

**WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL**

SEXUAL ASSAULT RESPONSE PROTOCOL  
IN THE SUPERIOR COURT OF WESTERN JUDICIAL CIRCUIT  
STATE OF GEORGIA

ORDER

WHEREAS, the Legislature of the State of Georgia enacted O.C.G.A. Section 15-24-2 requiring the establishment of a Sexual Assault Protocol; and

WHEREAS, the undersigned established a Sexual Assault Protocol Committee pursuant to O.C.G.A § 15-24-2; and

WHEREAS, the Committee has met on April 13<sup>th</sup>, 2023 and discussed the Protocol, which was approved by a majority vote and which is attached hereto, as the protocol for cases of sexual assault in the Western Judicial Circuit, 10<sup>th</sup> Congressional District of the State of Georgia.

NOW THEREFORE IT IS HEREBY ORDERED, this document is accepted by the Court as the protocol to be used in responding to, investigating and prosecuting cases arising from an alleged sexual assault and shall be spread upon the minutes and filed with the Clerk of the Superior Court of Western Judicial Circuit.

SO ORDERED, this 13th day of April, 2023.

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

### THE WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT RESPONSE TEAM PROTOCOL COVERING CLARKE AND OCONEE COUNTIES

#### ***Committed to working together for the betterment of our community***

This Western Judicial Circuit Sexual Assault Response Team Protocol ("Protocol") 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 between all agencies involved in sexual assault cases so as 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.<sup>1</sup>

*The mission of the Western Judicial Circuit Sexual Assault Response Team (SART) is to coordinate and assist service providers in delivering the highest quality of services to victims/survivors of sexual assault.*

For purposes of this Protocol, the term victim shall refer to victims age 18 and older. Every sexual assault case involving victims under 18 shall refer to the Western Judicial Circuit Child Abuse Protocol in identifying appropriate services and resources.

The terms "victim" and "survivor" are used interchangeably throughout this document. For the purposes of the SART protocol, they are synonymous.

It should be noted that if the sexual assault has occurred and/or reported while the survivor is incarcerated, please refer to the separate MOU between the SANE, Inc./Anchor Point program and the Clarke County Jail.

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<sup>1</sup> 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.

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## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

### Overview and Rationale

This protocol is designed to be in compliance with O.C.G.A. 15-24-2 of the Georgia Code and addresses a coordinated community response to sexual assault. Although the Western Judicial Circuit has maintained an informal sexual assault response team protocol since 1996, this revised edition is designed to include all law enforcement agencies in Clarke and Oconee Counties, SANE, Inc./ Anchor Point, The Cottage Sexual Assault Center and Children's Advocacy Center, health care providers, and any other agencies involved in responding to reports of sexual assault. The protocol is also designed to serve as a resource for our counties, campuses, and communities to provide a more comprehensive and exhaustive guideline for addressing and responding to sexual assault.

The protocol is designed to address all needs of sexual assault survivors, and does not discriminate among race, gender, socio-economic status, sexual orientation, or age. Sexual assault may have been perpetrated by strangers, acquaintances, or family members. This protocol is meant to provide guidelines for best practice for community collaboration and response to sexual assault survivors and is in no way rigid or inflexible in regard to policies and procedures. Rather, it is designed to allow enough flexibility to provide individualized services to a survivor based on the circumstances of the sexual assault.

Moreover, the protocol is designed to ensure sensitive and respectful treatment of survivors who seek community assistance. All agencies participating in this protocol have a vested interest in ensuring that all survivors are treated with extreme care, sensitivity, and respect, and are committed to providing this level of treatment to all survivors of sexual assault. Additionally, this community is dedicated to preventing and ending sexual assault.

### Terminology

#### **FAMILY PROTECTION CENTER (FPC):**

1. Definition
  - a. The Family Protection Center ("FPC") is a centralized sexual assault, child abuse, domestic violence, and elder abuse response facility used by agencies representing multiple disciplines.
  - b. The FPC user agencies include: Athens-Clarke County Police Department ("ACCPD"); SANE, Inc/ Anchor Point Sexual Assault Medical Examiners ("SANE, Inc./ Anchor Point"), Project Safe, Inc.; Western Judicial Circuit District Attorney's Office ("DA's Office"); Victim Assistance Program of the Western Judicial Circuit; The Cottage, Sexual Assault Center & Children's Advocacy Center, Inc. ("The Cottage"); and Clarke County Department of Family and Children Services ("DFCS").
2. Purpose
  - a. As a shared support space for agencies working with victims of sexual assault, child abuse, domestic violence, and elder abuse, the FPC provides a centralized safe place for victims in crisis to receive trauma- informed and victim-centered assistance from law enforcement and advocacy services in order to begin the healing process.
  - b. The FPC also serves as the central meeting space for the user agencies (the "SART") to collaborate during the investigation, prosecution, and provision of continued services to victims and clients.

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3. Safety within the FPC
  - a. ACCPD has ultimate responsibility and authority for ensuring the security of the FPC and the safety of user agencies and the public. However, all user agencies share responsibility for the security and safety in the FPC.
  - b. User agencies and their representatives should report any security or safety problems to an ACCPD-FPC Lieutenant or Sergeant.
  - c. No known offenders are allowed within the FPC. No child shall be unsupervised within the Family Protection Center.
  - d. Every attempt should be made to ensure the confidentiality of clients by maintaining clear waiting areas within the FPC. Clients or agency personnel arriving for meetings within the FPC should be immediately routed to the appropriate waiting or meeting area to ensure client confidentiality.

**First Response:** The response that occurs the first time a victim notifies an agency that they have been sexually assaulted. Each jurisdiction decides at what point in time first responders do not need to be called out, rather appointments for law enforcement interviews and health care can be arranged.

**Forensic Medical Examination:** An examination by a medical professional that includes a medical assessment both for health purposes and for the collection and documentation of evidence. Forensic examinations in Georgia require the use of a GBI authorized collection kit.

**Sexual Assault** (based on Georgia State Law): Sexual assault reflects a number of Georgia codes that apply to rape, sodomy, aggravated sodomy, statutory rape, sexual battery, aggravated sexual battery, and sexual harassment. Child sexual abuse is not incorporated in this protocol, as this protocol specifically addresses adults, but is adequately addressed in both the Clarke County Child Abuse Protocol and the Oconee County Child Abuse Protocol.

**SANE:** Sexual Assault Nurse Examiner. A registered professional nurse who has successfully completed both the didactic and clinical training to become a SANE.

Please Note:

The terms "victim" and "survivor" are used interchangeably throughout this document. For the purposes of the SART protocol, they are synonymous.

### **SART Meetings**

The SART Protocol will be supported through SART meetings that will occur every two months at an agreed upon date and time among all partner agencies. The meetings will serve to provide a space for agencies to share updates, successes, and needs as they relate to providing services to survivors of sexual assault. All efforts will be maintained to protect survivor confidentiality and information in these meetings. The Cottage will be responsible for scheduling the meetings and sending out agendas prior to.

All members of the Western Judicial Circuit Sexual Assault Response Team will adhere to best practices as outlined in the Georgia Sexual Assault Response Team Guide, Version 2 (available on the Sexual Violence Resource of Georgia website).

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### *Trend Review*

To ensure the SART is addressing all the needs of survivors, the SART will set aside time in each meeting to discuss recent trends/barriers that partners have observed among cases. These discussions will allow team members to increase their knowledge of the dynamics of sexual assault.

These discussions will not involve sharing identifying information of survivors but instead will focus on any gaps/challenges that arose throughout service provision. The goal of these discussions will be to brainstorm on ways to bridge future gaps and allow better collaboration among team members.

Team members will be provided with a SART Trend Review Template Form that they can complete in advance of the SART meeting and add to the agenda for discussion.

### **ADVOCACY**

The role of the sexual assault victim advocate<sup>2</sup> 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. They play a very important role in providing a response that keeps the victim central in the process, allowing the investigation and prosecution to be offender focused. Advocacy also has a critical role in promoting the healing process for the victim. Sexual assault victim advocates provide crisis intervention, support, family advocacy, information and referral and other ancillary services to assist the victim through the criminal justice process. The support provided by the sexual assault victim 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, Version 2 and the 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 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 law enforcement accompaniment and a link to eliminate barriers effecting the victim's participation in the criminal justice process
- Supporting victims through medical accompaniment during applicable forensic examinations and evidence collection at the request of the survivor, law enforcement and/or SANE, Inc./ Anchor Point
- Maintaining victim confidentiality
- 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.

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<sup>2</sup> Defined as a trained sexual assault victim advocate working with a Georgia certified sexual assault center  
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Best practices for the advocate include:

- Assessment for immediate needs for safety and security
- Trauma informed response for advocacy
- Provide information on status of cases and provide referrals as needed for beneficial resources
- Maintenance of victim's confidentiality and privilege
- Mandatory Reporting of child abuse suspicions
- Accompany with medical forensic exam

### **Agencies to Contact for Advocacy Requests:**

- The Cottage, Sexual Assault Center & Children's Advocacy Center (The Cottage) provides primary advocacy for survivors assaulted in Clarke County.
  - o To request a Cottage advocate Monday-Friday between 8am-5pm, please contact their 24/7 hotline at 706-353-1912. For incidents that occur Monday-Friday from 5pm-8am, weekends on Friday at 5pm-Monday at 8am, and on holidays, please call The Cottage 24/7 hotline at 706-353-1912 and/or the Accompaniment Request Line at 706-546-1133 ext. 6 (let the line ring to voicemail, press 1 and leave message with name, number, and agency information). The system will then call The Cottage Accompaniment Advocate who will receive your message and call you back directly to coordinate meeting with survivor. If you do not receive a call back within 10-15 minutes, please call The Cottage hotline again at 706-353-1912 and they will assist further. In extreme circumstances, where you are unable to get in contact via the hotline or request line, please contact The Cottage, Executive Director, Linnea Ionno at 860-985-8655.
- SANE, Inc./Anchor Point provides primary advocacy for survivors assaulted in Oconee County.
  - o Please contact the on-call SANE provided on the monthly calendar. If there is not a SANE on-call, please contact the on-call supervisor for SANE, Inc./Anchor Point by dialing their emergency hotline at 706-613-3808 ext. 4. If you are unable to reach the on-call supervisor by dialing this number, you may contact Executive Director, Michelle Dickens by calling 706-540-6468.
- Relationship & Sexual Violence Prevention Program (RSVP) provides primary advocacy for UGA students.
  - o To request an advocate during weekday, daytime hours (M-F 8 AM- 5 PM): please call 706-542-SAFE (7233). This line is typically answered at all times, however, if you receive voicemail please leave a message and an advocate will return your call as soon as possible.
  - o To request an advocate during evening or weekend hours (M-F 5 PM - 8 AM, Sat & Sun): Refer to UGA RSVP's monthly on call schedule to reach an advocate directly OR Call 706-542-SAFE (7233) to reach our after-hours answering service. Advise them that you need an on call advocate and they will connect you with the advocate on call.

