

2024 SEXUAL ASSAULT PROTOCOL
IN THE SUPERIOR COURT OF DOUGLAS COUNTY
STATE OF GEORGIA

ORDER

The purpose of this Protocol shall be to ensure coordination and cooperation between all agencies involved in sexual assault cases to increase the efficiency of all agencies handling such cases and to minimize the stress created for the alleged sexual assault victim by the legal and investigatory process.

This Sexual Assault Protocol was adopted pursuant to O.C.G.A § 15-24-2 to outline procedures to be used in investigating, collecting evidence, paying for expenses related to evidence collection, and prosecuting cases arising from alleged sexual assault and shall take into consideration the provisions of

For the purposes of this Protocol, the term victim shall refer to victims 16 years of age and older.

REQUEST FOR FORENSIC MEDICAL EXAMS

- A. A victim shall have the right to a free forensic medical examination regardless of whether the victim participates in the criminal justice system or cooperates with law enforcement in pursuing prosecution of the underlying crime (O.C.G.A. § 17-5-72).
- B. Forensic medical exams may be requested 24 hours a day by calling the Douglas County Task Force (DBA The Trinity Center), crisis line at 678-715-1196. If unavailable, we will partner with similar local partners, such as LiveSafe Resources Crisis Line (Cobb County), 770-427-3390.
 - a. If victim does not have transportation, local law enforcement will transport victims.
- C. Request for a forensic exam may be initiated by the victim, law enforcement, or hospital personnel. The national guideline from the International Association of Forensic Nurses (IAFN) recommends collection of forensic evidence within 120 hours of the alleged assault. However, sexual assault examinations may be performed within 240 hours of the alleged assault at the discretion of the forensic medical examiner.
- D. The victim can refuse at any point prior to, or during the exam, any portion of the exam.

MEDICAL FORENSIC EXAMINATION PROCEDURES

The role of the medical forensic personnel is to provide a timely, high-quality medical forensic examinations that can potentially validate and address sexual assault patients' concerns, minimize the trauma they may experience, and promote their healing. At the same time, the

forensic medical examination can increase the likelihood that evidence collected will aid in criminal case investigation, resulting in perpetrators being held accountable and prevent further sexual violence.

CONDUCT OF FORENSIC MEDICAL EXAMINATIONS

- A. A Victim Advocate from Douglas County Task Force (DBA The Trinity Center) will be available to accompany the victim and offer emotional support. The Advocate will at no time ask the victim questions related to details of the assault.
- B. A forensic medical examiner, usually a Sexual Assault Nurse Examiner (SANE), will complete appropriate authorizations relating to the examination.
- C. The focus of the SANE examination is the medical health of the victim. In the course of the examination, the SANE may collect evidence related to the victim's report of sexual assault.
- D. The SANE will maintain and document the chain of custody of any evidence collected during the examination and assessment.
- E. All DNA samples, fluids, hairs, and other evidence requiring GBI analysis will be given directly to the investigating law enforcement agency.
- F. Pursuant to SB 304/O.C.G.A. § 35-1-2, it shall be the duty of every law enforcement officer who takes possession of the evidence collected during a sexual assault forensic medical examination to ensure that such evidence is submitted to GBI within 30 days of it being collected.
- G. Under Georgia State House Bill 255 and the Sexual Assault Reform Act of 2021, Douglas County Task Force (DBA The Trinity Center) and all other medical facilities and law enforcement agencies that handle, process or store sexual assault kits in Douglas County will utilize Sexual Assault Kit Tracking System (SAKTS). This applies to reported and unreported sexual assault kits. An "unreported sexual assault kit" means a sexual assault kit collected from a victim who has consented to the collection of the sexual assault kit but who has not reported the alleged crime to law enforcement. See O.C.G.A. 17-5-74.
- H. Once the victim requests that law enforcement officials be notified, the SANE or his/her designee shall notify the appropriate law enforcement agency that evidence, including a reported sexual assault kit, if applicable, has been collected. If a victim does NOT wish to report to law enforcement, the SANE or his/her designee shall notify the appropriate law enforcement agency that evidence, including an unreported sexual assault kit is available for collection and entry into the SAKTS system. (see LAW ENFORCEMENT section for preservation timeframes)

HOSPITALS RECEIVING WALK-IN REPORTS OF SEXUAL ASSAULTS: PROCEDURES

Hospitals receiving patients reporting incidents of sexual assault shall immediately contact law enforcement in accordance with O.C.G.A § 31-7-9 mandating all non-accidental injuries be reported. Patients will retain the right not to initiate, participate in, and/or cooperate with any law enforcement investigation of such assault.

