

IN THE SUPERIOR COURT OF THE EASTERN JUDICIAL CIRCUIT
STATE OF GEORGIA

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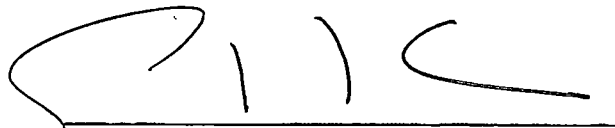
SEXUAL ASSAULT PROTOCOL

ORDER

WHEREAS, the Legislature of the State of Georgia has enacted O.C.G.A. § 15-24-2 requiring the establishment of a sexual assault protocol in the Eastern Judicial Circuit (Chatham County) of Georgia.

NOW, THEREFORE, IT IS HEREBY ORDERED, this document is accepted by the Court and shall be spread upon the minutes and filed with the Clerk of the Superior Court of the Eastern Judicial Circuit of the State of Georgia.

SO ORDERED, this 28 day of December, 2023.



Honorable Penny Haas Freeseemann
Chief Judge, Superior Court Chatham County
Eastern Judicial Circuit of Georgia

SEXUAL ASSAULT PROTOCOL

This Sexual Assault Protocol ("Protocol") for the Eastern Judicial Circuit of Georgia, also known as Chatham County, is adopted pursuant to O.C.G.A § 15-24-2 for the purpose of outlining the procedures to be used in responding to, investigating, and prosecuting cases of sexual assault. The purpose of this Protocol shall be to ensure coordination and cooperation amongst all agencies involved in sexual assault cases so as to increase the efficiency and effectiveness of all agencies handling such cases and to minimize the stress created for the sexual assault victim by the legal and investigatory process.¹

The mission of the Chatham County Sexual Assault Response Team ("SART") is to provide a sensitive and competent multi-disciplinary response, to support efforts to restore wellbeing to the victim, and to bring the responsible person(s) to justice.

The goals of the SART are to:

- Ensure competent, coordinated, and effective intervention;
- Provide a sensitive and caring response to survivors of sexual assault by all disciplines;
- Ensure cultural competency;
- Ensure complete, consistent, and accurate case investigations;
- Provide high quality and consistent forensic sexual assault physical examinations;
- Ensure the provision of medical and forensic follow-up care;
- Provide crisis intervention and follow-up counseling referrals; and
- Effectively support the mission of the criminal justice system.

For purposes of this Protocol, the term *victim* shall refer to victims aged 18 and older. Every sexual assault case involving victims under 18 shall refer to the Chatham County Child Abuse Protocol in identifying appropriate services and resources. In providing services to anyone under the age of 18, DFACS and/or law enforcement shall be notified pursuant to O.C.G.A § 19-7-5.

¹ O.C.G.A. § 15-24-2. "Provided, however, that a failure by an agency to follow the protocol shall not constitute an affirmative or other defense to prosecution of a sexual assault, preclude the admissibility of evidence, nor shall a failure by an agency to follow the protocol give rise to a civil cause of action." *Id.*

LAW ENFORCEMENT

The role of the investigating law enforcement officer is to ensure the safety of the victim and the community and to ascertain whether the report of sexual assault meets the elements of a crime under Georgia law. Law enforcement should work in a collaborative fashion with prosecution, medical forensic professionals, and victim advocates. Within their jurisdictions, law enforcement will investigate sexual assault crimes.

Investigative responsibilities include, but are not limited to:

- Interview of victim with an offender-focused and trauma-informed approach, which includes allowing an advocate to be present whenever possible unless circumstances prevent it;
- Interview of witnesses;
- Collection and preservation of evidence;
- Maintenance of chain of custody;
- Timely submission² of sexual assault evidence collection kits to the Georgia Bureau of Investigation ("GBI") Crime Laboratory, regardless of whether a suspect has been identified;
- Review of GBI Crime Lab reports as soon as possible after they are released to the investigating agency, in accordance with GBI recommendations;
- Identification, apprehension, and interrogation of suspect(s);
- Determination of probable cause and arrest;
- Preparation of case files³ with investigative summaries;
- Assistance to the District Attorney's Office in prosecution of the case, including consultation for case preparation; and
- 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. § 17-17-1) and adhere to best practices as outlined in the Georgia Sexual Assault Team Guide.

² Pursuant to Georgia law, O.C.G.A. § 35-1-2, and GBI recommendations.

³ Copies of recordings or written communications should be immediately made a part of the case file.

