

**REQUEST FOR AGENDA PLACEMENT FORM**

**Submission Deadline - Tuesday, 12:00 PM before Court Dates**

SUBMITTED BY: CJO TODAY'S DATE: 10/08/2021

DEPARTMENT: CJO

SIGNATURE OF DEPARTMENT HEAD: \_\_\_\_\_

REQUESTED AGENDA DATE: 10/25/2021

**SPECIFIC AGENDA WORDING:**

Consideration of Appointments to the Johnson County Sexual Assault  
Response Team (SART)

COMMISSIONERS COURT

OCT 25 2021

Approved

**PERSON(S) TO PRESENT ITEM:**

Judge Harmon

**SUPPORT MATERIAL:** (Must enclose supporting documentation)

**TIME:** 10 min  
(Anticipated number of minutes needed to discuss item)

**ACTION ITEM:** ✓  
**WORKSHOP:**  
**CONSENT:**  
**EXECUTIVE:**

**STAFF NOTICE:**

**COUNTY ATTORNEY:**

**IT DEPARTMENT:**

**AUDITOR:**

**PURCHASING DEPARTMENT:**

**PERSONNEL:**

**PUBLIC WORKS:**

**BUDGET COORDINATOR:**

**OTHER:**

This Section to be completed by County Judge's Office

ASSIGNED AGENDA DATE: \_\_\_\_\_

REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE:

\_\_\_\_\_  
**COURT MEMBER APPROVAL:**

\_\_\_\_\_  
**DATE:**

## **Recommended Appointments – SART**

- 1. Chief Administrator – Brooke Vaughn**
- 2. Prosecutor – Erika Staif**
- 3. Sheriff Adam King**
- 4. Chief of Law Enforcement – Billy Cordell**
- 5. Nurse Examiner – Stephanie Beard**
- 6. Mental Health – Christina Cicconi, LMSW**

# SEXUAL ASSAULT RESPONSE TEAMS

SB 476, 87th Texas Legislative Session

With the passage of SB 476, the 87th Texas Legislature is requiring all Texas counties to form an adult Sexual Assault Response Team (SART) in an effort to create a statewide infrastructure of resources, awareness, connection, and coordination to address sex crimes locally.

Texas Local Government Code, Chapter 351, Subchapter J requires each commissioner's court of a county to establish an Adult Sexual Assault Response Team (SART). A SART is a formalized coordinated response to a sexual assault that allows multi-disciplinary professionals to coordinate and develop inter-agency responses to work together to address sexual assault by providing wrap-around support and communication.

*Counties smaller than 250,000 residents have the option of partnering with other nearby, small counties to form a regional SART. The commissioner's court must invite all statutory members that provide services within a county to participate.*

## WHO SERVES ON THE SART?

1. The Chief Administrator of a Sexual Assault Program that provides services within the county, or their designee;
2. A prosecutor with jurisdiction over adult sexual assault cases in the county;
3. The Sheriff of the county, or their designee;
4. The chief of the largest municipal law enforcement agency, if one exists, or their designee;
5. A Sexual Assault Nurse Examiner, Forensic Examiner that provides exams within the county, or if they do not exist, a representative from the largest healthcare provider in the county;
6. A mental or behavioral health provider within the county, or if they do not exist, a representative from the public health department; and
7. Other persons or professionals the SART considers necessary for the operation of the response team.  
*\*The professionals specifically named above are the minimum team membership required by law.*

## WHAT DOES THE SART HAVE TO DO?

- The response team must meet at least quarterly;
- No later than the 90th day after the last day of a regular legislative session, the SART must review and amend any response team protocols, forms, or guidelines required by Texas Local Government Code, Chapter 351, Subchapter J.
- Once the SART has selected their leadership, it must develop a written protocol for responding to adult survivors within the community.
- The SART must present a report to their Commissioners Court no later than December 1 of each odd-numbered year. That report must include a list of active members, a copy of their written protocol, and a summary of report numbers and case dispositions.

## OTHER SART DELIVERABLES

- Quarterly meetings
- Written inter agency protocol
- Cross training
- Evaluation/Case Reviews
- Biennial report of activities



