

Appendix A. Developing Customized Protocols: Considerations for Jurisdictions

Jurisdictions starting from scratch in developing their own exam protocols are encouraged to consider the recommendations in this national protocol in their entirety and tailor them to fit local needs, challenges, statutes, and policies. Jurisdictions that have existing protocols can consider whether any of the protocol recommendations or the tasks below could serve to improve their immediate response to sexual assault or address gaps in services or interventions.

Form a protocol planning team. At the least, this team should include those responders involved in the exam process, including health care personnel, exam facility administrators, law enforcement representatives, victim advocates, prosecutors, and forensic laboratory personnel. Organizations serving specific populations in the community should also be involved at some level to make sure the protocol speaks to the needs of victims of diverse backgrounds. Team participants should have authority to make policy decisions on behalf of their agencies. Bringing together such a team can be challenging, particularly in jurisdictions with multiple sexual assault victim advocacy programs, exam facilities, law enforcement agencies, prosecution offices, and court systems (or where several levels of government may be involved in investigation and prosecution of sexual assault cases). Although representation from all involved disciplines and agencies is encouraged, at some point the team assembled will have to move ahead with planning efforts. Try to keep those absent informed of team activities and offer them opportunities to provide feedback on protocol development and revision.

Assess needs.²⁹⁹ Before initiating policy changes, it is important that the planning team assess the jurisdiction's current response to sexual assault, with a focus on the exam process. Some activities that may help:

- Compare statistics on sexual assault within the community as captured by represented agencies;
- Identify community demographics, including the various populations that make up the area;
- Review existing feedback from victims about their experiences and satisfaction with immediate response;
- Seek input from professionals involved in the exam process on current gaps, problems, and challenges;
- Evaluate the adequacy of policies pertaining to each aspect of immediate response;
- Review systemic breakdowns that have occurred in immediate response;
- Evaluate the capacity of each discipline to support a coordinated immediate response;
- Evaluate the effectiveness of response to victims from diverse backgrounds or in certain types of cases;
- Evaluate the adequacy of related trainings and resource materials; and
- Identify related jurisdictional statutes and evaluate their adequacy in supporting effective response.

Devise an action plan. The protocol planning team can take what it learns through needs assessments and translate it into an action plan for improving the exam process and creating a protocol. The plan should clearly identify what needs to happen, who is responsible for coordinating or carrying out each action, possible resources,³⁰⁰ desired outcomes, and how the effectiveness of the action will be evaluated. The plan can be revisited periodically to assess progress and evaluate outcomes.

²⁹⁹ Section drawn from K. Littel, M. Malefyt, and A. Walker, *Promising Practices: Improving the Criminal Justice System's Response to Violence Against Women*, 1998, p. 240 and 246, and American College of Emergency Physicians' *Evaluation and Management of the Sexually Assaulted or Sexually Abused Patient*, 1999, p. 21.

³⁰⁰ Funding under the STOP Violence Against Women Formula Grant Program and the STOP Violence Against Indian Women Discretionary Grant Program may be used to cover costs related to protocol development and implementation. For more information, see www.ojp.usdoj.gov/vawo.

Create a protocol. To promote an effective protocol development process, consider the following:³⁰¹

- Who should lead efforts to create and implement the protocol?
- What process will be used to facilitate decisionmaking on protocol development or revision?
- What process will be used for facilitating adoption of the protocol by individual agencies or communities?
- How will protocol compliance be monitored and what mechanisms will be put into place to solve problems as they arise?

The planning team should review the national protocol to determine what it wants to cover in its customized protocol and the appropriateness of national recommendations for the jurisdiction. It must consider what jurisdictional statutes and policies need to be discussed and how to address community-specific needs and challenges. Once a draft has been developed, it should be made available to relevant professionals, agencies, survivor groups, and organizations serving specific populations across the jurisdiction. Their feedback should be solicited and then incorporated into the draft to the extent possible. Once a final protocol is created, the team should consider pilot testing and revising it based on feedback from the tests. Then the protocol should be implemented, as per recommendations of team members and others from whom input has been sought.

Distribute the protocol. The planning team should determine the most efficient method to get the protocol to all professionals in the jurisdiction who are involved in the immediate response to sexual assault. The planning team needs an up-to-date contact list of these professionals, and it should agree upon a specific distribution plan (e.g., mailing or handing out hard copies and/or providing access to the protocol via the Internet). If the Internet is used to distribute the document, make sure that professionals who do not have Internet access get a hard copy.

Build the capacity of agencies to implement the protocol.³⁰² A protocol's effectiveness depends on individual agencies having adequate resources (e.g., funding, personnel, multilanguage capacity, equipment, supervision, training, professional development opportunities, and community partnerships) to carry out their responsibilities and coordinate efforts with other involved responders. Agencies can assist one another in building individual and collective capacity to respond to sexual assault and participate in coordinated interventions. For example, together they can seek opportunities for technical assistance, training, and grants and share costs, personnel, equipment, expertise, and information. Also, each jurisdiction most likely will encounter a variety of barriers and difficulties in protocol implementation. Overcoming such problems requires a willingness on the part of involved agencies to individually and collaboratively understand the unique needs of victims in their community and to think "outside the box" to identify solutions.

To help with implementation, consider asking responding agencies to supplement the protocol with interagency agreements or memorandums of understanding. Using the protocol as a basis, these agreements can outline roles and articulate how responders should work together to coordinate response. These documents should be jointly developed, agreed upon, and signed by agency policymakers. They can be revised and signed on a periodic basis to ensure all professionals involved in the response are aware of protocol changes and to reaffirm their commitment to carrying out agreements.

Promote training. Agency-specific and multidisciplinary trainings are crucial components of protocol implementation. Involved responders must be informed of any changes in how they carry out agency-specific responsibilities during the exam process and understand why these changes are needed. If they are being asked to coordinate their efforts formally with other agencies, they must understand their role in coordination, the benefits of a collaborative response, the challenges such an effort involves, and ways to overcome challenges.

³⁰¹ Bulleted section drawn from K. Littel, M. Malefyt, and A. Walker, *Promising Practices: Improving the Criminal Justice System's Response to Violence Against Women*, 1998, p. 242.

³⁰² Section drawn from K. Littel, M. Malefyt, and A. Walker, *Promising Practices: Improving the Criminal Justice System's Response to Violence Against Women*, 1998, p. 241.

Set up an evaluation system. The planning team should take the time to consider how to best compile data related to the exam process (while maintaining victims' anonymity) and how to use it to evaluate effectiveness of response and make improvements to the protocol as needed.

Revise the protocol periodically. Revisions may be based on feedback from responders and victims, evaluation recommendations, changes in laws, identification of new crime trends and prevention efforts, technology, research, and identification of new promising practices. The planning team should keep track of protocol areas needing improvement and meet periodically to discuss pertinent issues such as language to be used, how to resolve controversies, and, ultimately, to make needed changes.