



GOVERNOR'S OFFICE OF EMERGENCY SERVICES LAW ENFORCEMENT AND VICTIM SERVICES DIVISION



SERVICE STANDARDS FOR THE OPERATIONS OF RAPE CRISIS CENTERS (7/1/07)

These service components are central to the operations of rape crisis centers and to the rights and needs of rape/sexual assault victims. Although each service is represented as a distinct set of activities, there is considerable overlap and inter-dependency between services. In the following discussion, a service standard that is the **minimum level** of adequate service is established.

With the exception of compliance to mandatory reporting laws as they pertain to child abuse, dependent adult and elder abuse, or cases involving the potential of great bodily harm to oneself or others, centers must guarantee confidentiality to all clients. The sole source of information regarding clients must be the client her/himself. Centers should have the client sign a waiver in the event the client wishes to allow their case to be discussed with any individual not employed by the center.

A. **SERVICES** - The goal of intervention is to reduce the level of trauma experienced as a result of a sexual assault by assisting victims in strengthening their coping skills through empathetic response and support during all initial and subsequent contacts.

1. **Crisis Intervention Services** - The provision of initial services to sexual assault victims.

Service Standard

- a. Centers must maintain a 24-hour, seven day-a-week telephone line using the services of an answering service and/or a call forwarding system. The purpose of this service is to provide crisis intervention services for victims of sexual assault, family or friends, and to receive referrals from law enforcement, hospitals, and community agencies. The crisis line must be staffed at all times by staff or volunteers who are trained to provide crisis intervention and information and referral to victims of sexual assault.
- b. A trained staff member or volunteer must be immediately accessible to callers on a 24-hour basis. Immediately accessible means a waiting period not to exceed 10 minutes. Availability of an answering service to take messages is not considered full coverage and does not meet the minimum criteria.
- c. A trained staff member or volunteer is defined as an individual who has successfully completed a minimum of 40 hours of training pursuant to Evidence Code Section 1035.2 (Appendix 1), and participates in continuing education programs.
 - 1) Centers must provide a minimum of 40 hours of training to staff, volunteers and supervisors in order to meet the statutory requirements for client confidentiality. Centers must issue a Certificate of Completion of Sexual Assault Counselor Training to qualified sexual assault counselors and maintain a copy of the Certificate in the counselor's personnel file with course agenda attached.
 - 2) The training curriculum must include, but is not limited to, the following subject areas: Rape Trauma Syndrome; child sexual abuse; crisis intervention principles and techniques; medical, law enforcement, criminal justice/legal procedures; mandated reporting laws; confidentiality; referral methods and resources; historical, psychological, and socio-cultural aspects of sexual assault; and the provision of services directed toward groups that have experienced discrimination. All subject areas are to be specific to sexual assault victims.
 - 3) A training manual must be developed and provided to each staff member and volunteer staffing the crisis line. The manual must cover the training curriculum listed above and must include policies and procedures for volunteers. (See Section G. 2.)

SERVICE STANDARDS FOR THE OPERATIONS OF RAPE CRISIS CENTERS (cont'd)