ADVOCACY

The role of the sexual assault victim advocate⁴ is to provide services to the victims of sexual assault regardless of whether or not the victim chooses to participate in the criminal justice process. Victim advocates play an important role in providing a response that keeps the victim central in the process, allowing the investigation and prosecution to be offender focused. Victim advocates should work in a collaborative fashion with law enforcement, medical forensic professionals, and prosecution. Victim advocates also play a critical role in promoting the healing process for the victim. Sexual assault victim advocates provide crisis intervention, support, family advocacy, information, referrals, and other ancillary services to assist the victim through the criminal justice process. The support provided by the community-based advocate also benefits the criminal justice process because supported, well-informed victims are more likely to continue through the process. Advocates will operate under the guidelines established by *The Georgia Crime Victim's Bill of Rights* (O.C.G.A. § 17-17-1) and will adhere to best practices as outlined in the Georgia Sexual Assault Response Team Guide and Georgia Sexual Assault Certification Standards.

Responsibilities of the sexual assault victim advocate include:

- Being available to victims and families 24 hours a day, 7 days a week via a 24-hour crisis line staffed by trained community based advocates;
- Providing services to victims and families that are sensitive to the unique barriers and special considerations that diverse victims encounter in reporting sexual assault crimes;
- Providing options to victims so that they may make informed decisions;
- Supporting victims who choose to report to law enforcement by providing a link to eliminate barriers affecting the victim's participation in the criminal justice process;
- Maintaining reasonable victim confidentiality; and
- Offering services to non-reporting victims and assisting if and when the victim decides to report.

Victims may also work with systems-based victim advocates if the case progresses through the criminal justice system to the point of prosecution.

Responsibilities of the systems-based victim advocate include:

- Providing information and referral to counseling and area resources, such as Mary's Place of the Coastal Empire ("Mary's Place");
- Providing crisis intervention, criminal justice information and support, courtroom assistance, and court preparation and orientation, as appropriate;
- Coordinate the above services for the victim, family members, and friends;
- Providing referrals to victims for assistance in obtaining family violence or stalking protective orders;
- Providing separate waiting areas for victims and witnesses of crimes;
- Providing assistance in filing crime victims' compensation, facilitating the return of

⁴ Sexual assault victim advocate as referred herein is defined as a trained sexual assault victim advocate working with a Georgia certified sexual assault center.

victim property used as evidence, obtaining restitution for economic loss, and facilitating travel arrangements and/or reimbursement for out-of-town witnesses and victims as appropriate;

- Upon request of the victim, providing notification to friends, relatives, and employers of the occurrence of the crime, communication with employers to prevent loss of pay or other benefits because of the crime or participation in the criminal justice system, as well as providing notice of court dates, and status of release of defendants from custody;
- Assisting victims in filing victim impact statements, affording survivors the opportunity to tell the court, in writing, the impact of the crime;
- Ensuring victims have reasonable notification of upcoming hearing and/or trial dates; and
- Ensuring victims meet with the Assistant District Attorney, when necessary and at the prosecution's directive, and prior to hearings and/or trial.

REQUESTS FOR MEDICAL FORENSIC EXAMINATION

With the consent of the victim-patient, medical forensic examinations can be performed at the request of or pursuant to (1) a law enforcement agency, (2) the District Attorney's Office, (3) the medical examiner or coroner's office, (4) a hospital, (5) a court order, or (6) the victim-patient pursuant to O.C.G.A. § 17-5-72.

All sexual assault victims *not suffering from significant injury* are to be relocated to Mary's Place for medical forensic examinations and/or related law enforcement interviews. Medical forensic examinations may be requested 24 hours a day by using the following procedure:

A. If victim-patient presents to hospital *without* police accompaniment:

- 911 shall be called for appropriate police jurisdiction response.
- Law enforcement shall respond and notify the Mary's Place manager-on-duty phone at 912-429-8152.
- Law enforcement shall explain to the victim-patient that s/he is going to be relocated to a nonhospital facility in order to help ensure his/her comfort and safety. Law enforcement and victim-patient shall relocate to 105 Wheeler Court, Savannah, GA.
- A Mary's Place advocate and Sexual Assault Nurse Examiner ("SANE") shall respond.

B. If victim-patient contacts and is brought in by law enforcement:

- Law enforcement shall notify the Mary's Place manager-on-duty phone at 912-429-8152.
- Law enforcement shall explain to the victim-patient that s/he is going to be relocated to a nonhospital facility in order to help ensure his/her comfort and safety. Law enforcement and victim-patient shall relocate to 105 Wheeler Court, Savannah, GA.
- Mary's Place advocate and SANE shall respond.

