



Violence Against Women Act

I. INTRODUCTION

The State of Maryland, Governor's Office of Crime Control & Prevention (GOCCP) has established procedural changes to ensure compliance with the 2005 reauthorization of the Violence Against Women Act (VAWA). The reauthorization requires forensic medical examinations to be afforded to all sexual assault victims regardless of their decision to participate in the criminal justice system and/or cooperate with law enforcement. The Ridgely Police Department has developed the following guidelines related to the collection, tracking and storage of evidence, as well as the timely and accurate reporting of crimes for these incidents.

II. PURPOSE

The purpose of this policy is to establish guidelines for initiating a report and the collection of evidence for the **delayed reporting** of a sexual assault. All other sexual assaults will be handled in a timely manner according to current investigative procedures.

III. POLICY

To comply with the 2005 reauthorization of the VAWA statute, as amended (42 U.S.C. 3796gg- through 3796gg-5), the members of the Ridgely Police Department will adhere to the following procedures whenever a reported sexual assault is delayed per the victim's request.

IV. PROCEDURE

When a patient presents themselves at any hospital as a victim of a sexual assault, the charge nurse or designee will present the victim with the three following options:

1. Report the incident to Law Enforcement for investigation.
2. Medical examination by emergency department physician only.
3. Sexual Assault Forensic Examination (SAFE) without law enforcement (delayed reporting)

General Order No. 6-4 (Cont.)

Victim Delayed Reporting Option:

- a. The on-call forensic nurse examiner (FNE) and advocate will be called and respond to the hospital.
- b. The victim is asked basic information for forensic medical history and attempt to determine where the incident occurred. The FNE will advise the victim that the FNE is not an investigator and would recommend law enforcement intervention.
- c. If the victim continues to decline immediate law enforcement involvement, the FNE will continue the SAFE examination.
- d. The victim will acknowledge and sign the provided informed consent form for a SAFE examination and notice of responsibility to contact the Ridgely Police Department if he/she wants to report the incident. The victim is provided with a copy of the consent form and contact information for the Ridgely Police Department.
- e. The FNE will contact the Caroline County Communications Center, only if it was determined that the incident occurred within the jurisdiction of the Ridgely Police Department to obtain a Contact Card Number. The dispatcher will generate a contact card, which will be coded "Assist Other Agency" and enter remarks of "Jane Doe Rape – Delayed Reporting", and provide the case number to the FNE.
- g. The FNE will re-contact the Caroline County Communications Center when the examination is completed and the sexual assault kit is ready to be released to this agency. The dispatcher will notify the Chief of Police who will assign an Officer to respond the hospital and take custody of the sexual assault kit and who will store the same in temporary evidence.
- h. The Officer taking custody of the sexual assault kit will ensure that the name of the hospital, name of the FNE is entered in the contact card. They will ensure that the chain of custody is completed by all parties on the sexual assault kit. All actions will be documented on a RPD Incident Report.

V. CHIEF OF POLICE

- a. Receives and reviews all "delayed reporting" sexual assault incidents; ensures appropriate investigation procedures are taken.
- b. Per COMAR Regulation 02.08.01.01-.5, all rape kits must be held for 20 years pursuant to RPD Standard Operating Procedure 18:003.
- c. Liaison with the GOCCP and health care representatives to ensure compliance with VAWA regulations.