

WASHINGTON
SEXUAL ASSAULT
FORENSIC EXAMINATION
BEST PRACTICES
TASK FORCE

Annual Report to the Legislature and Governor
2018

This document is the annual report to the Washington State Legislature and Governor as directed by SHB 1068, 2015 Legislature. For more information on the Task Force's activities, please visit <http://leg.wa.gov/JointCommittees/SAFE/Pages/default.aspx>.

January 11, 2019

The Honorable Jay Inslee
Governor of Washington
P.O. Box 40002
Olympia, WA 98504-0002

The Honorable Cyrus Habib
Lieutenant Governor of Washington
P.O. Box 40482
Olympia, WA 98504-0482

The Honorable Frank Chopp
Speaker of the House
P.O. Box 40600
Olympia, WA 98504-0600

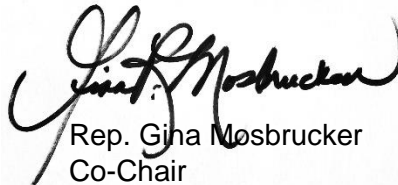
Dear Governor Inslee, Lieutenant Governor Habib, and Speaker Chopp:

We are pleased to present the Annual Report of the Sexual Assault Forensic Examination Best Practices Task Force.

Sincerely,



Rep. Tina Orwall
Co-Chair



Rep. Gina Mosbrucker
Co-Chair

Introduction

The Sexual Assault Forensic Examination (SAFE) Best Practices Task Force, also referred to in this report as "the Task Force," was created by Substitute House Bill 1068 in the 2015 legislative session. The Task Force is required to review best practice models for managing all aspects of sexual assault examinations and for reducing the number of untested sexual assault kits (SAKs) in Washington. To that end, the duties of the Task Force include, but are not limited to:

- Determining the number of untested SAKs in Washington;
- Researching the locations where the untested SAKs are stored;
- Researching, reviewing, and making recommendations regarding legislative policy options for reducing the number of untested SAKs;
- Researching in-state and out-of-state best practice models for collaborative responses to victims of sexual assault (from the point a SAK is collected to the conclusion of the investigation), and providing recommendations regarding any existing gaps in Washington and resources that may be necessary to address those gaps; and
- Researching, identifying, and making recommendations for securing non-state funding for testing SAKs, and reporting on progress made toward securing such funding.

The Task Force membership is undertaking its mission with a shared belief that Washington can improve the care of sexual assault survivors, do a better job coordinating multidisciplinary efforts to obtain justice, and reduce the number of sexual assaults. To achieve this, the Task Force aims to undertake its mission by working openly and collaboratively and by viewing the process through the eyes of sexual assault survivors.

The Task Force submitted a preliminary report and work plan in 2015, which can be found [here](#). The Task Force submitted full annual reports with recommendations in 2016 and 2017, which can be found [here](#) and [here](#), respectively. The reports contain extensive background information and summaries of the Task Force's activities.

The Task Force was set to expire in June 30, 2018, but was extended by the Legislature in the 2018 Supplemental Operating Budget through June 30, 2019.

Task Force Membership

The Task Force is composed of the following members representing the following entities and organizations:

Rep. Tina Orwall, Co-Chair
Washington House of Representatives

Rep. Gina Mosbrucker, Co-Chair
Washington House of Representatives

Sen. Ann Rivers
Washington Senate

Sen. David Frockt
Washington Senate

Capt. James Dermody
Association of Washington Cities

Andrea Piper-Wentland
Washington Coalition of Sexual Assault Programs

Leah Griffin
Representative of Survivors

Greg Sandstrom
Washington State Forensic Investigations Council

Katharine Hemann
Office of the Attorney General

Ben Santos
Washington Association of Prosecuting Attorneys

Jean Johnston
Washington State Patrol

Zosia Stanley
Washington State Hospital Association

Stacey MacDonald
Washington Defender Association

Nicole Stephens
Representative of Survivors

Barbara Maxwell
Whitman College

Rick Torrance
Office of Crime Victims Advocacy

James McMahan
Washington Association of Sheriffs and Police Chiefs

Chief John Vinson
University of Washington

Jonathan Meyer
Washington Association of County Officials

Staff Support

House Office of Program Research
Kelly Leonard, Counsel
Omeara Harrington, Counsel
Dinah LeDuc, Legislative Assistant

Senate Committee Services
Melissa Burke-Cain, Counsel
Carly Johnson, Committee Assistant

2018 Task Force Activities

The Task Force convened two meetings during the 2018 legislative interim, occurring on October 3, 2018, and December 12, 2018. The meetings included staff briefings, presentations from experts and practitioners, and discussions. All meetings were open to the public. Meetings were recorded by TVW and are available to the public online at tvw.org. Specific agenda items from 2018 meetings included:

- Monitoring the implementation of the Statewide SAK Tracking System;
- Monitoring the progress of SAK testing, including previously unsubmitted SAKs (from prior to 2015) and new SAKs collected after the enactment of the mandatory testing law;
- Receiving updates from the Attorney General's Office on fulfilling the requirements of the federal SAK Initiative grant;
- Monitoring state funds and programs pertaining to sexual assault nurse examiner (SANE) services, and evaluating additional options for increasing the availability of SANE training and services in all parts of the state;
- Monitoring the implementation of law enforcement training requirements pertaining to sexual assault;
- Evaluating best practices for victim notification in sexual assault cases;
- Developing policy options for unreported SAKs;
- Reviewing best practices for using case reviews to evaluate investigatory practices in sexual assault cases; and
- Reviewing current practices for investigations and prosecutions of cold cases tied to previously unsubmitted SAKs.

Recommendations

The Task Force reviewed and voted on proposals at its last meeting on December 12, 2018. The Task Force adopted the following recommendations by a majority vote. The order does not reflect priority.

1. The Task Force recommends the state and other relevant entities review and implement past recommendations adopted by the Task Force, including those in the [2016](#) and [2017](#) reports to the Legislature and Governor.
2. The Task Force recommends the state establish and fund a public service announcement (PSA) informing the public of resources for survivors of sexual assault. The PSA should include an apology for the previous failures to fully meet the needs of survivors of sexual assault in Washington state. Multiple advertisement platforms should be utilized to ensure most Washington residents can be reached.
3. The Task Force recommends all prosecutors and state attorneys who review and prosecute sexual assault cases be required to train in trauma-informed interviewing techniques and develop trauma-informed protocols for their sexual assault cases, whether declined or prosecuted.