

# ***Sexual Assault Information Hotline & Email Protocol***

***888-548-5463***

***888-KIT-LINE***

***ContactSAKI@mt.gov***

## **Introduction**

In the Fall of 2015, Montana's Attorney General, Tim Fox, announced the creation of a multi-disciplinary taskforce to address Montana's statewide untested sexual assault kits. The taskforce included representation from law enforcement, prosecuting attorneys, medical professionals, advocates, legislative representatives, and crime lab technicians.

In Spring 2016, the multi-disciplinary taskforce, in collaboration with the Montana Board of Crime Control and the Attorney General's Office, submitted a grant application seeking federal funds to assist with tracking and processing the 1,400 untested sexual assault kits in Montana. In September 2016, the Montana Department of Justice was awarded a \$2 million-dollar grant from the Bureau of Justice Assistance (BJA) competitive grant program the National Sexual Assault Kit Initiative (SAKI) to begin tracking and processing the kits.

Since this is a new initiative for Montana, extensive research has been conducted, including interviews with communities and states who have already undertaken processing their sexual assault kit backlogs. One of the primary areas of focus for Sexual Assault Kit Initiative projects has been on identifying best practices for survivor notification.

Testing previously unsubmitted sexual assault kits may create complex legal and psychological issues for the survivor. Notifying survivors about the status of their sexual assault case may trigger painful memories and feelings regarding the assault, causing re-traumatization and other trauma-based reactions. The Montana Sexual Assault Kit Initiative (MT SAKI) remains committed to creating survivor-centered, trauma informed recommendations to guide the notification process in an effort to mitigate re-victimization as a result of these efforts.

With an appreciation for the uniqueness of every case and the recognition of the challenge in conducting a statewide effort, the MT SAKI project established a set of guiding principles to allow for the ability to evaluate every potential notification on a case-by-case basis.

## **Purpose:**

These information systems were created as part of the Montana Sexual Assault Kit Initiative (MT SAKI) grant for sexual assault survivors, with previously unsubmitted Sexual Assault Kits (SAKs) that are now processed or are currently being processed, to glean certain information on their case. The hotline and email will provide survivors resources in their community, a

connection with a community-based advocate, and a connection with local jurisdiction's law enforcement through updated contact information.

## **Definitions:**

### **Sexual Assault Information Hotline:**

This is a phone line for survivors of sexual assault who completed a sexual assault exam in the state of Montana between the years of 1995 to 2015 but do not know if their SAK has been tested. Survivors may request designated information about their case, permitting that their identity has been verified by a local victim advocate. The Hotline allows MT SAKI to address the issue of the delay in submitting SAKs in a victim-centered, trauma informed manner, by allowing survivors to place the call at a time appropriate for them. For these protocols, the line will be referred to as the "Information Hotline" or the "Hotline". The goal of the information Hotline is to minimize revictimization trauma, address the issue of unsubmitted SAKs, and connect survivors with appropriate resources and professionals who can assist them with healing and moving forward with their case.

### **Sexual Assault Email Address:**

This is an email address for survivors of sexual assault who completed a sexual assault exam in the state of Montana between the years of 1995 to 2015 but do not know if their SAK was submitted for testing. Survivors may request designated information about their case, permitting verification of identity. For these protocols, the email address will be referred to as "email" or "email option". The goal of the email option is to minimize revictimization trauma, address the issue of unsubmitted SAKs, and connect survivors with appropriate resources and officials who can assist them in moving forward with their case.

### **Designated Information:**

Designated information is an amount of information deemed appropriate by the Department of Justice MT SAKI team, based on staffing and case review decisions. Not all information can be given in all situations, in order to protect the safety of the survivor, to ensure identity, and to ensure that the correct information is always given. It is also necessary to keep some information confidential if it is deemed to be confidential criminal justice information. Victim safety, and the avoidance of re-traumatization, are the primary goal for having Designated Information.

### **Survivor:**

This term will refer to the survivor of the sexual assault. Professionals assisting survivors with communication or support will be referred to as the survivor's representative.

