated the function of SART and redefined our focus

21.3.2

Modified agenda and discussion topics to account for what information people were and were not likely to share between jurisdictions

Details:

Roanoke also had to address better ways of communicating on important issues during the combined meetings because some people were less apt to share information that they didn't necessarily want the other jurisdiction to know about. Additionally, they recognized the differences they have as well as the value of partnering to help survivors seek justice.

Preceding Implication: Evaluated the function of SART and redefined our focus

21.3.3

Some team members are physically at meetings, but have a victim-blaming mindset/not supportive of team aims

Details:

Roanoke addressed issues with parties that weren't supportive of efforts to seek justice for survivors and make changes in the criminal justice response to victims. These members who weren't particularly supportive were encouraged to change their mind frame from victim-blaming to victim advocacy.

Preceding Implication: Evaluated the function of SART and redefined our focus

21.4

Team engaged with campuses' sexual violence response to explain SART, invite to join, and discuss campus/community responses

Details:

Roanoke engaged entities that hadn't been involved in the SART, explained the mandate as well as how the Team functions and invited them into the group. They also met individually to see what type of response was offered on campus and advised them of services that were available in the community.

Preceding Implication: Created a discussion on how to implement the SART mandate; engaged allied professionals & entities in joining SART

Details:

Roanoke Valley SART

21.5

Provided one-on-one training for individual members on what SART is

Details:

Roanoke

Preceding Implication: Created a discussion on how to implement the SART mandate; engaged allied professionals & entities in joining SART

Details:

Roanoke Valley SART

Feedback from Group Questions

(charted responses)

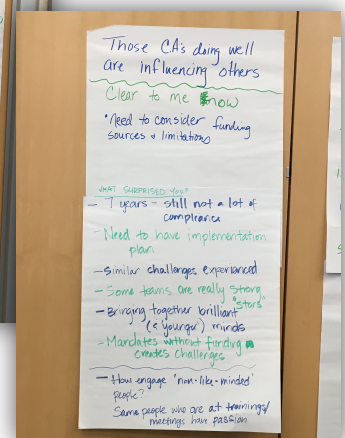
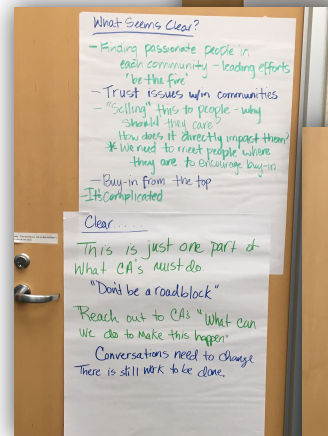
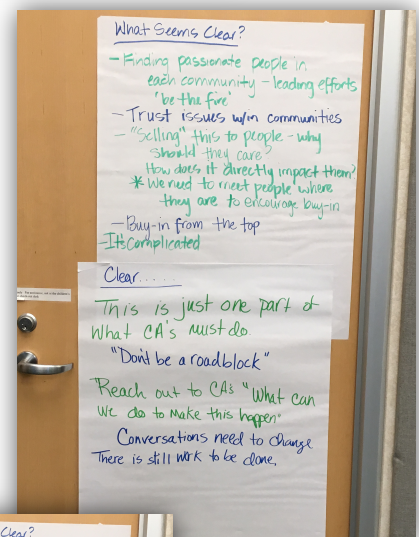
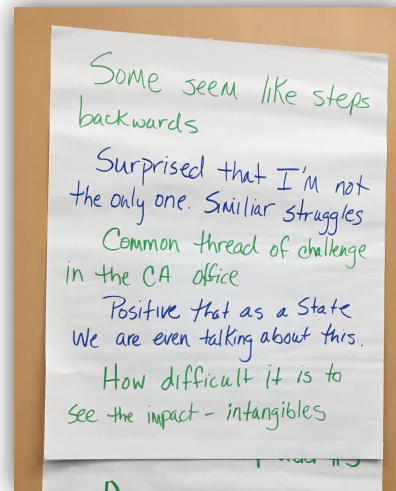
What has surprised you?

- 7 years – still not a lot of compliance.
- Need to have implementation plan.
- Similar challenges experienced.
- Some teams are really strong “stars”.
- Bringing together brilliant (and “younger”) minds.
- Mandates without funding create challenges.
- Some seem like steps backwards.
- Surprised that I’m not the only one. Similar struggles.
- Common thread of challenge in the CAs office.
- Positive that as a state we are even talking about this.
- How difficult it is to see the impact; intangibles.

As you now think about how the mandate (and its implications) affected the formation, performance, and efficacy of SARTs in Virginia:

What seems clear to you now?

- Finding passionate people in each community – leading efforts, “be the fire”.
- Trust issues within communities.
- “Selling” this to people – why should they care? How does it directly impact them? We need to meet people where they are to encourage buy-in.
- Buy-in from the top.
- It’s complicated.
- This is just one part of what CAs must do.
- “Don’t be a roadblock”
- Reach out to CAs. “What can we do to make this happen?”



Exploring the Impact of Mandating SARTs: Using the Implications Wheel
A Session on the Virginia Code SART Mandate on May 17, 2016

- Conversations need to change. There is still work to be done.
- Those CAs doing well are influencing others.
- Need to consider funding sources & limitations.

What is still unclear? What do we need more information about?

- What is the benefit to victims?
- Who is going to lead?
- What are the barriers? What's getting in the way?
- What is the overall intention of the mandate? Clarity - why we are meeting.
- What does collaboration look like?
- How is the new (2016) SART language going to improve campus response?
- Where \$ coming from?
- Who's going to educate?
- What are opportunities we haven't yet identified?
- What's the "why"? What's outcome of having a meeting?
- Are we meeting the goals/purposes of SARTs? Collaboration?
- What are we expecting of team members? What are they getting from it? Benefits to members?
- Does everyone understand constraints others are under? Funding, other?
- How can this new VOCA money be used? Is there other funding?
- How can we build trust across disciplines?
- How engage non-like-minded people? Some people who are at trainings/meetings have passion.