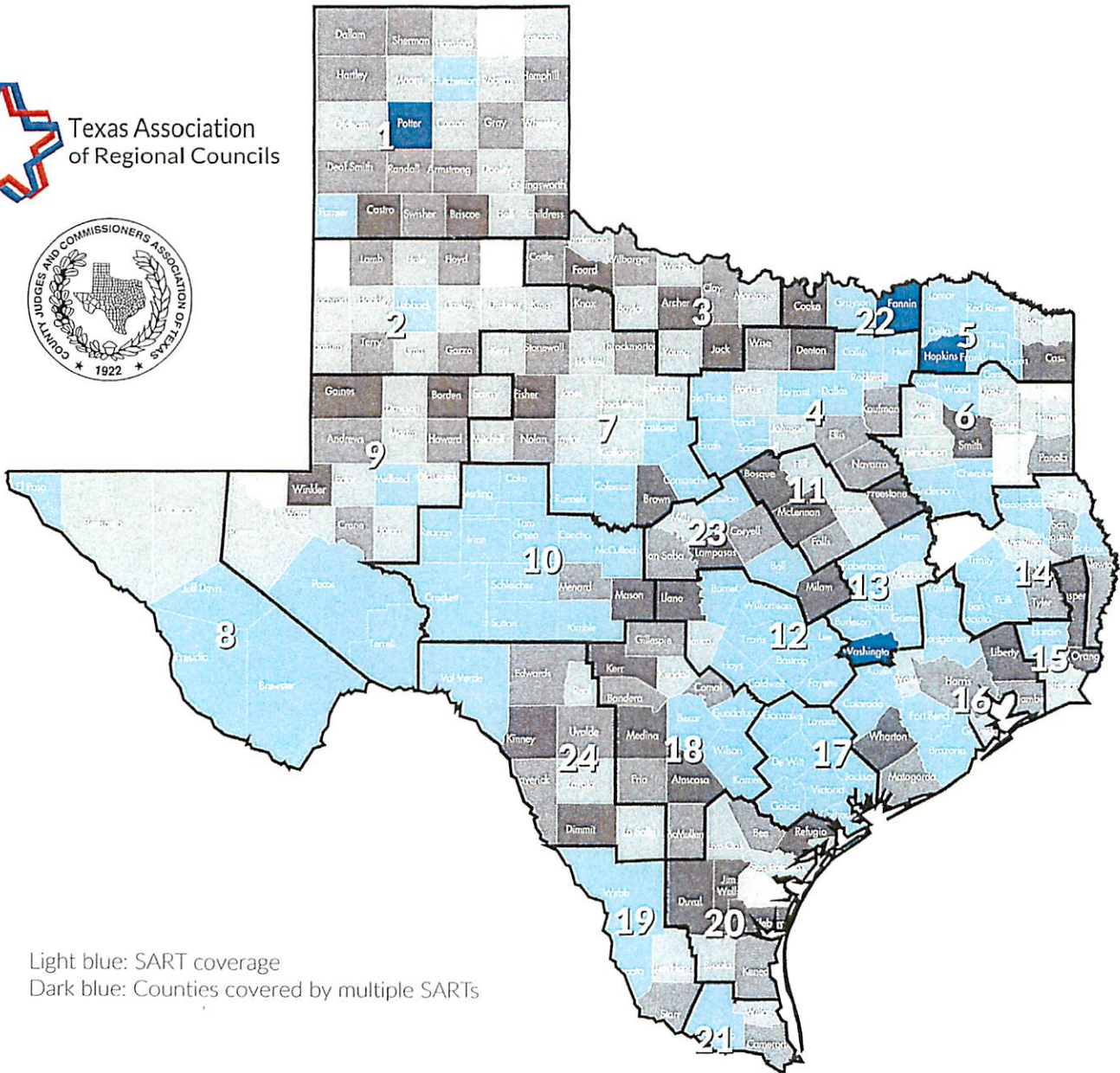
Texas Association  
of Regional Councils



# TEXAS REGIONAL COUNCILS OF GOVERNMENTS & LOCATIONS OF EXISTING SEXUAL ASSAULT RESPONSE TEAMS (SARTS)



Texas Association of Regional Councils



Light blue: SART coverage  
Dark blue: Counties covered by multiple SARTs

- |   |   |
|---|---|
| 1. Panhandle Regional Planning Commission     | 13. Brazos Valley Council of Governments          |
| 2. South Plains Association of Governments    | 14. Deep East Texas Council of Governments        |
| 3. Nortex Regional Planning Commission        | 15. South East Texas Regional Planning Commission |
| 4. North Central Texas Council of Governments | 16. Houston-Galveston Area Council                |
| 5. Ark-Tex Council of Governments             | 17. Golden Crescent Regional Planning Commission  |
| 6. East Texas Council of Governments          | 18. Alamo Area Council of Governments             |
| 7. West Central Texas Council of Governments  | 19. South Texas Development Council               |
| 8. Rio Grande Council of Governments          | 20. Coastal Bend Council of Governments           |
| 9. Permian Basin Regional Planning Commission | 21. Lower Rio Grande Valley Development Council   |
| 10. Concho Valley Council of Governments      | 22. Texoma Council of Governments                 |
| 11. Heart of Texas Council of Governments     | 23. Central Texas Council of Governments          |
| 12. Capital Area Council of Governments       | 24. Middle Rio Grande Development Council         |

EFFECTIVE - 09-01-2021

S.B. No. 476

1 AN ACT  
2 relating to establishment of county adult sexual assault response  
3 teams.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 351, Local Government Code, is amended  
6 by adding Subchapter J to read as follows:

7 SUBCHAPTER J. COUNTY ADULT SEXUAL ASSAULT RESPONSE TEAMS

8 Sec. 351.251. DEFINITIONS. In this subchapter:

9 (1) "Adult" means an individual who is not a child as  
10 defined by Section 101.003, Family Code.