C. If victim-patient presents and is seriously injured:

- Victim-patient will be treated immediately by an ER physician⁵ with care taken to preserve any evidence on the victim-patient's body and clothing.

D. If patient presents without serious injury but has injuries needing hospital intervention or treatment:

- Patient should be taken to a private, quiet room, such as a family waiting area whenever possible.
- Law Enforcement will conduct an initial interview with the Mary's Place advocate present whenever possible.
- A minimum of information will be taken for registration and billing will be forwarded to Mary's Place to be processed for victim compensation.
- An exam room will be made available as quickly as possible and for so long as

⁵ If a hospital/medical facility has changes to its operating procedures in effect due to emergencies, such as pandemic, weather, and national disasters, those rules and procedures shall be followed.

necessary for the SANE exam, which may take up to 4 hours.

- SANE will have access to appropriate medications for STD/STI and pregnancy prevention.
- If patient clothing is unavailable, a Mary's Place advocate will provide appropriate clothing and arrange transportation as needed.

If no SANE is available, victim-patient may be examined by a physician.

PROCEDURES for HOSPITALS RECEIVING WALK-IN REPORTS OF SEXUAL ASSAULTS

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.

MEDICAL FORENSIC EXAMINATION PROCEDURES

The role of the medical forensic professional is to provide a timely, high-quality medical *forensic* examination that can potentially validate and address sexual assault patients' concerns, minimize the trauma they may experience, and promote their healing. At the same time, medical forensic examinations can increase the likelihood that evidence collected will aid in criminal case investigation, resulting in perpetrators being held accountable and further sexual violence prevented. Medical personnel should work in a collaborative fashion with prosecution, law enforcement, and victim advocates.

Medical forensic examinations may be performed at Mary's Place, Candler Hospital, Memorial Medical University Hospital, or St. Joseph's Hospital. The exam should be performed at Mary's Place unless medical needs require otherwise. If medical needs require treatment at a hospital, treatment should be performed at whichever hospital the patient presents. Medical forensic exams should be made available regardless of whether the patient chooses to make a restricted report or an investigative report.

Medical forensic examinations shall be performed by a Mary's Place SANE, or if one is not available, then by a physician.⁶

Medical forensic responsibilities include:

- Obtaining informed consent from the victim-patient for the medical forensic examination, documentation, photography, and evidence collection;
- Gathering the medical and forensic history;
- Conducting a physical examination;
- Coordinating treatment of injuries;
- Documentation of biologic and physical findings;
- Collection of evidence from the patient, including, but not limited to, biological samples as deemed necessary;
- Documentation of findings;
- Providing information, treatment, and referrals for STD/STIs and pregnancy;
- Follow-up as needed for additional treatment and/or collection of evidence; and
- Providing testimony at trial, including consultation with law enforcement and the prosecution for case preparation.

⁶ Physicians trained in the performing medical *forensic* exams should be used whenever possible.

BIOLOGIC EVIDENCE COLLECTION

The Mary's Place SANE or physician will collect biologic samples with the consent of a patient, in accordance with currently accepted protocol (defined as the *National Protocol for Sexual Assault Medical Forensic Examinations Adults/Adolescents*), to obtain timely biologic reference samples for possible analysis at the GBI Crime Lab. At the conclusion of the sexual assault medical forensic examination, any evidence collected will be packaged and protected in a manner to ensure the integrity of specimens and the appropriate chain of custody of the evidence.

All biologic evidence will be collected up to a minimum of 120 hours after the assault. In addition, cases should be evaluated on an individual basis as the medical forensic examination may be completed beyond 120 hours.

All biologic samples, fluids, and other evidence requiring GBI analysis will be given directly to the investigative officer for processing using a proper chain of evidence.

Pursuant to 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 the division as soon as possible but no later than 30 days of it being collected.

Urine collected for analysis can be collected up to 120 hours and may be submitted to the GBI Crime Lab, the Federal Bureau of Investigations Crime Lab, or other private lab for toxicology drug screen.

All biologic evidence collected with the consent of a patient who chooses not to initiate and participate in and/or cooperate with a law enforcement investigation shall be provided to the investigative agency for storage indefinitely according to the agency SOP (see local procedure below).

CONDUCT OF THE MEDICAL FORENSIC EXAMINATION

A Mary's Place SANE or physician will perform the examination and assessment. Medical forensic examinations and biologic evidence collection should be completed as quickly as possible after a report is received.