### **MT SAKI Team and MT SAKI Hotline Staff:**

This term will refer to the individual/individuals handling and responding to the Hotline and email option based at the Department of Justice, Division of Criminal Investigation. The MT SAKI team includes the SAKI Program Coordinator (Joan Eliel), the SAKI Victim Advocate (Erin Davis), the SAKI Cold Case Investigator (John Green), the SAKI Training Coordinator

(Bryan Fischer), the Bureau Chief of the Children's Justice Bureau (Dana Toole), as well as various key stakeholders within the Department of Justice deemed necessary for case staffing. Typically, the SAKI Victim Advocate or SAKI Program Coordinator will be the main responders to the Hotline and will be referred to as the MT SAKI Hotline staff. All hotline responders will be trained on sexual assault, the neurobiology of trauma, and crisis intervention. They will also be trained on what information can be provided and collected through the hotline, including community resources to be provided and information that may jeopardize criminal proceedings if shared.

### Sexual Assault Kit (SAK)

SAK is an acronym for Sexual Assault Kit. A SAK is completed in a hospital or medical setting by a registered nurse, physician, or sexual assault nurse examiner (SANE) who has received special training to conduct [sexual assault](#) evidentiary exams for survivors of sexual assault. SANE nurses are specially trained in the medical, psychological, and forensic examination of a sexual assault survivor who attempts to collect evidence from the survivor's body soon after a sexual assault. These professionals are responsible for offering immediate help with the prevention of pregnancy and disease, as necessary, and can also provide (medical) treatment for injuries.

### **Logistics of the Sexual Assault Information Hotline:**

#### Number:

888-548-5463

888-KIT-LINE

#### Call Specifics

Outgoing calls from the MT SAKI Hotline staff will show up as 888-888-8888 on the receiving end, to protect misuse of employee's regular office phone number.

Transfers can be done both interdepartmentally and to outside numbers following the 8-1-444-4444 format.

#### Hours of Operation/Response Time

MT SAKI Hotline staff will not actively answer incoming calls from the Hotline. Instead, all survivors will be directed to a welcoming, explanatory message that will prompt the survivor to leave the information outlined in the voicemail requirements. The trained SAKI staff member will then review voicemails in the order they are received, research case information and resources for the survivor, discuss any concerns with the MT SAKI Site Coordinator and Cold Case Investigator, and then return the call. Calls will be returned within 72 working hours of receipt. Working hours are Monday through Friday, 8am to 4pm. Holidays and weekends will not be considered working hours. This will be indicated in the voice message as well as on the website.

### Who will respond to the Information Line?

The MT SAKI Victim Advocate will be responsible for the voicemail response. If for any reason, the advocate is not available, responsibility will continue to the MT SAKI Site Coordinator. If for any reason the coordinator is not available, the MT SAKI Site Coordinator will be responsible for delegating calls to other appropriately trained staff.

MT SAKI Hotline staff will be trained on sexual assault, the neurobiology of trauma, and crisis intervention. They will also be trained on what information can be provided and collected through the hotline, including community resources to be provided and information that may jeopardize criminal proceedings if shared.

### How to verify survivor identity:

MT SAKI Hotline staff will actively connect the survivor with a local community-based advocate. The community-based advocate will assist in providing survivor identity verification for MT SAKI staff, and provide direct services that may be needed immediately.

The MT SAKI Hotline staff or Advocate will use language when verifying identity that should not make the survivor feel that they are not believed. If possible, an approach highlighting the importance of connecting them with a community-based advocate should be executed. The MT SAKI Advocate may verify identity of the survivor with the community-based advocate privately.

If this is not possible, the system-based advocate will discuss other possible means of verifying identity with fellow MT SAKI team members. Additional options for verification include, but are not limited to the following: law enforcement, offices of public assistance, mental health professionals, treating physicians, etc.

### Information Line Response Language:

The language and tone used by the MT SAKI Hotline staff when returning calls to the survivor needs to be welcoming and non-threatening. All communication will be trauma-informed and victim-centered.