### **LAW ENFORCEMENT**

The role of the investigating officer is to ensure the safety and wellbeing 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.

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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
- Maintenance of chain of custody
- Timely submission of sexual assault evidence collection kits to GBI crime laboratory regardless of whether a suspect has been identified; per GBI recommendations
- Sexual Assault Kits will be entered into the Georgia Sexual Assault Tracking System when collected from SANE Nurse. (O.C.G.A. Code § 17-5-74)
- 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
- Assistance to District Attorney's office in prosecution of case
- 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 (2021)*.

Best practices for law enforcement include protection by providing for the immediate safety and well-being of the victim and the community and investigation by determining if the report meets the elements of crime under Georgia law.

Agencies to Contact for Reporting is based on the county where the incident occurred, not where the victim resides:

- For assaults in Clarke County, contact Athens-Clarke County Police Department (706-546-5900)
- For assaults on the University of Georgia (UGA) campus, contact UGA Police Department (706-542-2200)
- For assaults in Oconee County, contact Oconee County Sherriff Office (706-769-5665)
- For assault in the city of Watkinsville, contact Watkinsville Police Department (706-769-5161)

### FORENSIC MEDICAL EXAMINATION PROCEDURES

The role of the forensic medical personnel is to provide a timely, high-quality forensic medical 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, it 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 forensic exams should be made available if patient chooses to report or chooses not to report.

Forensic medical examinations shall be performed by a Sexual Assault Nurse Examiner ("SANE"), physician, nurse practitioner, or physician's assistant ("PA") trained in performing such exams and in meeting the specific healthcare needs of the patient that has experienced sexual assault and has the ability to provide expert testimony in court.



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Medical forensic responsibilities include:

- Obtaining informed consent from the patient for the medical forensic examination, documentation and evidence collection
- Providing the patient with a medical screening to determine the absence or presence of emergency medical conditions
- Gathering the medical forensic history of the patient
- Conducting a physical examination for the patient
- Coordinating treatment of injuries for the patient
- Documenting of biologic and physical findings of examination
- Collection of evidence from the patient
- SANE Nurse will enter sexual assault kit number into the Georgia Sexual Assault Tracking System. (O.C.G.A. Code § 17-5-74)
- Providing patient with information, treatment, and referrals for STIs, pregnancy, etc.
- SANE Nurse will provide patient with a pin # related to patient's collected sexual assault kit allowing patient to follow kit throughout the Georgia Sexual Assault Tracking System (O.C.G.A. Code § 17-5-74).
- Following-up as needed for additional treatment and/or collection of evidence
- Providing testimony at trial

**SANE, Inc./Anchor Point provides all forensic medical exams for the Western Judicial Circuit.**

### BIOLOGIC EVIDENCE COLLECTION

The SANE, physician, nurse practitioner, or PA will collect biologic samples at the request 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 Georgia Bureau of Investigations Division of Forensic Services. 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 maximum of 120 hours after 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, hairs, and other evidence requiring GBI analysis will be given directly to the case investigator for processing using a proper chain of evidence. 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 the division within 30 days of it being collected.

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

All biologic evidence collected at the request of a patient who chooses not to initiate and participate in and/or cooperate with a law enforcement investigation shall be handled by local law enforcement and the procedure that they are required to follow.

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### REQUESTS FOR FORENSIC MEDICAL EXAMINATION

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

Medical forensic examinations may be requested 24 hours a day by using the following procedure:

- SANE, Inc./Anchor Point distributes a monthly call schedule via email with contact information for the on-call nurses to contact during each shift.
- The appropriate advocacy agency, can also be contacted to assist with coordinating the FME for a survivor need:
- For incidents with survivors that were assaulted in Clarke County:
  - o The Cottage should be contacted Monday-Friday between 8am-5pm on their 24/7 hotline at 706-353-1912. For incidents that occur Monday-Friday from 5pm-8am, weekends on Friday at 5pm-Monday at 8am, and on holidays, please call The Cottage 24/7 hotline at 706-353-1912 and/or the Accompaniment Request Line at 706-546-1133 ext. 6 (let the line ring to voicemail, press 1 and leave message with name, number, and agency information). The system will then call The Cottage Accompaniment Advocate who will receive your message and call you back directly to coordinate meeting with survivor and SANE Inc./Anchor Point. If you do not receive a call back within 10-15 minutes, please call The Cottage hotline again at 706-353-1912 and they will assist further. In extreme circumstances, where you are unable to get in contact via the hotline or request line, please contact The Cottage, Executive Director, Linnea Ionno at 860-985-8655.
- For incidents with survivors that were assaulted in Oconee County:
  - o SANE, Inc./Anchor Point should be contacted through the on-call SANE provided on the monthly calendar. If there is not a SANE on-call, please contact the on-call supervisor for SANE, Inc./Anchor Point by dialing their emergency hotline at 706-613-3808 ext. 4. If you are unable to reach the on-call supervisor by dialing this number, you may contact Executive Director, Michelle Dickens by calling 706-540-6468.
- For incidents with survivors that occurred on the University of Georgia campus or with UGA students:
  - o The Relationship & Sexual Violence Prevention Program (RSVP) should be contacted for advocacy needs. To request an advocate during weekday, daytime hours (M-F 8 AM- 5 PM): please call 706-542-SAFE (7233). This line is typically answered at all times, however, if you receive voicemail please leave a message and an advocate will return your call. To request an advocate during evening or weekend hours (M-F 5 PM - 8 AM, Sat & Sun): Refer to UGA RSVP's monthly on call schedule to reach an advocate directly OR Call 706-542-SAFE to reach our after-hours answering service. Advise them that you need an on call advocate and they will connect you with the advocate on call.

### COSTS OF THE MEDICAL FORENSIC EXAMINATIONS

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

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### CONDUCT OF THE MEDICAL FORENSIC EXAMINATION

A SANE, physician, nurse practitioner, or PA 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 Georgia Bureau of Investigation (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 trained victim advocate will accompany the patient and offer emotional support during the examination. The advocate will at no time ask the patient questions related to the details of the assault.

Advocacy Agencies will accommodate adult patients' requests to have a relative, friend, or other personal support person present during the exam, unless considered harmful. Patient requests to not have certain individuals present in the room should also be respected. Examiners should get explicit consent from patients to go forward with the exam with another person present, excluding the advocate. Adults will not be questioned during the exam process beyond what is essential for providing the medical forensic care.

The SANE, physician, nurse practitioner, or PA will complete appropriate authorizations relating to the examination. The SANE, physician, nurse practitioner, or PA will photograph and document injuries and prepare a report. The SANE, physician, nurse practitioner, or PA will maintain and document the chain of custody of any evidence collected during the examination and assessment. The SANE, physician, nurse practitioner, or PA will adhere to best practices as outlined in the *Georgia Sexual Assault Response Team Guide (2021)*.

### 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. Hospital emergency department personnel shall timely notify the Sexual Assault Advocacy Center where the incident occurred and which law enforcement agency is responding. Incidents occurring in Clarke County should be reported to The Cottage, incidents occurring in Oconee County should be reported to SANE, Inc./Anchor Point, and incidents occurring with UGA students and/or on UGA Campus, should be reported to RSVP.

### PROSECUTION

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 and victim advocates.

Prosecutors will operate under the guidelines established by *The Georgia Crime Victim's Bill of Rights* (O.C.G.A. § 15-17-1) 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

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- 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 a 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 or her relatives, friends, and witnesses
- To be reasonably heard at any scheduled court proceedings 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 or plea of the accused (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.
- To a requirement by the court that defense counsel not disclose victim information to the accused (O.C.G.A. § 17-17-10)

A victim attending any court proceeding and/or prosecutorial meeting has a right to be accompanied by a Sexual Assault Victim Advocate.

Best practices include court trial preparation, avoiding and prevention of false reports and recantation, jury selection, settlements, sentencing, and public statements. Prosecutors and prosecution-based advocates will adhere to best practices as outlined in the *Georgia Sexual Assault Response Team Guide (2021)*.

### **SPECIFIC CONSIDERATIONS COLLEGIATE RESPONSE**

The role of college campuses in collaboration with the Western Judicial Circuit SART and community partners, is to provide campus services, support, and connect victim/survivors with local resources.

The campuses will adhere to best practices as outlined in the *Georgia Sexual Assault Response Team Guide (2021)*.

Please refer to the University of Georgia and University of North Georgia: Oconee Campus Sections outlined below in this SART protocol.

### **INCARCERATED VICTIMS**

The role of Athens Clarke County Jail and Athens Correctional Institute mirrors that of the outside community. Sexual assault in correction facilities needs to be addressed not just by the corrections community, but by the community as a whole to ensure the safety and well-being of all inmates.

The Prison Rape Elimination Act (PREA) was signed into law in September of 2003 to address the problem of sexual assault of people in custody. PREA applies to all correctional and detention facilities, including prisons and jails. Major provisions of the act include development of standards for detection, prevention, reduction, and punishment of prison rape;

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collection and dissemination of information on the incidence of prison rape; award grant funds to help state and local governments implement the purposes of the Act.

These facilities will adhere to best practices as outlined in the *Georgia Sexual Assault Team Guide (2021)*.

### HUMAN TRAFFICKING

All agencies are mandated by law to report suspicion of human trafficking. Protocols for each discipline should be followed if human trafficking is suspected or discovered in the investigation of a sexual assault.

More information on human trafficking is available through The Georgia Coalition to Combat Human Trafficking at <https://endhtga.org/> and/or 1-800-ENDHTGA, where statewide resources may be accessed. The sexual assault advocacy agencies have access and can evaluate and link to resources as needed. Best practices and resources are outlined in the *Georgia Sexual Assault Team Guide (2021)*.

### GENERAL CONSIDERATIONS

The victim-centered consideration is designed to help SART members understand victims from diverse cultures to ensure all victims are served with respect regardless of their cultural background. This section is intended to be a tool to help professionals; however, it is the responsibility of each SART member to integrate cultural sensitivity into their services to victims. It is hoped that SARTs will utilize these considerations to increase their understanding of diversity and learn ways to serve victims with respect to their cultural background and identities.

Included in these considerations are the following:

- Working with Interpreters
- Cognitive/Developmental and Physical Disability
- Deaf/Hard of Hearing
- Elderly
- Lesbian/Gay/Bisexual/Transgender/Queer/Questioning (LGBTQQ)
- Male Victims
- Survivors of Color
- Immigrants and Refugees

Best practices and resources are outlined in the *Georgia Sexual Assault Response Team Guide (2021)*.