Medical forensic examinations and biologic evidence collection shall be conducted in accordance with GBI procedures using a GBI Sexual Assault Evidence Kit. It is also recommended that medical forensic exams be conducted in accordance with the *National Protocol for Sexual Assault Medical Forensic Examinations*.

A victim advocate will be available to accompany the victim-patient and offer emotional support during the examination. The advocate will at no time ask the victim-patient questions related to the details of the assault.

The Mary's Place SANE or physician will complete appropriate authorizations relating to the examination.

The Mary's Place SANE or physician will document injuries and prepare a report.

The Mary's Place SANE or physician will maintain and document the chain of custody of any evidence collected during the examination and assessment.

The Mary's Place SANE or physician will adhere to best practices as outlined in the *Georgia Sexual Assault Response Team Guide*.

COSTS OF THE MEDICAL FORENSIC EXAMINATIONS

The cost of examinations shall be paid pursuant to O.C.G.A § 16-6-1(c) and O.C.G.A § 17-5-72. Patients shall not be responsible for the payment of medical forensic examination costs.

PROSECUTION

The role of the District Attorney's Office is to ascertain the truth, protect the rights of the victim, and hold the offender accountable. Prosecutors should work in a collaborative fashion with law enforcement, medical forensic professionals, and victim advocates. Prosecutors will operate under the guidelines established by *The Georgia Crime Victim's Bill of Rights* (O.C.G.A. § 17-17-1, *et seq.*) that state, for example, that victims have the right:

- To be treated fairly and with dignity by all criminal justice agencies involved in the case;
- To proceedings free from unreasonable delay;
- To reasonable, accurate, and timely notice of a court proceeding where the release of the accused will be considered;
- To reasonable, accurate, and timely notice of court proceedings or any changes to such proceedings, including restitution hearings;
- To reasonable, accurate, and timely notice of the accused release and/or monitoring program;
- To be present at all criminal proceedings in which the accused has a right to be present;
- To not be excluded from any scheduled court proceedings, except as provided in O.C.G.A. § 17-17-1 or otherwise provided by law;
- To a waiting area during judicial proceedings that is separate from the accused and his/her relatives, friends, and witnesses;
- To be reasonably heard at any scheduled court proceeding involving the release, plea, or sentencing of the accused;
- To complete a Victim Impact Statement and have it presented to the court prior to the trial sentencing or plea of the accused, pursuant to O.C.G.A. § 17-17-11;
- To refuse to submit to an interview by the accused, accused's attorney, or agent of the accused; and
- To a requirement by the court, pursuant to O.C.G.A. § 17-17-10, that defense counsel not disclose victim information to the accused.

If a victim attends any court proceeding, a victim advocate from Chatham County Victim Witness Assistance Program will accompany the victim.

Prosecutors and prosecution based advocates will adhere to best practices as outlined in the *Georgia Sexual Assault Response Team Guide*.

LOCAL SART COORDINATED RESPONSE

All members of the Chatham County Sexual Assault Response Team will adhere to best practices as outlined in the Georgia Sexual Assault Response Team Guide.

PROCEDURE

I. INITIAL RESPONSE

- A. A victim may report through any of the following points of contact
 - 1. Self-report to the hospital.
 - 2. Mary's Place of the Coastal Empire Center ("Mary's Place") Hotline.
 - 3. 911 call/report to Law Enforcement.
- B. If a victim self-reports to the hospital without police accompaniment:
 - 1. Hospital staff will call 911 for the appropriate police jurisdiction response.
 - 2. Law enforcement shall respond and notify the Mary's Place advocate at 912-429-8152 as needed.
 - 3. Mary's Place advocate will notify Mary's Place SANE for exam as needed.
- C. When a victim makes a report through Mary's Place Hotline:
 - 1. Mary's Place advocate should inform the victim of reporting options, which may include
 - a. Having law enforcement respond to their location.
 - b. Having the victim report to the hospital if medical intervention is necessary or to Mary's Place.
 - c. Having the advocate contact law enforcement on behalf of the victim.
 - d. Explaining the restricted reporting procedure, if necessary.
- D. When a victim makes a 911 call or otherwise reports incident to police:
 - 1. An investigating officer from the appropriate police jurisdiction shall contact the Mary's Place advocate as needed.
 - 2. Mary's Place advocate will notify Mary's Place SANE to respond as needed.
- E. When a sexual assault complaint is received in the Communications Center, the communications specialist receiving the call shall request the following information:
 - 1. Victim's name.
 - 2. Location of caller.
 - 3. Where the attack occurred.

