

SEXUAL ASSAULT FORENSIC EXAMINATION (SAFE) COMMISSION

September 1, 2021 – August 31, 2022

ANNUAL REPORT



**State of West Virginia
Jim Justice, Governor**



**Department of Homeland Security
Jeff S. Sandy, CFE, CAMS, Cabinet Secretary**



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Purpose of the Commission:

The Sexual Assault Forensic Examination (SAFE Commission) Commission was created under West Virginia Code Chapter 15-§9B-1, §9B-2 and §9B-3 and first met on August 8, 2014. Its purpose is to establish, manage, and monitor a statewide system to facilitate the timely and efficient collection of forensic evidence in sexual assault cases. Duties of the Commission include, but are not limited to, the following:

- (1) Establish mandatory statewide protocols for conducting sexual assault forensic examinations, including designating locations and providers to perform examinations, establishing minimum qualifications and procedures for their performance, and establishing protocols to assure the proper collection of evidence;
- (2) Facilitate the recruitment and retention of qualified health care providers that are properly qualified to conduct forensic examinations;
- (3) Authorize minimum training requirements for providers conducting exams and establish a basic standard of care for victims of sexual assault;
- (4) Support county prosecutors in establishing sexual assault forensic examination boards, set forth minimum requirements for local plans developed by county or regional boards, and approve local plans for each area of the state on a county or regional basis; and
- (5) Propose rules for legislative approval.

Executive Summary:

During the past reporting year, the work of the SAFE Commission included the following:

- ❖ Reviewed county service plans for completeness and provided feedback to 16 counties (see attached maps pages 13-15 for overview of plan submissions), which is over 1/3 of the counties remaining with incomplete or no plans. The number of counties with no plan at least submitted was reduced from 8 to 5, while the number of counties with completed plans increased from 10 to 12.
- ❖ Process began to convert the county plans to a standard format.
- ❖ Sexual assault kit tracking application continued to supply reports to hospitals on the quality of kits collected by hospitals and examiners.
- ❖ Multidisciplinary meetings were held to address the Pediatric Protocol/paperwork for the SAECK and a work group formed to make recommendations.
- ❖ Formed a work group to examine increasing the rate of reimbursement for forensic exams, since that rate has not been increased since the inception of the forensic exam fund 25 years ago. The work group also examined infrastructures and funding for SANE trainings in other states.

SAFE Commission Subcommittees:

Standards Subcommittee:

Role: Facilitate the development of county plans through the creation of: service standards definitions, county plan template, plan review process, plan dissemination method, and assessment of plan implementation process.

Although COVID-19 continued to limit opportunities for county boards to meet and revise their plans for services and forensic exams, outreach continued in assisting counties in developing their plans for accessing forensic exams. Highlights in that process were:

- Three additional counties made their initial plan submission, reducing the number of counties with no attempt at completing plans to five: Gilmer, Grant, Ritchie, Taylor and Wirt
- Assistance was provided in converting the final versions of plans to a standardized format.
- Members provided technical assistance and reviewed plans/updates from Boone, Brooke, Calhoun, Fayette, Hampshire, Hancock, Hardy, Harrison, Kanawha, Lewis, Marion, Monroe, Nicholas, Pocahontas, Roane, and Upshur counties and provided feedback.
- Two counties had plans approved by the Commission: Harrison and Upshur.

Data Collection Subcommittee:

Role: Identify and implement a system to track sexual assault kits, enhance feedback system to hospitals/medical personnel regarding the quality of the kits being collected, and utilize data to

The Data Subcommittee met twice during this reporting period. On 11/16/2021 a meeting was held to review the quality of sexual assault kit evidence collection in 2021, to review the qualifications of those collecting kits, to discuss the specifications of the kit contents for the next vendor contract, to identify previously unsubmitted kits by law enforcement, to identify areas of improvement in FMEF reimbursement process, and to identify training needs.

On 5/5/2022 a brief meeting was held to identify hospital/facility contact information for use in dissemination of information.

From September 1, 2021 to August 31, 2022, 235 requests for hospital reimbursements from the Forensic Medical Examination Fund (FMEF) were made using the SAK System. 384 SAECKs were submitted to the WVSPFL during that same period.

