

15 members of the Task force
↳ 12 members voted
↳ majority = 7 votes

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Sexual Assault Victims' Rights Amendment Act of 2014 - Final Report Votes

Please see below for a number of votes on matters that are contained in the Task Force Final Report - Draft 3. Each of these matters is contained in a separate question. The CURRENT proposal is noted as one of the answer choices. If you do not vote, you will not be counted in the final votes. It will be noted for the record that you chose not to vote.

Due to the requirements of the Open Meeting Act, all votes are public information.

Please register your votes no later than 12 PM on Wednesday, October 28. After the votes are tallied, I will edit the draft to match the votes of the Task Force and I will send the final votes as well as the revised draft out to you for a final review before it is made public on Friday, October 30.

* Required

What is your name? *

LEGISLATIVE QUESTION 1: Process for receiving and investigating complaints

All votes in this section will refer to Legislative Question 1.

For the SARF form and the SARF process, do you think we should specify the drop-off locations and the websites on which the SARF Form is accepted, or do you think we should leave it broad, specifying only that there be wide distribution? *

- I want the SARF form and the SARF process to specify the locations at which the Form will be accepted or received (CURRENT)
- I want the SARF form and the SARF process to include no specific locations, but only to specify that the SARF form should be accepted at a wide variety of locations to be determined based on need by the DC SART
- I choose to abstain

If the vote is in favor of the SARF form and the SARF process specifying locations at which the SARF form will be accepted or received, do you think we should have the SARF form accepted at one Police District in each quadrant, or do you think that we should have have drop-off locations at each Police District location. *

tie

tie < 5

- I want the SARF form accepted at one Police District in each quadrant (CURRENT)
- I want the SARF form to be accepted at one Police District in each Ward.
- I choose to abstain.

Which version of the SARF form do you think this Task Force should propose to Council: the long form with an explanation of the victim's or survivor's rights and instructions, or the short form with only basic information collected? *

NOTE: Either SARF Form will be submitted to a readability expert PRIOR to being put into distribution.

- I choose the long form, with an explanation of the victim's or survivor's rights, instructions for completing the SARF form, and specific agencies delineated on the form (CURRENT).
- I choose the short form, that includes the collection of only basic information.
- I choose to abstain.

Do you wish to include in the fiscal impact section a recommended staffing impact for the Office of Victim Services and Justice Grants? *

- I do not wish to include a specific staffing recommendation for OVSJG (CURRENT)
- I think we should recommend a staffing recommendation of 1 FTE or its equivalency for OVSJG
- I wish to include a staffing recommendation of 2 FTEs or its equivalency for OVSJG
- I choose to abstain

This vote is specific to proposed item (28) on the SAVRAA Task Force Final Report_Complaint Process_2nd Draft: When a SARF form is filed with the DC SART according to the process listed above and the process of investigation is complete, do you want the information that is posted on the website to clearly include whether the allegations in the SARF form were "FOUNDED" or "UNFOUNDED"? *

NOTE: This is a new option. Please review proposed item (28) before answering below.

- I want to remove proposed item 28. I want the information included on the website to be only the redacted SARF form and outcome, whether founded or unfounded (CURRENT)
- I want to accept item 28 and include clearly on the website whether every SARF form was "FOUNDED" or "UNFOUNDED"
- I want to only include SARF forms that were "FOUNDED" on the website.
- I choose to abstain.

LEGISLATIVE QUESTION 2: Need for additional sexual assault victim advocates

All votes in this section will refer to Legislative Question 2.

§23-1909 (b) shall read: "Law enforcement shall ensure that a sexual assault victim advocate is offered to the sexual assault victim prior to the commencement of any in-person interview with the sexual assault victim. (1) If a sexual assault victim chooses to

assert their right to a sexual assault victim advocate, the law enforcement officer may only conduct a minimal facts interview with the sexual assault victim before the sexual assault victim consults with a sexual assault victim advocate; (2) If a sexual assault victim declines their right to a sexual assault victim advocate, the law enforcement officer shall: (a) notify the sexual assault victim of their right to request an advocate at any point during the law enforcement process and (b) ensure that the sexual assault victim's decision regarding their right to a sexual assault victim advocate be noted in writing with the victim's signature and the law enforcement officer's signature. *

NOTE: This question refers to Item 2 under Legislative Question 2, and applies to the right to an advocate OUTSIDE OF THE DC SANE PROCESS. In short, the amended legislation requires that the victim or survivor be offered an advocate but DOES NOT REQUIRE that an advocate be dispatched in every non-DC SANE case unless a victim or survivor asserts his or her right to an advocate.

I want advocates to be dispatched in every instance where there is a report to law enforcement outside of the DC SANE process, without consultation with the victim or survivor (CURRENT).

I want to accept the proposed legislative change as proposed in Item 2.

I choose to abstain.

Under §23-1907 (8) and under §14-312(6), the definition of "Sexual assault victim advocate" shall be amended to read: "Sexual assault victim advocate" means: (A) A trained advocate employed by a community-based advocacy organization that is a member of the DC SANE Program or its successor program; or (B) A trained advocate who has reached Basic Certification, as certified by the Office of Victim Services and Justice Grants. *

NOTE: This question refers to Item 5 under Legislative Question 5, and specifies to whom the confidential communications privilege should exist. In short, this would alter the CURRENT proposal and would exempt employees of the organization that is providing advocacy under the DC SANE program from credentialing, since the advocacy right that we are extending is also outside of the DC SANE process.

I want all advocates with the confidential communications privilege to obtain a Basic Certification under the proposed credentialing process (CURRENT)

I want to accept the proposed legislative change as proposed in Item 5.

