

SEXUAL ASSAULT FORENSIC EXAMINATION (SAFE) COMMISSION

September 1, 2023 – August 31, 2024

ANNUAL REPORT



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



**Department of Homeland Security
Mark A. Sorsaia, 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:

SAFE Commission efforts resulted in the following outcomes in the past year:

- ❖ The legislature rule outlining the training standards and qualifications for sexual assault forensic examiners in the State passed the legislature and was set to be effective 8/5/2024. However, since the infrastructure for that training was not fully in place, an emergency legislative rule was submitted and approved to allow for additional time for hospital compliance.
- ❖ A WV SANE Coordinator was hired to assist the SAFE Commission in meeting and monitoring training standards. The position is housed with the WV Foundation for Rape Information and Services.
- ❖ All 53 of the 53 county plans received have now been converted to a standard format. All counties received correspondence regarding their plans and components still needed for completion.
- ❖ Technical assistance was provided to assist five counties in completing their county plans (bringing the total of counties with completed plans from 16 to 21), with 19 additional counties receiving assistance and guidance. See the attached maps on pages 12-13 for an overview of plan submission by county.

- ❖ The process and documentation needed for hospitals to comply with Legislative Rule §149-11 were developed and addressed each section of the legislative rule with standards, detailed instructions for completion along with resources and information for what training is required to be a medical provider qualified to conduct medical forensic exams for adults, adolescents or pediatrics. A series of 3 webinars reaching 229 attendees was conducted to further assist in medical providers in compliance.
- ❖ Updates were made to both the Sexual Assault Evidence Collection Kit (SAECK) Adult/Adolescent and Pediatric/Adolescent forms, along with the instructional guide, in preparation for a kit reorder.
- ❖ The West Virginia Foundation for Rape Information and Services provided five in-person SANE classroom trainings with 68 nurses participating, representing eleven hospitals in six counties.
- ❖ The sexual assault kit tracking application continued to supply reports to hospitals on the quality of kits collected by hospitals and examiners.

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.

The process of assisting the state's counties in completing their county plans continued, with the following highlights during the past year:

- All 53 of the 53 county plans received have now been converted to a standard format.
- All counties received correspondence from the Commission updating their plan status and outlining any remaining components that need to be addressed. A subcommittee of the workgroup met 24 times to review plans and provide feedback, providing technical assistance to 19 counties: Barbour, Braxton, Brooke, Cabell, Calhoun, Fayette, Grant, Hancock, Jefferson, Lewis, Logan, McDowell, Mingo, Preston, Ritchie, Taylor, Tyler, Wayne and Wood.
- Five counties had plans approved: Barbour, Jefferson, Lewis, McDowell, and Wood.

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 guide training needs.

While the Data Subcommittee did not meet during this reporting period, the sexual assault kit tracking application continued to supply reports to hospitals on the quality of kits collected by hospitals and examiners.

The following information was obtained from the WV Sexual Assault Kit (SAK) System from data entered between September 1, 2023 to August 12, 2024:

