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This training bulletin is the fifth in a series designed to explore alternative reporting methods. Previously, we have introduced the essential terms and concepts, as well as two communities that have successfully implemented alternative reporting methods. Now we begin examining key components associated with implementation. In this bulletin, we highlight the importance of developing a multidisciplinary response protocol.

## **Multidisciplinary Response Protocol**

For communities seeking to implement alternative reporting methods for sexual assault victims, the place to start is establishing a multidisciplinary response protocol. A clear written protocol is needed to clarify the roles and responsibilities of all the professionals involved. This will include law enforcement officers and investigators as well as forensic examiners, other health care providers (e.g., Emergency Department personnel), and any additional professionals with mandated reporting responsibilities (e.g., university personnel with Title IX requirements).

### **Who Should be Included?**

Any such protocols should also include both community-based and system-based victim advocates, as well as prosecutors who might eventually receive these cases, and other professionals involved in the entire community response system (e.g., campus, military, and tribal agencies). Even within each law enforcement agency, a truly comprehensive protocol will require clarifying responsibilities of personnel working in various departments, including:

- Communications / Dispatch (911 call takers)
- Property Room
- Records
- Crime Laboratory
- Patrol / Investigations
- Administration / Management

This is no small task, as illustrated by the professionals in Cambria County, Pennsylvania who spent three years developing and implementing a comprehensive, multidisciplinary protocol for anonymous reporting in their community.



### Complex Decisions Required

Decisions must be made regarding numerous complex and challenging issues. For example:

- If victims choose to have a medical forensic examination, how will this process be initiated? Are alternative reporting options available for those who do not have an exam?
- Who will contact the advocacy organization, to ensure victims have access to the information, support, and other valuable services that an advocate can offer?

There are also questions regarding who is eligible for various alternative reporting options. In Cambria County, for example, the protocol clearly states that anonymous reporting is only available for victims who are 18 years of age or older. These and other issues must be resolved, so victims are provided clear and consistent information on what options are available to them.

Even more important is ensuring that victims are not offered false promises. It is difficult to imagine how damaging it would be to victims if they were presented with an option, such as anonymous or non-investigative reporting, that was later pulled out from underneath them – and a full investigation launched against their wishes.

### Need for Consistent Protocol

It is critical that the services and options offered to victims are consistent. Yet consistency is not the only reason for developing a clear multidisciplinary protocol for alternative reporting methods. A clear protocol is also needed to guide cross-training efforts between the professional disciplines. The protocol must therefore be reviewed regularly to determine which aspects are working well and which need improvement.

### Response Protocol for Medical Forensic Exam

Most of the Cambria County protocol outlines procedures to be followed in the majority of cases where victims receive a medical forensic examination and personally talk with a law enforcement officer. However, specific procedures are also detailed for those victims who are unsure at the time of the exam whether or not they want to participate in the criminal justice process. These procedures can be summarized as follows:

- After the exam, the Sexual Assault Forensic Examiner (SAFE) calls the police department to pick up the evidence and store it, using an anonymous tracking number provided by the SAFE. For simplicity and convenience, one particular law enforcement agency has agreed to store all of the evidence associated with these anonymous reports.
- The officer who responds to the request then prepares an informational report and includes the SAFE number from the front of the evidentiary kit, the name of the attending SAFE, and

the date and time of retrieval of the evidence. The incident number generated by the police department is provided to the SAFE for documentation on the SAFE log.

- The police department does not investigate the matter unless and until the victim decides to convert to a standard reporting process and participate in the process of a full investigation. An exception may be made at the discretion of the prosecutor on a case-by-case basis – either in high profile cases and/or serial cases, or in the event that public safety is perceived to be at stake. However this discretion must be exercised with caution, because it may have a chilling effect on reporting decisions made by other victims. If victims perceive that their wishes for non-investigative reporting will not be respected, they may decide not to contact law enforcement.
- The evidence associated with the anonymous report then remains in the evidence room for a period of two years (unless the victim converts to a standard report before that time). At the end of two years, the police department addresses the final disposition of the evidence according to departmental procedure.
- Three weeks prior to the end of the two-year period, the SAFE Program contacts the victim (if consent for this follow-up contact was given at the time of the exam), to remind the victim of the timeline for evidence storage and impending date of destruction.

The Cambria County protocol thus spells out – with considerable attention to detail – the procedures that are to be followed as well as the roles and responsibilities of involved professionals. This is extremely helpful, as it can help to avoid the misunderstandings and missteps that can occur when policies are stated in vague or overly generalized terms.

### Follow-Up Responsibilities

For victims who initially choose an alternative reporting option, they may be unlikely to later convert to a standard reporting procedure unless they receive some form of follow-up contact. The informational form that is given to victims can therefore be used to describe the options for follow-up contact, and document whether victims want to be contacted for various purposes – as well as the best methods for doing so (e.g., phone number, email). When considering the best means of contacting victims, it is important to consider not only questions of access and convenience, but also safety and privacy. For example:

*Specify the means (phone, e-mail, in person), the content (first name or professional title, code phrase, full disclosure, and the circumstances (if another victim comes forth, if more evidence is discovered) (Garcia & Henderson, 2010, p. 3).*

While some victims may not want any follow-up contact, others may choose to be notified if the same suspect is named in another report. For example, if the agency receiving a third party report identifies a serial offender based on connections or identified similarities with another crime report, victims can be contacted to see if they are willing to participate in an investigation

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and prosecution. They can be given the option of either coming forward in connection with their own report, or agreeing to testify on the behalf of another victim.

### Up Next

Developing a multidisciplinary protocol is only one of the key components that communities must undertake in order to successfully implement alternative reporting options for victims of sexual assault. Next, we discuss the practice of requiring victims to sign a release waiver in situations where they are not sure they are able to participate in the process of a law enforcement investigation.

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