- 4) Sexual assault counselors must participate in 12 hours of continuing education each year. No more than 4 hours may be self-study (e.g. reading assignment, approved educational video). The remaining 8 hours must be participatory (e.g. trainings conducted by the RCC, case management, workshops focusing on sexual assault issues, teleconference trainings, educational conference calls) and focus on sexual assault and/or issues that arise during provision of sexual assault services. Sexual assault counselor's personnel files must include documentation to support attendance at 12 hours of continuing education training including, at a minimum, training dates, time, topic and location. Conference agendas and supporting documentation should be included when available.
 - d. Adequate supervision of volunteers is essential in order to ensure consistent quality of services. The staff of the center must supervise volunteers. This must include a system that requires contact between staff and volunteers within the time frame outlined in the volunteer policies of the individual agency. The purpose of the contact is to report having received a crisis call and to discuss actions taken or methods of proceeding.
 - e. Staff and volunteers handle initial client contacts, provide immediate crisis intervention, follow-up contact, and in-person counseling in order to ensure consistent services. If the center does not provide long-term counseling services, the case must be referred to a qualified professional with expertise in sexual assault counseling depending on the needs of the victim. (B.1. and 4.)
 - f. At a minimum, centers must serve the same number of sexual assault victims as there are cases of forcible rape (Penal Code [P.C.] Section 261) reported to law enforcement agencies within the center's service area during the grant year. Sexual assault includes, but is not limited to the following violations listed in the California P.C.: rape; unlawful intercourse; gang rape; rape by foreign object; spousal rape; attempted rape; assault with intent to rape; sexual battery; oral copulation; sodomy; incest; annoying or molesting a child; lewd or lascivious conduct with a child; and unlawful sexual intercourse, oral copulation or sodomy when consent is procured by fear or fraudulent representation with intent to create fear.
 - g. Business Hours - P.C. Section 13837 (Appendix B) requires centers to maintain regular business hours.
 - 1) All rape crisis centers must maintain "normal business hours." This means center offices must be open to the public Monday through Friday for a continuous 8 hour period that occurs between 8:00 a.m. and 5:00 p.m. with the only exception being closure during the lunch hour.
 - 2) All rape crisis centers must make every possible effort to have staff in the office to respond to telephone inquiries, drop-in clients or members of the public during their established business hours.
 - 3) Rape crisis centers with a full-time office worker/secretary/clerical position must have staff in their office at all times during their business hours.
2. **Follow-up Counseling Services** - Client contact made either by telephone or in-person immediately after the initial crisis and/or subsequently thereafter in order to meet the immediate and on-going needs of the client, ensure the continuity of services, and/or to offer and arrange a referral related to the client's needs.

Service Standard

- a. Centers must offer to contact all clients within 3 working days after providing crisis intervention services and shall do so when appropriate and/or according to the needs of the client.
- b. A minimum of 45 % of clients receiving crisis intervention services must receive follow-up counseling services. An attempt to provide this service for each client is required.
- c. Centers must establish intervals during which staff or volunteers will attempt to contact all clients after the initial provision of crisis intervention and initial follow-up contact.
- d. Follow-up counseling also means that centers must perform periodic assessments of each client's needs. The frequency of such assessment must be based upon the severity and characteristics of each individual case. Counseling intervention plans must be modified according to the assessment results.

SERVICE STANDARDS FOR THE OPERATIONS OF RAPE CRISIS CENTERS (cont'd)

3. **Short-term In-person Counseling Services** - The provision of one-to-one, face-to-face counseling services for up to 10 weeks from the first counseling session.

Service Standard

- a. In addition to the provision of telephone counseling, centers must provide one-to-one, face-to-face, short-term counseling services. The service provider must be a trained staff member or volunteer who has received a minimum level of training and supervision. (A. 1. c. and 1. d.)
 - b. All sexual assault victims who contact the center's crisis telephone, business office telephone, or business office must be offered in-person counseling services when indicated by their needs.
4. **Long-term In-person Counseling Services** - The provision of one-to-one, face-to-face, counseling services provided for longer than 10 weeks by non-licensed, peer counsel counselors, *licensed therapists, interns or trainees*.

Service Standard

- a. Centers must make long-term counseling services available. This means to provide the service or to make arrangements through other agencies or individuals.
 - b. Centers that offer long-term counseling services must provide counselors who have a minimum of two years of supervised counseling experience, at least one of which is in rape crisis counseling, or have 40 hours of training and be supervised by a person with the experience described above; or, be a licensed therapist, *intern or trainee with expertise in sexual assault counseling*.
 - c. A written consent for treatment should be signed by clients prior to provision of long-term counseling services.
 - d. Referral resources for long-term counseling services must be selected by center staff. The screening and selection process must include personal interviews. Letters of agreement must be developed between the center and these resources that clearly delineate expectations and services of the parties involved.
 - e. When clients are referred out of the agency for long-term counseling, a minimum of 3 choices must be provided. Of these, only one can be staff, an active board member, or a volunteer of the center.
5. **Long-term Therapy Services** - The provision of or referral to services provided by licensed therapists or supervised clinical interns with expertise in sexual assault counseling.