4. When the attack occurred.
 5. Name and/or description of perpetrator(s).
 6. Direction and means of perpetrator's flight, if applicable.
 7. Advise victim not to change clothes, eat, drink, or shower in order to preserve potential evidence.
- F. The Communication Specialist shall make every effort to keep the victim on the phone line until the first officer arrives on the scene.
- G. The Communication Specialist shall obtain authorization from the Special Victims Unit ("SVU") detective or SVU supervisor (or if there is no SVU unit for the agency, then from the appropriate agency law enforcement detective or on-duty supervisor, such as from CID) prior to notifying Mary's Place to send a Mary's Place advocate and Mary's Place SANE to an authorized medical facility or to Mary's Place. Unless medical needs dictate otherwise, all sexual assault cases shall be investigated in an appropriate setting to ensure the medical needs, privacy and comfort of the victim.
- H. All biologic evidence will be collected up to a minimum of 120 hours (5 days) after assault. In addition, cases should be evaluated on an individual basis as the medical forensic examination may be completed beyond 120 hours.
- I. The responding officer shall assess the victim's well-being and let the victim know they are there to help.
- J. An officer shall:
1. Secure the scene of the assault and begin a Crime Scene Access log, provided the crime scene is located.
 2. Locate and identify witnesses.
 3. Conduct an area canvass.
 4. Obtain suspect information and issue a BOLO.
- K. The responding officer should explain to the victim each step of the investigation, including the medical forensic examination (SANE exam).
1. The officer should explain that the SANE examination is a free medical forensic procedure designed to assess and provide for the victim's wellbeing and medical concerns following the assault. At the same time, the exam may help identify, document, and collect evidence.
 2. The officer should also explain that the victim may have an exam regardless of whether the victim wishes the case to be investigated.⁷
NOTE: A victim has the right to stop the SANE examination at any time and for any reason. Law enforcement shall not encourage a victim to stop a SANE examination.
 3. At no time shall the victim be misled concerning the purpose of the SANE examination.
 4. If possible, the victim should take a change of clothing to the authorized

⁷ O.C.G.A. § 17-5-72 states: A victim shall have the right to have a 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. A victim shall not be required to pay, directly or indirectly, for the cost of a forensic medical examination. The cost of a forensic medical examination shall be paid for by the Georgia Crime Victims Emergency Fund, as provided for in Chapter 15 of this title.

medical facility and the need to keep crime scene clothing as evidence should be explained.

- L. The victim should be transported to Mary's Place or to the authorized medical facility of their choosing and brought to the quiet/examination room.
 - 1. Victims with life threatening or major trauma injuries will be taken to an authorized medical facility. This decision will be made by medical personnel.
 - 2. Victims with non life threatening or major trauma injuries should be relocated to Mary's Place for medical forensic examinations and/or related law enforcement interviews.
 - 3. Law Enforcement should allow the victim to transport themselves, be transported by ambulance, or transport the victim in an unmarked police car, whenever possible, according to the victim's wishes. In any event, an officer shall follow and/or remain with the victim until the detective arrives on scene and, preferably, a victim advocate is present.
 - 4. The victim should not be transported in the rear seat of marked unit with a cage, unless no other means of transportation exists.
- M. Once at the hospital, the officer should never leave the victim alone and should take the victim to a private waiting room, if the Quiet Room is unavailable.
- N. Officers should obtain a Case Report Number upon arrival of the hospital and provide the number to the Investigator, Mary's Place Advocate, and SANE.
- O. Officers shall not discuss the investigation openly or within hearing distance of the victim or others not associated with the investigation (i.e., other patients, hospital employees, etc.).