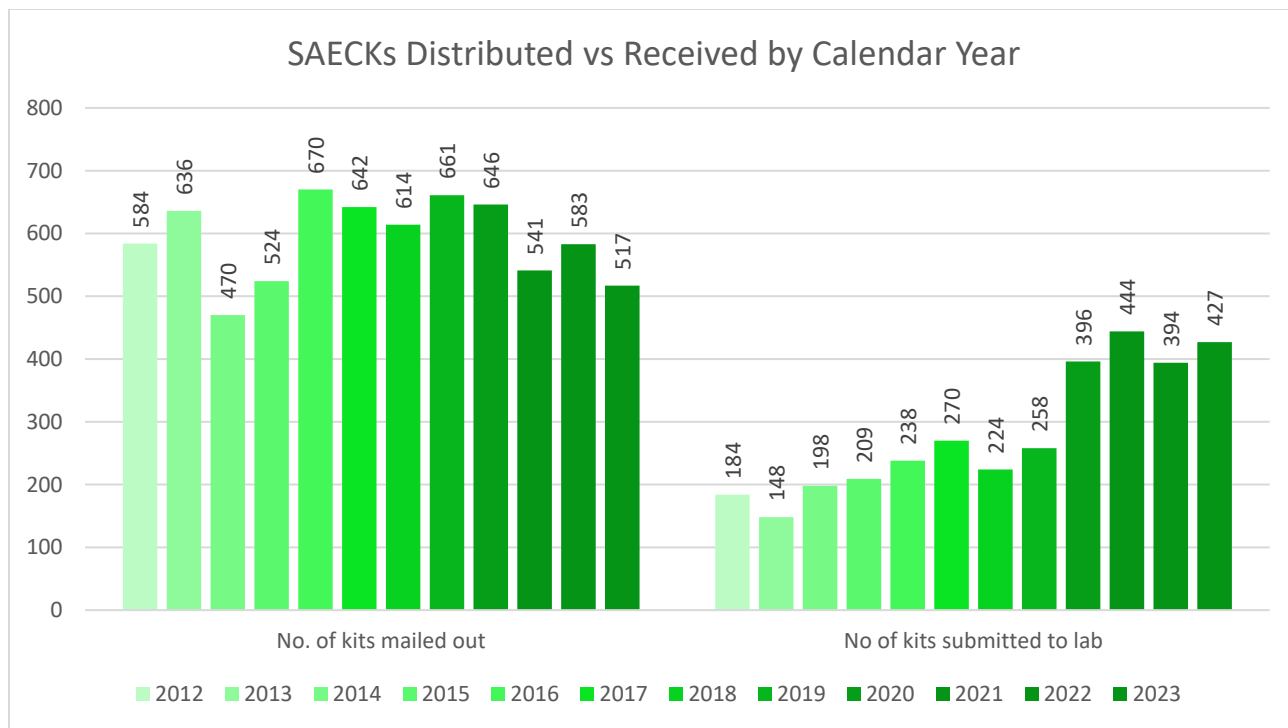
520 SAECKs were distributed to facilities in WV, OH, and VA from September 01, 2023 to August 12, 2024.

	2021-2022	2022-2023	2023-2024
Total SAECKs distributed	550	520	516
- Tracked to Law Enforcement / WVSPFL	368	234	213
- Forwarded to another facility	4	8	4
- To MUFSC (Non-Reports)	41	30	20
- Not used/destroyed	9	2	5
- Used for training	11	4	65
- Not tracked since mailed	114	242	209
- Activated Non-Reports	3	0	0

SAECK usage as documented in the SAECK Information System.

320 SAECK Quality Reviews were completed in the SAK System from September 01, 2023 through August 12, 2024. The examiner qualifications and number of kits reviewed were as follows:

Qualification	2021-2022	2022-2023	2023-2024
APRN	3	2	0
DO	2	4	3
MD	21	16	8
PA	2	0	0
FNP-BC	1	1	1
RN	107	128	107
SANE	194	242	199
Unknown	4	9	2
Total	334	402	320



Sexual Assault Evidence Collection Kits distributed to facilities by calendar year compared to the number received at the West Virginia State Police Forensic Laboratory. The increase in received cases beginning in 2020 corresponds with the passage of HB4476 on February 18, 2020.

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:

The training committee was tasked to create the infrastructure needed to meet the standards and guidelines for SANE training as outlined in the legislative rule. This massive undertaking was accomplished through collaboration among members of the SAFE Commission's training workgroup and subject matter experts, and was facilitated by staff supported through the West Virginia Foundation for Rape Information and Services. The outcomes, highlighted below reflect the culmination of hundreds of hours of program design and information sharing to begin shifting the standards for evidence collection to meet the legislative requirements for examiners.

SANE Program Development

- ➔ During the past year, 11 hospitals currently without full-time SANE programs worked to train nurses to provide or expand SANE services. Nurses from these facilities utilized the online, 40-hour SANE course work and participated in an 8-hour SANE Skills Classroom training: St. Mary's Hospital, Cabell Huntington Hospital (Cabell County), Rivers Hospital (Mason), Potomac Hospital (Mineral), and Camden Clark Medical Center (Wood).

SANE Trainings:

- ➔ The West Virginia Foundation for Rape Information and Services provided five in-person SANE Skills classroom trainings with 68 nurses participating, representing 11 hospitals in 6 counties. Forty nurses were from St. Mary's Hospital, Cabell Huntington Hospital, Rivers Hospital, and CAMC Women's and Children/CAMC General, CAMC Memorial (Cabell, Mason, Kanawha), 10 nurses from WVU Potomac Valley Hospital and WVU Keyser Campus (Mineral), 10 nurses from Camden Clark Medical Center (Wood), 4 from WVU Thomas Memorial (Kanawha), 3 from Raleigh General, and one from Sistersville General Hospital (Tyler).