Service Standard

- a. Centers must make long-term therapy services available. This means to provide the service or to make arrangements through other agencies or individuals.
- b. A written consent for treatment should be signed by clients prior to the provision of long-term therapy.
- c. Referral resources for long-term therapy services must be selected by center staff. The screening and selection process must include personal interviews of the referral resources. Letters of agreement must be developed between the center and these resources that clearly delineate the expectations and services of the parties involved.
- d. When clients are referred to private therapists, a minimum of 3 choices must be provided. Of these, only one can be staff, an active board member, or a volunteer of the center.

SERVICE STANDARDS FOR THE OPERATIONS OF RAPE CRISIS CENTERS (cont'd)

6. **Support Groups** - Facilitated group of sexual assault survivors to offer information and mutual support.

Service Standard

- a. Centers must provide for the availability of support groups. This means to provide the service or to make arrangements for the provision of these groups through other agencies or individuals.
- b. If the service is provided by the center, the facilitator must be a trained staff member or volunteer who has received the minimum 40-hour training, or is a licensed therapist with expertise in sexual assault treatment, and who receives a minimum level of supervision, and has training and experience in facilitating a support group.
- c. Referral resources for the provision of support groups must be selected by staff of the center. The screening and selection process must include personal interviews of the referral resource. Formal letters of agreement must be developed between the center and these resources which clearly delineate the expectations and services of the parties involved, including training, and must be signed by representatives of both parties. Centers must evaluate the quality of services provided by referral resources on an annual basis.

7. **Accompaniment Services** - Escorting or meeting face-to-face with sexual assault clients at appropriate places of their choice.

Service Standard

- a. Centers must provide for the availability of accompaniment services. This means to provide the service or to make arrangements through other agencies or organizations to provide accompaniment. These services must be available on a 24-hour basis.
- b. Accompaniment services must be provided for sexual assault victims to hospitals, law enforcement agencies, district attorney's offices, court proceedings, and other agencies or locations according to the needs of the client.
- c. Staff or volunteers providing this service must have completed the 40-hour training program and must participate in continuing education programs.
- d. Centers that refer to other agencies for provision of accompaniment services must develop a formal letter of agreement with those agencies. The letter must clearly delineate the expectations of each party, including training, and be signed by representatives of both agencies. Centers must evaluate the quality of services provided by referral resources on an annual basis.
- e. Clients receiving crisis intervention services must be offered accompaniment services when indicated by the needs of that client.

8. **Advocacy Services** - The process by which rape crisis counselors intervene with other agencies or individuals on behalf of sexual assault victims to achieve a particular goal or result desired by that victim.

Service Standard

- a. Centers must provide for the availability of advocacy services. This means to provide the service or to make arrangements through other agencies or organizations to provide advocacy. These services must be available on a 24-hour basis.
- b. Advocacy services must be provided for sexual assault victims with hospitals, law enforcement agencies, district attorney's offices, court proceedings, and other agencies or locations according to the needs of the client.
- c. Staff or volunteers providing this service must have completed the 40-hour training program and must participate in continuing education programs.

SERVICE STANDARDS FOR THE OPERATIONS OF RAPE CRISIS CENTERS (cont'd)

- d. Centers that refer to other agencies for the provision of advocacy services must develop a formal letter of agreement with those agencies. The letter must clearly delineate the expectations of each party, including training, and be signed by representatives of both agencies. Centers must evaluate the quality of services provided by referral resources on an annual basis.
- e. Clients receiving crisis intervention services must be offered advocacy services when indicated by the needs of that client.