If a survivor is non-English speaking or English as a second language (ESL), MT SAKI Hotline staff will need to utilize a service for language translation if deemed necessary. The need can be determined before returning a call to the survivor, and the call may be placed with the assistance of local translation services. If the survivor is of Limited English Proficiency, the MT SAKI Hotline staff will utilize the Montana DOJ Language Line through 3-way calling or conference calling to provide interpretation for initial interactions. When placing a return call to the survivor, first dial 1-877-245-0386 and then dial the Client ID 741109. The interpreter will need to be briefed on what you want to accomplish and any special instructions. At this point, a three-way or conference call option can be selected to dial the number of the survivor. If deemed necessary, MT SAKI Hotline staff may seek to hire an interpreter for long term work with a survivor.

### Survivor Opt-in/Opt-out

- Survivors will have the choice to opt-in or opt-out of notification and case proceedings by contacting MT SAKI through the website, information hotline, or email platform. They may also opt-in or opt-out at any point throughout the process by means of communication with the MT SAKI team.
- If the survivor chooses to either opt-in or opt-out during any part of the process, their identity will need to be verified in the same way as outlined in notification protocols.

### Voicemail Message:

Survivors only have the option to leave a voice mail, with a return call from an advocate. Recognizing the sensitivity of the issue, it is important that the voice message is trauma-informed. The message must include these characteristics:

- Who they have reached
- Their call has been received
- When the call will be returned (as soon as possible, 72 business hours)
- The option to leave a message
- The option to email
- Be spoken calmly, slowly, empathetically, with a welcoming tone
- Provide the 24-hour crisis hotline number for Montana
- Direction to the website for additional resources

Sample voicemail message:

*Hello, you have reached the Department of Justice Information Hotline. If you are a recent victim of a crime and need emergency assistance, please hang up and dial 911. If you are currently working with an investigator, please let us know in your message and you will be connected with the right person. Your information is kept confidential within the criminal justice system unless you tell us otherwise. If you would like us to contact you to learn more about your case, please speak slowly and leave a message with your name (spelled aloud), for example, say Jane Smith, J-A-N-E S-M-I-T-H, as well as a good contact phone number, your case number if known, if we are able to leave a confidential message in the case that we can't get in touch with you when returning your call, and the best time to call back on weekdays or non-holidays between 8 am and 4 pm. If these times will not work for you, please let us know. You can also email an advocate at [ContactSAKI@mt.gov](mailto:ContactSAKI@mt.gov). You may also opt-out or opt-in to case information at any time by contacting us and letting us know. We will return calls in the order which we receive them, usually within 72 business hours. Please visit our website at [www.dojmt.gov/saki](http://www.dojmt.gov/saki) to find an advocate or other resources in your area. Thank you again for calling the information hotline. Your case is important to us, and we will call you back as soon as possible.*

### Needs for the Information Hotline:

The hotline will need access to some special features to work efficiently, including:

- Phone line set up on MT SAKI Hotline staff's phone, as well as forwarding set up for backup staff.
- Caller ID to identify callers, and repeat callers utilizing hotline inappropriately.
- Ability to block numbers, when a caller frequently uses the hotline inappropriately.
- Ability to place callers on hold.
- Voicemail access
- Ability to transfer phone calls
- Ability to block outgoing number for survivor and staff safety
- Access to a limited English proficiency hotline that SAKI staff can call for translation services if needed

### **Logistics of the Sexual Assault Email Address:**

Email Address:

[ContactSAKI@mt.gov](mailto:ContactSAKI@mt.gov)

### Encryption

In order for email communication to be encrypted and HIPAA compliant, the MT SAKI Hotline staff must start a new email string with the survivor's email address. Adding !Encrypt! to the subject line of their email will encrypt all further communications within the email thread.