SANE/SAECK Initiatives:

- ➔ To identify WV Training Requirements for qualified medical providers, four workgroups were established: to develop training requirements for conducting medical forensic examinations for adult/adolescent; pediatric/adolescents; Physicians/ APRNs/PA-Cs and TeleSANEs. A total of 28 meetings were held to facilitate discussions and work initiatives. Eleven meetings were specific to the SAFE Commission's Training Committee, ten included discussions with hospitals about SANE training requirements and training programs, and seven addressed SAECK revisions and documentation review.
- ➔ A sub-committee of the SAFE Commission's Training Committee, with leadership from the newly hired WV SANE Coordinator, developed the process and documentation needed for hospitals to comply with Legislative Rule §149-11. The resulting document addressed each section of the legislative rule with standards, detailed instructions for completion along with resources and information for what training is required to be a medical provider qualified to conduct medical forensic exams for adults, adolescents or pediatrics.
- ➔ To assist hospitals in meeting the legislative rule requirements, a series of 3 webinars was conducted with 229 attendees. WV Hospital Treatment and Transfer Plan templates were created for hospitals to submit to the SAFE Commission for approval with proof of

compliance. A compilation of SANE training-approved coursework and clinical opportunities was developed.

- ➔ The SAECK documentation forms for pediatric/adolescents were reviewed and revised after receiving feedback from a focus group of SANEs and physicians doing pediatric acute exams. Updates were made to SAECK adult/adolescent forms along with the instructional guide in preparation for a kit reorder.

Related activities coordinated through the WV Foundation for Rape Information and Services (WVFRIS) included:

- The 40-hour, online WV SANE course was approved by the International Association of Nurses. This means that the online course meets the standardized guidelines for SANE education that are required for nurses to be eligible to take the national SANE certification exam.
- ➔ Significant progress was made in the development of a 40-hour, online pediatric/adolescent SANE training course. Input and training modules were provided by SAFE Commission members and subject matter experts for this 38-module course which will be available for free on WVFRIS' Sexual Assault Services Academy Training (SASTA) site in late 2024. Currently no West Virginia-specific online pediatric course exists.

2024 Legislative Overview:

A legislative rule passed in the 2024 legislative session will provide the infrastructure necessary to establish training standards for forensic examiners and forensic exams in the State.

- ➔ The legislature rule outlining the training standards and qualifications for sexual assault forensic examiners in the state passed the legislature and was set to be effective 8/5/2024. However, since the infrastructure for that training was not fully in place, an emergency legislative rule was submitted and approved to allow for additional time for hospital compliance.
- ➔ Utilizing annual funding established in the 2023 legislative session that became available on 7/1/23, a WV SANE Coordinator was hired to assist the SAFE Commission in meeting and monitoring forensic examiner training standards. The position is housed with the WV Foundation for Rape Information and Services.

Sexual Assault Kit Initiative (SAKI) Grant:

Following delays exacerbated by the pandemic, the SAKI project is getting back on track with the hiring of a WV SAKI Site Coordinator, Larry Hasley in January 2024. Sex crime kits from five counties alone have had 135 CODIS hits, with 46 of those cases cold hits. In Monongalia County, 2 cases have confirmed serial sexual assault perpetrators that had not been investigated yet. In Marion County, there were 4 confirmed serial cases, and in Harrison County, there were 2 confirmed serial cases. To date with the SAKI project, 2,664 DNA profiles have been processed. Of those profiles, 1,106 were identified and entered into CODIS; 438 have had hits, with 131 of those 438 being cold hits (meaning 131 cases where the perpetrator was previously unidentified).

ATTACHMENTS

SAFE Commission Members
Subcommittee Members
County Plan Submission/Completion Maps

SAFE Commission Members

Required members:

1. WV Prosecuting Attorney's Association - Gabriella Mucciola
2. WV Association of Counties - Jonathan Adler
3. Commissioner of the Bureau for Public Health or designee - Designee- John McComas
4. WV State Police Forensic Laboratory - David Miller
5. WV Child Advocacy Network - Tracy Shroyer-Carlyle
6. President of the WV Hospital Association or designee - Designee - Jim Kranz/Hallie Morgan
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 – 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. Dr. Chris Goode - WVU School of Medicine, Medical Director & Chief, UHC ED
4. Larry Hasley – WWSAKI Project
5. Carol Blankenship - WVJCS- Justice Program Specialist

Data Collection Subcommittee:

1. David Miller - WV State Police Lab
2. Debbie Lopez-Bonasso - WVFRIS
3. Jim Kranz/Hallie Morgan - WV Hospital Association
4. Erica Turley- WVJCS Research Specialist
5. Carol Blankenship - WVJCS- Justice Program Specialist

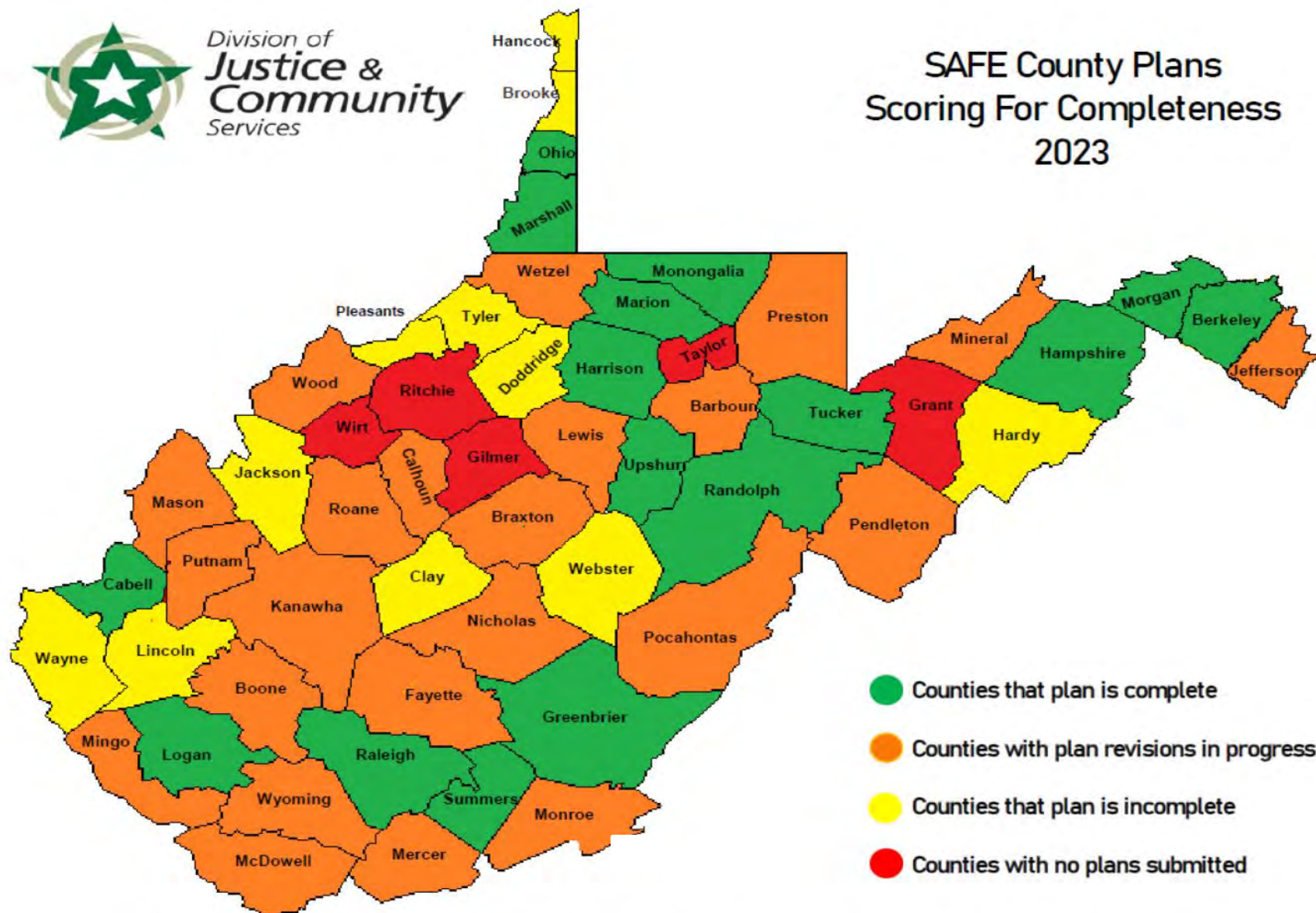
Training Requirements Subcommittee:

1. David Miller - WV State Police Lab
2. Debbie Lopez-Bonasso – WVFRIS
3. Tiffany Edwards, WVU Forensic and Investigative Sciences Program
4. Dr. Terry Fenger - Marshall University Forensic Science Program
5. Dr. Chris Goode - WVU School of Medicine, Medical Director & Chief, UHC ED
6. Angelita Nixon-CNM/SANE
7. Dr. Joan Phillips - MD, Child Advocacy Center at Women's & Children's Hospital
8. Tracy Shroyer-Carlyle - WVCAN



