

Boulder DA seeking return of sexual assault forensic exams to county

Victims have had to leave Boulder County for SANE exam for more than a decade

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Garnett

BOULDER -- Boulder County sexual assault victims cannot get specialized forensic examinations locally -- and haven't been able to do so for upward of a decade -- which police and prosecutors say can complicate investigations from the moment of reporting to presenting cases to juries.

Boulder District Attorney's Office prosecutors are leading an effort to get a program with certified nurses trained in the specialized evidence collection techniques back up and running in Boulder County. The exams, typically called "SANE exams" for the Sexual Assault Nurse Examiner certification, are only available at Medical Center of the Rockies in Loveland and St. Anthony Hospital in Denver for Boulder County victims.



Booth (.)

"That can be a real inconvenience for (victims), we can lose evidence, and some people decide not to report," said Boulder District Attorney Stan Garnett.

Garnett said Boulder County's old program for SANE-certified nurses was dismantled more than a decade ago when inconsistent funding and location logistics proved too complicated

to maintain. Hospitals don't maintain the funds to offer the exams, so grant funding, money from victim's compensation funds, volunteer hours, and in-kind donations were used.

Prosecutor Katharina Booth said Boulder County's initial program was launched when most SANE programs were in their infancy. She said new models have developed and may be a better fit for Boulder County.

"We are not serving the victims in Boulder the way we should be," Booth said. A recent victim was treated for traumatic physical injuries locally, but had to spend an hour in a police car to get the SANE exam. Booth said the hospitals serving Boulder County do a great job, but the distance is hard for many victims.

"I think it deters reporting and then ultimately it affects our ability to prosecute," she said.

The lack of SANE-certified nurses also has meant complicating the investigation and prosecution of local sexual assault cases because Boulder County juries expect forensic evidence, Garnett said.

"Boulder County juries expect this kind of evidence," Garnett said. "They expect us to have modern top-flight DNA forensic evidence."

He recalled a case where a young woman in Boulder woke with a man on top of her, suspected she had been sexually assaulted and sought help at Boulder Community Hospital, where she learned the exams were not available. She then went to the Boulder Police Department to report the suspected assault and a female officer went to a restroom with her and collected swabs of potential evidence that Garnett said was later pivotal in getting a conviction.

"That evidence ended up being critical," he said.

Longmont police Detective Stacey Graham said she likes the program at Medical Center of the Rockies, which is not terribly far from Longmont, but she wonders about the victims who simply walk away from ever reporting when they find out they cannot get the exam locally. She said she gets several victims a year who opt out of the travel for the exam and that other detectives are likely experiencing the same thing.

"Just in Longmont that is probably 10 victims a year," she said.

Forensic evidence isn't necessary for an arrest or prosecution in sexual assault cases, but it can help or even be the key. Garnett noted that the 1997 Susannah Chase murder case finally was prosecuted in 2009 after DNA evidence collected during the still-available SANE exams matched suspect Diego Alcalde, who was convicted and given a life sentence in the case.

Garnett said his office, police, sexual assault victim advocates and others interested in the issue of getting SANE exams returned to Boulder County met Thursday evening to start talks. He said he hopes that a program can be relaunched at Boulder Community Hospital as it expands its campus.

Graham noted that the exams require a dedicated space and specialized equipment that isn't common in an emergency room.

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