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**ATHENS-CLARKE COUNTY POLICE DEPARTMENT**  
**3035 Lexington Road**  
**Athens, GA 30605**  
**(706) 613-3330**

In an effort to enhance the successful prosecution of incidents of sexual assault, the Athens-Clarke County Police Department (ACCPD) and its employees will actively participate in the Sexual Assault Response Team for the Western Judicial Circuit. Pursuant to O.C.G.A. § 15-24-2, the chief of ACCPD or a designee will serve as a representative on the Western Judicial Circuit SART Protocol Committee.

As a law enforcement agency, ACCPD serves two main functions for responding to reports of sexual assault within the community. The primary concern is the immediate safety and wellbeing of the victim and the community. The secondary concern is to conduct a criminal investigation into the reported sexual assault.

In serving its functions with the SART, ACCPD and its employees will incorporate the best practices of a victim-centered, trauma-informed, and offender-focused approach to the investigative process. ACCPD and its employees should (a) interact with the victim in a compassionate manner that is devoid of personal bias to minimize the impact of secondary victimization; (b) be mindful of and look for signs of trauma response manifested by the victim to avoid misinterpreting the victim's behaviors; and (c) remain aware of and understand the manipulative and coercive offender behaviors that further completion of the sexual assault or other cross-over offenses such as domestic violence, stalking, and harassment.

Generally, most reports of sexual assault involve employees from several different divisions and units within ACCPD. Involved employees typically include a communications officer, a responding uniform patrol officer, a uniform patrol supervisor, an investigations supervisor, and a responding detective. As it is understood that public safety work is often dynamic and rapidly evolving, the following serves as a set of flexible guidelines for each of the different roles within ACCPD that intersect during the response to a report of a sexual assault:

- I. ROLE OF THE 911 COMMUNICATIONS OFFICER:
  - A. First determine the immediate safety and wellbeing of the reporting party and/or the victim and the need (if any) for emergency medical response.
  - B. Determine the timeliness of the reported sexual assault. For incidents that have just occurred effort should be made to obtain information to apprehend the suspect.
  - C. Inquire into other facts or circumstances that will assist the responding officer(s) and maximize officer safety.
  - D. Coordinate for the victim to meet with a responding officer(s).
  - E. Facilitate as needed communication between the uniform supervisor and the investigative supervisor or responding detective(s).

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

### II. ROLE OF THE RESPONDING UNIFORM OFFICER(S):

- A. Ensure the safety and wellbeing of the victim and the public at large. Priority should be given to any emergency medical needs or other safety needs of the victim. Effort should be made to understand the victim's concerns, questions, and desires and to investigate in a manner that restores the victim's sense of control.
- B. Gather initial information and determine the elements of a crime under Georgia law and establish the identity/location (if known) of the suspect, identities and locations of any witnesses, and locations of any crime scenes. (\*Uniform officers should avoid in-depth questioning of the victim.)
- C. Secure known crimes scenes (to include the victim) for preservation of potential evidence.
- D. Conduct preliminary witness interviews, as needed.
- E. Determine the potential need for further investigative response. Contact the uniform supervisor and brief the supervisor on the known facts and circumstances.
- F. Escort the victim and/or other support person(s) to meet with a responding detective.
- G. If the victim chooses to report, complete an initial report documenting the incident and the initial investigative response.

### III. ROLE OF THE UNIFORM SUPERVISOR:

- A. Respond to the scene when possible, receive a briefing of the incident from the responding officer, and gather any additional information needed to aid the decision-making process.
- B. Determine the need to request further investigative response of a detective.
- C. Brief the investigations supervisor on the facts and circumstances of the reported incident.
- D. Assist, as needed, in coordinating responding officers and responding detectives.

### IV. ROLE OF THE INVESTIGATIONS SUPERVISOR:

- A. Review the facts and circumstances of the incident, as reported by the uniform supervisor. Gather any additional information needed to aid in the decision-making process.
- B. Determine the need to send a detective(s) in for immediate response.
- C. Notify and brief the appropriate on-call detective(s), if needed.

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

- D. Determine the need for and request response from the Forensics Unit.
- E. Assist in the coordinated SART response, as needed.
- V. ROLE OF THE RESPONDING DETECTIVE(S):
  - A. Review the facts and circumstances of the incident, as reported by the investigative supervisor. Gather any additional information needed to appropriately begin the investigative response and coordinate the SART response.
  - B. Coordinate with the responding uniform officer(s) to meet with and interview the victim and support person(s), witnesses, suspect(s), or other involved parties. (\*Priority should be given to bringing the victim to the FPC for the interview and FME. Suspects should NEVER be allowed into the FPC.)
  - C. Contact the on-call SANE and on-call accompaniment advocate and coordinate the investigative response with the SART response.
  - D. Conduct and coordinate a thorough and comprehensive criminal investigation, determine the probable cause for arrest of offenders and the proper criminal charges, and appropriately document the investigation.
  - E. As required by Georgia law, a detective will collect the Sexual Assault Evidence Collection (SAEC) Kit and track it through the Sexual Assault Kit Tracking System. The SAEC kit should be collected within 96 hours and submitted to the GBI DOFS within 30 days IF the assault is to be investigated by law enforcement.
  - F. Assist the District Attorney's Office with prosecution of criminal case by providing a complete case file to the prosecutor; reviewing the case with the prosecutor; and testifying in Grand Jury, trial, or other preliminary hearings or proceedings.



## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

**University of Georgia Police Department  
286 Oconee Street, Suite 100  
Athens, GA 30602  
Administration: (706)542-5813  
Emergency: (706) 542-2200**

For incidents of sexual assault, the University of Georgia Police Department will work with all appropriate agencies to provide assistance to the victim during the investigation of the incident. All incidents will be investigated in accordance with departmental policy. The following guidelines will be followed by departmental personnel when responding to reports of sexual assaults:

- Responding Officers
  - Upon receipt of the call, a patrol officer will be dispatched to the location of the victim. Responding officers will take appropriate action to ensure the safety of the victim and identify/secure the crime scene.
  - The patrol supervisor will notify the on-call CID supervisor and advise him/her of all known information.
  - The patrol officer will complete an initial report for the incident.
- Role of Investigator
  - The on-call CID supervisor and detective will respond to the appropriate location and be responsible for the investigation in accordance with departmental policy.
  - As appropriate, the on-call CID supervisor or detective will be responsible for notifying the on-call SANE and on-call Victim Advocate.
  - The on-call CID supervisor will be responsible for ensuring that all appropriate resources/personnel have been requested.

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

OCONEE COUNTY SHERIFF'S OFFICE  
P.O. BOX 563 WATKINSVILLE, GA 30677  
706-769-3945 ADMINISTRATION AND INVESTIGATIONS  
706-769-5665 24 HOUR NUMBER

Upon the receipt of a reported incident involving sexual assault and sexual abuse, the following procedure will be utilized where practical and in fitting with the best interests of the victim.

- 1) ROLE OF THE COMMUNICATIONS CENTER
  - a) The on-duty dispatcher will notify the zone unit, the on-duty patrol supervisor and CAD the event as per other operational protocol. The CAD system will automatically notify via pager the administrative group, investigative group and supervisor group.
  - b) If the CAD event is other than a sexual assault and the responding deputy's investigations determines sexual assault, he/she will then contact Communications to have the CAD event changed to reflect such event and on duty supervisor will have Communications page out the appropriate group of people.
  
- 2) ROLE OF THE RESPONDING DEPUTY
  - a) A patrol deputy will be immediately dispatched to the reported scene, or to any other location to meet with the reported victim of the assault. The responding deputy will immediately accept responsibility for ensuring the safety of the reported victim, protecting any evidence or crime scene and the on-duty supervisor will have Communications notify the on-call investigator.
  - b) The on-call investigator will get an immediate evaluation of the event from the responding deputy and the on-duty supervisor.
  - c) The responding patrol deputy will as soon as practical make a written incident report in accordance with other agency procedures and make said report available to the responding investigator as soon as practical.
  
- 3) ROLE OF THE INVESTIGATOR
  - a) The on call or responding investigator will be responsible for sizing up the investigative support the specific incident will require. Resources such as forensic medical exams, forensic interviewers, other investigators or agencies will be contacted as the specific needs of a specific event dictate. However, in all cases the SANE, Inc./Anchor Point Victim Advocate will be notified as soon as possible after the reporting of the event.
  - b) The investigator will present his/her findings and review of the case as soon as practical to his chain of command and will document any evidence and reporting as soon as possible as outlined in the Sheriff's Office operational Policy and Procedure manual.

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

WATKINSVILLE POLICE DEPARTMENT 191 VFW DRIVE WATKINSVILLE, GA 30677  
706-769-5161

Upon the receipt of a reported incident involving sexual assault and sexual abuse, the following procedure will be utilized where practical and in fitting with the best interests of the victim.

### 1) ROLE OF THE COMMUNICATIONS CENTER

- a) The on-duty dispatcher will notify the zone unit, the on-duty patrol supervisor and CAD the event as per other operational protocol. The CAD system will automatically notify via pager the administrative group, investigative group and supervisor group.
- b) If the CAD event is other than a sexual assault and the responding deputy's investigations determines sexual assault, he/she will then contact Communications to have the CAD event changed to reflect such event and on duty supervisor will have Communications page out the appropriate group of people.

### 2) ROLE OF THE RESPONDING OFFICER

- a) A patrol officer will be immediately dispatched to the reported scene, or to any other location to meet with the reported victim of the assault. The responding officer will immediately accept responsibility for ensuring the safety of the reported victim, protecting any evidence or crime scene and will have Communications notify the Deputy Chief of Police.
- b) The Deputy Chief of Police will get an immediate evaluation of the event from the responding officer.
- c) The responding patrol deputy will as soon as practical make a written incident report in accordance with other agency procedures and make said report available to the responding investigator as soon as practical.

### 3) ROLE OF THE DEPUTY CHIEF OF POLICE

- a) The Deputy Chief of Police will be responsible for sizing up the investigative support the specific incident will require. Resources such as forensic medical exams, forensic interviewers, other investigators or agencies will be contacted as the specific needs of a specific event dictate. However, in all cases the SANE, Inc./Anchor Point Victim Advocate will be notified as soon as possible after the reporting of the event.
- b) The Deputy Chief of Police will present his/her findings and review of the case as soon as practical to Chief of Police and will document any evidence and reporting as soon as possible as outlined in the Watkinsville Police Manual of Operational Policy and Procedure manual.

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

**SANE, Inc./Anchor Point Sexual Assault Medical Examiners  
The Family Protection Center 3035 Lexington Road  
Athens, GA 30605  
706.613.3888 x780**

SANE, Inc./Anchor Point will provide victim forensic examinations and evidence collection related to the rape and sexual assault or abuse of children, adolescents and adults within the Western Judicial Circuit.

