

County of Santa Clara
Board of Supervisors
Supervisory District 5
Supervisor S. Joseph Simitian



106747

DATE: June 22, 2021

TO: Board of Supervisors

FROM: S. Joseph Simitian, Supervisor

SUBJECT: Santa Clara County Sexual Assault Forensic Exam Services

RECOMMENDED ACTION

Consider recommendations relating to sexual assault forensic exam services. (Simitian)

Possible action:

- a. Direct Harvey M. Rose Associates, LLC to conduct an immediate audit of the Santa Clara County Sexual Assault Forensic Exam (SAFE) program at all three response sites.
- b. Direct Administration to report to the Board's Health and Hospital Committee on June 30, 2021 regarding the provision of sexual assault forensic exam services at all three response sites.
- c. Direct Administration to refer to the Commission on the Status of Women, for the Commission's review and comment, an assessment of the current status of sexual assault forensic exam services at all three response sites.
- d. Direct Administration to take immediate steps as deemed appropriate to correct any identified deficiencies and/or improve the provision of services consistent with identified best practices.

REASONS FOR RECOMMENDATION

The Santa Clara Valley Medical Center (SCVMC) Sexual Assault Forensic Exam (SAFE) Program began providing medical evidentiary exams at its designated North County Response site, currently located at the Adult Emergency Department (ED) at Stanford Hospital, in February 2020. Any survivor of sexual assault, 12 years or older, who presents at Stanford ED, on their own or accompanied by law enforcement, may receive a full medical forensic exam at that location at any time.

In 2020, 29 survivors were provided full medical forensic exams by the SCVMC SAFE Team in the North County, either in the Stanford Hospital Emergency Department or inpatient setting.

The SAFE program also plans to open a South County response location at VMC St. Louise in Gilroy. This site was intended to open in March 2020, but the opening was delayed as hospital space was reallocated for COVID needs.

The Board of Supervisors' Health and Hospital Committee has previously requested periodic progress reports from Administration on the Adult/Adolescent SAFE Program, including its expansion into North County and South County. The Committee received progress reports on June 24, 2020 and January 19, 2021.

Now that the North County program has been operating for more than a year, and nearly six months have passed since the last progress report to HHC, it would be timely to assess how the program has been running, particularly with regard to patient experience and the comparability of the services offered across response sites. Additionally, concerns have recently been raised by some about the workflow and level of service provided at the Stanford site that should be evaluated and addressed as needed and appropriate. Referral to the Health and Hospital Committee and the Commission on the Status of Women will provide opportunity to consider these matters in greater depth.

Requesting an independent audit from the Harvey Rose Organization will further allow the County to understand how well the program is operating at all three sites, and help identify any opportunities for improvement. The audit should consider a range of questions regarding contracts, patient experience, and interfacing with law enforcement and courts, including but not limited to:

1. Contract
 - a. Are the contract provisions appropriate and adhered to?
2. Patient experience
 - a. Do community members know about the service?
 - b. Are the sites accessible?
 - c. Are services rendered appropriately and consistent with best practices?
 - d. Do survivors receive sufficient, appropriate communication?
 - e. Are survivors connected with other services as appropriate?
 - f. Are survivors "re-traumatized" by the process, including but not limited to the intake/triage process?
 - g. Are survivors able to obtain appropriate clothing upon departure?
 - h. How long does the survivor wait? How long does the exam take? How long until the results are available to law enforcement?
 - i. Where do survivors wait for their exams? Do they have private space, including restroom, shower, and waiting spaces?
 - j. Are all exam materials stored securely and in a reliable location in a way that is consistent with best practices?

- k. Does the exam room sanitation process meet the necessary standards for a forensic exam? Do the process or overall workflow raise any potential evidentiary concerns?
 - l. Are the level of services and patient experience provided at all three locations comparable? If not, what are actionable steps that could be taken to provide comparable level of service and patient experience at all locations?
3. Interface with law enforcement and courts
- a. Are law enforcement interactions managed appropriately and consistent with best practices?
 - b. Have there been any court failures due to improper procedures in collection, chain of custody, storage of evidence or testimony of examiners?
 - c. Are tests conducted timely or does staffing or other factors cause delays?

BACKGROUND

Since 1987, Santa Clara Valley Medical Center (SCVMC) has operated the Adult/Adolescent Sexual Assault Forensic Exam (SAFE) Program, which provides acute medical forensic exams for survivors of sexual assault 12 years and older. The SAFE Team is part of the County multidisciplinary Sexual Assault Response Team (SART) that is defined in California Penal Code §13898. Additional agencies represented on the County SART include law enforcement, the Office of the District Attorney, Crime Lab, and rape crisis centers.

LINKS:

- Linked From: 106814 : Receive report from Santa Clara Valley Medical Center relating to Sexual Assault Forensic Exam (SAFE) services at all SAFE response sites.
- Linked From: 107293 : Receive report from Santa Clara Valley Medical Center relating to Sexual Assault Forensic Exam (SAFE) services at all SAFE response sites.
- Linked From: 107681 : Receive report from Santa Clara Valley Medical Center relating to status updates for the Sexual Assault Forensic Exam Program.
- Linked From: 108044 : Receive report from Santa Clara Valley Medical Center (SCVMC) relating to status updates for the Sexual Assault Forensic Exam (SAFE) Program.
- Linked From: 108388 : Receive report from Santa Clara Valley Medical Center relating to status updates for the Sexual Assault Forensic Exam Program.
- Linked From: 108798 : Receive report from Santa Clara Valley Medical Center relating to status updates for the SAFE Program.
- Linked From: 111659 : Receive report from Santa Clara Valley Medical Center relating to status updates for the Sexual Assault Forensic Exam Program.
- Referenced By: 116673 : Receive report from Santa Clara Valley Healthcare relating to the Adult/Adolescent Sexual Assault Forensic Exam (SAFE) Program.
- Linked From: 118794 : Receive report from Santa Clara Valley Medical Center relating to the Adult/Adolescent Sexual Assault Forensic Exam Program.