Division of
**Justice &
Community**
Services

SAFE County Plans Scoring For Completeness 2023

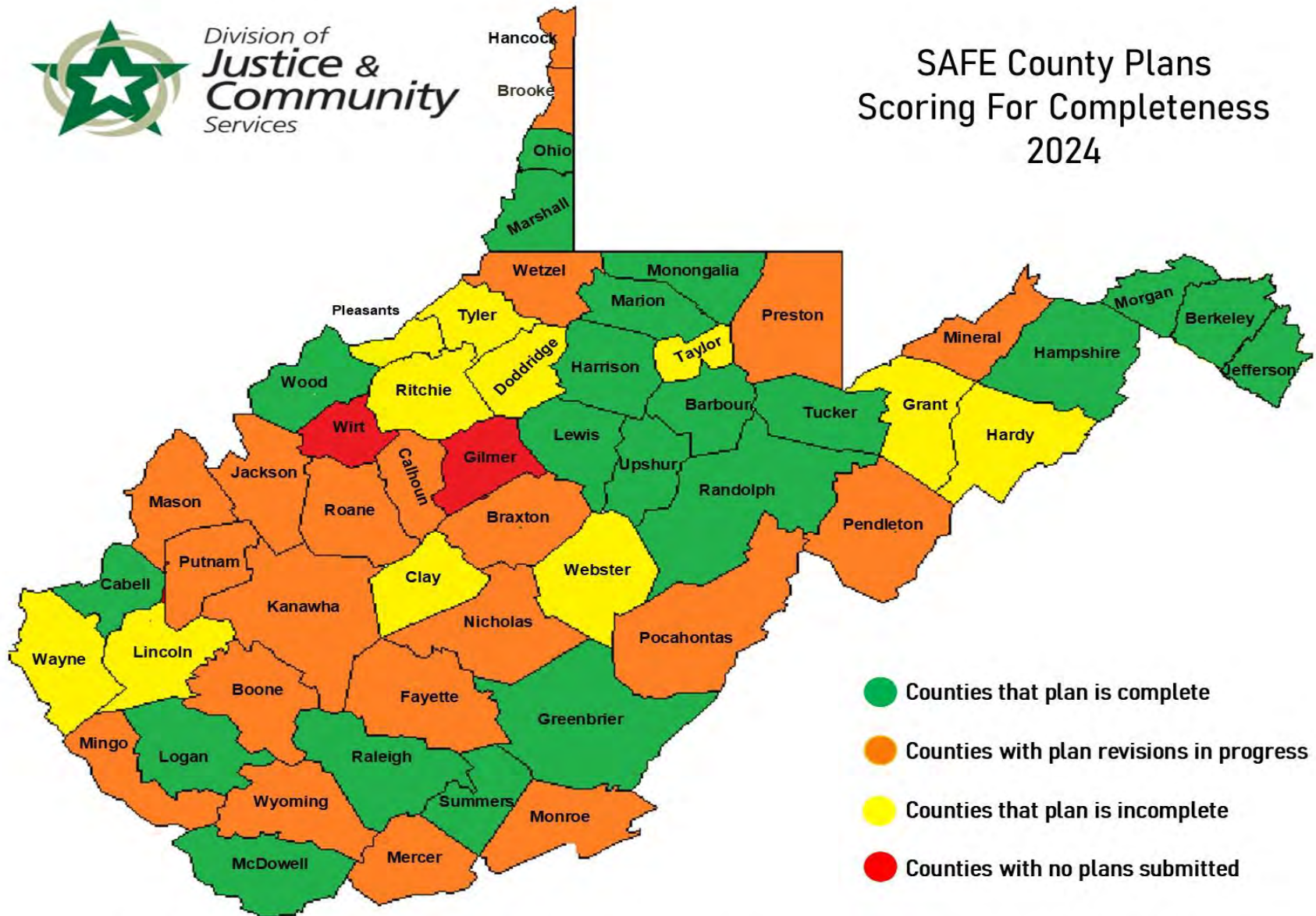


SAFE County Plans are legislatively mandated to outline protocols for sexual violence victim advocacy, transportation and forensic exams.



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SAFE County Plans Scoring For Completeness 2024



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