SANE, Inc./Anchor Point will:

- Be inclusive and provide treatment for all people accessing our services, while being sensitive to the issues related to race, language, ethnicity, gender, age, sexual orientation, socio-economic status, and/or abilities of individuals
- Ensure that all staff/members are fully informed of the contents and procedures of this protocol
- Function as part of a multi-disciplinary team to provide consistent, comprehensive, and compassionate treatment to all sexual assault victims/survivors

SANE, Inc./Anchor Point will:

- Provide forensic examinations and evidence collection at the request of law enforcement investigators as determined necessary through the report of a sexual assault 24-hours, 7-days/week, and 365-days/year.
- Provide forensic examinations and evidence collection to non-reporting victims of sexual assault according to ACC-SANE Non-Reporting Guidelines.
- Provide emotional support and crisis intervention to the victim/survivor throughout the examination process
- Provide health treatment including administration of STD prophylaxis and emergency contraception as necessary
- Provide referrals and recommendations for follow-up services to all victims/survivors
- Work in collaboration with the Athens-Clarke County Police Department, University of Georgia Public Safety Division, the Watkinsville Police Department, the Winterville Police Department, the Oconee County Sheriff's Office, the Clarke County Sheriff's Office and the Georgia Bureau of Investigations

### PROCEDURES

SANE, Inc./Anchor Point responds to the requests of law enforcement investigators during the report of a sexual assault. When a person presents to the emergency department, health department, police station, University Health Services, The Cottage, or calls 911, and makes a police report, the investigator will determine at that time whether the victim/survivor wants to have forensic evidence collected.

SANE, Inc./Anchor Point responds to law enforcement investigators, rape crisis center

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

advocate, RSVP advocate, or The Cottage advocate for non-reporting victims and follows SANE, Inc./Anchor Point Non-Reporting Guidelines.

### Initial Response

If the victim/survivor requests forensic evidence collection and the victim/survivor do not need immediate medical treatment for physical or psychological complaints or injuries, the police investigator will:

1. Call the on-call SANE/SAFE to arrange a Forensic Medical Exam. If there is not a SANE/SAFE on-call, the SANE, Inc./Anchor Point Executive Director will be contacted to arrange forensic medical care for the victim/survivor as needed.
2. When a survivor whose trauma occurred in Oconee County presents to the Cottage in person, by hotline or other referral source first, the Cottage will contact the on-call supervisor for SANE, Inc./Anchor Point by dialing our emergency hotline at 706-613-3808 ext. 4. If the Cottage is unable to reach the on-call supervisor by dialing this number, they may contact Executive Director, Michelle Dickens by calling 706-540-6468. SANE, Inc. staff will arrange to receive the survivor at the most appropriate SANE, Inc. service location and will run point on service coordination to include advocacy, forensic interview, forensic medical exam, aftercare services or other services deemed appropriate unless otherwise decided by the responding multidisciplinary/sexual assault response team.
3. When a survivor presents for services and has been served by the Cottage previously, the survivor will be offered by SANE, Inc. staff the option to receive support from the Cottage in coordination with SANE, Inc. staff and in accordance with SANE, Inc. operating procedure. Nevertheless, in these circumstances, SANE, Inc. will serve as the coordinating agency providing advocacy and all other services deemed appropriate, while working in conjunction with the Cottage and other partner agencies to provide a trauma focused, victim centered response that best fits the survivors needs.

### Forensic Examination and Evidence Collection

The SANE will:

1. Provide physical and emotional care to meet the immediate needs of the victim/survivor, explaining procedures and discussing treatment options and allowing the victim/survivor to choose what is best for her/him.
2. The SANE will have the client sign a consent form agreeing to the forensic examination, evidence collection and photography. The SANE will also have the (reporting) client 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.
3. The SANE will obtain a medical history and history of the assault.
4. The SANE will perform a forensic examination and collect evidence for the Physical Evidence Recovery Kit. Clothing and body evidence will be collected based on the history of the assault and in consultation with the police investigator.

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

5. All evidence will be prepared according to ACC-SANE policy and turned over to the law enforcement investigator maintaining chain of custody requirements.
6. All documentation will be completed. Copies of the forensic documentation will be provided to the law enforcement investigator requesting the examination.

### Aftercare

#### The SANE will:

1. Offer the client medication for the prevention of sexually transmitted diseases and emergency contraception if indicated by history.
2. Provide aftercare instructions, follow-up and referrals as necessary.
3. Work with The Cottage staff/volunteers to provide shower facilities and new clothing to the victim/survivor when clothes have been collected for evidence.
4. Work in conjunction with The Cottage staff/volunteers to ensure the victim/survivor is released into a safe environment.

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

**The Cottage, Sexual Assault Center & Children's Advocacy Center, Inc.**  
**3019 Lexington Road, Athens, GA 30605**  
**Hotline 706-353-1912, Toll free hotline 877-363-1912, Business 706-546-1133**

### Mission Statement

The Cottage raises awareness and facilitates the healing of individuals, families and communities affected by sexual violence and child abuse.

The Cottage will advocate for the rights of sexual violence survivors and assist in ensuring fair, sensitive, and respectful treatment. The Cottage will provide free and confidential services to all survivors and their friends, family, and significant others ("secondary survivors") regardless of gender, age, race, ability, religion, national origin/immigration status, sexual orientation and/or socioeconomic status. The services provided include a 24-hour hotline, advocacy, emotional support, crisis intervention, counseling referrals, support groups, and follow-up services. Additional referrals can be made to the survivor and/or secondary survivor including counseling, medical care, and legal advocacy. Lastly, we work in collaboration with the community partners listed in this protocol.

The Cottage primarily serves adults who are assaulted and/or live in Clarke County, Madison County, and Oglethorpe County. We will serve adults outside of this area as well based on survivors needs/preferences and will always work with partner agencies to streamline needs in the best interest of the survivor.

### Report Cases

The Cottage advocates will:

- Respond to accompaniment request call-outs in a timely manner and report to the location of the exam.
- Coordinate with law enforcement in cases where The Cottage is the first point of contact for a survivor who indicates wanting to make a police report.
- Provide report accompaniment and emotional support during law enforcement interview 24 hours a day, 7-days a week, 365 days a year.
- Provide medical accompaniment during applicable forensic examinations and evidence collection at the request of the survivor, law enforcement and/or SANE, Inc./ Anchor Point, 24 hours a day, 7-days a week, 365 days a year.
- Provide food/drink during the exam and report process and clothes following the collection of evidence, if desired or needed.
- Provide emotional support and crisis intervention to the survivor and secondary survivors and advocate for them throughout the medical accompaniment and report process.
- Coordinate transportation/shelter needs if needed at the conclusion of FME & Report.
- Assist SANE, Inc./ Anchor Point with appropriate clean-up duties once the exam has been completed.
- Provide follow-up contact with the survivor's consent after a forensic examination/report to assist in connecting the survivor with either our services or other available resources in the community, based on the survivor's preference.

### Non-Report Cases

In cases where the victim does not want report to law enforcement but does want a forensic SANE exam, advocates will act in the same capacity they do when a victim chooses to report with these added responsibilities:

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

- Advocates will offer support and outline reporting and medical options to survivors at any point of contact.
- Advocates will be responsible for contacting the on-call SANE to set-up an exam when contacted by a victim who wants an exam. Advocates will have access to monthly SANE on-call calendars.
- Advocates will respond for applicable medical accompaniments at the Family Protection Center with a SANE, St. Mary's Hospital and Piedmont Athens Regional Hospital 24-hours, 7-days/week, 365 days/year.
- If there is a safety concern, the advocate and/or the SANE can call law enforcement for a stand-by officer to be present.
- In the event that a non-reporting survivor later decides they want to prosecute, The Cottage will be the point of contact for the survivor. If/when a client calls and decides if they would like to report, The Cottage will get in touch with law enforcement to take a report.

### **Accompaniment Request Protocol**

Law enforcement and medical personnel can request an advocate through two avenues:

#### *Business hours (Monday-Friday 8am-5pm):*

To request an advocate during business hours, Monday through Friday, 8am-5pm, call the hotline at 706-353-1912 or toll-free at 877- 363-1912.

#### *After-hours:*

To request an advocate after-hours (between 5pm-8am Monday-Friday), weekends (Friday at 5pm- Monday at 8am), and holidays, call the office number at 706-546-1133 and press 6 as directed. The line will ring until you come to the accompaniment request voice mailbox where you will leave your name, the agency you are with and a number to reach you at. Once you hang up, the on-call advocate will immediately be called and will return your call to obtain basic information and confirm that they are in route. If you have not heard back from the on-call advocate within 10-15 minutes of leaving a message, please call the hotline at 706-353-1912.

If you are unable to get through on the hotline and Accompaniment Request System, please contact Linnea Ionno, Executive Director at 860-985-8655.

**The 24/7 hotline can always be utilized if there is any confusion in the advocate response process.**



## **WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL**

**Relationship & Sexual Violence Prevention (RSVP) Office  
Health Promotion Department • University Health Center • University of Georgia  
55 Carlton Street, Athens, Georgia 30602  
(706) 542-SAFE or (706) 542-8690**

The Relationship and Sexual Violence Prevention (RSVP) office is a resource for currently enrolled UGA students who have been impacted directly or indirectly by any form of interpersonal violence.

RSVP offers 24 hour support and crisis intervention, 24 hour on call advocacy including accompaniment to forensic exams, reporting to police and ER exams. RSVP advocates will also provide follow up contact at the survivor's request and assist with the appropriate referrals. RSVP advocates will also provide follow up contact at the survivor's request and assist with the appropriate referrals. RSVP can also provide trauma counseling, medical referrals, legal and Title IX advocacy, housing assistance, academic assistance, and safety planning.

As every situation is different, staff's interaction with the student may not happen in the order depicted below. However, all aspects of this procedure should be addressed.

The RSVP Office Team will:

- Respond to all hotline calls in a timely manner.
- Collaborate with Law Enforcement, ACC SANE, other medical providers, or other referral sources to coordinate care at the survivor's request.
- Move to a private, calm, safe location that is comfortable for the student. Should staff/advocates need assistance ensuring safety, they will call UGA police immediately.
- Discuss limits of confidentiality.
- Offer crisis intervention and support.
- Explain the process for examination for injury (if appropriate), forensic exams, and the options available.
- Explain to the survivor that a variety of reporting options exist, including criminal and/or university action (if appropriate), or no action at all. Choosing to report to law enforcement or to the University is at the student's discretion.
- At the request of the survivor, accompany survivor to the hospital, law enforcement interviews, ACC SANE, Equal Opportunity Office, or other UHC clinics for treatment if needed.
- Explain counseling options both on and off campus.
- Coordinate academic accommodations if needed.
- Coordinate housing accommodations if needed and such changes are possible.
- Explain to the survivor that if the alleged assailant is a threat to the University community, the UGA Police Department is required to provide a timely warning to the campus (this notification will NOT include the survivors name).
- Provide the survivor with written resource and referral information.
- Follow up with the victim/survivor with their permission.
- Complete an anonymous data form for sexual violence and interpersonal violence incidents that fall within Title IX and Clery requirements. RSVP Coordinator will submit the anonymous data form to UGA police to be compiled for Clery Act statistics.