### Hours of Operation/ Response Time:

MT SAKI staff will answer requests from the email option intermittently throughout working hours. All survivors will receive a welcoming, explanatory automatic response that will prompt the survivor to reply with their name, phone number, and the best way to contact them, as well as numbers to contact in emergency situations. The trained MT SAKI staff member will review emails in the order they are received, research case information and resources for the survivor, discuss any concerns with the MT SAKI Site Coordinator and Cold Case Investigator, and then return the email. The MT SAKI staff member may choose to respond by placing a phone call if this is identified as the safest option for the survivor. Emails will be returned within 72 working hours of receipt. Working hours are Monday through Friday, 8am to 4pm. Holidays and weekends will not be considered working hours.

## Example of Automatic Reply:

- *Thank you for contacting the Montana Department of Justice. If you are a recent victim of crime and need emergency assistance, please dial 911. If you are currently working with an investigator, please let us know in this message and we will connect you with the right person. Your information is kept confidential within the criminal justice system unless you tell us otherwise. If you would like us to contact you to learn more about your case, please tell us your name, email address, case number if known, and phone number if you would like to be called. You may also opt-out or opt-in to case information at any time by contacting us and letting us know. Emails will be returned in the order that we receive them, usually within 72 business hours. If you would like to speak with the DOJ advocate, dial 888-548-5463, or visit our website at <http://dojmt.gov/saki> to find a community-based advocate or other resources near you. Thank you again for contacting the Montana Department of Justice. We will return your email as soon as possible.*

## Who will staff the Email Address?

The MT SAKI Victim Advocate will be responsible for the email response. If for any reason, the advocate is not available, responsibility will continue to the MT SAKI Site Coordinator. If for any reason the coordinator is not available, the MT SAKI Site Coordinator will designate responsibility to an appropriately trained staff member. If emails begin to backlog in excess, the amount of staffing needed for the hotline will be reevaluated.

Email responders will be trained on sexual assault, the neurobiology of trauma, and crisis intervention. They will also be trained on what information can be provided and collected through the email, including community resources to be provided and information that may jeopardize criminal proceedings if shared.

## Email Response Language

The language and tone used by the MT SAKI staff when returning emails to the survivor needs to be welcoming and non-threatening. All communication will be trauma-informed and victim-centered. The end of each email should include a signature with the name of the individual staff member replying to the email, including the email address, and the information hotline number.

*Sincerely,*  
*Information Line: (888) KIT-LINE*  
*Email: [ContactSAKI@mt.gov](mailto:ContactSAKI@mt.gov)*

## Needs for the Email Address:

- MT SAKI staff members will need separate inboxes set up as to not bog down their regular work email.
- Email will need the capability to “forward” in the case that the first line SAKI staff member is not available.

**Information to be Provided and Collected on the Information Line and Email:**

Information provided to the survivor:

- No new information from SAK analysis will be provided over the Information Hotline or email option, until the caller’s identity is verified. Staff members will explain that all SAK information is kept confidential, and that identification verification is necessary before sharing any case specific information with the survivor or survivor representative.
- MT SAKI staff should be clear in explaining the status of the SAK, ensuring the survivor feels in control of their place in the process. The MT SAKI staff should request that the survivor provide them updated contact information, so that the appropriate investigator or advocate can contact them as soon as possible, to schedule an in-person meeting to provide further confidential information.
- The MT SAKI Advocate should clearly explain the confidentiality of a system-based advocate, which is limited to the criminal justice system. If the survivor does not want to share information, put them in touch with the appropriate community-based advocate to provide support and confidentiality.
- Ask if there are any questions.
- Provide any community resources the survivor may need including advocates, mental health, and substance abuse assistance.
- Offer the option to send a physical letter to the survivor with basic information.