I choose to abstain.

Pursuant to the discussion at the SAVRAA Task Force meeting on October 14, SAVRAA Task Force Final Report_Advocate Expansion and Credentialing Process has been AMENDED. The REVISED (or DRAFT 2) proposes a period of data and information gathering to be conducted by MPD and NVRDC. The purpose of this period is to ensure that, when an RFA is issued to identify the advocacy provider for non-DC SANE cases, there will be information about how many victims and survivors will potentially need the advocacy, and determine the times that an advocate may be needed. *

NOTE: It may be helpful to read the 2nd DRAFT of the Expansion and Credentialing plan before voting. It differs from the original plan in that the original plan implemented a credentialing plan without simultaneously introducing a data-gathering period. The 2nd DRAFT also expands the definition of which advocates are entitled to privileged communications. The 2nd DRAFT includes the DC SANE advocates AND any other advocate who has achieved Basic Certification. DC SANE advocates do not need to be credentialed to have privilege.

I want to REJECT Draft 2 and ACCEPT Draft 1 of the expansion and credentialing process (CURRENT).

I want to REJECT Draft 1 and ACCEPT Draft 2 of the expansion and credentialing process.

I choose to abstain.

LEGISLATIVE QUESTION 3: Expansion of the right to an advocate beyond hospital and law enforcement

All votes in this section will refer to Legislative Question 3.

§23-1909 (c) shall read: "A prosecutor shall ensure that a sexual assault victim advocate is offered to the sexual assault victim prior to the commencement of any in-person interview with the sexual assault victim. (1) If a sexual assault victim chooses to assert their right to a sexual assault victim advocate, the prosecutor or prosecutor's agent may only conduct a minimal facts interview with the sexual assault victim before the sexual assault victim consults with a sexual assault victim advocate; (2) If a sexual assault victim declines their right to a sexual assault victim advocate, the prosecutor or the prosecutor's agent shall: (a) notify the sexual assault victim of their right to request a community-based advocate at any point during the prosecutorial process and (b) ensure that the sexual assault victim's decision regarding their right to a sexual assault victim advocate be noted in writing with the victim's signature and the prosecutor's or the agent's signature. *

NOTE: This question refers to Item 4 under Legislative Question 3, and specifies that the right to an advocate be offered by the prosecutor before any in-person interview. This mirrors the right to an advocate outside of the DC SANE process for law enforcement

I want advocates to be dispatched in every instance where there is an in-person interview with a prosecutor, without consultation with the victim or survivor (CURRENT).

I want to accept the proposed legislative change as proposed in Item 4.

I choose to abstain

§23-1909 (d) shall read: "In any case in which the prosecutor believes that the presence of the sexual assault victim advocate would be detrimental to the sexual assault victim's well-being or the prosecutor's ability to perform their duties, the sexual assault victim advocate can be asked to leave only after: (1) the prosecutor or the prosecutor's agent discusses the reasons for the request to leave with the advocate's supervisor; (2) the prosecutor or the prosecutor's agent provides case-specific detail about why the request was made; and (3) that case is submitted to the DC SART for case review. *

NOTE: This question refers to Item 4 under Legislative Question 3, and permits the prosecutor to remove a victim advocate from an in-person interviewing, with some process.

I do not want prosecutors to have the ability to remove victim advocates from an in-person interview under any circumstances.

I want to accept the proposed legislative change as proposed in Item 4

I choose to abstain

LEGISLATIVE QUESTION 4: Expansion of the right to an advocate to juvenile victims of sexual assault.

All votes in this section will refer to Legislative Question 4.

Do you approve of the protocol which provides the right to an advocate for minor victims and survivors of sexual assault? *

- Yes (CURRENT)
- No
- I choose to abstain.

Do you agree with exempting credentialed advocates for minors from mandatory reporting requirements, as described in the report *

- Yes (CURRENT)
- No
- I choose to abstain.

For what age groups of minor victims of sexual assault do you believe that credentialed advocates should be exempt from mandatory reporting laws. *

- I don't believe that credentialed advocates should be exempt from any mandatory reporting laws.
- 12-17 (CURRENT)
- 13-17
- 14-17
- 15-17
- 16-17
- 17
- I choose to abstain

No majority plurality

Do you agree with a 1 year planning and implementation phase before sexual assault victim advocates are dispatched to minor victims of sexual assault *

- No, this should start immediately (CURRENT)
- Yes
- I choose to abstain

In Item 2, the Work Group recommends a youth-oriented hotline be established (or be included into an existing hotline) to provide information anonymously to minors ages 12-17 about their legal rights. Do you agree with the establishment of this hotline and the information that should be provided in this hotline to the youth survivor. *

- No (CURRENT)
- Yes
- I choose to abstain

In Item 3, the Work Group recommends that the community-based advocates that are working with youth victims and survivors be credentialed in accordance with the process of advocate credentialing described earlier. Do you agree? *

No (CURRENT)

Yes

I choose to abstain

In Item 5, the Work Group recommends that the Physical Evidence Recovery Kits (PERKs) should be made available to providers at Children's National Medical Center, independent of the Metropolitan Police Department's involvement with the youth victim or survivor. Do you agree? *

No (CURRENT)

Yes

I choose to abstain

In Item 6, the Work Group recommends that the Independent Expert Consultant's contract be extended for no less than one year to collect the points of data delineated in Item 6. Do you agree? *

No (CURRENT)

Yes

I choose to abstain

In Item 7, the Work Group recommends that a Working Group of MDT and SART members be established to issue recommendations. *

No (CURRENT)

Yes

I choose to abstain

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