

SAMPLE MEMORANDUM OF UNDERSTANDING

Sexual Assault Response Team Cooperative Working Agreement

The Sexual Assault Response Team is made up of local agencies responsible for responding to victims of sexual assault. This working agreement is recognized as a cooperative, collaborative commitment among the agencies to directly support a multi-disciplinary, coordinated response to adult victims of sexual assault; commitment is acknowledged by the signature of each agency's representative.

For the purposes of this collaboration, "adult" is defined as a female who has experienced the onset of menses or a male who is approximately 18 years of age or older. "Acute sexual assault victim" is an adult who has reportedly been sexually assaulted within approximately 120 hours prior to the time that she requested services at an emergency room.

The District Attorney's Office agrees to:

- Convene a meeting, at least annually, to discuss implementation of protocols and policies for the sexual assault response team;
- Establish guidelines in collaboration with team partners for the community's response, including the collection, preservation, and secure storage of evidence from the GBI Sexual Assault Evidence Collection Kit;
- Ensure an annual review of established guidelines;
- Designate a liaison to participate actively on the Sexual Assault Response Team;
- Refer sexual assault victims, family members, and friends to the Sexual Assault Crisis Center for crisis intervention, advocacy, and counseling services, as appropriate;
- Refer sexual assault victims, family members, and friends to the Victim/Witness Program for information about victim's rights, assistance with filing for victims compensation, and support navigating the criminal justice system, as appropriate;
- Allow the sexual assault victim advocate, unless refused by the victim, to be present during interviews;
- Promote policies and practice to increase arrest and prosecution rates for criminal sexual assault, including non-stranger sexual assault;
- Use Sexual Assault Nurse Examiners (SANEs) as witness during sexual assault trials, as appropriate;
- Provide reasonable notification of upcoming trials to the health care provider and/or SANE who will be called to testify;
- Contact the health care provider and/or SANE prior to testimony to review the case; and
- Participate, as appropriate, in cross training with allied professionals regarding response to sexual assault.

The Sexual Assault Crisis Center agrees to:

- Designate a liaison to participate actively on the Sexual Assault Response Team;
- Dispatch, upon request of the victim or someone calling on behalf of the victim, a trained sexual assault victim advocate to the hospital or law enforcement agency within a reasonable period of time (e.g. 30 minutes, not to exceed 1 hour);
- Provide trained sexual assault advocates to meet with victims, family members, and friends at the hospital;
- Provide crisis intervention, advocacy, counseling, criminal justice information and support, and court preparation and orientation for sexual assault victims, as appropriate;
- Coordinate the above victim assistance services for victims, family members, and friends with the local Victim/Witness Program, as appropriate;
- Refer sexual assault victims to the hospital, as appropriate;
- Follow established protocols for advocates in the examining room when requested by the victim;
- Support the development and annual review of the community's guidelines; and
- Participate, as appropriate, in cross training with allied professionals regarding response to sexual assault.

The local Law Enforcement Agency agrees to:

- Designate a liaison to participate actively on the Sexual Assault Response Team;
- Refer all acute adult sexual assault victims to the hospital and/or SANE program for medical treatment and/or a medical/forensic exam;
- Inform sexual assault victims that they are not required to make a report or talk to a law enforcement officer in order to have a medical/forensic exam;
- Transport or arrange for transport of sexual assault victims to the hospital and, once the medical/forensic exam is complete, transport or arrange transport of victims to a safe location;
- Follow established protocol to notify the hospital and/or SANE program that a sexual assault victim is being transported;
- Request the assistance of a Sexual Assault Crisis Center advocate, unless refused by the victim;
- Perform a suspect evidence collection kit or provide kit to SANE program to perform, as appropriate;
- Follow Department established protocol regarding evidence collection and storage;
- Maintain and revise, as appropriate, written agreements with the hospital and/or SANE program to delineate services to be provided;
- Coordinate interview processes and/or conduct joint interviews with the hospital and/or SANE, as local protocol and victim dictates appropriate;
- Allow the sexual assault victim advocate, unless refused by the victim, to be present during interviews and/or other communications with officers/investigators;
- Promote policies and practices that increase arrest and prosecution rates for criminal sexual assault, including non-stranger sexual assault;
- Support the development and annual review of the community's guidelines; and

- Participate, as appropriate, in cross training with allied professionals regarding response to sexual assault.

The SANE and/or Trained Health Care Provider agrees to:

- Designate a liaison to participate actively on the Sexual Assault Response Team;
- Promote a reasonable time (e.g. 60 minutes or less) from the time the call is received to the time the trained health care provider and/or SANE arrives at the hospital;
- Conduct medical/forensic examinations for adult sexual assault patients in accordance with all agreed-upon protocols and procedures;
- Assure that the Sexual Assault Crisis Center has been notified that a victim is being transported or has arrived;
- Encourage/support use of Sexual Assault Crisis Center advocates for sexual assault patients as appropriate and regardless of patient's decision regarding contact with law enforcement;
- Maintain chain of custody of forensic evidence and transfer to a law enforcement agency or officer;
- Work in collaboration with the local law enforcement agency(s) or the Sexual Assault Crisis Center to ensure adequate supply of GBI Sexual Assault Evidence Collection Kits;
- Be available to criminal justice professionals to review the case;
- Maintain contact and communication with criminal justice professionals;
- Support the development and annual review of the community's guidelines; and
- Participate, as appropriate, in cross training with allied professionals regarding response to sexual assault.

The Hospital agrees to:

- Designate a health care provider trained in conducting medical/forensic exams, preferably a SANE, to participate actively on the Sexual Assault Response Team;
- Provide trained health care providers and/or SANEs to conduct medical/forensic examinations for adult sexual assault victims in accordance with all agreed-upon protocols and procedures;
- Encourage and support nursing staff to obtain the education and clinical experience necessary to receive a certificate of completion of the SANE for adult examinations;
- Provide time and private space for sexual assault crisis center advocates to establish relationships with the victim, the victim's family/caregivers, and friends when appropriate and if the victims and family/caregivers agree;
- Provide private examination rooms and supplies, including sexual assault evidence collection kits, necessary for the completion of the medical/forensic examinations;
- Allow for SANE to educate hospital staff on procedures for caring for adult sexual assault patients;
- Ensure that billing procedures for medical/forensic exams are compliant with the policies and procedures developed by the Georgia Crime Victims' Compensation program;
- Support the development and annual review of the community's guidelines; and

- Participate, as appropriate, in cross training with allied professionals regarding response to sexual assault.

The Victim/Witness Program agrees to:

- Designate a liaison to participate actively on the Sexual Assault Response Team;
- Provide resource and referral to counseling and area resources, such as the Sexual Assault Crisis Center;
- Provide crisis intervention, criminal justice information and support, courtroom assistance, and court preparation and orientation, as appropriate;
- Coordinate the above services for victims, family members, and friends with the local Sexual Assault Crisis Center, as appropriate;
- Provide assistance in processing and filing of crime victims' compensation; in obtaining return of victim's property when used as evidence; in obtaining restitution for economic loss; and in facilitating reimbursement for mileage and lodging for out of town witnesses, as appropriate;
- Upon request of the victim, provide notifications of friends, relatives, and employers of the occurrence of the crime; intervention with employers to prevent loss of pay or other benefits resulting from the crime or participation in the criminal justice system; notices of court dates; and status of release of defendants or prisoners from custody;
- Assist victims in filing a victim impact statement, which affords the survivor the opportunity to tell the court, in writing, the impact of the crime;
- Ensures that victims have reasonable notification of upcoming hearing and/or trial dates;
- Ensure the victim meets with the prosecutor, as appropriate, prior to hearings and/or trial;
- Support the development and annual review of the community's guidelines; and
- Participate, as appropriate, in cross training with allied professionals regarding response to sexual assault.

This agreement is effective on (insert month, day, and year) and shall remain in effect until any party terminates their commitment in writing. The agreement will be reviewed annually. Any modifications to the agreement must be mutually agreed upon by all parties, documented in writing, and acknowledged by a signature of each agency's representative.

Required Signatures

Executive Director, Sexual Assault Crisis Center

Date

Chief of Police/Sheriff
Local Police Dept. /Local Sheriff's Office

Date

SANE Program Coordinator

Date

President/CEO, Hospital

Date

District Attorney

Date

Director, Victim/Witness Program

Date