II. MEDICAL/INCIDENT RESPONSE

- A. Mary's Place advocates and SANE will arrive at the Mary's place or the hospital within 45 minutes from point of contact.
- B. If EMS is involved, they will assess the patient's condition and determine if any medical treatment is needed with care taken to preserve any evidence on the patient's body and clothing. EMS will transport the patient to the hospital of the patient's choosing for both treatment and forensic evidence collection as necessary.
- C. If the patient is seriously injured or is in need of emergency medical treatment, the patient will be treated by an ER physician immediately upon arrival to the hospital with care taken to preserve any evidence on the patient's body and clothing.
 - 1. In order to preserve evidence, care should be taken not to bathe the patient, and the patient should not be allowed to eat or drink.
 - 2. Should the clothing of the patient need to be removed, it should be stored in a paper bag and care should be taken when removing clothing.
 - 3. If the patient is admitted as a result of injury or emergency medical needs, the Mary's Place SANE will conduct the exam in the ER after receiving medical clearance.
 - 4. Should a SANE be unavailable to conduct the exam in the ER, the

- medical forensic exam should be conducted by a physician.
5. If the patient presents with visible injuries and no Mary's Place SANE is available to document the injuries, the physician shall contact the appropriate investigating officer to have the injuries documented through photography.
- D. If the sexual assault victim is under 13 years old without menses and presents at either Candler or Memorial, a Mary's Place advocate will be called and a Pediatric SANE will be contacted.
 - E. As mandated reporters, if the sexual assault victim is under the age of 17 and regardless of menses, law enforcement officers will be contacted.
 - F. The victim will be interviewed by the detective, with the Mary's Place advocate present, unless circumstances prevent it.
 - G. The medical forensic examination will be conducted by the Mary's Place SANE, according to the medical protocol signed by the SANE Medical Director. The examination will be conducted with the Mary's Place advocate in attendance, but the advocate shall not directly participate in the examination. Law enforcement should not be present during the SANE exam unless requested by the SANE. During the exam, the Mary's Place SANE will:
 1. Provide physical and emotional care to meet the immediate needs of the patient, explaining procedures and discussing treatment options and allowing the patient to choose what is best for them.
 2. Obtain a medical history and history of the assault.
 3. Have the patient sign a consent form agreeing to the medical forensic examination, evidence collection, and photography. The SANE will also have the patient sign a release-of-information consent allowing the SANE to release the forensic documentation and (reporting and non-reporting) evidence to the Sexual Assault Response Team.
 4. Offer the client medication for the prevention of STD/STIs and emergency contraception if indicated by history.
 5. Provide aftercare instructions, follow-up, and referrals as necessary.
 6. Work in conjunction with the Mary's Place advocate and law enforcement to ensure the patient is released into a safe environment.
 - H. The sexual assault forensic report (a multi-page form requiring detailed findings to be recorded and check lists for specific areas of examination) will be completed by the Mary's Place SANE during the medical forensic examination and at the time of collection of evidence, and the form will be signed by the SANE Medical Director as soon as possible.
 - I. Forensic evidence collected by the Mary's Place SANE will be given directly to the law enforcement officer or detective who is present in order to maintain the chain of custody for such evidence.
 - J. If at any time during the medical assessment or the forensic examination the SANE deems it necessary, a request for assistance from Emergency Room personnel for medical treatment will be made. In that event,
 1. The patient will be treated by an ER physician as soon as possible with care taken to preserve any evidence on the patient's body and clothing.

2. If the patient is admitted as a result of injury or emergency medical needs, the Mary's Place SANE will conduct the exam in the ER.
- K. Testing for STD/STIs will not be done at the time of the SANE exam. This will be included in the follow up procedures three weeks later when the patient is seen either at the Health Department or private physician. Written and verbal instructions concerning this follow up will be given to the patient by the SANE.
 - L. Pregnancy test will be administered to all female patients with their consent.
 - M. The Mary's Place advocate will assist in any way s/he can to insure that the victim understands the procedures and is informed of follow up services concerning his/her health, the legal system, available resources, and crisis intervention.
 - N. The Mary's Place advocate will provide clothing for the victim to wear home. A supply of clothing and toiletries will be kept in the locked restroom closet, adjacent to the SANE examination room.
 - O. The Mary's Place advocate will arrange transportation and other emergency services as needed.
 - P. The Mary's Place victim advocate will provide the victim and their family a coping book with information concerning services, rape trauma syndrome, the legal system, information on the Victim Witness Assistance Program and Mary's Place services. Contact names for both counseling and advocacy through Mary's Place will be given to the victim and/or their family.
 - Q. The Mary's Place SANE will complete and return to Mary's Place the notice for an invoice and the Victim Compensation Payment form for the examination fee so that administrative billing records are kept current. Mary's Place will be responsible for submitting the forms to CJCC for compensation within 30 days.
 - R. The responding law enforcement agency's Victim Compensation Program through CJCC will be billed by Mary's Place for the forensic examination and the fee will be paid directly by Victim Compensation to Mary's Place to reimburse for payment made to the Mary's Place SANE that performed the exam within 30 days.
 - S. If the Mary's Place SANE is called out to perform an examination, but for some reason an examination is not done, the SANE will be paid \$75.
 - T. The Mary's Place SANE will deliver the completed examination forms to Mary's Place within 5 business days of the examination. The examination forms will be signed by the Medical Director within 10 business days. A copy will be given to law enforcement and a copy will be kept in a locked SANE file cabinet at Mary's Place. The SANE charts will be kept indefinitely.