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To request an advocate during weekday, daytime hours (M-F 8 AM- 5 PM):  
Call 706-542-SAFE (7233). This line is typically answered at all times, however, if you receive voicemail please leave a message and an advocate will return your call as soon as possible.

To request an advocate during evening or weekend hours (M-F 5 PM - 8 AM, Sat & Sun):  
Refer to UGA RSVP's monthly on call schedule to reach an advocate directly OR Call 706-542-SAFE to reach our after-hours answering service. Advise them that you need an on call advocate and they will connect you with the advocate on call.

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

**UGA Equal Opportunity Office (EOO) Title IX Coordinator**  
**278 Brooks Hall University of Georgia**  
**Athens, Georgia 30602**  
**Ph: (706) 542-7912**  
**Fax: (706) 542-2822**  
**<http://eoo.uga.edu> (website)**  
**[ugaeoo@uga.edu](mailto:ugaeoo@uga.edu) (email)**

Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq. prohibits sex-based discrimination, which includes sexual violence, in all activities and programs of educational institutions, such as the University of Georgia (UGA), that receive federal funds. UGA's Sexual Misconduct Policy complies with Title IX.

Sexual misconduct refers to physical sexual acts perpetrated without consent or where a person is incapable of giving consent due, without limitation, to being under the age of 16, having a cognitive or mental disability, being asleep or unconscious, being under involuntary physical restraint, or being incapacitated by the consumption of alcohol and/or other drugs. Under Title IX, nonconsensual sexual contact and nonconsensual sexual penetration are forms of sexual misconduct, as are dating/domestic violence and stalking.

Pursuant to the USG Sexual Misconduct Policy, UGA is committed to reducing incidents of Sexual Misconduct, providing prevention tools, conducting ongoing awareness and prevention programming, and training the campus community in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") and the Violence Against Women Act ("VAWA"). Prevention programming and training will promote positive and healthy behaviors and educate the campus community on consent, sexual assault, sexual harassment, alcohol and drug use, dating violence, domestic violence, stalking, bystander intervention, and reporting

In fulfilling the foregoing responsibilities, the EOO/Title IX Coordinator follows UGA's Sexual Assault Response Protocol (attached hereto). The EOO/Title IX Coordinator, or their designee, also conduct impartial and timely investigations into incidents and allegations of sexual violence.

If the survivor requests confidentiality/anonymity or no-investigation, the EOO/Title IX Coordinator will take this request into consideration when determining what follow-up action by the University is necessary to remedy the effects of sexual violence and prevent its recurrence. Honoring a survivor's request for confidentiality/anonymity or no-investigation may limit the University's ability to investigate the incident or discipline a responsible respondent. Additionally, it may not be possible to honor a survivor's request for confidentiality/anonymity or no-investigation in situations including, but not limited to, the following: where there is more than one reported incident involving the same respondent; where more than one respondent was allegedly involved in the same assault; where a weapon was involved; where the respondent is a University employee; or where the incident occurred at a University-affiliated function or event. Where the reported facts require the EOO/Title IX Coordinator, or their designee, to investigate and that investigation will necessitate disclosing the survivor's identity to the respondent and possibly others involved, the survivor will be informed before any investigative action is taken.

Independent of whether the EOO/Title IX Coordinator or their designee investigates a report of sexual misconduct, where the reported facts describe a crime subject to federally

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

mandated reporting by universities of statistical crime data pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") as amended by the Campus SaVE Act, an anonymous data form will be submitted to the UGA Police. The anonymous data form does not contain any identifying information about the survivor.

If the EOO/Title IX Coordinator or designee is investigating a report of sexual misconduct but is aware that the survivor has filed or intends to imminently file a complaint with law enforcement, the EOO/Title IX Coordinator will communicate with law enforcement officials to determine whether law enforcement is proceeding with a criminal investigation, and if so, may postpone the initiation or continuation of the EOO/Title IX investigation for a reasonable time, as coordinated with law enforcement, to allow law enforcement officials to gather evidence. While law enforcement is in the process of gathering evidence, the EOO/Title IX Coordinator will not delay in notifying the survivor of their Title IX rights and the EOO/Title IX investigative procedures where the alleged incident is deemed to fall within the EOO/Title IX Coordinator's jurisdiction. Nor will there be delay in notifying the survivor of support services that are available in the Athens Community and within the University community, or from taking interim steps to ensure the safety and well-being of the survivor and the University community.

In cases where the EOO/Title IX Coordinator or designee investigates, the assigned investigator will interview the survivor, any witnesses, and the respondent(s) to the extent the identity of these individuals is known, and they are willing to cooperate with the investigation (UGA employees who are witnesses are required to cooperate). The extent to which there is cooperation may dictate the EOO's ability to respond to reports. The investigator will also seek to obtain any law enforcement reports, sexual assault examination results, and any other documentary or physical evidence related to the incident or allegation. The parties have the right to review evidence obtained during an EOO investigation.

While the EOO/Title IX investigation is open, the EOO/Title IX Coordinator or designee may take or coordinate interim measures to protect the safety of the survivor and the University community at large. Interim measures can include, without limitation, issuing mutual no-contact orders to the parties (i.e., the survivor and respondent); informing the parties that retaliation is prohibited and can provide a separate basis for disciplinary action; and facilitating changes to one or both parties' University housing assignment or class or work schedules to minimize/eliminate contact.

If the sexual violence was reportedly perpetrated by a UGA student, the University System of Georgia (USG) Board of Regents' Sexual Misconduct Policy governs. This policy, located at <https://www.usg.edu/policymanual/section6/C2655>, must be read in conjunction with the Code of Student Conduct located at <https://conduct.uga.edu/wp-content/uploads/sites/11/2020/10/Code-of-Conduct.pdf> which, in turn, complies with USG Policy 4.6.5 (Standards for Institutional Conduct Investigation and Disciplinary Proceedings). Pursuant to these policies, if the matter is not informally resolved, the EOO investigator prepares a report summarizing the information obtained during the investigation and recommending what, if any, charges be brought against the responding student.

Matters of sexual misconduct, both Title IX and Non-Title IX, allegedly committed by a student respondent will be heard by a hearing panel comprised of three (3) panel members consisting of UGA employees (faculty and staff). The hearing panel members determine whether a violation of the Sexual Misconduct Policy occurred and what sanction and/or remedial action

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

shall be required. The parties each have the right to appeal the panel's decision to the Vice-President for Student Affairs or his/her designee, and thereafter to the University President's Office. For additional information on these procedures, see the University System of Georgia Board of Regents' Sexual Misconduct Policy, located at: <https://www.usg.edu/policymanual/section6/C2655>, and the Code of Student Conduct, located at: <https://conduct.uga.edu/wp-content/uploads/sites/11/2020/10/Code-of-Conduct.pdf>

In Title IX sexual misconduct hearings, the parties shall have the right to confront any witness, including the other party, by having their advisor ask relevant questions directly to the witness, subject to relevancy determinations made by the hearing officer. In non-Title IX sexual misconduct hearings, the parties shall have the right to confront any witnesses, including the other party, by submitting written questions to the hearing officer for consideration.

Further procedures for both Title IX and Non-Title IX hearings can be found at <https://www.usg.edu/policymanual/section4/C332/#p4.6.5> standards for institutional student conduct investigation

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

University of Georgia University Health Center 55 Carlton St  
Athens, Georgia 30602  
706.542.1162  
www.uhs.uga.edu

### Contact telephone numbers:

Gynecology Clinic	706-542-8695
Urgent Care Clinic	706-542-5048
Medical Clinic Gold	706-542-8609
Medical Clinic Blue	706-542-8654
Medical Clinic Green	706-542-8650
Medical Clinic Red	706-542-8636
Counseling and Psychiatric Services (CAPS)	706-542-2273
CAPS after-hour emergencies	706-542-2200

### Hours of Operation

University Health Center is closed on Saturdays and all UGA holidays. Sunday Urgent Care hours are offered during Fall and Spring semesters only.

### Medical Services:

Mon - Fri, 8:00 am - 5:00 pm Sun. 10:00 am - 5:00 pm

### Counseling & Psychiatric Services:

Mon and Fri, 8:00 am - 5:00 pm Tue - Thu, 8:00 am - 7:00 pm

### General Information

The University Health Center (UHC) of the University of Georgia provides primary and specialty care to University of Georgia students, their spouses and partners. A photo ID is required for each visit to verify identity and eligibility.

UHC medical (physicians, PA-Cs and APRNs, RNs), behavioral health (psychiatrists, psychologists, social workers) and sexual assault advocacy staff members provide evaluation, diagnosis, testing, treatment, counseling and individualized support and advocacy for survivors of sexual assault. UHC does not collect forensic samples for evidence.

The UGA Student Health Fee helps to cover student costs for clinical visits but additional fees are charged for lab tests and procedures. Pharmacy services and diagnostic studies are billed to medical insurance or are self-paid. Spouses and partners visits are not covered with the Health Fee and they are responsible for the cost of services. The patient may elect to pay any bill in full in lieu of submitting a claim for insurance reimbursement.

UHC is a participating provider with the University System student health insurance policies and most major insurance carriers. UHC will file all charges with insurance carriers if the patient provides policy information, however the patient is responsible for any charges that are not reimbursed. The filing of claims does not guarantee either full or partial payment by the insurance company. Students and their parents are encouraged to contact their insurance company to request that the UHC be enrolled as a participating provider in their plan. UHC Pharmacy files claims on most insurance plans for prescriptions, whether written by UHC providers or others.

General Sexual Assault Information  
University Health Center provides:

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

- Advocacy services through the UHC Relationship and Sexual Violence Prevention Program (RSVP). The RSVP Coordinator assists survivors in understanding and making decisions regarding medical care, legal assistance, counseling, campus activities and other options available to them.
- Evaluation and medical treatment of survivors of sexual assault including testing and post exposure disease prophylaxis, contraception, immediate and ongoing care.
- Referral to ACC SANE located at the Family Protection Center, when the survivor desires to submit a police report and/or undergo forensic examination for evidence collection.
- Counseling for survivors of sexual assault through the Counseling and Psychiatric Services (CAPS) department.

Transition to off-campus counseling when appropriate.

