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Justice Department Releases Updated Protocol to Improve Standards for Responding to Rape and Sexual Assault

Revised SAFE Protocol Reflects New Technologies and Best Practices and Will Improve the Criminal Justice Response to Rape and Sexual Assault

Attorney General Eric Holder today announced a revised version of the National Protocol for Sexual Assault Medical Forensic Examinations (SAFE Protocol, 2d.) The SAFE Protocol is a voluntary best practices guide to conducting sexual assault medical forensic examinations protocols. These suggested practices will promote high-quality, sensitive, and supportive exams for all victims of rape and sexual assault.

The SAFE Protocol is based on the latest scientific evidence and provides recommendations to standardize the quality of care for sexual assault victims throughout the country. By promoting thorough, sensitive evidence collection, the SAFE Protocol can improve the criminal justice response to rape and sexual assault to increase offender accountability.

“The SAFE protocol is crucial to our efforts to end sexual violence,” said Attorney General Holder. “It is our responsibility to ensure that victims feel comfortable coming forward. The SAFE Protocol helps us coordinate and improve our response when these courageous individuals do seek help from first responders including nurses, doctors, advocates, law enforcement, and prosecutors.”

In the nine years since the protocol was initially released in 2004, there have been substantial forensic medical advancements. This revised edition of the protocol maintains the same commitments of standardization and quality as the first SAFE Protocol, but is updated to reflect current technology. It also increases the emphasis on victim-centered care and includes additional information reflecting changes from the Violence Against Women Act of 2005.

Research shows that programs with trained examiners, such as Sexual Assault Nurse Examiners (SANEs) or Sexual Assault Forensic Examiners (SAFEs), using modern standards like those in the SAFE Protocol significantly increase evidence collection and investigation in sexual assault cases. Better evidence collection results in significantly higher prosecution rates, convictions, and guilty-pleas. The SAFE Protocol also helps SANEs and other medical professionals conduct exams that are sensitive, dignified, and reduce trauma.

“The SAFE Protocol helps ensure that victims will be cared for with compassion and respect when they turn to hospitals for help,” said Bea Hanson, Acting Director of the Office on Violence Against Women (OVW). “This not only improves outcomes for victims, it strengthens criminal cases. We are working to develop a comprehensive response to rape and sexual assault. One element of this is the President’s 2014 budget that includes \$20 million to address the backlog of rape kits.”

The revised SAFE Protocol reflects the many important improvements that can help increase the quality of the services victims receive. The updated protocol has increased information on populations with special needs, such as victims with limited English proficiency; victims with disabilities; American Indian and Alaska Native victims; victims in the military; and lesbian, gay, bisexual or transgender victims. It also has expanded information on topics such as drug and alcohol facilitated sexual assault, pregnancy, confidentiality and alternative reporting procedures.

The SAFE Protocol is not a requirement for any federal grant funding. Adherence to the protocol is not mandatory with the exception of the recently released Department of Defense Instruction on Sexual Assault Prevention and Response Program Procedures. In addition, to comply with the department’s National Standards to Prevent, Detect and Response to Prison Rape, correctional facilities that are responsible for investigating allegations of sexual abuse in their facilities must use a protocol that is adapted from or otherwise based on the SAFE Protocol or similarly comprehensive and authoritative protocols developed after 2011.

According to the Centers for Disease Control and Prevention, one in five women and one in 71 men have been raped in their lifetimes, and nearly 1.3 million women in the U.S. are raped every year. More than one in four American Indian or Alaska Native women have been raped. Sexual assault and rape are pervasive crimes that threaten the safety of all communities. The SAFE Protocol is an important step forward in the Department of Justice’s efforts to end sexual violence.

OVW, a component of the U.S. Department of Justice, provides leadership in developing the nation’s capacity to reduce violence against women through the implementation of the Violence Against Women Act (VAWA) and subsequent legislation. Created in 1995, OVW administers financial and technical assistance to communities across the country that are developing programs, policies and practices aimed at ending domestic violence, dating violence, sexual assault and stalking. In addition to overseeing 22 federal grant programs, OVW often undertakes initiatives in response to special needs identified by communities facing acute challenges. More information is available at www.ovw.usdoj.gov.

The SAFE Protocol is accessible at the National Criminal Justice Reference Service website at: www.ncjrs.gov/pdffiles1/ovw/241903.pdf.