III. NON-INVESTIGATIVE REPORTS (RESTRICTED REPORTING)

- A. A victim may report a sexual assault without providing personal information or facts about the case to law enforcement. As much as possible, all other initial response procedures will be followed.
- B. Advocates will support the victim in this decision:
 - 1. If the victim wants a restricted report made, the Advocate will call a Mary's Place SANE and will ask the law enforcement agency with jurisdiction to assign a Case Report Number ("CRN") per that agency's

Standard Operating Procedure ("SOP").

2. The victim may not want to report the sexual assault, but may want to have a medical exam (not a rape kit) to determine if there is injury. In this case, the Mary's Place advocate will provide the victim with all the options for follow-up care.
 3. At any time during the reporting period, if the victim changes his/her mind and wants to report to law enforcement, the law enforcement agency (determined by location of the assault) will be notified and a Mary's Place SANE will be called.
- C. In response to a restricted report, the appropriate law enforcement agency will
1. Have a CRN pulled; however, no information pertaining to the complainant or the facts of the case will be written in the report.
 2. The report will state the officer responded to the authorized medical facility in reference to a restricted report of sexual assault, and that a sexual assault kit was collected and logged into the property room.
 3. If law enforcement personnel have interaction with the victim before the victim states that they want to make a restricted report, law enforcement should end contact with the victim following each agency's SOP, issue a CRN to the Mary's Place advocate and Mary's Place SANE, and make arrangements to retrieve the sexual assault kit. This information can be communicated by phone, email or in person.
 - a. Should the officer have been provided information pertaining to the complainant or the facts of the case prior to this time, this information shall be omitted from the restricted report.
- D. A sexual assault kit will be completed by the Mary's Place SANE or authorized medical personnel with consent of the victim. A CRN will be assigned to the sexual assault kit, which will be logged into the property room.
1. When a Mary's Place SANE is called to the hospital to perform an examination, the SANE should be informed as soon as possible that the report is restricted.
 2. The Mary's Place SANE will interview the patient in order to determine how to proceed with the examination. This information will be kept confidential, however, the Mary's Place SANE will complete the sexual assault forensic report and medical history, in order to fully document the examination.
 3. The patient's information will not be put on the sexual assault kit. Instead, the kit will be identified as "Restricted Reporting" and the agency CRN will be written on the kit for identification purposes.
- E. SVU detective or SVU sergeant will be notified upon completion of the restricted kit. (If there is no SVU unit for the agency, then the law enforcement detective or on-duty supervisor from the appropriate agency will be notified.)
- F. The victim will be advised they have up to one year to change their mind and add the relevant facts and personal information to the report.
- G. Forensic evidence for restricted reported sexual assaults will be maintained indefinitely by the law enforcement agency with jurisdiction over the case.

1. The victim must also be informed, at the time of the restricted reporting, that the evidence may be destroyed after twelve months, pursuant to O.C.G.A. § 17-5-71(b).
 2. The members of the Chatham County SART agree not to destroy restricted report kits, but to keep them one year past the statute of limitations or as directed by law.
- H. Mary's Place will be responsible for follow up contact with the victim regarding the timeframe remaining to file a report.

IV. FOLLOW-UP INVESTIGATION

- A. When conducting sexual assault investigations, an investigating officer will:
1. Ensure the victim understands the investigation process and who each person is that will be involved, as well as include the Mary's Place SANE, Mary's Place, and other partner agencies such as Coastal Children's Advocacy or Safe Shelter, or appropriate medical personnel.
 2. Ensure that evidence at the scene is collected.
 3. Ensure information about the perpetrator has been sent to nearby agencies, if appropriate.
 4. Explain the investigating officer's role and how the interview is conducted and why certain sensitive questions have to be asked, as well as the importance of the *modus operandi* and the necessity of providing details.
 5. Interview the victim with a Mary's Place advocate present, if circumstances allow.
 6. Allow the victim to first tell what happened in his/her own words with no interruptions prior to asking specific questions.
 7. Make notes of the victim's condition.
 - a. If there is any likelihood that a "date rape" drug was used or that alcohol and/or drugs were involved in the assault, the investigating officer shall request the Mary's Place SANE to obtain a blood and urine sample from the victim.
 - (1) Urine should be collected as soon as possible and up to 120 hours following the assault.
 - (2) Blood samples should be taken if the assault took place within the last 24 hours.
 - (3) The sample shall be logged into evidence and placed in the evidence refrigerator until it can be transported to the GBI Crime Lab for analysis.
 - b. Photographs of the victim's injuries should be taken by the Mary's Place SANE during the examination.
 - (1) If the examination is conducted by a physician, a forensics officer or law enforcement case detective shall be requested to photograph the victim's injuries, if any.
 - (2) Photographs may be taken the following day to show