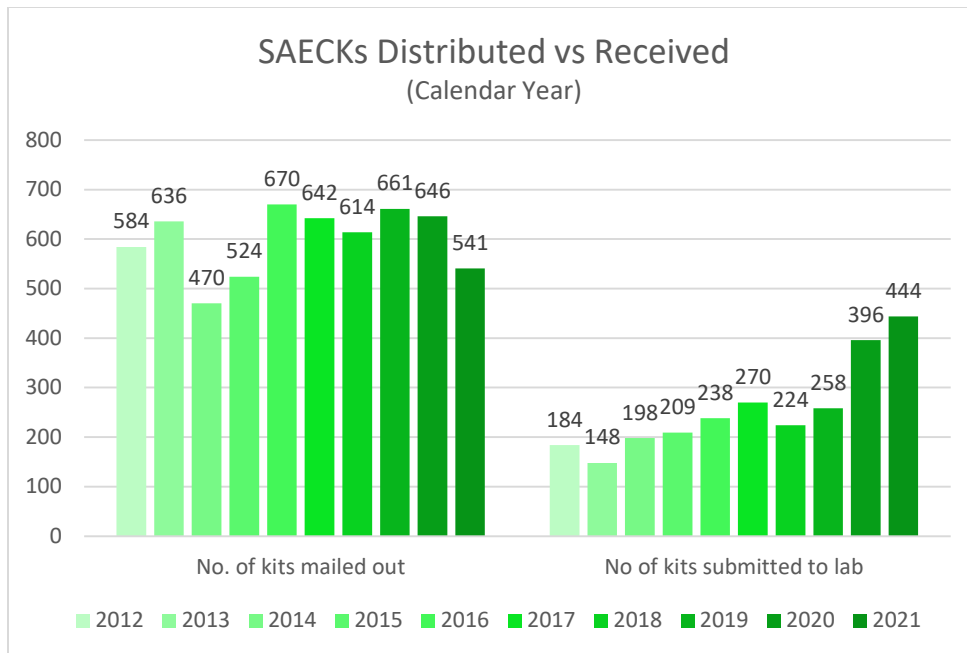
The following information was obtained from the WV SAK System from data entered between September 1, 2021 to August 31, 2022:

548 SAECKs were distributed to facilities in WV, OH, and VA

Total SAECKs distributed	548
- Tracked to Law Enforcement / WVSPFL	269
- Forwarded to another facility	4
- To MUFSC (Non-Reports)	26
- Not used/destroyed	0
- Used for training	10
- Not tracked since mailed	238
- Activated Non-Reports	1

334 SAECK Quality Reviews were completed in the SAK System

Qualification	No. of reviews
APRN	3
DO	2
MD	21
PA	2
FNP-BC	1
RN	107
SANE	194
Unknown	4



Training Requirements Subcommittee:

Role: Review West Virginia Sexual Assault Nurse Examiner (SANE) training curriculum materials and make recommendations to the SAFE Commission about training requirements for medical personnel (e.g., RNs, APRNs, PAs, DOs, and MDs) conducting medical forensic examinations; identify options for assisting SANEs in completing the clinical requirements; and make recommendations for developing and sustaining SANE programs in WV.

Accomplishments:

COVID continued to significantly impact access to nurses for SANE trainings in 2021-22. Still, the following trainings and activities occurred.

- > The SANE faculty hosted a hybrid in-person/virtual SANE 2 Day Classroom trainings with 13 nurses attending from four facilities.
- > Two SANE Practicum Skills Day trainings were held with 13 nurses participating from 3 facilities.
- > Three Sexual Assault Evidence Collection Kit (SAECK) trainings were provided at two sites.
- > A 6-part virtual SANE Teaching Tuesday series was piloted to engage nurses during the pandemic through an accessible format.
- > Multidisciplinary meetings were held to address the Pediatric Protocol/paperwork for the SAECK and a work group formed to make recommendations.

Meetings:

- > Seven multidisciplinary meetings were held regarding Pediatric Protocol/paperwork and a work group created to make recommendations for changes.
- > A joint meeting of the Data and Training committees was held to review data on the feedback of kits, number of SAECKS being collected and items to address with direct submission.
- > Five meetings were held with International Association of Nursing staff and Commission members to discuss the forensic medical exam reimbursement rates, Violence Against Women Act compliance and options for increasing the reimbursement rate in West Virginia.
- > Five meetings were held to discuss the next steps in SANE training accreditation.