9. **Information and Referral Services** – The provision of sexual assault-related information and/or referrals regarding community resources.

Service Standard

- a. Centers must respond to requests for information from the general public, as well as from persons receiving services, and must provide referrals to community resources.
- b. A referral resources list must be developed, maintained, and regularly updated which includes the following: law enforcement agencies, district and city attorney's offices, medical care providers, mental health treatment facilities, county departments of social services, child protective services, rape crisis centers, domestic violence centers, child sexual abuse treatment programs, victim/witness assistance centers, and a list of licensed therapists with knowledge and expertise in the area of sexual assault.
- c. Referral resources for treatment must be selected by staff of the center. The screening and selection process must include personal *or telephone* interviews of the referral resources. When appropriate, letters of agreement should be developed between the centers and these resources which clearly delineate the expectations and services of the parties involved, including training, and should be signed by representatives of both agencies.

10. **Community Education Programs**

Service Standard

- a. Centers must provide community outreach and education programs.
- b. Community outreach includes, but is not limited to, efforts made through public speaking engagements, and use of the real time educational instruction to inform the community about the services and operations of the center, and/or information regarding sexual assault.
- c. A community education program means a program, workshop, seminar or real time educational instruction (e.g., in-person via teleconferencing or web conferencing) in which information is provided regarding sexual assault.
- d. Community education programs must be presented by certified sexual assault counselors, as described in Section A.1.c and P.C. Section 1035.2 (Appendix A).

B. **AGENCY COORDINATION** - Centers must establish themselves as active participants in local public and private service networks in order to provide for timely and comprehensive responses to sexual assault victim's needs.

Service Standard

- 1. Centers must develop and maintain cross-referral arrangements between local hospitals, law enforcement agencies, district attorney's office, victim/witness assistance centers, social service providers and other community agencies, such as treatment providers. This must be documented by a formal letter of agreement regarding cross-referrals, clearly delineating the expectations of each party, including training, and signed by representatives of both agencies.
- 2. The center must regularly provide training and receive training from the above-described agencies.

SERVICE STANDARDS FOR THE OPERATIONS OF RAPE CRISIS CENTERS (cont'd)

3. Centers must directly assist, or must refer clients to victim/witness assistance centers or private attorneys for assistance in the preparation of victim compensation claims for submission to the Victim Compensation and Government Claims Board.
4. Centers must participate in regularly-scheduled (quarterly, at a minimum) multi-disciplinary meetings to develop or enhance multi-disciplinary sexual assault response team (SART) efforts in their local service area. The purpose of these meetings is to implement a comprehensive, sensitive, coordinated system of intervention and care for sexual assault victims. The primary partners of the SART team should include, but are not limited to: rape crisis centers, local law enforcement, District Attorney's office, crime laboratory, sexual assault forensic medical examination team(s), county victim/witness assistance center, and representatives of local medical site(s) at which forensic sexual assault examinations are conducted.
5. Centers must participate in regularly-scheduled (quarterly, at a minimum) multi-disciplinary meetings to develop or enhance sexual assault response team (SART) efforts in their local service area. The purpose of these meetings is to implement a comprehensive, sensitive, coordinated system of intervention and care for sexual assault victims. The primary partners of the SART team should include, but are not limited to: rape crisis centers, local law enforcement, District Attorney's office, crime laboratory, sexual assault forensic medical examination team(s), county victim/witness assistance center, and representatives of local medical site(s) at which forensic sexual assault examinations are conducted.

- C. HUMAN RELATIONS TRAINING** - Centers must provide training to all staff and volunteers on a yearly basis on providing services directed toward groups that have experienced discrimination and prejudice. This is in addition to the 40-hour training listed in Section A.1.c.