Information that should be collected from the survivor:

Survivor’s information:

- Name of the survivor, including current legal name and name at the time of the incident (survivor may have been married or divorced)
- Date of birth
- Phone number(s), best time to reach, can a message be left
- Current physical and mailing addresses
- Email address
- Contact information for another person in case survivor is not reachable. Include name, relationship, and phone number.
- Preferred form of contact

Caller’s information, if different from the survivor (survivor representative)

Information about the sexual assault:



- Year of the sexual assault
- Age at assault
- Did survivor receive a sexual assault examination at the hospital/other location
- If yes, which hospital/other location
- Did you file a report with the police?
- What county/police department
- Case number

Other important information:

- Date of call
- Resources provided/needed.
- How the survivor heard of the hotline

### Juvenile Issues

If a parent/guardian of a juvenile survivor contacts the Information Hotline or Email to get an update on their child's case, the following information must be determined.

- 1) How old was the survivor at the time of the sexual assault?
  - 2) How old is the complainant survivor presently?
  - 3) Documentation of guardianship must be provided (birth certificate with parent and child name is acceptable)
- If the MT SAKI Advocate or staff suspects that the parent/guardian is neglecting or is involved in abuse of the survivor, the Advocate or staff may refuse to release information to the parent/guardian.
  - If the survivor is under 18 years of age currently, the parent/guardian has the right to receive information. In this case, the survivor should be included in the process as much as they are willing or able. The parent/guardian will be considered the survivor representative.
  - If the survivor is currently 18 or older, but disabled, causing parent/guardian to have legal guardianship, then the parent/guardian may receive information. In this case, the survivor should be included in the process as much as they are willing or able. The parent/guardian will be considered the survivor representative.
  - Other than the above situations, if the survivor is currently 18 years of age or older, no information will be provided to the parent/guardian as the survivor is considered a legal adult. This will be explained to the parent/guardian and they will be informed that to receive more information on the case, the survivor will need to seek the information.

### Deceased survivors

If the survivor has since passed away, but a family member (parent/guardian, spouse/partner, sibling) contacts the hotline or email seeking information, MT SAKI staff members with the help of other MT SAKI team members will decide on a case by case basis whether information can be provided or not. In all cases, the following requirements must be met:

- The surviving family member will be asked to meet in person.

- The surviving family member seeking information may be asked to provide a death certificate or proof of death.

### **Documentation of Survivor Information:**

Several different resources will be utilized in conjunction for the Sexual Assault Information Hotline and Email Option. However, incoming communication will be recorded in one location, the Sexual Assault Hotline & Email Log.

#### **Documentation**

All emails and calls will be documented in an Excel worksheet titled “Sexual Assault Hotline & Email Log”. All previously outlined fields will be utilized in the log. SAKI staff members will be able to compare this worksheet to the list of SAKs in the project database being tested or already tested to analyze what type of notification is still needed (in the case that survivor called first). This worksheet will be shared and editable by all MT SAKI staff members.

### **Protocol for Survivors in Crisis**

The following steps are outlined to provide guidance in a crisis situation:

S= Situation. Identify what is going on by actively listening, learning what the real issue is causing the escalation. Repeat what they said to gain clarity into the issue. Reassure them that you understand what is upsetting them is real and is important.

O= Provide options. Find out what you can do for them to meet their needs.

L= Listen further and discuss consequences of negative actions with patience and understanding. If yelling occurs, lower your voice even further.

V= Provide variations and compromise.

E= Execution. Ensure the survivor is taking the steps to get help. Remain on the phone past the point of de-escalation. Persons in crisis can escalate again rapidly until they have returned to the point of recognizing what has happened.

First, it is important to demonstrate that you are on their side, that you are not a threat to the survivor in crisis in any way. Use a soothing, reassuring voice. Then, try to identify similarities with the person in crisis to find an “in”. Identify what the survivor in crisis needs to feel heard and to deescalate the situation. Stay calm and do not react to any personal attacks. Always maintain professionalism. Sometimes, persons in crisis simply need to vent to a listening ear. Listen closely and ask questions about their concerns. Remember that every person has the right to safety, the right to be treated with dignity and respect, and the right to make their own choices. Provide them with options; give them resources and provide the name of the person you are referring them to. Choose mental health emergency hotlines according to survivor’s geographical location. It may be necessary for staff to contact the police or mental health hotlines themselves to ensure the safety of the survivor. If possible, conduct a safety assessment over the phone. The victim advocate has access to safety assessments that can be used in this situation.

