

# SAKI Victim Notification Recommendations

It is difficult to anticipate how a victim of a cold case sexual assault will respond to notification that their sexual assault kit has now been tested. Victims may experience a wide range of emotions and reactions. The goal of victim notification protocols are to reduce re-traumatization for victims of cold cases by preparing criminal justice partners in trauma-informed and victim-centered victim notifications.

*It is recommended that a multi-disciplinary team or Sexual Assault Response Team (SART) if active create a victim notification protocol that fits the needs of their agencies, communities, and victims.*

**1**

Decide whether to adopt a notify-all approach, where all victims that had a previously unsubmitted sexual assault kit are notified of the results regardless if there was DNA found; or identify your reasons for deciding why victims would or would not be notified. Some victim notification protocols base notification off results from testing, potential for prosecution or relevant legal action.

It is recommended and widely best practice that a victim advocate whether community or system-based complete victim notifications with the law enforcement investigator.

**2**

**3**

Every attempt should be made to notify a victim at a time, place, and manner that provides as much privacy and safety as possible.

## Considerations Prior to Notification:

- The victim should be notified in a timely manner and before proceeding with the investigation.
- What is the relationship between the victim and suspect? Cases involving domestic violence and stalking may require specific safety precautions and detailed safety plans.
- Who else may be present during the notification? Keep in mind some victims may not have told anyone about the assault, including spouses, children, other family members, and/or friends.
- What will you wear during the notification? Arriving in a uniform and marked police car may impact a victim's privacy and it also may raise safety concerns for law enforcement.
- Consider what information can and cannot be relayed to the victim at the time of notification. It is important to provide as much information to the victim as possible. Information you may want to be prepared with:
  - Test results
  - Perpetrator whereabouts
  - Whether survivor is safe
  - Next steps and possible outcomes
  - Why their kit was not submitted originally

*“We now know so much more about the benefits of testing kits. As a result, our department has adopted a policy to test all sexual assault kits and is working to train all officers about trauma and how it affects victims”.*

**4**

In-person notifications by law enforcement and an advocate should occur when possible. In-person notifications are more personal and lay a foundation for victim-centered relationships. Other less desirable methods of notification include: telephone calls, letters, or emails/social media, which may be necessary in certain circumstances. Method of notification should be assessed by victim advocate and investigator completing notification.

### Notification Methods:

- In-person notifications can be scheduled via phone or unscheduled. Both scheduled and unscheduled notifications can result in successful victim-centered and trauma-informed notifications.
- If scheduling an in-person notification, let the victim know you are calling about a case from (year) and you have received additional information and would like to speak with them in-person. Ask the victim where they would be comfortable meeting for more information. If the victim is not available, identify yourself and agency and ask for a return call. Do not leave information about what the call is regarding.
- If completing an unscheduled notification attempt to approach the victim when there are few privacy issues. Be respectful of the victim's wishes if it is not a good time to talk. Do not leave a business card on the victim's door that says "sex crimes" if the victim is not available.

### When should the victim be re-interviewed?

Follow the victims lead during notification. The notification is not usually the best time to re-interview the victim, **unless** the victim wants to.

Victims may need time to process new information before deciding how they would like to move forward with their case. Let victims know it is their choice to engage in the process.

Provide a way for the victim to initiate contact with the investigator and victim advocate. Make a plan with the victim for follow-up contact.

### Special Circumstances:

#### Minor Victims:

If the victim is a minor at the time of notification, the notification protocol should be followed with a non-offending parent or guardian at a neutral, youth friendly location, such as a local Children's Justice Center. Follow Forensic Interview of Children Training protocols.

#### Deceased Victims:

If notifying a secondary victim, check all available resources and documents for information on potential secondary victims involved in the original investigation or who offered support to the victim following the sexual assault.

#### Victims Who Live Out of the Area:

If travel funding is available, in-person notifications are recommended. Coordinate with local law enforcement and victim services to act as a buffer, assist with warrants or other legal parameters.

If unable to travel, agencies should contact victim via phone or contact the local law enforcement agency and victim services provider where the victim currently resides and provide their agencies with a copy of your agency's Victim Notification Protocol and emphasize the goal of trying to reduce chances of re-traumatization.

**The Detroit Sexual Assault Kit Action Research Project noted that one of the most critical lessons learned was the use and application of multi-disciplinary teams and case reviews for victim notification. The input from all core disciplines-police, prosecution, crime lab, nursing/SANE, and advocacy-was essential for creating a comprehensive plan that addressed survivor's psychological and informational needs (Campbell et al., 2015).**