- Collaboration among the RSVP Coordinator, UHC medical and CAPS clinicians, UGA Police, and ACC SANE to ensure compassionate and safe survivors care and advocacy.
- Transportation assistance or coordination when required for emergency medical or surgical services or evidence collection.
- On-going, longitudinal medical and counseling care within the scope of UHC services.

### Sexual Assault Procedures

- Individuals will be evaluated in the Urgent Care Clinic, their assigned primary care clinic (Medical Clinics: Blue, Gold, Green, Red) or the Gynecology Clinic during the hours of operation of those clinics.
- A UHC clinician will evaluate the patient's medical needs and render appropriate care and disposition.
- A Relationship and Sexual Violence Prevention Coordinator (RSVP) sexual assault advocate will provide survivor support.
- Survivors are encouraged to visit UHC CAPS as a part of the treatment plan. UHC will provide students with services such as emotional support, counseling and referral when deemed appropriate and desirable. Counseling services and/or referral arrangements will be coordinated between the Medical and CAPS staff.
- Forensic evidence collection is outside of the scope of UHC services. When evidence collection is warranted and /or requested, UHC will provide initial assessment and referral to ACC SANE. Subsequent care can usually be provided by UHC.
- UHC staff members will be guided in their management by the UHC policies and procedures established through Medical Staff and departmental collaboration and documented in the UHC Clinical Manual.

### Data Collection and Analysis

The Data Form for Relationship and Sexual Violence Incidents is to be completed by the clinician or nurse and sent in a sealed, confidential envelope to the University of Georgia RSVP Coordinator and faxed to UGA-PD (706-542-6960). The UHC Sexual Assault Response Committee is responsible to compile and analyze volume and outcome data annually and report to the Medical Staff and Admin Staff.

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

**University of North Georgia: Oconee Campus**  
**UNG Title IX Coordinator**  
**Office: Dahlonega Campus, Downtown Office Building, Room 111**  
**Website: <https://ung.edu/title-ix/>**  
**Phone: (706) 867-4560**  
**Email: [TitleIX@ung.edu](mailto:TitleIX@ung.edu)**

**The Title IX Office works to prevent sex and gender-based discrimination and ensure that no person is denied access to any educational program or activity on the basis of sex, gender, or pregnancy status.**

**Title IX Deputy Coordinators:**  
**Alyson Paul, Gainesville and Cumming**  
**John Delaney, Dahlonega and Blue Ridge**  
**Michelle Brown, Oconee ([michelle.brown@ung.edu](mailto:michelle.brown@ung.edu) or 706-310-6205)**

The University of North Georgia uses sexual misconduct as a broad term encompassing Title IX Sexual Harassment and other sexual misconduct that does not fall under the Title IX Sexual Harassment regulations. The behaviors that are prohibited by the Sexual Misconduct Policy (see attachment) are sexual harassment, nonconsensual sexual contact, nonconsensual sexual penetration, dating violence, domestic violence, stalking, and sexual exploitation.

Under Title IX, an education program or activity includes locations, events or circumstances over which the school exercised substantial control over the Respondent and the context in which the conduct occurred. Title IX applies to all education programs or activities, whether such programs or activities occur on-campus or off-campus. Through the Sexual Misconduct Policy, UNG addresses behavior affecting its students or employees inside and outside Title IX's jurisdiction.

### **Reporting Sexual Misconduct**

UNG strives to ensure that all parties involved receive appropriate support and fair treatment and that allegations of sexual misconduct are handled in a prompt, thorough, and equitable manner. There are different ways to report an incident of sexual misconduct.

#### **Report to the University**

- The quickest and most effective way to report an incident is by completing the Sexual Misconduct Report Form ([https://cm.maxient.com/reportingform.php?UnivofNorthGeorgia&layout\\_id=8](https://cm.maxient.com/reportingform.php?UnivofNorthGeorgia&layout_id=8) and see attached) or emailing [TitleIX@ung.edu](mailto:TitleIX@ung.edu).

#### **Report Confidentially**

- If you are not ready to file a report, consider speaking with Student Counseling Services or Student Health Services staff. These staff members are Privileged and Confidential Employees, and they will treat your report in a completely confidential manner while providing you with care and advice. The Cottage, an off-campus resource, can also provide confidential support.

#### **Report Anonymously**

- Reports through the Sexual Misconduct Report Form can be made anonymously. Incidents may be reported without disclosing one's name, identifying the Respondent, or requesting that no action be taken. However, this may limit the University's ability to respond to the anonymous report.

#### **Report to Law Enforcement**



## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

- In case of an emergency requiring immediate assistance, please call 911.
- You are not required to report a sexual assault to law enforcement. If you choose to do so, UNG police or your local law enforcement agency can inform you of your legal rights and options should you decide to prosecute.
- If you do choose to report the assault to the police, UNG has a victim's advocate in place who can serve as a support person through the process. Should you report to the UNG Police Department, they will inform the Title IX Coordinator that an assault has been reported.

University Police: 706-864-1500

County Police Departments:

- Fannin County: 706-632-6022
- Forsyth County: 770-781-2222
- Hall County: 770-531-6885
- Lumpkin County: 706-864-0414
- Oconee County: 706-769-3945

### **Amnesty**

Individuals are encouraged to come forward and report Sexual Misconduct, notwithstanding their choice to consume alcohol or to use drugs. Information reported by a student during an investigation concerning the consumption of drugs or alcohol will not be used against the student in a disciplinary proceeding or voluntarily reported to law enforcement.

### **Mandatory Reporting**

Mandatory Reporters, also known as Responsible Employees, must promptly and fully report complaints of or information regarding sexual misconduct to the Coordinator. Responsible Employees include any administrator, supervisor, faculty member, or another person of authority who is not a Confidential Employee or Privileged Employee (Student Counseling and Student Health Services). Student employees who serve in a supervisory, advisory, or managerial role are in a position of authority for purposes of the Policy (e.g., teaching assistants, residential assistants, student managers, orientation leaders).

### **University Response to Reports**

Upon receipt of a report, the Title IX Coordinator will contact the Complainant (victim/survivor) and offer to meet to discuss resources and options moving forward. During this informal meeting, comfort and privacy are a priority. Complainants are welcome to have an advisor present, who could be a friend, family member, or another support person. There is no requirement or expectation to meet with the Title IX Coordinator.

### **Supportive Measures**

UNG recognizes that Sexual Misconduct impacts mental health and prevents people from feeling safe and participating in campus-related activities and events. Supportive measures are implemented to ensure access and meaningful participation for undergraduate students, graduate students, staff, and faculty in their education, housing, and employment. Supportive measures are available to any individual who has experienced sexual misconduct, even when those individuals do not wish to file a formal complaint or participate in an investigation. Individuals accused (Respondent) of sexual misconduct may also access supportive measures.

### **Interim Measures and Emergency Removal**

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

Interim measures may be implemented at any point after the University becomes aware of an allegation of sexual misconduct to protect the Complainant and the University community. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the campus community or deter sexual misconduct or retaliation.

Interim measures must be provided consistent with university policies and procedures. Typically, if an interim action is taken, it is in the form of a no-contact order through the closure of the case. Other examples include interim suspension or an employee receiving administrative leave for an undefined yet limited time.

The Title IX Coordinator can act to remove, on an emergency basis, a Title IX Respondent entirely or partially, from their education program or employment activities when an individualized safety and risk analysis has determined that, based on the allegations in the particular case, a Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment/misconduct, justifies removal.

### **Informal and Formal Resolution**

Allegations of Sexual Misconduct may be resolved informally. The Complainant, Respondent, and University must agree to engage in the informal resolution process and to the terms of the informal resolution. It is a mutual and voluntary agreement between the parties. It does not include a full investigation and does not result in a determination of whether a policy was or was not violated.

A formal resolution is a process used by the Title IX office to investigate and carefully examine an allegation or complaint of Sexual Misconduct to determine if there was a policy violation. This investigation is an administrative process and not a criminal one. This means that the investigation determines whether University policy has been violated, not whether the law has been violated.

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

### Northeast Health District (NEHD) Health Departments [publichealthathens.com](http://publichealthathens.com)

The recommendations in this protocol are limited to the identification, prevention, and treatment of sexually transmitted infections (STIs), conditions commonly identified in the management of such infections, and the administration of emergency contraception when indicated. The documentation of findings and collection of nonmicrobiological specimens for forensic purposes and the management of physical and psychological trauma are **not** included.

**ANY ASSAULT VICTIM WHO WANTS EVIDENCE COLLECTION SHOULD BE SEEN BY A SANE/SAFE (SEXUAL ASSAULT NURSE/FORENSIC EXAMINER) REGARDLESS OF INTENT TO PROSECUTE. PUBLIC HEALTH DOES NOT COLLECT FORENSIC EVIDENCE**

**Health Department staff are to follow mandated reporting protocols for any adolescent or child presenting to the health department reporting sexual assault or sexual abuse or if sexual assault or sexual abuse is suspected**

#### Health Department Locations

Sexual assault survivors may be seen through **ANY** health department clinic in our district for follow up care including emergency contraception, vaccinations, and screening and/or treatment for sexually transmitted infections. Health Departments in the Northeast Health District include:

Barrow County Health Department  
Clarke County Health Department  
Elbert County Health Department  
Greene County Health Department  
Jackson County Health Department- Commerce Clinic  
Jackson County Health Department- Jefferson Clinic  
Madison County Health Department  
Morgan County Health Department  
Oconee County Health Department  
Oglethorpe County Health Department  
Walton County Health Department- Monroe Clinic  
Walton County Health Department- Loganville Clinic

A comprehensive list of NEHD Health Department phone numbers, addresses, and hours of operation can be found at [publichealthathens.com](http://publichealthathens.com)

#### Sexual Assault Advocacy Centers and Organizations Contacts

SANE Inc./Anchor Point  
The Cottage, Sexual Assault Center

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

Piedmont Rape Crisis  
RSVP- UGA  
The Tree House  
Piedmont Rape Crisis  
DFCS

### POLICY FOR REFFERAL OF PATIENTS FOR FOLLOW UP SERVICES

This policy was developed to improve joint management of sexual assault survivors brought to health department clinics for follow up services including emergency contraception, vaccinations, and screening and/or treatment for sexually transmitted infections in the Western Judicial Circuit.

If a client is referred to the Northeast Health District by SANE/SAFE or a Sexual Assault Advocacy Center or Organization, the client will not be charged for medication or services performed by the Health Department.

If a client presents to the Northeast Health District seeking care following a sexual assault and has **NOT** been referred by SANE/SAFE or a Sexual Assault Advocacy Center or Organization, the client will be given referral to an advocacy center or organization and/or law enforcement as appropriate. If the client desires to receive services without a referral from SANE or a Sexual Assault Advocacy Center or Organization, this is a chargeable visit, and they will be charged for medications and services performed by the Health Department that day.

Please follow these guidelines when making an appointment for a client referred by a Sexual Assault Advocacy Center or Organization:

1. A representative from a Sexual Assault Advocacy Center or Organization will call a NEHD Health Department to either:
  - Provide the client's name, date of birth, and phone number for a Health Department representative to contact the patient directly.

OR

  - Set up an appointment for the client. **Please obtain some preferred days and times for the follow up appointment (e.g. Monday or Wednesday afternoon or Friday morning) from the patient prior to calling to make an appointment.**

**NOTE:** The Sexual Assault Advocacy Center or Organization representative should state when making the appointment that the referral is from a sexual assault advocacy agency or organization and that the visit is thus a "non-chargeable" visit.

2. There will be no charge for services or medications related to STI

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT PROTOCOL

screening, medications, or emergency contraception for **referred** patients.

3. Clients being referred may use a pseudonym and the Sexual Assault Advocacy Center or Organization address and telephone number may be used as contact information if the client desires. If so, then follow up concerning any positive labs or follow up appointments will be done through the Sexual Assault Advocacy Center or Organization.
4. An advocate, support person, or family member may accompany the client when he or she presents for the appointment.
5. The Sexual Assault Centers and Organizations provide extensive counseling for victims. Health Department staff will not ask for unnecessary details of the incident or volunteer recommendations about reporting or pressing charges.
6. Any physical examination should be problem-oriented, and no unnecessary exam should be performed. That is, only physical exam components required to confirm or rule out a relevant problem will be performed.
7. Health Department staff will not attempt to get information about the "contact" nor counsel on "safe sex" during this visit.
8. Clients will be offered screening tests for Gonorrhea, Chlamydia, Trichomoniasis, Syphilis, HIV, Hepatitis B, Hepatitis C, pregnancy, and other STIs as indicated. Post-exposure prophylaxis for HIV will be considered if client is eligible and is interested in initiating treatment. Follow-up testing for HIV and syphilis will be offered at the appropriate intervals (repeated tests at 6 and 12 weeks after the assault) if the initial test results are negative.
9. Prophylactic medication for Gonorrhea, Chlamydia, and Trichomonas will be offered and may be given even several weeks after the assault since Gonorrhea, Chlamydia, and Trichomonas may be present without symptoms. Treatment will be offered for any other STI identified at the time of the visit. Hepatitis B, Hepatitis A, and HPV vaccines will be offered to patient per ACIP recommendation if client has not been vaccinated or if vaccination status is unknown.
10. Clients will be counseled on any medications dispensed and about recommended follow up.

**WESTERN JUDICIAL CIRCUIT  
SEXUAL ASSAULT RESPONSE TEAM PROTOCOL**

**OFFICE OF THE DISTRICT ATTORNEY FOR THE WESTERN JUDICIAL  
CIRCUIT**

**Athens-Clarke County Office  
325 E. Washington Street, Room 370  
Athens, Georgia 30601  
Telephone: (706) 613-3240  
Telefax: (706) 613-3247**

**Oconee County Office  
23 North Main Street, Room 206  
Watkinsville, Georgia 30677  
Telephone: (706) 769-3954  
Telefax: (706) 769-3977**

#### Introduction

A crime is a violation of an act prohibited by statute. A felony crime is a prohibited act which carries possible punishment of one year or more in the State Penitentiary. Under Georgia law, all felonies are in the jurisdiction of the Superior Court and are prosecuted by the District Attorney's Office for the Circuit in which the crime was committed. The District Attorney's Office for the Western Judicial Circuit prosecutes cases in both Athens-Clarke and Oconee Counties. In Oconee County, the District Attorney's Office prosecutes all misdemeanors in addition to the felonies.

It is the ultimate legal responsibility of the prosecutor to determine the disposition of any case, including sexual assault crimes. It is the policy of the District Attorney's Office of the Western Judicial Circuit to make such a determination after careful consideration of the facts and evidence of the case, review of the investigation completed by law enforcement, and the feelings and position of the victim. While the majority of cases prosecuted by the District Attorney's Office of the Western Judicial Circuit are resolved in a manner that the victim agrees with, such cannot always be the case. In any event, it is the policy of the District Attorney's Office to explain to the victim the reasons for pursuing a particular disposition. This is especially important when the disposition is contrary to the victim's wishes. If, after hearing the reasons, a victim is not in agreement with the disposition of the criminal case, he or she always has the option of filing a civil suit against the perpetrator in which the victim will be the named party and can direct his or her private attorney as to how to proceed in that action.

#### Victim's Rights

In 1995, the Georgia Legislature, at the urging of victims' groups and prosecutors, adopted the Crime Victims' Bill of Rights. The District Attorney's Office of the Western Judicial Circuit has continuously, since that time, up-dated the brochure provided to victims on the scene by local law enforcement agencies. This brochure outlines the victim's rights and provides contact information for area resources. Making a victim aware of his or her rights

## **WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT RESPONSE TEAM PROTOCOL**

is the important first step towards a victim being able to exercise those rights. The Athens-Clarke County Police Department also has a Supplemental report form to their police report that is signed by the victim on the scene to begin the process of exercising his or her rights. This form is provided to the jail, court personnel, and the District Attorney's office. The victim completes the necessary information for these agencies to contact him or her.

At the discretion of the Detective responding to incidents of Sexual Assault, a Special Victims' Unit Prosecutor will be notified and/or the Director of Victim Services of the District Attorney's office. If requested, a Victim Advocate will respond to the scene to assist. In all cases, contact with the victim is attempted as soon as possible through daily examination of local law enforcement incident reports; all effort is made by the District Attorney's Victim Advocates to speak with a victim of a sexual assault in the first 24 to 48 hours of law enforcement providing contact information to the District Attorney's Office. Additionally, an initial contact letter with further Victim's Rights' information and referral information is mailed to victims in all cases once a police report is provided to the District Attorney's Office.

Upon initial contact, one of the District Attorney's Victim Advocates advises the victim of his or her rights under O.C.G.A. § 17-17-1, et. seq. and begins the process to coordinate an immediate face-to-face meeting with a Special Victims Unit Prosecutor. This meeting is generally held within two weeks of the incident, or as soon as the victim indicates readiness. As explained above, another copy of the victim rights form is given to the victim by the District Attorney's Victim Advocate when the victim comes in for the meeting, as well as a copy of a brochure explaining the criminal process in simple terms.

At the initial meeting, as well as subsequent meetings, the District Attorney's Victim Advocate makes reference to support services appropriate to the needs of the victim. This includes assessing the victim's potential eligibility for the Crime Victims Compensation Program. The Victim Advocate provides a general explanation of the program benefits and connects the victim with the Crime Victims Compensation Specialist on staff who is available to assist in completing the application, track and manage claims, and contact the Governor's Criminal Justice Coordinating Council Division of Victim Compensation directly if needed. The District Attorney's Office files appeals of adverse decisions on Victim Compensation claims on behalf of the victim if the District Attorney's Office believes that a denial was made in error.

The initial meeting is for introduction and comfort of the victim only. Our goal is to allow the victim the opportunity to ask questions of the prosecutor and become familiar with the team of individuals working on the case, without pressure to discuss any details of the incident unless absolutely necessary for the prosecution of the case. An interview-style meeting with the victim is only done at the time it becomes necessary for the prosecutor to hear from the victim directly in preparation for a trial or other decision making stages, such as prior to presentment of the case to the Grand Jury. Every effort is made by the District Attorney's Office to re-interview the victim (after law enforcement conducted interviews) only once, as close to trial as possible, to minimize the stress on the victim by reducing the potential of the victim reliving the trauma he or she suffered. An advocate from the Sexual Assault Center may accompany the victim to meetings with District Attorney's Office staff.

## **WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT RESPONSE TEAM PROTOCOL**

Whenever possible, the District Attorney's Office notifies the victim of any proceeding in which the release of the accused will be considered and offers the victim the opportunity to express his or her opinion on the release of the accused pending judicial disposition. If an accused is released on a pre-trial bond, a bond after conviction, or given a probated sentence, the District Attorney's Office requests the Court to make "no contact with the victim, directly or indirectly," a condition of the release as well as any other conditions necessary to further the safety of the victim. Additionally, the District Attorney's Office explains to the victim his or her right to notify the District Attorney's Office and report to police if the accused violates the conditions of release or if anyone else subjects the victim or the victims' family to threats or intimidation. Upon a victim's complaint of such and/or other evidence being produced, the District Attorney's Office can take action to petition the Court to revoke bond or probation and/or bring criminal charges against such individual.

During any hearing or trial, the District Attorney's Victim Advocate makes all reasonable attempts, consistent with Court facilities, to ensure that the victim waits in an area separate from the accused and the accused's friends and family.

Prior to disposition of the case, the prosecutor offers the victim the opportunity to express the victim's opinion on the disposition of the case, including plea or sentence negotiations and participation in pre-trial or post-trial diversion programs. The opportunity is given for both oral opinion and also in the form of a written Victim Impact Statement.

The District Attorney's Office notifies the victim of all hearings/court dates/post-adjudication proceedings that have the potential to affect the custodial status or disposition of the case. This is accomplished by both telephone contact and with written notice when possible. Victims are also notified of appellate/parole decisions and where possible, the prosecutor assists the victim in communicating with both the Department of Corrections and the Parole Board. The District Attorney's Victim Advocates also assist the victim with enrolling in the 24-hour automated information and notification system (V.I.P) operated by the Georgia Office of Victim Services to provide information about the offender's custody, parole, or probation status.

### **General Procedures**

After a suspect is arrested, the Magistrate Judge sends a copy of the warrant(s) to the District Attorney along with a Superior Court Judge assignment. Next, sexual assault cases are usually assigned to a specific Assistant District Attorney in the Special Victims Unit. The District Attorney's Office for the Western Judicial Circuit primarily uses a vertical prosecution case-assignment system so that the prosecutor initially assigned the case will follow it through until its conclusion in the office. However, various factors including District Attorney turn-over, legal/personal conflicts, complexity of the case, etc., may occasionally cause a substitution to the prosecutor initially assigned the case. This is the exception, but it does occasionally happen. The assignment of prosecutors to cases is ultimately the responsibility of the elected District Attorney who has that legal obligation as part of his or her official duties.



**WESTERN JUDICIAL CIRCUIT  
SEXUAL ASSAULT RESPONSE TEAM PROTOCOL**

In every case which appears to be able to be resolved only by trial, as opposed to some other disposition, the prosecutor and advocates make all reasonable efforts to visit the courtroom with the victim, when there is no court action taking place, in order to acclimate the victim to the courtroom and explain trial procedures in an attempt to raise the comfort level for the victim.

