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funding, training worsens situation

By RACHEL COLEMAN • Leader & Times Any person who becomes a victim of a violent crime can attest that life is full of often-unpleasant surprises. Victims of sexual assault and rape in Liberal have an extra level of unexpected issues to navigate: getting a proper exam to collect evidence of the crime.

According to RAINN, Rape, Abuse & Incest National Network, a forensic exam by a trained professional “affords the opportunity to collect evidence that may have been left behind by the suspect.” The exam establishes a chain of custody that ensures such evidence can be used in court.

Under a federal law that took effect in 2005, states may not require victims of rape or sexual assault to submit to such exams. However, states must ensure that victims have access to exams free of charge or with a full reimbursement, even if the victim chooses not to file charges. That means a rape victim can — and should — see a doctor, preferably in a facility that collects useful evidence, following the call to the police, understanding that there will be no charge for the care.

Even with such incentive to collect evidence, receive appropriate care and eventually seek justice, many victims find the system overwhelming. The first obstacle is proximity.

“Right now, rape victims cannot go to [Southwest Medical Center] to have that exam,” said Kay Burtzloff, director of Seward County United Way, which funds the Liberal Area Rape Crisis/Domestic Violence Service. “The doctors and nurses have to be certified to use what is called the rape kit for the exam, and right now, we don’t have anyone certified to do that.”

The result? Rape victims must travel to Garden City for the evidence to be collected. Sometimes this requires a law enforcement officer to make the trip, if private transportation is not available.

Liberal Police Department Captain Patrick McClurg says it would “definitely be a lot nicer for everyone if we had those services available locally.” However, he added, in the 10 years that the sophisticated evidence-gathering kits have been used, traveling out of town “is just how it’s been. The same could be said of drug testing and special lab work and other services that we have to send out of town. You know, there’s only so much a community our size can do.”

McClurg is appreciative of the efforts by LARC/DVS employees to ease the process for the victims and local police officers.

“Any services provided to victims of crime, to help them in the aftermath and their feelings — those are good things,” McClurg said.

But in the aftermath of state funding cuts to many nonprofit agencies, victim advocacy has fallen on hard times. The local rape crisis center has had to trim back on paid staff, Burtzloff said, which means more volunteers are needed. And, unlike volunteering for a job with a fixed schedule and regular hours, victim advocates must be willing to drop everything and spring into action when the call comes.

Sometimes, there is no one available to go to the scene, provide emotional support for the victim, and ride along to the exam site.

“We wish we could just staff the LARC/DVS with enough people for this, but we need help,” she said. “Then, having to travel out of town for an exam on top of everything, well, I worry that many women will just skip that part of the process.”

Longtime LARC/DVS board member Bob Houck would like to address that step with trained local evidence-gatherers. A former hospital administrator, he is familiar with the complexity of getting something like rape-kit certification off the ground.

“I know we had talked about it years ago, and it’s hard,” he said. “What you’re looking at is the need to get nurses certified for all three shifts, and those have to be nurses who work in the emergency room. And you need doctors, too.”

The issue is not one of money, Houck noted, as much as it is a matter of scheduling and coordination.

“It might be connected to the fact that Liberal is, in many ways, a small town, and we have a fear of trauma,” he said.

Yet that fear has the potential to worsen the effects of crimes on those who have been victimized.

Burtzloff worries that rape victims, particularly those with inadequate support systems, will suffer the most from recent funding cuts.

“The poor, the uneducated, people new to the community — the people who have no political clout — they are the ones that take the brunt of cutbacks,” she said. “I see this issue as a moral obligation. We should take it seriously. These things happen to good people. We are all one bad accident from being in the same position.”

What is a ‘Rape Kit’?

A Sexual Assault Nurse Examiner (SANE) or forensic examiner who has received specialized

training performs the exam. Trained professionals are able to maintain chain of custody to assure that the evidence can be used in court. The contents of the evidence collection kit vary by state and jurisdiction. They may include:

- Instructions
- Bags and sheets for evidence collection
- Swabs
- Comb
- Envelopes

- Blood collection devices

- Documentation forms

The exam will most likely begin with the examiner obtaining a complete and thorough medical history from the victim. The medical forensic exam also involves a head to toe physical examination, which includes the genital area. This may also include:

- Collection of blood, urine, hair and other body secretion samples.

- Photo documentation.

- Collection of the victim's clothing, especially undergarments.

- Collection of any possible physical evidence that may have transferred onto the victim from the rape scene.

Once the examination is completed and all specimens are collected, they are carefully packaged and stored to assure that they are not contaminated. They are maintained under chain of custody until further action is taken.

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