



**Mission:** *To promote a community-wide response to sexual violence by coordinating a multi-disciplinary team that will ensure victims receive comprehensive, compassionate care*

## **Sexual Assault Response Team (SART) General Meeting**

### **MINUTES**

**Thursday October 25, 2018**

**Call to Order:** Carol Messam-Gordon, Palm Beach County Victim Services & Certified Rape Crisis Center (PBCVS)

**Welcome / Introductions of Members and Guests:** Scott Addlesberger, Awilda Alonso, Belinda Barr, Robert Bragg, Corey Campbell, Kathleen Cole, Kenia Desravines, Rebecca De La Rosa, Candace Harrina, Janelle Henry, Cristy Johnson, Keri Kampsen, Brenda Krayner, Tim Kurdys, Esther Rodriguez, Nicole Martinez, Tanya Meade, Carol Messam-Gordon, Valerie Messineo, Kathryn Oleksy, Serenia Page-Beckton, Samantha Poje, Jessica Porter, Jill Raftery, Clarice Redding, Jennifer Rey, Abby Ross, Gena Rowlands, Christine Shaw, Liisa Spinello, Nicholas Tiscione, Mark Vertefeuille, Rachel Zara.

Carol welcomed all on behalf of Victim Services Director, Nicole Bishop, who along with the SANE Coordinator, and SART Member/Activist, Julie Weil are presenting at the International Forensic Nursing Conference in Reno, NV. They are sharing Julie's story and the work of the Sexual Assault Response Team (SART) with others around the world. She, then introduced herself and asked all members to introduce themselves.

#### **Review/Approval of minutes: September 27, 2018**

The minutes for September were approved with no changes and/or revisions.

#### **On-Going Business:** Carol Messam-Gordon, SART Program Coordinator

The group was reminded that this month is National Domestic Violence Month. And outlined some of the events shared by Domestic Violence Council, for the month: Signing Proclamation, Opening Ceremony on October 3<sup>rd</sup> at PBC Sheriff's Training facility, Audrey Mabry, survivor and activist, shared her moving story of empowerment, Radio segment with Coach Judy entitled: "Moving Forward After Abuse", Walk a Mile in Her Shoes event in Lake Worth, two events in the Glades titled "When Love Hurts". Jennifer Rey, Domestic Violence Council Co-chair shared a host of other events & invited all to join the DV Council at their monthly meetings. The DV Council can also be contacted via email at [dvcouncilofpalmbeachcounty@gmail.com](mailto:dvcouncilofpalmbeachcounty@gmail.com).

**New Business:** Carol Messam-Gordon/Gena Rowland, PHD, PBSO Senior Planner

Gena shared that Florida Council Against Sexual Violence (FCASV) awarded Palm Beach County Sheriff's Office a new, 2 year grant to continue and expand the collaborative work currently being done to educate the community. The grant funds has allowed the Sheriff's office to hire more staff members and expand upon current initiatives. She thanked Victim Services for working to assist with obtaining the grant.

**Member Highlight:** Jennifer Rey, Aid to Victims of Domestic Abuse (AVDA)

- The Intersection between Domestic Violence and Sexual Assault

Jennifer Rey shared a power point presentation titled "The dynamics and statistics of Intimate Partner Violence". The presentation outlined out Sexual Assault cases often occur with other forms of abusive behavior such as domestic violence. The six (6) dynamics of Intimate Partner Violence (IPSV); dominance, isolation, humiliation, threats, intimidation, denial and blame were disclosed and shared. The differences between sexual assault and Intimate partner sexual abuse such as higher level forced contact, physical assault, multiple incidences of rape, trauma to children, inflicting pregnancy or STD, Inability of victim to define as rape due to social and relationship norms, etc. The presentation ended with sharing Aid to Victims of Domestic Abuse (AVDA) offers alternative choices to end the violence by providing a hotline, emergency shelter, transitional housing, and outreach services. The final slide highlighted Domestic Violence resources available: The Florida Council Against Sexual Violence at <https://www.fcasv.org/information/sexual-assault-statistics> ; FCADV -The Florida Coalition Against Domestic Violence at <http://fcadv.org/resources> ,and RAINN- Rape, Abuse & Incest National Network at <https://www.rainn.org/statistics/victims-sexual-violence>.

**SANE Report:** Serenia Beckton for Sherry Britton-Susino`, Sexual Assault Nurse Examiner (SANE) Coordinator Sherry is at the International Association of Forensic Nurses (IAFN) Conference in Reno, but left her SANE report for September. We will share it to share for the month of September.

- **Case Disposition:** None available for this meeting. Will share next month.

**Community Action Network:** Sharon Daugherty, PBCVS Outreach Coordinator

The seven committees continue to function for various specialties. Our campus Roundup 4 with an exciting line up of diverse speakers will be held on Friday, November 16, 2018 at Palm Beach State College. Registration remains open and can be accessed using the survey monkey link that was emailed to all.

**Training Committee:** Serenia P. Beckton, SART Grant Coordinator

Committee met on October 18, 2018 and are working on the following projects: revisions to the Anti-Stalking toolkit; almost finalized & training on the revision to commence by November's end; the SART Designation Training- currently reviewing all presentations and updating as needed; and in the beginning phases of developing training for SANEs. Meetings are held at SART Center on 3<sup>rd</sup> Thursdays. Member attendance has decreased, let us know if you are interested in joining committee.

**Legislative Committee:** Abby Ross/Christine Shaw

The committee researched & updated the group about statute of limitations for criminal offenses. potential changes to VAWA Reauthorization Act. The following was shared about sexual offenses and some exceptions to the general statute of limitations:

Section 775.15 addresses the statute of limitations for criminal offenses.

If the sexual offense is a capital felony or life felony or a felony that resulted in a death, prosecution may be commenced at any time. Section 775.15(1), F.S. For example, sexual battery by an adult or juvenile on a victim under 12 years of age.

In general, if an offense is:

- o A first degree felony violation, prosecution must be commenced within 4 years after the offense was committed (s. 775.15(2)(a), F.S.);
- o A second degree felony violation, prosecution must be commenced within 3 years after the offense was committed (s. 775.15(2)(b), F.S.); and
- o A third degree felony violation, prosecution must be commenced within 3 years after the offense was committed (s. 775.15(2)(b), F.S.).

However, there are numerous exceptions to the general statute of limitations in s. 775.15(2), F.S.:

- o First exception (s. 775.15(5), F.S.): “The period of limitation does not run during any time when the defendant is continuously absent from the state or has no reasonably ascertainable place of abode or work within the state.

This provision shall not extend the period of limitation otherwise applicable by more than 3 years, but shall not be construed to limit the prosecution of a defendant who has been timely charged by indictment or information

or other charging document and who has not been arrested due to his or her absence from this state or has not been extradited for prosecution from another state.”

- o Second exception (s. 775.15(13)(a), F.S.): “If the victim of a violation of s. 794.011,, former s. 794.05, Florida Statutes 1995, s. 800.04, s. 826.04, or s. 847.0135(5), is under the age of 18, the applicable period of limitation, if any, does not begin to run until the victim has reached the age of 18 or the violation is reported to a law enforcement agency or other governmental agency, whichever occurs earlier. Such law enforcement agency or other governmental agency shall promptly report such allegation to the state attorney for the judicial circuit in which the alleged violation occurred.” However, “[i]f the offense is a first or second degree felony violation of s.

794.011, and the offense is reported within 72 hours after its commission, the prosecution for such offense may be commenced at any time. “This paragraph applies to any such offense

except an offense the prosecution of which would have been barred by subsection (2) on or before December 31, 1984.”

- o Third exception (s. 775.15(13)(b), F.S.): “If the offense is a first degree felony violation of s. 794.011 and the victim was under 18 years of age at the time the offense was committed, a prosecution of the offense may be commenced at any time. This paragraph applies to any such offense except an offense the prosecution of which would have been barred by subsection (2) on or before October 1, 2003.”

- o Fourth exception (s. 775.15(13)(c), F.S.): “If the offense is a violation of s. 794.011 and the victim was under 16 years of age at the time the offense was committed, a prosecution of the offense may be commenced at any time. This paragraph applies to any such offense except an offense the prosecution of which would have been barred by subsection (2) on or before July 1, 2010.”

- o Fifth exception (s. 775.15(14)(a) F.S.): “A prosecution for a first or second degree felony violation of s. 794.011, if the victim is 16 years of age or older at the time of the offense and the offense is reported to a law enforcement agency within 72 hours after commission of the offense, may be commenced at any time.”

- o Sixth exception (s. 775.15(14)(b), F.S.): Except as provided in s. 775.15(14)(a), F.S. or s. 775.15(13)(b), F.S., “a prosecution for a first or second degree felony violation of s. 794.011, if the victim is 16 years of age or older at the time of the offense, must be commenced within 8 years after the violation is committed. This paragraph applies to any such offense except an offense the prosecution of which would have been barred by subsection (2) on or before July 1, 2015.”

- o Seventh exception (s. 775.15(15), F.S.): In addition to the time periods prescribed in s. 775.15, F.S., “a prosecution for any of the following offenses may be commenced within 1 year after the date on which the identity of the accused is established, or should have been established by the exercise of due diligence, through the analysis of deoxyribonucleic acid (DNA) evidence, if a sufficient portion of the evidence collected at the time of the original investigation and tested for DNA is preserved and available for testing by the accused”: an “offense of sexual battery under chapter 794”; and a “lewd or lascivious offense under s. 800.04 or s. 825.1025.” “This subsection applies to any offense that is not otherwise barred from prosecution between July 1, 2004, and June 30, 2006.”

- o Eighth exception (s. 775.15(16), F.S.): In addition to the time periods prescribed s. 775.15, F.S., “a prosecution for any of the following offenses may be commenced at any time after the date on which the identity of the accused is established, or should have been established by the exercise of due diligence, through the analysis of deoxyribonucleic acid (DNA) evidence, if a sufficient portion of the evidence collected at the time of the original investigation and tested for DNA is preserved and available for testing by the accused”: “[k]idnapping under s. 787.01 or false imprisonment under s. s. 787.02”; an “offense of sexual battery under chapter 794”; and a “lewd or lascivious offense under s. 800.04, s. 825.1025, or s. 847.0135(5).” “This subsection applies to any offense that is not otherwise barred from prosecution on or after July 1, 2006.” Some kidnapping and false imprisonment offenses contain a sexual component.

o Ninth exception (s. 775.15(17), F.S.): In addition to the time periods prescribed s. 775.15, F.S., “a prosecution for video voyeurism in violation of s. 810.145 may be commenced within 1 year after the date on which the victim of video voyeurism obtains actual knowledge of the existence of such a recording or the date on which the recording is confiscated by a law enforcement agency, whichever occurs first. Any dissemination of such a recording before the victim obtains actual knowledge thereof or before its confiscation by a law enforcement agency does not affect any provision of this subsection.”

o Tenth exception (s. 775.15(18), F.S.): “If the offense is a violation of s. 800.04(4) or (5) and the victim was under 16 years of age at the time the offense was committed, a prosecution of the offense may be commenced at any time, unless, at the time of the offense, the offender is less than 18 years of age and is no more than 4 years older than the victim. This subsection applies to an offense that is not otherwise barred from prosecution on or before October 1, 2014.”

o Eleventh exception (s. 775.15(19), F.S.): “A prosecution for a violation of s. 787.06 may be commenced at any time. This subsection applies to any such offense except an offense the prosecution of which would have been barred by subsection (2) on or before October 1, 2014.” Section 787.06, F.S., punishes human trafficking but several human trafficking offenses contain a sexual component. It was announced that proposed legislation to eliminate the statute of limitations is currently being discussed in Senator Slosenburg’s office and updates will be shared as they become available.

**SART Case Staffing’s:** Carol Messam- Gordon, Program Coordinator

Case Staffing was held on Friday, November 19<sup>th</sup>. The case shared involved a young man groomed by an older man who visited his country and promised him a better life. Victim eventually marry this older man and came to the United States. When victim arrived defendant lived in a trailer and could not follow through on the promises he made to him. Victim reported that defendant was physically violent towards him and victim wanted out of the relationship. Victim also reported that his husband forced himself on him sexually.

Special circumstances:

Victim is fearful and wants out of the relationship. Defendant only followed through with the promise of a cell phone. Victim wants to work to support himself and is unable to work because defendant cancelled his immigration residency documents.

Recommendations and services:

Case assigned to an Advocate who is working with a staff from a partner agency to assist victim. Assigned advocate assisted in completing an injunction for protection and Victim Services Sexual Assault Care Coordinator will offer medical follow-up to victim. Partner agency staff provided shelter placement to victim and he is safe. Case is still under investigation by investigating agency with the hopes of filing the first domestic servitude case in our county. Assigned advocate will provide court accompaniment when the case goes to trial.

**Green DOT Program update:** Holly Dibenedetto for Clarice Redding, Program Coordinator

Booster sessions for Green DOT are underway. The last 2018 session of Yoga for community healing is available to all on 11/16/18 @ SART Center. Hope you can join us. Captain Green DOT costume is on order and should be unveiled soon. We will keep you updated.

**Member field discussion:**

- Sgt. Bragg announced that he would begin to conduct the DV class for Florida Department of Law Enforcement at Palm Beach State College soon. It will be a 1-week, 40 hour class. Jenn Rey, from AVDA offered to co-teach. More announcements to come after the details have been established.
- CILO announced a reminder about Group Rock Painting Therapy available. The classes are held at their site, but they are willing to travel if anyone has a group interested in participating.
- AVDA's race for HOPE will be held on January 12, 2019. Active first responders' entry fee is waived.
- Legislative proposal that is forthcoming is that Adult Entertainers are granted a public records exception.

**Next meeting date:** November 29, 2018 @ 2pm – 3pm

All were thanked for doing their part to reduced sexual and other violence in our community and encouraged to bring a guest to the meetings to learn about the work being done by the SART.