Each sexual assault victim is provided the name and phone number of the prosecutor and victim advocate(s) assigned to his or her case, and the staff of the District Attorney's Office is always available to advise and consult with victims from the date of the incident, all the way through appeals and parole issues in the decades after adjudication.

Every effort is made to have a Victim Advocate present at any meeting scheduled between a prosecutor and a victim of a sexual assault. It is the policy of the District Attorney's Office that female victims of sexual assault do not meet alone with a male advocate or male Assistant District Attorney.

## WESTERN JUDICIAL CIRCUIT SEXUAL ASSAULT RESPONSE TEAM PROTOCOL

### LOCAL SART COORDINATED RESPONSE

All members of the Western Judicial Circuit Sexual Assault Response Team will adhere to best practices as outlined in the [Georgia Sexual Assault Response Team Guide, Version 2](#) (available on the Sexual Violence Resource of Georgia website).

Members of the Western Judicial Circuit SART agree to meet bi-monthly for discussion, and evaluation to assure the coordination and cooperation between all agencies responding to sexual assault cases in the circuit. The Western Judicial Circuit SART will make sure local resources have been identified and made known to each member of the team.

- The Cottage, Sexual Assault Center & Children's Advocacy Center will serve as the coordinating entity for the Western Judicial Circuit SART and ensure appropriate members notification. The Cottage can be reached at (706) 546-1133.
- Local investigators are to know the response and procedure in the event of a sexual assault case.
  - The responding officer, law enforcement involved with the crime scene, and the creator of the incident report are to know the response and procedure.
- EMS transport is to be made available to the victim, if needed.
- Advocates should respond in a timely manner upon receiving a call.
- Drug facilitated sexual assaults should be handled accordingly by law enforcement protocol.
- If a victim interview is needed, it should be conducted prior to a medical forensic exam, if possible, or within a timely manner of the incident being brought to knowledge of the SART.
- Upon a false report or recantation, it will be handled by the investigator assigned to the case.
- The medical forensic response should be in a timely manner.
- If Adult Protective Services are involved, they are to be made known of any pertinent information that include, but not limited to, the safety of the client. Referrals will be made to Adult Protective Services if abuse is suspected.
- The SART team will be able to put aside personal biases to ensure that all victims are treated with respect and dignity.
- Sexual Assault Advocacy Agencies will evaluate and access services and needs of Human Trafficking victim/survivors through The Georgia Coalition To End Human Trafficking.
- If a language interpreter is needed, the responding sexual assault agency will provide the interpreter service.
- Victims with disabilities will receive the necessary accommodations that are deemed appropriate.
- SART will work with local colleges/campuses for any sexual assault that occurs on their campus.
- SART will work with correctional facilities in the area that may be in need of services from the SART.
- If a Domestic Violence Resource Agency is involved with a victim/survivor they are to be included with pertinent information at victim/survivor request.

**WESTERN JUDICIAL CIRCUIT  
SEXUAL ASSAULT RESPONSE TEAM PROTOCOL**

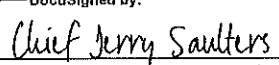
*Pursuant to O.C.G.A § 15-24-2, members of the Western Judicial Circuit Sexual Assault Response Protocol Committee agree to meet annually to review, update and evaluate this Sexual Assault Response Protocol and to submit the updated protocol electronically each year to [svrga@cicc.ga.gov](mailto:svrga@cicc.ga.gov)*

The foregoing Western Judicial Circuit Sexual Assault Response Team 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 13th day of April, 2023.

**Signatures**

Athens-Clarke County Police Department  
Jerry Saulters, Chief of Police

DocuSigned by:  
  
\_\_\_\_\_  
Agency Representative Signature

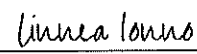
5/16/2023  
Date

Athens-Clarke County Sexual Assault Nurse Examiners/Anchor Point, Inc.  
Michelle Dickens, Executive Director

  
\_\_\_\_\_  
Agency Representative Signature

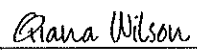
5/31/2023  
Date

The Cottage, Sexual Assault Center & Children's Advocacy Center, Inc.  
Linnea Ianno, Executive Director

DocuSigned by:  
  
\_\_\_\_\_  
Agency Representative Signature


4/18/2023  
Date

Equal Opportunity Office at The University of Georgia  
Qiana Wilson, Director

DocuSigned by:  
  
\_\_\_\_\_  
Agency Representative Signature

4/19/2023  
Date

Northeast Health District, Health Department  
Stephen Goggans, District Health Director

DocuSigned by:  
  
\_\_\_\_\_  
Agency Representative Signature

4/28/2023  
Date

**WESTERN JUDICIAL CIRCUIT  
SEXUAL ASSAULT RESPONSE TEAM PROTOCOL**

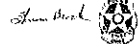
Oconee County Sheriff's Office  
Sheriff James Hale

DocuSigned by:  
  
Agency Representative Signature

5/16/2023

Date


Watkinsville Police Department  
Shannon Brock, Chief of Police

DocuSigned by:  
  
Agency Representative Signature

4/18/2023

Date

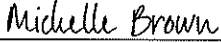
Office of Relationship and Sexual Violence Prevention at The University of Georgia  
Liz Prince, Director of Health Promotion

DocuSigned by:  
  
Agency Representative Signature

4/18/2023

Date

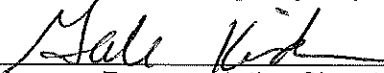
University of North Georgia, Oconee Campus  
Michelle Brown, Dean of Students

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Agency Representative Signature

4/18/2023

Date

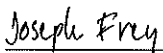
Piedmont Athens Regional Medical Center  
Gale Kinder, Emergency Department Manager

  
Agency Representative Signature

6/2/23

Date

St. Mary's Health Care System, Inc.  
Joe Frey, Manager of Emergency Department

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Agency Representative Signature

5/21/2023

Date

University of Georgia Health Services  
Beau Seagraves, Executive Director

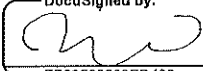
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Agency Representative Signature

4/24/2023

Date

University of Georgia Police Department  
Dan Silk, Chief of Police

**WESTERN JUDICIAL CIRCUIT  
SEXUAL ASSAULT RESPONSE TEAM PROTOCOL**

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Agency Representative Signature

4/25/2023

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Date

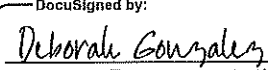
Western Judicial Circuit Chief Judge  
Judge Eric W. Norris

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Agency Representative Signature

5/2/2023

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Date

Western Judicial Circuit District Attorney's Office  
Deborah Gonzalez, District Attorney

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Agency Representative Signature

4/18/2023

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Date

**WESTERN JUDICIAL CIRCUIT  
SEXUAL ASSAULT RESPONSE TEAM PROTOCOL**

**SEXUAL ASSAULT OF ADULTS: HOW THE SYSTEM WORKS**

REPORTING CHOICE	INITIAL REPORTING PROCESS	LEGAL PROCESS
<p>Assault Occurred Less Than 120 Hours Before Report to Law Enforcement</p>	<ul style="list-style-type: none"> <li>• Victim contacts law enforcement agency either directly, via a hospital, or through The Cottage for survivors assaulted in Clarke county, SANE Inc./Anchor Point for survivors assaulted in Oconee County &amp; Relationship or Sexual Violence Prevention (RSVP) for UGA Students.</li> <li>• Law enforcement (1<sup>st</sup> on scene) ensures immediate safety, arranges for life-threatening medical needs to be attended.</li> <li>• Law enforcement investigator interviews victim, arranges for Forensic Medical exam.</li> <li>• Forensic Medical Exam is conducted by trained personnel (SANE Nurses)</li> <li>• The Cottage, Sane Inc./ Anchor Point, or RSVP advocate is usually contacted by either law enforcement, emergency room staff, or SANE. Services are offered, but victim can decline if they choose.</li> </ul>	<ul style="list-style-type: none"> <li>• Law Enforcement conducts investigation</li> <li>• Law Enforcement refers case to D.A.'s office for prosecution decision.</li> <li>• Victim's Assistance is usually involved at about this point (keeps court calendar, notifies victim of court dates/appearances, prepares for court process, victim compensation, etc.)</li> <li>• D.A.'s office looks at the evidence, and decides whether or not to pursue the case</li> <li>• If pursued, there are multiple steps in the legal process. Victim does not need to appear in court for all steps but will eventually have to testify if the case goes to trial.</li> <li>• After a plea or found guilty, process moves to sentencing the victim will be notified when disposition of case is reached.</li> <li>• Appellate process begins</li> <li>• Upon verdict of not guilty the criminal case concludes</li> <li>• Victim may pursue a civil case</li> </ul>
<p>Assault Occurred More Than 120 Hours Before Report to Law Enforcement</p>	<ul style="list-style-type: none"> <li>• Victim contacts law enforcement agency directly or through The Cottage, Sane Inc./ Anchor Point, or RSVP</li> <li>• Law enforcement investigator interviews victim</li> <li>• Forensic Medical exam probably does NOT occur.</li> <li>• Victim may or may not seek medical care for possible pregnancy, STD's, injuries, etc.</li> <li>• The Cottage, Sane Inc./ Anchor Point, or RSVP advocate is usually contacted by either law enforcement or the victim. Services are offered, but victim can decline if they choose.</li> </ul>	<p style="text-align: center;"><b>SAME AS ABOVE</b></p>
<p>Victim Chooses to Have a Non-Report Exam</p>	<ul style="list-style-type: none"> <li>• Victim contacts The Cottage, SANE, Inc./Anchor Point, or RSVP through their hotlines, most likely. The victim may contact law enforcement or present at the hospital and then decide on this option.</li> <li>• The Cottage, SANE Inc. / Anchor Point, or RSVP advocate contacts the SANE to coordinate Forensic Medical exam and is present for support.</li> <li>• Law enforcement is not involved at this point, no interview is done.</li> </ul>	<ul style="list-style-type: none"> <li>o Victim contacts The Cottage, Sane, Inc/ Anchor Point, or RSVP if they decide within two years from their exam that they want to report to law enforcement. The advocacy agency then contacts law enforcement to set up an interview or the victim may do that on their own if they choose.</li> <li>o Same as above</li> </ul>

**WESTERN JUDICIAL CIRCUIT  
SEXUAL ASSAULT RESPONSE TEAM PROTOCOL**

<p>Assault was NOT Reported to Law Enforcement and Victim Choose not to have FME.</p>	<ul style="list-style-type: none"><li>• Victim may or may not seek medical care for possible pregnancy, STD's, injuries, etc.</li><li>• Victim may or may not seek help from The Cottage, SANE Inc./ Anchor Point, RSVP, or other professionals</li></ul>	<p><b>NONE</b></p>
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