SANE Trainings Provided:

- > The SANE faculty hosted a hybrid in-person/virtual SANE 2 Day Classroom training with 13 nurses attending from four facilities: UHC (Harrison County), Broaddus Hospital (Barbour County), Reynolds Memorial Hospital (Marshall County), and CAMC (Kanawha County).
- > Two SANE Practicum Skills Day trainings were held with 13 nurses participating from 3 facilities: CAMC Memorial, Women's and Children's/Kanawha County, Reynolds Memorial/Marshall County, United Hospital Center/Harrison County.
- > Three Sexual Assault Evidence Collection Kit (SAECK) Trainings were provided to a total of nine nurses at CAMC Memorial Hospital (representatives from 3 facilities) and Raleigh General Hospital, specifically on the SAECK contents, evidence collection procedures, and direct submission of the SAECK to the WVSP Forensic Laboratory.
- > A 6-part virtual SANE Teaching Tuesday series was piloted to engage nurses during the pandemic through an accessible format. Session content offered included Case Review, PREA, HIV, Trauma Informed Care, Strangulation 101 and the Role of a SANE.

Sexual Assault Kit Initiative (SAKI) Grant:

West Virginia began its un-submitted sexual assault kit initiative with the receipt of funds in 2015 -2016 from the New York County District Attorney (DANY) Sexual Assault Kit Backlog Elimination Program (\$1,763,281 to the WV State Police Forensic Lab for the testing of sexual assault kits) and the Bureau of Justice National Sexual Assault Kit Initiative (\$2,170,800 to the WV Division of Justice and Community Services for investigation, prosecution and victim support services in cases involving un-submitted sexual assault kits). An inventory of sexual assault kits located in law enforcement evidence rooms, medical examiners offices, hospitals, and the crime lab was completed in July 2018. Inventoried sexual assault kits totaled 3,203 during this process. These kits were categorized as un-submitted to the crime lab, partially tested,

and “non-reports” to law enforcement. All kits will be tested except for those identified as “non-reports.” To date, 2,665 previously unsubmitted/untested kits have been tested in WV with 980 DNA profiles identified and entered into the national DNA database, the Combined DNA Index System (CODIS). A total of 376 hits/matches have been obtained in the database matching profiles of offenders across 25 states plus FBI and Puerto Rico.

ATTACHMENTS

SAFE Commission Members
Subcommittee Members
County Plan Submission/Completion Maps

SAFE Commission Members

Required members:

1. WV Prosecuting Attorney's Association - Perri De Christopher
2. WV Association of Counties - Jonathan Adler
3. Commissioner of the Bureau for Public Health or designee - Designee- Sarah Todd
4. WV State Police Forensic Laboratory - David Miller
5. WV Child Advocacy Network - Caitlin Smith/Kate Flack
6. President of the WV Hospital Association or designee - Designee - Jim Kranz
7. WVFRIS - Nancy Hoffman, Debbie Lopez-Bonasso
8. WV University Forensic and Investigative Sciences Program – Tiffany Edwards
9. Marshall University Forensic Science Program - Dr. Terry Fenger

Additional Members Appointed by the Justice and Community Services Director:

10. An emergency room physician -Dr. Christopher Goode
11. Victim Advocate for a rape crisis center – Katie Spriggs
12. Sexual Assault Nurse Examiner - Angelita Nixon, APRN, CNM
13. Law Enforcement officer with experience in sexual assault investigation – Sgt. Larry Hasley
14. Health Care Provider with pediatric and child abuse expertise - Dr. Joan Phillips
15. Director of a Child Advocacy Center - Beth Cook

Subcommittee Members

Standards Subcommittee:

1. Nancy Hoffman - WVFRIS
2. Debbie Lopez-Bonasso - WVFRIS
3. Jim Kranz - WV Hospital Association
4. Caitlin Smith - WVCAN
5. Dr. Chris Goode - WVU School of Medicine, Medical Director & Chief, UHC ED
7. Larry Hasley - Morgantown Police Department
8. Tammy Lemon – WVJCS Justice Programs Manager
9. Samantha Morse/Carol Blankenship - WVJCS- Justice Program Specialist

Data Collection Subcommittee:

1. David Miller - WV State Police Lab
2. Debbie Lopez-Bonasso - WVFRIS
3. Jim Kranz - WV Hospital Association
4. Erica Turley- WVJCS Research Specialist
5. Tammy Lemon - WVJCS Justice Programs Manager
6. Samantha Morse/Carol Blankenship - WVJCS- Justice Program Specialist

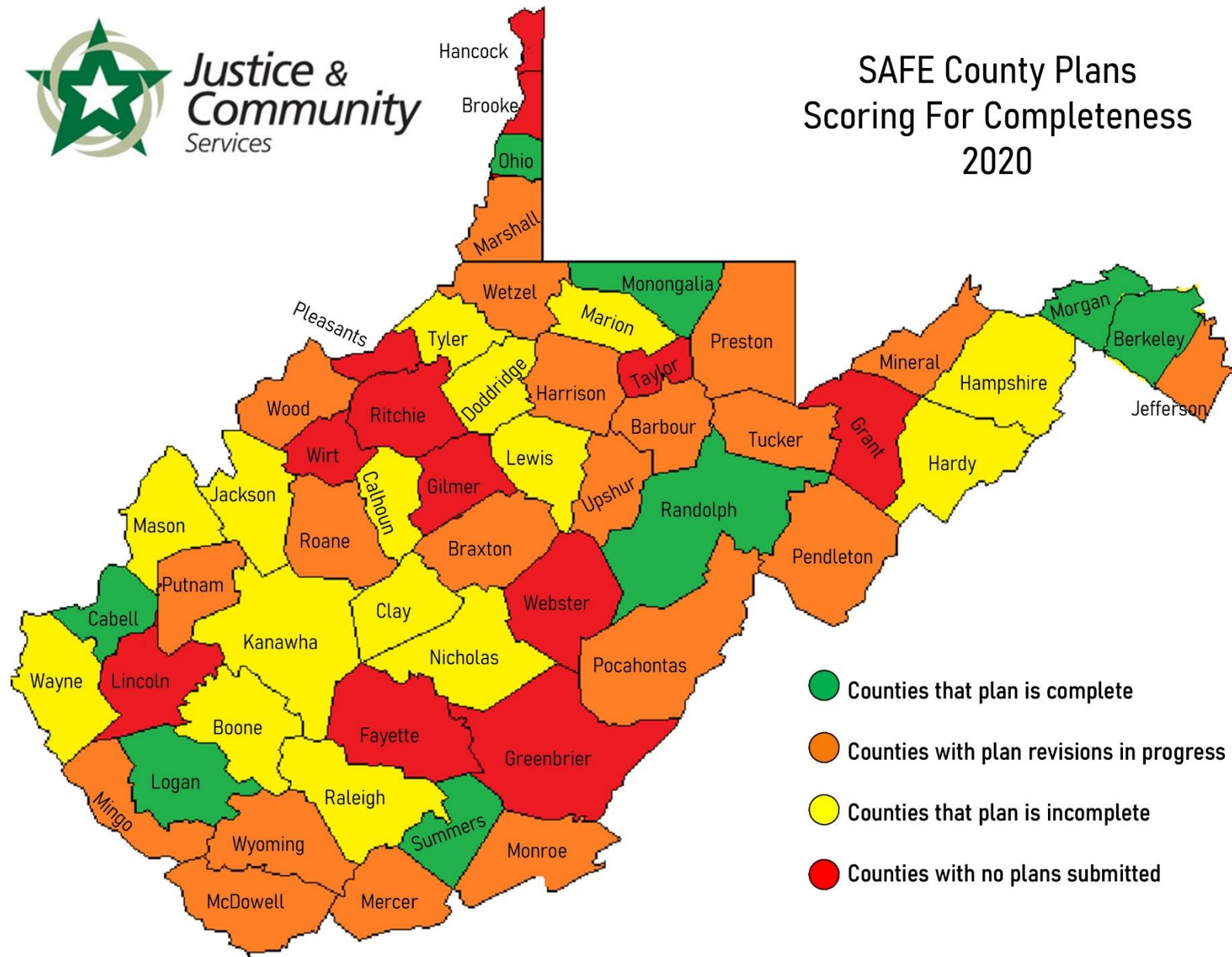
Training Requirements Subcommittee:

1. David Miller - WV State Police Lab
2. Debbie Lopez-Bonasso - WVFRIS
3. Dr. Terry Fenger - Marshall University Forensic Science Program
4. Dr. Chris Goode - WVU School of Medicine, Medical Director & Chief, UHC ED
5. Caitlin Smith - WVCAN
6. Dr. Joan Phillips - MD, Child Advocacy Center at Women's & Children's Hospital
7. Angelita Nixon- CNM/SANE
8. Tammy Lemon - WVJCS Justice Programs Manager
9. Samantha Morse/Carol Blankenship – WVJCS Justice Program Specialist



**Justice &
Community**
Services

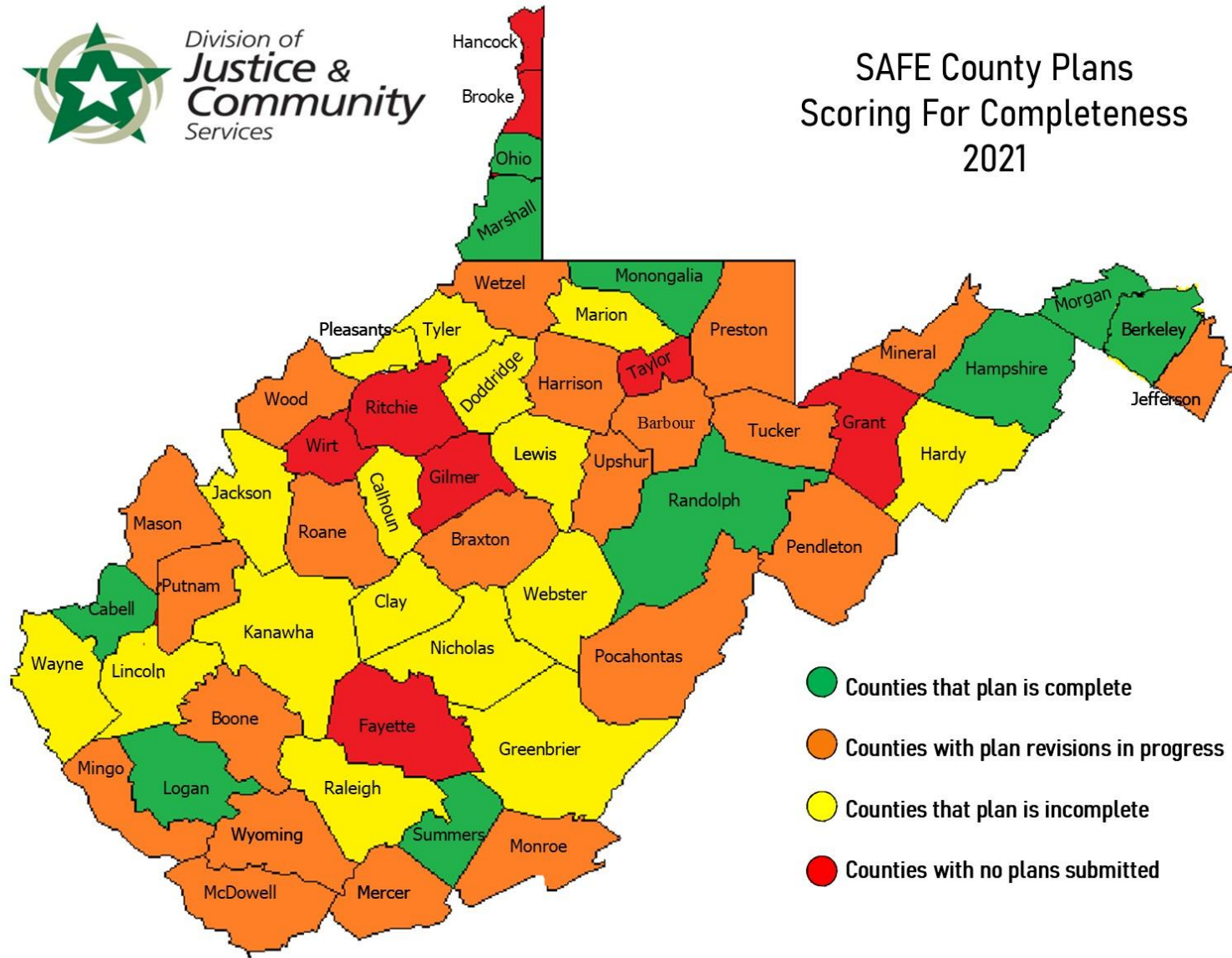
SAFE County Plans Scoring For Completeness 2020