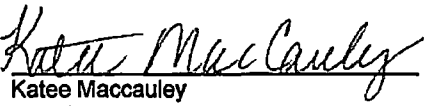
the extent of any bruising. Following day photographs will be taken by a forensics officer or law enforcement case detective.

8. Ensure that medical evidence and the victim's clothing are obtained in a legal manner.
9. Ensure that the victim has a means of transportation from the hospital.
10. Brief the victim on next contact, judicial process, and other information.
11. The investigating officer will ensure the medical evidence (sexual assault kit) is obtained from the authorized medical facility/Mary's Place as soon as possible. Said evidence must be retrieved within 96 hours to comply with O.C.G.A. § 17-5-72. The case detective will also ensure the kit is submitted to the GBI within 30 days in compliance with O.C.G.A. § 17-5-72.
 - a. Submit it to GBI Crime Lab through the agency property room.
 - b. All sexual assault kits except cases that are unfounded or restricted reports will be submitted to the GBI for processing. Restricted reports kits will only be sent to the GBI Crime Lab with the victim's approval and request.
12. The appropriate personnel shall ensure compliance with the sexual assault kit tracking system pursuant to O.C.G.A. § 17-5-74.
13. Conduct a subsequent in-depth interview, if appropriate.
14. Show photo line-ups, if appropriate.
15. The Investigator shall notify the victim of the outcome of the investigation (i.e. type of closure and reason, whether or not the case will be presented for prosecution, Grand Jury no-bill or true-bill).

Members of the Chatham County SART agree to meet not less than quarterly for case review, discussion, and evaluation to ensure the coordination and cooperation amongst all agencies responding to sexual assault cases in the Eastern Judicial Circuit of Georgia.

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

Pursuant to O.C.G.A. § 15-24-2, the statutorily required agencies, being represented on the Sexual Assault Protocol Committee by the designees below, and having met December 8, 2023, with other members of the local law enforcement, medical and advocacy communities, do hereby adopt the above stated Sexual Assault Protocol, and thereby replace any previously adopted sexual assault protocol, for this jurisdiction. This Sexual Assault Protocol adopted this date shall henceforth remain in effect unless and until such time as said protocol is subsequently amended and adopted by the Committee.

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|  Nicole R. Scott-Bonds Chatham County Sheriffs Office Pursuant to O.C.G.A. § 15-24-2(c)(1)(A) |  12/8/2023 Whitney J. Gregory District Attorney's Office, Eastern Judicial Circuit Pursuant to O.C.G.A. § 15-24-2(c)(1)(B) |
|  12/8/2023 Tracie Macke Magistrate Court Pursuant to O.C.G.A. § 15-24-2(c)(1)(C) |  12-21-2023 Sgt Michael Rowan Savannah Police Department Pursuant to O.C.G.A. § 15-24-2(c)(1)(E) |
|  12/12/23 Antonio Solomon Chatham County Police Department Pursuant to O.C.G.A. § 15-24-2(c)(1)(E) |  12/8/2023 Katee Maccauley Board of Health Pursuant to O.C.G.A. § 15-24-2(c)(1)(F) |
|  12/8/23 Margaret DeLeon Local Citizen, Eastern Judicial Circuit Pursuant to O.C.G.A. § 15-24-2(c)(2)(A) |  12/8/23 Doris Williams Mary's Place Pursuant to O.C.G.A. § 15-24-2(c)(2)(B) |
|  12-8-23 Jan Grayitt Sexual Assault Nurse Examiner Coordinator Pursuant to O.C.G.A. § 15-24-2(c)(2)(C) |  12/8/2023 Frank Pennington II Chairperson, Sexual Assault Protocol Committee Pursuant to O.C.G.A. § 15-24-2(b) |