11 (2) "Response team" means a multidisciplinary team  
12 established under this subchapter to strengthen the collaborative  
13 response and enhance health and judicial outcomes for sexual  
14 assault survivors who are adults.

15 (3) "Sexual assault program" means a program that:

16 (A) operates independently from a law  
17 enforcement agency or prosecutor's office;

18 (B) is operated by a local public or private  
19 nonprofit corporation either independently or as part of a  
20 municipal, county, or state agency; and

21 (C) provides the minimum services, as defined by  
22 Section 420.003, Government Code, to adult survivors of stranger  
23 and non-stranger sexual assault.

24 (4) "Survivor" means an individual who is a victim of a

1 sexual assault or other sex offense, regardless of whether a police  
2 report is filed for the incident.

3 Sec. 351.252. ESTABLISHMENT. (a) Except as provided by  
4 Subsection (b), the commissioners court of each county shall  
5 establish an adult sexual assault response team that includes the  
6 following members appointed by the commissioners court:

7 (1) the chief administrator, or the chief  
8 administrator's designee, of a sexual assault program that provides  
9 services for the county;

10 (2) a prosecutor with jurisdiction in the county over  
11 cases involving sexual assault committed against adults;

12 (3) the chief, or the chief's designee, of the  
13 municipal police department with the largest population in the  
14 county, provided a municipality in the county has a municipal  
15 police department;

16 (4) the sheriff or the sheriff's designee;

17 (5) either:

18 (A) a sexual assault nurse examiner or forensic  
19 examiner from a facility that conducts sexual assault forensic  
20 exams for the county; or

21 (B) a representative from the largest health care  
22 provider operating in the county if the county does not have a  
23 professional described by Paragraph (A);

24 (6) a behavioral health services provider operating in  
25 the county or, if the county does not have a behavioral health  
26 services provider, a representative from the county health  
27 department; and

1           (7) other persons the presiding officer of the  
2 response team considers necessary for the operation of the response  
3 team or as recommended by the response team.

4           (b) Two or more counties, each with a population of 250,000  
5 or less, within a contiguous area may partner to form a multicounty  
6 response team.

7           Sec. 351.253. PRESIDING OFFICER. The response team shall  
8 elect a presiding officer from among its members.

9           Sec. 351.254. MEETINGS. (a) A response team shall meet:

10           (1) at least quarterly at a time determined by the  
11 presiding officer;

12           (2) not later than the 90th day after the last day of a  
13 regular legislative session to review and amend as necessary any  
14 protocols, forms, or guidelines developed under this subchapter;  
15 and

16           (3) at any other time at the call of the presiding  
17 officer.

18           (b) If a response team member is unable to participate in a  
19 response team meeting, the member or entity the member is  
20 representing may designate another individual to represent the  
21 member or entity at the meeting. Each member or a designee of that  
22 member must participate in all response team meetings.

23           (c) A response team member must attend the quarterly  
24 meetings held as required under Subsection (a)(1) to participate in  
25 response team functions.

26           (d) A response team shall meet independently of a children's  
27 advocacy center multidisciplinary team described by Section

1 264.406, Family Code.

2 Sec. 351.255. VACANCIES. The commissioners court of a  
3 county shall fill a vacancy for a response team member not later  
4 than the 30th day after the date the vacancy occurs and in the same  
5 manner as the original appointment.

6 Sec. 351.256. ADULT SEXUAL ASSAULT RESPONSE PROTOCOL. (a)  
7 A response team shall develop a written protocol addressing the  
8 coordinated response for adult survivors in the county that  
9 includes:

10 (1) the procedures to be used in investigating and  
11 prosecuting cases arising from a report of sexual assault;

12 (2) interagency information sharing, in accordance  
13 with state and federal law, to ensure the timely exchange of  
14 relevant information and enhance the response to survivors;

15 (3) the location and accessibility of sexual assault  
16 forensic examinations;

17 (4) information on the availability of and access to  
18 medical care when the care is clinically indicated;

19 (5) a requirement to ensure survivors are offered  
20 access to sexual assault program advocates, as defined by Section  
21 420.003, Government Code;

22 (6) information on the availability of and access to  
23 mental and behavioral health services;