Service Standard

1. This training must focus on educating staff and volunteers regarding groups that have experienced prejudice and discrimination on the basis of race, sex, age, class, religious belief, disability, or sexual orientation and the effect of these practices on service delivery for victims of sexual assault. This training must emphasize the correlation between oppression of any group in our culture and the dynamics of sexual assault.
2. Training must be provided by persons who have expertise in the subject area.

- D. INCLUSION OF MINORITY GROUPS IN SERVICES AND OPERATIONS**

Service Standard

Centers must include members of minority groups in their services and operations. This means:

1. Recruitment that is directed to all minority groups in the service area.
2. Centers must make every attempt to provide services to members of minority groups that are proportionate to the demographic characteristics of the service area. These services must be culturally appropriate.
3. The composition of the agency's staff, and of their volunteers, must be made up of individuals who proportionately represent the ethnic/racial demographic characteristics of the service area. If this is not possible, documentation must be maintained which reflects the good faith efforts of the agency to achieve this goal. "Good faith efforts" should include, but are not be limited to, the following:
 - a. Evidence of a plan adopted by the governing board to meet the recruitment criteria;
 - b. Evidence of recruitment efforts in ethnic newspapers and newspapers of general circulation;
 - c. Evidence or documentation of outreach to local leaders and community groups;
 - d. Outreach to business and professional organizations; and
 - e. Outreach to local colleges and universities.
4. Centers must provide culturally and ethnically relevant materials for outreach and community education efforts
5. Centers must provide education programs in the predominant language(s) of the community.

SERVICE STANDARDS FOR THE OPERATIONS OF RAPE CRISIS CENTERS (cont'd)

E. **ADMINISTRATION**

1. **Paid Staff**

Service Standard

- a. The minimum number of initial training hours that must be provided for paid staff is 40 hours.
- b. The training curriculum must include, but is not limited to, the following subject areas: Rape Trauma Syndrome; child sexual abuse; crisis intervention principles and techniques; medical, law enforcement, and criminal justice/legal procedures; mandated reporting laws; confidentiality; referral methods and resources; historical, psychological, and socio-cultural aspects of sexual assault; training on providing services directed toward groups that have experienced discrimination; and training pertinent to specific staff assignments. The above subject areas are to be specific to sexual assault victims.
- c. In addition to the initial 40-hour training program, staff must be offered ongoing, culturally appropriate training to keep them abreast of current developments and trends in the field of sexual assault.
- d. Each new staff person must receive an orientation to the agency that must include, but not be limited to, a job description, personnel policies, and training requirements.

2. **Volunteer Staff**

Service Standard

Centers must maintain up-to-date volunteer policies that include, at a minimum, policies for: leave; attendance at continuing education programs; time commitments; confidentiality; travel expense reimbursement; and regular volunteer evaluations. Acknowledgment of receipt and understanding of these policies must be documented by the volunteer's signature.

3. **Volunteer Board of Directors**

Service Standard

- a. The board must be made up of individuals who proportionately represent the ethnic/racial demographic characteristics of the service area. If this is not possible, documentation must be maintained that reflects the good faith efforts of the agency to achieve this goal. "Good faith efforts" should include, but are not be limited to, the following:
 - 1) Evidence of a plan adopted by the governing board to meet the recruitment criteria;
 - 2) Evidence of recruitment efforts in ethnic newspapers and newspapers of general circulation;
 - 3) Evidence or documentation of outreach to local leaders and community groups;
 - 4) Outreach to business and professional organizations; and
 - 5) Outreach to local colleges and universities.
- b. A formal selection process must be established for board members.
- c. Directors must be provided with training to include such topics as: history and goals of the organization; information about funding sources; general expectations; board member responsibilities including fund-raising; copies of bylaws, articles of incorporation, and personnel policies.

F. **INTERNAL MANAGEMENT**

Service Standard

Centers must develop adequate policies and procedures to protect the agency from legal liability.

1. Centers must maintain and follow up-to-date bylaws.

SERVICE STANDARDS FOR THE OPERATIONS OF RAPE CRISIS CENTERS (cont'd)

2. Centers must maintain up-to-date personnel policies designed to protect the rights of staff and management. These policies must, at a minimum, include grievance procedures for both staff and executive directors; leave policies; work hour and benefit policies; regular staff evaluations, policies for setting salaries and salary increases and policies for nondiscrimination.
3. Centers must maintain functional time sheets and personnel files. Functional time sheets mean records that reflect the actual hours spent on each project according to funding source.
4. Centers must maintain records to substantiate the number of clients served, the number of prevention and educational programs provided and the number of attendees.
5. Centers must have regularly scheduled staff meetings to discuss agency business, which includes but is not limited to information about funding sources and national, statewide, and local coalitions for rape crisis centers.
6. Centers must conform to Generally Accepted Accounting Principles (GAAP).

CALIFORNIA EVIDENCE CODE

Evidence Code Section 1035.2 – “Sexual Assault Victim Counselor” Defined

As used in this article, “sexual assault victim counselor” means any of the following:

- (a) A person who is engaged in any office, hospital, institution, or center commonly known as a rape crisis center, whose primary purpose is the rendering of advice or assistance to victims of sexual assault and who has received a certificate evidencing completion of a training program in the counseling of sexual assault victims issued by a counseling center that meets the criteria for the award of a grant established pursuant to Section 13837 of the Penal Code and who meets one of the following requirements:
 - (1) Is a psychotherapist as defined in Section 1010; has a master’s degree in counseling or a related field; or has one year of counseling experience, at least six months of which is in rape crisis counseling.
 - (2) Has 40 hours of training as described below and is supervised by an individual who qualifies as a counselor under paragraph (1). The training, supervised by a person qualified under paragraph (1), shall include, but not be limited to, the following areas: law, medicine, societal attitudes, crisis intervention and counseling techniques, role playing, referral services, and sexuality.

- (b) A person who is employed by any organization providing the programs specified in Section 13835.2 of the Penal Code, whether financially compensated or not, for the purpose of counseling and assisting sexual assault victims, and who meets one of the following requirements:
 - (1) Is a psychotherapist as defined in Section 1010; has a master’s degree in counseling or a related field; or has one year of counseling experience, at least six months of which is in rape assault counseling.
 - (2) Has the minimum training for sexual assault counseling required by guidelines established by the employing agency pursuant to subdivision (c) of Section 13835.10 of the Penal Code, and is supervised by an individual who qualifies as a counselor under paragraph (1). The training, supervised by a person qualified under paragraph (1), shall include, but not be limited to, the following areas: law, victimology, counseling techniques, client and system advocacy, and referral services.

Evidence Code Section 1035.4 “Confidential Communication Between Sexual Assault Counselor and Victim” Defined

As used in this article, “confidential communication between the sexual assault counselor and the victim” means information transmitted between the victim and the sexual assault counselor in the course of their relationship and in confidence by a means which, so far as the victim is aware, discloses the information to no third persons other than those who are present to further the interests of the victim in the consultation or those to whom disclosures are reasonably necessary for the transmission of the information or an accomplishment of the purposes for which the sexual assault counselor is consulted. The term includes all information regarding the facts and circumstances involving the alleged sexual assault and also includes all information regarding the victim’s prior or subsequent sexual conduct, and opinions regarding the victim’s sexual conduct or reputation in sexual matters.

The court may compel disclosure of information received by the sexual assault counselor which constitutes relevant evidence of the facts and circumstances involving an alleged sexual assault about which the victim is complaining and which is the subject of a criminal proceeding if the court determines that the probative value outweighs the effect on the victim, the treatment relationship, and the treatment services if disclosure is compelled.

When a court is ruling on a claim of privilege under this article, the court may require the person from whom disclosure is sought or the person authorized to claim the privilege, or both, to disclose the information in chambers out the presence and hearing of all persons except the person authorized to claim the privilege and such other persons as the person authorized to claim the privilege is willing to have present. If the judge determines that the information is privileged and must not be disclosed, neither he or she nor any other person may ever disclose, without the consent of a person authorized to permit disclosure, what was disclosed in the course of the proceedings in chambers.

If the court determines certain information shall be disclosed, the court shall so order and inform the defendant. If the court finds there is a reasonable likelihood that particular information is subject to disclosure pursuant to the balancing test provided in this section, the following procedure shall be followed:

- (1) The court shall inform the defendant of the nature of the information, which may be subject to disclosure.
- (2) The court shall order a hearing out of the presence of the jury, if any, and the hearing allow the questioning of the sexual assault counselor regarding the information which the court has determined may be subject to disclosure.
- (3) At the conclusion of the hearing, the court shall rule which items of information, if any, shall be disclosed. The court may make an order stating what evidence may be introduced by the defendant and the nature of questions to be permitted. The defendant may then offer evidence pursuant to the order of the court. Admission of evidence concerning the sexual conduct of the complaining witness is subject to Sections 352, 782, and 1103.

Evidence Code Section 1035.6 “Holder of the Privilege” Defined

As used in this article, “holder of the privilege” means:

- (a) The victim when such person has no guardian or conservator.
- (b) A guardian or conservator of the victim when the victim has a guardian or conservator.
- (c) The personal representative of the victim if the victim is dead.

Evidence Code Section 1035.8 When Privilege to Refuse to Disclose Confidential Communication May Be Claimed

A victim of a sexual assault, whether or not a party, has a privilege to refuse to disclose, and to prevent another from disclosing, a confidential communication between the victim and a sexual assault victim counselor if the privilege is claimed by:

- (a) The holder of the privilege;
- (b) A person who is authorized to claim the privilege by the holder of the privilege; or
- (c) The person who was the sexual assault victim counselor at the time of the confidential communication, but such person may not claim the privilege if there is no holder of the privilege in existence or if he is otherwise instructed by a person authorized to permit disclosure.

Evidence Code Section 1036 When Counselor Shall Claim Privilege

The sexual assault victim counselor who received or made a communication subject to the privilege under this article shall claim the privilege whenever he is present when the communication is sought to be disclosed and is authorized to claim the privilege under subdivision (c) Section 1035.8.

Evidence Code Section 1036.2 “Sexual Assault” Defined

As used in this article, “sexual assault” includes all of the following:

- (a) Rape, as defined in Section 261 of the Penal Code.
- (b) Unlawful sexual intercourse, as defined in Section 261.5 of the Penal Code.
- (c) Rape in concert with force and violence, as defined in Section 264.1 of the Penal Code.
- (d) Rape of a spouse, as defined in Section 262 of the Penal Code.
- (e) Sodomy, as defined in Section 262 of the Penal Code, except a violation of subdivision (e) of that section.
- (f) A violation of Section 288 of the Penal Code.
- (g) Oral copulation, as defined in Section 288a of the Penal Code, except a violation of subdivision (e) of that section.
- (h) Penetration of the genital or anal opening of another person with a foreign object, substance, instrument, or device, as specified in Section 289 of the Penal Code.
- (i) Annoying or molesting a child under 18, as defined in Section 647a of the Penal Code.
- (j) Any attempt to commit any of the above acts.

CALIFORNIA PENAL CODE

Penal Code Section 13836 – Advisory Committee; Duties; Sex Crime Prosecution Units

The Office of Criminal Justice Planning shall establish an advisory committee, which shall develop a course of training for district attorneys in the investigation and prosecution of sexual assault cases, child sexual exploitation cases, and child sexual abuse cases and shall approve grants awarded pursuant to Section 13837. The courses shall include training in the unique emotional trauma experienced by victims of these crimes.

It is the intent of the Legislature in the enactment of this chapter to encourage the establishment of sex crime prosecution units, which shall include, but not be limited to, child sexual exploitation and child sexual abuse cases, in district attorneys' offices throughout the state.