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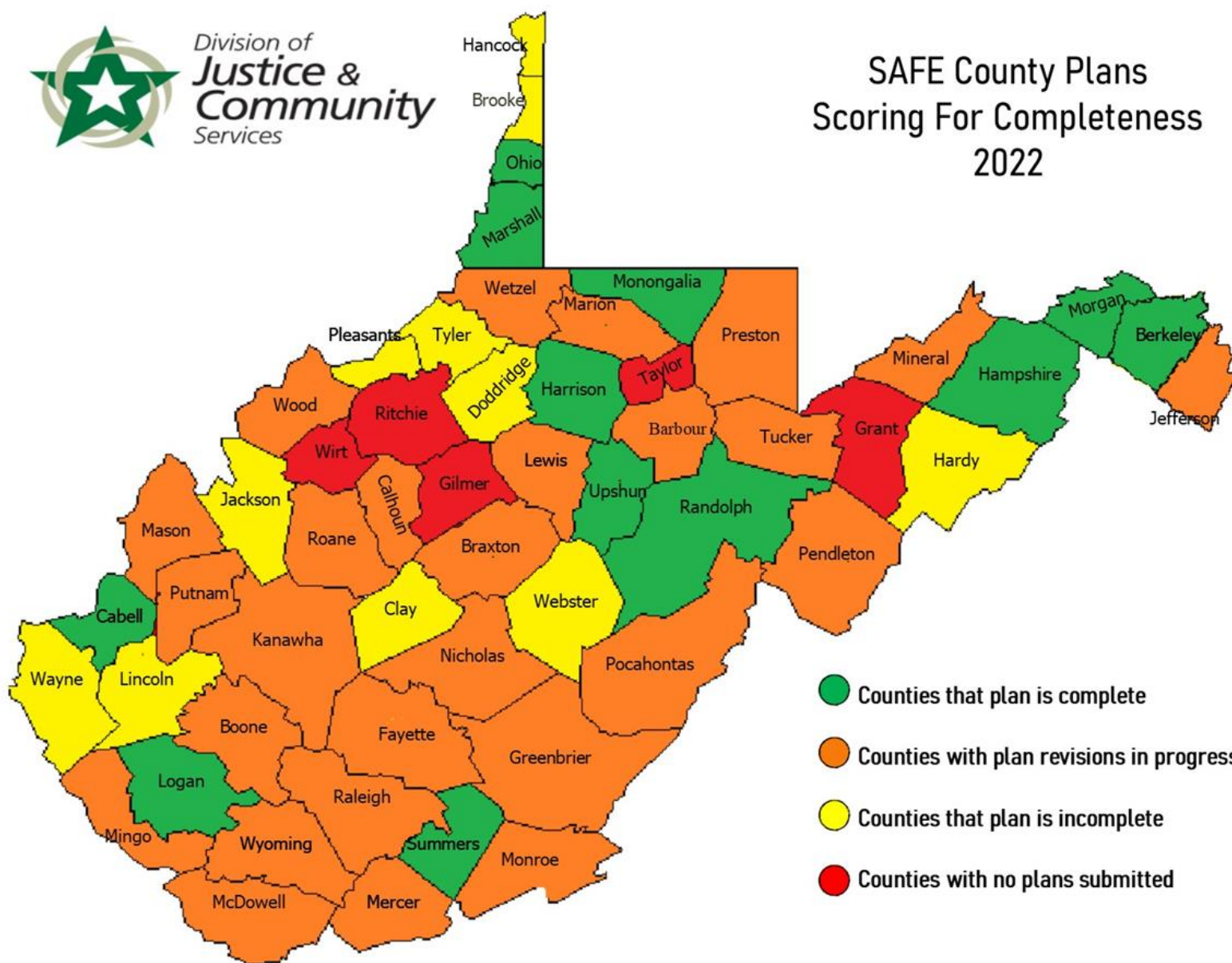
SAFE County Plans Scoring For Completeness 2021





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SAFE County Plans Scoring For Completeness 2022



SAFE County Plans are legislatively mandated to outline protocols for sexual violence victim advocacy, transportation and forensic exams.