24 (7) a requirement to ensure that relevant law  
25 enforcement agencies notify survivors in a timely manner regarding  
26 the status of any criminal case and court proceeding;

27 (8) an assessment of relevant community trends,



1 including drug-facilitated sexual assault, the incidence of  
2 predatory date rape, and sex trafficking;

3 (9) a biennial evaluation through sexual assault case  
4 reviews of the effectiveness of individual agency and interagency  
5 protocols and systems;

6 (10) at least four hours of annual cross-agency  
7 training on the dynamics of sexual assault for response team  
8 members participating in the quarterly meetings as required by  
9 Section 351.254(c); and

10 (11) procedures for addressing conflicts within the  
11 response team and for maintaining the confidentiality of  
12 information shared among response team members as required by law.

13 (b) In developing a protocol under this section, the  
14 response team:

15 (1) shall consider Chapter 56A, Code of Criminal  
16 Procedure;

17 (2) may provide different procedures for use within a  
18 particular municipality or area of the county served by the  
19 response team; and

20 (3) shall prioritize the health and safety of  
21 survivors.

22 (c) The purpose of the protocol developed under this section  
23 is to ensure coordination between all agencies involved in sexual  
24 assault cases to increase the efficacy of response and to minimize  
25 survivor traumatization. The response team shall provide the  
26 protocol to each agency in the county that responds to disclosures  
27 of sexual assault.

1        (d) Failure to follow a protocol developed under this  
2 section does not:

3            (1) constitute the basis for a claim or defense to a  
4 civil or criminal action; or

5            (2) preclude the admissibility of evidence.

6        Sec. 351.257. REPORT. Not later than December 1 of each  
7 odd-numbered year, a response team shall provide to the  
8 commissioners court of each county the response team serves a  
9 report that includes:

10           (1) a list of response team members able to  
11 participate in the quarterly meetings required by Section  
12 351.254(c);

13           (2) a copy of the written protocol developed under  
14 Section 351.256; and

15           (3) either:

16                   (A) a biennial summary detailing:

17                           (i) the number of sexual assault reports  
18 received by local law enforcement agencies;

19                           (ii) the number of investigations conducted  
20 as a result of those reports;

21                           (iii) the number of indictments presented  
22 in connection with a report and the disposition of those cases; and

23                           (iv) the number of reports of sexual  
24 assault for which no indictment was presented; or

25                   (B) an explanation of the reason the response  
26 team failed to provide the information described by Paragraph (A).

27        Sec. 351.258. MEETINGS AND RECORDS; CONFIDENTIALITY. (a)

1 A response team meeting is not subject to Chapter 551, Government  
2 Code.

3 (b) This section does not prohibit a response team from  
4 requesting or allowing the attendance of a person who is not a  
5 response team member at a response team meeting.

6 (c) Information and records acquired by a response team in  
7 the exercise of its purpose and duties under this subchapter are  
8 confidential and not subject to disclosure under Chapter 552,  
9 Government Code, and may only be disclosed as necessary to  
10 implement the response team's purpose and duties.

11 (d) A report or a statistical compilation of data reports  
12 created by the response team is public information subject to  
13 Chapter 552, Government Code, provided the report or compilation  
14 does not contain any personally identifiable information.

15 (e) Information, documents, and records of the response  
16 team that are confidential under this section are not subject to  
17 subpoena or discovery and may not be introduced into evidence in any  
18 civil, criminal, or administrative proceeding, except that  
19 information, documents, and records otherwise available from other  
20 sources are not immune from subpoena, discovery, or introduction  
21 into evidence solely because that information or those documents or  
22 records were presented during a response team meeting or maintained  
23 by the response team.

24 (f) A response team may only review a sexual assault case of  
25 an adult survivor with the signed, written consent of the survivor.  
26 The consent must specify:

27 (1) the information or records covered by the release;

- 1           (2) the reason or purpose for the release; and  
2           (3) the person or agency to which the information is to  
3 be released.

4           SECTION 2. (a) Not later than December 1, 2021, the  
5 commissioners court of each county shall appoint the members to and  
6 call the first meeting of the county's adult sexual assault  
7 response team in accordance with Subchapter J, Chapter 351, Local  
8 Government Code, as added by this Act. At the first meeting of each  
9 adult sexual assault response team, the members of the team shall  
10 appoint the initial presiding officer.

11           (b) Not later than December 1, 2022, each adult sexual  
12 assault response team shall develop a written protocol as required  
13 by Section 351.256, Local Government Code, as added by this Act.

14           SECTION 3. This Act takes effect September 1, 2021.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 476 passed the Senate on April 19, 2021, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2021, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 476 passed the House, with amendment, on May 23, 2021, by the following vote: Yeas 121, Nays 24, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor