



Survivor Notification Considerations

Case Information

Law Enforcement Agency: _____
 Case Number: _____ Date of Offense: _____
 Individuals notifying/communicating with survivor: _____

Considerations Checklist

See the *Survivor Notification Recommendations* document at <https://ago.mo.gov/home/safe-kits> for details on specific topics and a more comprehensive look at notification planning.

| Grouping | Consideration | X |
|------------------------|--|---|
| Consultations | If your community has a <i>pre-existing</i> Sexual Assault Response Team (SART), has it been or should it be consulted? <i>See pages 1-2 for details.</i> | |
| | Multi-disciplinary (advocacy and law enforcement) notification team selected? <i>See pages 6 and 8.</i> | |
| | Has the notification team discussed the case with the prosecutor? | |
| Survivor Circumstances | Original law enforcement report and laboratory report reviewed? | |
| | Survivor's location, age, and primary language, including American Sign, determined? If living outside jurisdiction, is contact residential law enforcement agency helpful or necessary? | |
| | Parents or guardians of survivors under 18 or subject to legal guardianship have been identified and are not suspects in the case. <i>See page 4.</i> | |
| | Safety concerns (e.g. Does the survivor live with the suspect?)? <i>See page 3.</i> | |
| Preparation | Background information has been collected (to the extent possible) for the survivor to provide situational awareness of the survivor's current situation (e.g. substance abuse, further victimization). <i>See page 6.</i> | |
| | What advocacy or support services (counseling, transportation, housing, etc) might the survivor need or currently use? | |
| | Notification team is prepared to discuss the parameters of confidentiality, including the limits of confidentiality with the survivor during the initial contact. <i>See page 2.</i> | |
| Testing Information | Before initial contact is made, the notification team has developed a clear ask: an invitation to meet and ask if the survivor would be willing to discuss an investigation or testify in another case. <i>See pages 9-14.</i> | |
| | Survivor notified SAFE Kit was submitted for testing. | |
| | Test results shared and explained to the survivor. | |



Survivor Notification Recommendations Frequently Asked Questions

Which entity is best suited to assist a department/agency in creating a survivor-centered, trauma-informed survivor notification process?

Agency professionals within a community such as local law enforcement, local prosecutors, community-based advocacy organizations, forensic medical personnel or medical providers, and crime lab personnel can be trained to work together as a Sexual Assault Response Team or SART.

Do Sexual Assault Response Team (SART) members notify survivors?

SART members may not necessarily participate in survivor notification in-person but pool knowledge and resources to plan a jurisdiction's general response to survivors of sexual assault. *For information on SART training refer to Appendix A.*

Who notifies and communicates with a sexual assault survivor?

A multi-disciplinary notification team. Team configurations vary according to the community and the survivor's circumstances. *For more information on notification teams refer to page 6 and 8.*

What are the goals of Survivor Notification?

There are five basic goals of survivor notification: to ensure the survivor's safety, gain the survivor's trust in the criminal justice system, establish a rapport, interact with empathy and sensitivity, and provide an apology to survivor's for the trauma he or she has suffered as a result of sexual assault. *For more information on the goals of survivor notification refer to page 3.*

How does a survivor's cultural identity impact survivor notification?

Cultural awareness and concerns should be addressed in any discussion of emotional and physical safety planning. To better prepare for responding to the needs of a survivor, consider using the services of a culturally specific advocate or agency in planning a response. Cultural awareness training can help notification teams improve their capacity and skill to serve all survivors. *For information about cultural awareness training refer to Appendix A.*



What if the survivor is under the age of 18 or 18 years of age or older and subject to legal guardianship at the time of notification?

In both cases, the parent/guardian has the right to receive information about the status of any criminal case (e.g. pending court dates) involving the survivor's sexual assault, unless the parent or guardian is the offender. The notification team should consider any relationship the parent/guardian may have with the offender as well as the survivor's age, developmental capacity, physical and emotional needs, and wishes when determining if parent/guardian is included in the notification process. *For more information about Survivor Notification with Special Circumstances refer to page 4.*

What is considered a cold case sexual assault?

In this guide to Survivor Notification Recommendations, a cold case is one that has been suspended or closed or in which the survivor has not been contacted for two or more years.

When should cold-case survivors be notified when DNA results are reported to law enforcement?

In cold cases, survivors should be notified following a CODIS hit. The benefit survivor notification brings must justify potential re-traumatization. This threshold is most reliably met when the DNA from a SAFE kit has led to a CODIS hit, whether to an offender or another incident. *For more information about Survivor Notification in Cold Case Assaults refer to pages 5-6 and Appendix E.*

Is there any type of assistance available to agencies that have cold case notifications and resulting investigations from SAFE kits tested by the Attorney General's SAFE Kit Initiative?

Yes. The SAFE Kit Initiative can provide assistance to locate offenders or survivors upon a request from local law enforcement, with investigation assistance from the Missouri Information Analysis Center (MIAC). *For more information about this process refer to page 6.*

How might any testing delays in current sexual assault cases be best handled?

The notification team should notify the survivor when his or her SAFE kit is submitted for testing and provide realistic information about any anticipated delay in receiving results. The notification team can follow-up with additional information until the DNA testing results are received. Continuing communication can increase the likelihood survivors will engage in the legal process. *For more information refer to page 7.*



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When should survivors of current sexual assault cases be notified when DNA results are reported to law enforcement?

In current sexual assault cases, all survivors should be notified when DNA results are reported to law enforcement regardless of the outcome and whether notification was made when the SAFE kit was submitted for testing. *For more information regarding current cases, refer to page 8.*

In what manner can a survivor be notified?

SARTs and notification teams can use three methods of communication: contact by phone, contact in-person, and contact by mail. Since every survivor has a unique set of circumstances, one or all methods may be used. *For communication guidance, suggestions, and examples refer to pages 9-13.*