## **Protocol for Inappropriate Information Line Callers:**

It is likely that a publicized number in the community will be called by people who will use the line inappropriately for various reasons. The MT SAKI staff will have the discretion to decide when calls are inappropriate. In any case that inappropriate calls cause distress to the staff member, they may ask to call them back and speak with a supervisor or team member regarding their next steps.

Individuals who do not fit into the scope of the SAKI project:

- Survivor of an unreported sexual assault. If a survivor has not reported a sexual assault, but would now like to make a report, they must be referred by the MT SAKI staff to the appropriate law enforcement agency, 911, or the appropriate hospital to receive a sexual assault examination if it occurred within the past 96 hours. This call may require crisis intervention on the part of the MT SAKI staff member, and a referral to a local victim advocate or community based sexual assault agency.
- Survivors who reported their assault to the police but did not receive an examination. The staff member should first verify that they are not in the project database. The MT SAKI staff will then direct them to the appropriate law enforcement agency.
- Survivors who did not report their sexual assault, or do not remember where they filed a report. If the survivor does not remember where they filed a report, the staff member should gather all possible information to search the project database. The staff member should then proceed to work with the survivor as outlined in the hotline and email protocol.
- Survivor of a crime that has been reported but is not sexual assault related. MT SAKI staff should refer the survivor the appropriate law enforcement agency.
- Someone reporting an emergency and attempting to reach law enforcement. If possible, transfer caller to 911 or have them hang up and dial 911.
- Callers who are experiencing delusions, hallucinations, or mental health crisis. The Information Hotline responder should not assume that a caller in a mental health crisis is an inappropriate caller. The responder should ask questions, if possible, to find out whether this call is related to a past sexual assault. If the caller is deemed to be using the line inappropriately, they should be forwarded to the appropriate resource; either 911 or local mental health hotlines. MT SAKI staff should take great caution in their steps during this process and use trauma informed crisis de-escalation techniques. It is appropriate to attempt to learn the name of the caller, their date of birth, and a good contact number to determine whether the caller is a survivor of sexual assault.
- The venting caller. If someone calls to vent, or just to talk, and it becomes apparent to the staff member that they are not attempting to find out more about their sexual assault kit, they should be informed that this is not the appropriate number to call and direct them to the crisis line. MT SAKI staff must ask questions to ensure that the caller is not trying to gain more information about their sexual assault kit.
- Verbally abusive callers. If a caller is verbally abusive to the staff member, it is important for the staff member to listen carefully to what the caller is saying. The staff member should attempt to calm the caller by allowing them to speak, not fighting back or engaging in swearing or verbal abuse in response to the caller and communicating in a soothing voice. It is important for the staff member to remember that some survivors of sexual abuse feel abused by the system, and therefore, could be angry. They must apologize for what the caller may have experienced and attempt to diffuse the situation.

If it does not seem that the situation is being diffused, or the caller will not provide information, the staff member should calmly state that they are unable to speak with the caller while they are in this state. The staff member can then give the caller the option to call back at a time when they are able to speak calmly. It is important that the staff member inform the caller that they are going to hang up before ending the call.

- Obscene phone calls. If an individual call the hotline seeking anything other than the uses of the hotline outlined above, the staff member should ensure that the caller is not intending to gain information about their sexual assault case, and then, state firmly that this is not an appropriate use of the line. If the obscenity is threatening or makes the staff member uncomfortable, it is appropriate to block the number.
- Convicted and/or named suspects seeking exoneration. Suspects or persons related to a suspect may attempt to call the hotline in hopes that a sexual assault kit will clear their names. This is not an appropriate use of the hotline, as the hotline's purpose is to provide information and assistance to survivors of sexual assault. The staff member should communicate the purpose of the hotline and encourage the caller to contact the law enforcement department in the jurisdiction in which they were named as a suspect.

*This project was supported by Grant No. 2016-AK-BX-K015 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.*