Hospital emergency department personnel shall timely notify The DCTF/Trinity Center Sexual Assault Center Crisis Line of the incident, including, which law enforcement agency is responding.

Local response will include the following:

- A. A victim reporting an incident of sexual assault is considered a priority. Hospital personnel shall immediately contact law enforcement in the jurisdiction where the crime occurred.
- B. Hospital personnel shall contact Douglas County Task Force (DBA The Trinity Center) Crisis Line at 678-715-1196 to activate a SANE and a Sexual Assault Advocate as soon as possible.
- C. Hospital personnel should follow hospital Sexual Assault Protocol for patient care and guidelines.
- D. Sexual assault victims should be considered a priority in obtaining a medical clearance and discharge due to the time sensitive nature of forensic evidence collection.
- E. If a hospital patient reporting an incident of sexual assault is placed on an involuntary hold such as 1013, 1014, 2013, or 2014, the hospital staff will take responsibility for performing the sexual assault exam on-site or securely escorting the patient to and from the Douglas County Task Force (DBA The Trinity Center) office for an examination.
- F. If a hospital patient reporting an incident of sexual assault is not medically cleared for discharge within 12 hours, the hospital staff will take responsibility for performing the sexual assault exam on-site.

REFERRALS TO COBB AND DOUGLAS PUBLIC HEALTH

- A. Sexual assault victims who receive services from Douglas County Task Force (DBA The Trinity Center) may be referred to the Cobb and Douglas Public Health (CDPH) for follow up care.
- B. A victim who makes contact with the CDPH will be scheduled for an appointment, during which they may be screened for sexually transmitted infections (STI's). The screening acts as a test of cure to ensure that the medication they received during their initial exam was sufficient.
- C. The victim will be given information about other services available with CDPH and referred to other community partners to address any additional needs.

LAW ENFORCEMENT

The role of the investigating officer is to ensure the safety of the victim and the community and to ascertain if the report of sexual assault meets the elements of a crime under Georgia law. Within their jurisdictions, law enforcement will investigate sexual assault crimes. Investigative responsibilities include:

- Identification, apprehension, and interrogation of suspect(s)
- Interview of victim with an offender focused and trauma informed approach, which includes allowing an advocate to be present
- Interview of witnesses
- Collection and preservation of evidence
- Maintain chain of custody
- Timely submitting sexual assault evidence collection kits to GBI crime laboratory regardless of whether a suspect has been identified, per GBI recommendations
- Review of GBI Crime lab reports as soon as possible after they are released to investigating agency, per GBI recommendations
- Determination of probable cause and arrest
- Preparation of case reports with investigative summaries
- Testimony and presentation of evidence in court

Investigating officers will work with victim advocates to ensure a victim centered response to the investigation and proper notification of case updates to victims. Additionally, law enforcement officers will operate under the guidelines established by The Georgia Crime Victim's Bill of Rights (O.C.G.A. § 15-17-1) and adhere to best practices as outlined in the Georgia Sexual Assault Team Guide.

In accordance with Georgia House Bill 255 and the Sexual Assault Reform Act of 2021 (O.C.G.A. § 17-5-71):

(a) In cases in which the victim reports an alleged sexual assault to law enforcement, the investigating law enforcement agency shall maintain any physical evidence collected as a result of an alleged sexual assault that contains biological material, including, but not limited to, stains, fluids, or hair samples that relate to the identity of the perpetrator of an alleged sexual assault, for 30 years from the date of arrest, or seven years from completion of sentence, whichever occurs last, and if no arrests, then for 50 years.

(b) If the victim chooses not to report the alleged sexual assault to law enforcement at the time of evidence collection, the law enforcement agency with jurisdiction shall maintain any physical evidence collected as a result of such alleged sexual assault that contains biological material, including, but not limited to, stains, fluids, or hair samples that relate to the identity of the perpetrator of the alleged sexual assault, for not less than 12 months from the date any such physical evidence is collected.

JUDICIAL PROCEEDINGS

The role of the District Attorney's office is to protect the rights of the victim while holding the offender accountable. Prosecutors should work in a collaborative fashion with law enforcement, medical forensic examiners, and victim advocates. Prosecutors will operate under the guidelines established by Marsy's Law, Georgia Constitution (Art. 1, Sect. 1, Paragraph XXX) and The Georgia Crime Victim's Bill of Rights (O.C.G.A. § 15-17-1).

A Victim Advocate from the District Attorney's Victim Witness Assistance Program, will keep victims updated with court dates, refer them to resources, and be available to accompany them to any court proceedings.

The District Attorney's Office will send any necessary subpoenas for the SANE Nurse to the Douglas County Task Force (DBA The Trinity Center) facility. The SANE Nurse will call into the DA's Office regarding subpoenas received and notify the office staff of any conflicts in their availability. The Assistant District Attorney (ADA) assigned to the case will coordinate court attendance with the SANE Nurse, law enforcement and any other relevant witnesses and the witnesses will appear for court as directed by the ADA.

The foregoing Sexual Assault Protocol is hereby agreed upon and adopted by the agencies represented by the committee members. Please see the attached signature pages.

Pursuant to O.C.G.A § 15-24-2, members of the Douglas County Sexual Assault Protocol Committee agree to meet annually to review, update and evaluate this Sexual Assault Protocol.

The foregoing Douglas County, Georgia Sexual Assault Protocol is hereby adopted and replaces any previously adopted protocol and remains in effect until such time as said protocol is amended and adopted.

This 23rd day of January, 2024.

Douglas County Task Force on Family Violence, Inc D/B/A The Trinity Center

The Douglas County Sexual Assault Protocol 2023-2024 revision is hereby acknowledged and accepted by the following agency representative.

A handwritten signature in black ink, appearing to read "Angel S. White", written over a horizontal line.


Angel S. White, Executive Director

Douglas County Task Force on Family Violence, Inc D/B/A The Trinity Center

Douglas County Task Force (DBA The Trinity Center)

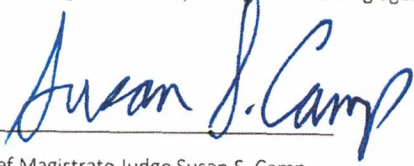
The Trinity Center serve Douglas County. The core services provided include:

- A 24/7 Crisis Hotline
- Referrals to and assistance with obtaining social or legal services, where applicable
- Notifying and assisting the victim about his/her eligibility for victims' compensation
- Accompaniment to medical evaluations, and with client consent or at his/her request, to police interviews, and court hearings
- In-house provision or referral for licensed counseling and/or support groups run by a trained facilitator as requested or necessary
- Community education and awareness about the impact of sexual assault, including outreach about available services to victims and criminal justice professionals
- Participation on Sexual Response Teams (SARTs), if any exist in the center's community
- Ensure that all services are available for persons with limited English proficiency or provide referrals for culturally and linguistical services where appropriate

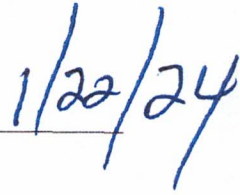
Signature  Date 1/22/2024

Douglas County Magistrate Court

The Douglas County Sexual Assault Protocol ~~May 2022~~ January 2024 Revision is hereby acknowledged and accepted by the following agency representative.




Chief Magistrate Judge Susan S. Camp
Douglas County Magistrate Court



Date

Douglas County District Attorney's Office

The Douglas County Sexual Assault Protocol January 2024 Revision is hereby acknowledged and accepted by the following agency representative.



District Attorney Dalia Racine
Douglas County District Attorney's Office

1.22.24

Date

Douglas County Sheriff's Office

The Douglas County Sexual Assault Protocol January 2024 Revision is hereby acknowledged and accepted by the following agency representative.



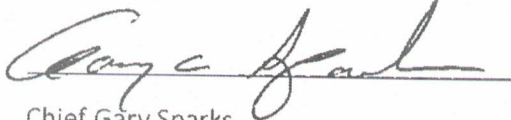
Sheriff Tim Pounds
Douglas County Sheriff's Office

1-12-24

Date

Douglasville Police Department

The Douglas County Sexual Assault Protocol January 2024 Revision is hereby acknowledged and accepted by the following agency representative.



Chief Gary Sparks
Douglasville Police Department

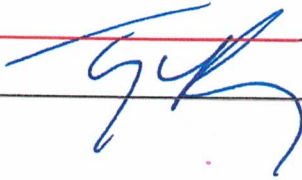
1-22-24

Date

Douglas County School System Police

The Douglas County Sexual Assault Protocol January 2024 Revision is hereby acknowledged and accepted by the following agency representative.

Chief Tracey Whaley

A handwritten signature in blue ink, appearing to be 'T. Whaley', is written over a horizontal line.

Date

MEMORANDUM OF UNDERSTANDING

Between

Georgia Network to End Sexual Assault (GNESA)

AND

- Crisis Line & Safe Houses of Central Georgia
 - Day League
 - Douglas County Task Force
 - Fight Abuse in the Home (FAITH)
 - Golden Isles Children's Center (operated by Safe Harbor Children's Center)
 - Grady Rape Crisis Center
 - Harmony House
 - Harmony House Domestic Violence Shelter
 - HODAC
 - LiveSafe Resources
 - North Georgia Mountain Crisis Network
 - Piedmont Rape Crisis Center
 - Rape Crisis Center of the Coastal Empire
 - Ruth's Cottage and the Patticake House
 - Sexual Assault Center of NW Georgia
 - Sexual Assault Support Center
 - Sexual Assault Victim Advocacy Center
 - Statesboro Regional Sexual Assault Center
 - Support in Abusive Family Emergencies (SAFE)
 - The Cottage, Sexual assault Center and Children's Advocacy Center
 - The GreenHouse
 - The Lily Pad
 - The Treehouse Aadvocay Center
- And
- **Women in Need of God's Shelter (WINGS)**

I. Purpose

This Memorandum of Understanding represents the efforts of the above-named agencies and/or organizations to coordinate and provide direct services to victims, partner and support training and technical assistance efforts provided by our state coalition GNESA, and hold each other accountable on behalf of victims statewide. Through this collaborative effort, and having a victim-centered approach, we as sexual assault centers and the coalition ban

together to ensure that victims of sexual violence are provided support and resources and have a voice in the state.

Background

With a deep understanding of the trauma associated with victimization, and where applicable the criminal justice system, can be unfamiliar, confusing and overwhelming to victims and witnesses, the above-named agencies and/or organizations continue in their commitment to provide crime victims assistance through the process, to insure the victim's voice will be heard.

II. Collaborative Objectives

All the above-named agencies and/or organizations have engaged in a variety of informal communication and visits to expand relations and build collaborative efforts. Each agency and/or organization shall, when available, participate in community meetings regarding the delivery of services to crime victims. This MOU supports a variety of activities, which aim to assist the crime victim and witness, and as a collaborative group, the agencies and/or organizations shall work to further improve, enhance, or develop components to complete the delivery of services.

This MOU represents a non-binding expression of intent between the above-named agencies and/or organizations to work together and remain aware of the services and eligibility requirements of the other agencies and make referrals as appropriate to prevent the duplication of services. Each agency that provides training audiences shall participate and collaborate with the agencies providing training to develop the courses content and materials as needed or as requested and if necessary to streamline any referral process.

III. Programs and Services:

Georgia to End Sexual Assault (GNESA)

GNESA is a non-profit coalition of sexual assault agencies and concerned individuals that share the common goal of ending sexual assault. We are a membership organization.

GNESA envisions a society free from sexual violence and functions as a collective voice for reducing the threat and mitigating the effects of sexual assault in the state of Georgia. GNESA coordinates and supports a multidisciplinary approach to public and professional education, advocacy, and support to sexual assault centers and service providers.

- GNESA provides a voice for victims at the state level.

- GNESA works to support building capacity of Georgia's rape crisis centers, sexual assault programs as well as services for victims of sexual assault on college campuses.
- GNESA collaborates with strategic partners and partnering organizations to promote and support ending violence against women.
- GNESA works to impact public policy in Georgia to give voice to victims of sexual violence.
- GNESA provides outreach and community awareness throughout the state as well as provides trainings for nurses, law enforcement and other professionals to strengthen the infrastructure of victim services in Georgia.

Signature _____ Date _____