Penal Code Section 13836.1 – Members of Advisory Committee; Compensation; Expenses

Such committee shall consist of 11 members. Five shall be appointed by the executive director of the Office of Criminal Justice Planning, and shall include three district attorneys or assistant or deputy district attorneys, one representative of a city police department or a sheriff or a representative of a sheriff's department, and one public defender or assistant or deputy public defender of a county. Six shall be public members appointed by the Commission on the Status of Women, and shall include one representative of a rape crisis center, and one medical professional experienced in dealing with sexual assault trauma victims. The committee members shall represent the points of view of diverse ethnic and language groups.

Members of the committee shall receive no compensation for their services but shall be reimbursed for their expenses actually and necessarily incurred by them in the performance of their duties. Staff support for the committee shall be provided by the Office of Criminal Justice Planning.

Penal Code Section 13837 – Rape Victim Counseling Centers

13837. (a) The OES shall provide grants to proposed and existing child sexual exploitation and child sexual abuse victim counseling centers and prevention programs. Grant recipients shall provide appropriate in-person counseling and referral services during normal business hours, and maintain other standards or services which shall be determined to be appropriate by the advisory committee established pursuant to Section 13836 as grant conditions. The advisory committee shall identify the criteria to be utilized in awarding the grants provided by this chapter before any funds are allocated.

In order to be eligible for funding pursuant to this chapter, the centers shall demonstrate an ability to receive and make use of any funds available from governmental, voluntary, philanthropic, or other sources which may be used to augment any state funds appropriated for purposes of this chapter. Each center receiving funds pursuant to this chapter shall make every attempt to qualify for any available federal funding.

State funds provided to establish centers shall be utilized when possible, as determined by the advisory committee, to expand the program and shall not be expended to reduce fiscal support from other public or private sources. The centers shall maintain quarterly and final fiscal reports in a form to be prescribed by the administering agency. In granting funds, the advisory committee shall give priority to centers which are operated in close proximity to medical treatment facilities.

(b) (1) It is the intent of the Legislature that a goal or purpose of the OES shall be to ensure that all victims of sexual assault and rape receive comprehensive, quality services, and to decrease the incidence of sexual assault through school and community education and prevention programs.

(2) The OES and the advisory committee established pursuant to Section 13836 shall collaboratively administer sexual assault/rape crisis center victim services programs and provide grants to proposed and existing sexual assault services programs (SASPs) operating local rape victim centers and prevention programs. All SASPs shall provide the services in subparagraphs (A) to (G), inclusive, and to the extent federal funding is made available, shall also provide the service described in subparagraph (H). The OES shall provide financial and technical assistance to SASPs in implementing the following services:

- (A) Crisis intervention, 24 hours per day, seven days per week.
- (B) Followup counseling services.
- (C) In-person counseling, including group counseling.
- (D) Accompaniment services.
- (E) Advocacy services.
- (F) Information and referrals to victims and the general public.
- (G) Community education presentations.
- (H) Rape prevention presentations and self-defense programs.

(3) The funding process for distributing grant awards to SASPs shall be administered as follows:

(A) The OES and the advisory committee established pursuant to Section **13836** shall collaboratively adopt each of the following:

(i) The process and standards for determining whether to grant, renew, or deny funding to any SASP applying or reapplying for funding under the terms of the program.

(ii) For SASPs applying for grants under the RFP process described in subparagraph (B), a system for grading grant applications in relation to the standards established pursuant to clause (i), and an appeal process for applications that are denied. A description of this grading system and appeal process shall be provided to all SASPs as part of the application required under the RFP process.

(iii) For SASPs reapplying for funding under the RFA process described in subparagraph (D), a system for grading the performance of SASPs in relation to the standards established pursuant to clause (i), and an appeal process for decisions to deny or reduce funding. A description of this grading system and appeal process shall be provided to all SASPs receiving grants under this program.

(B) Grants for centers that have previously not been funded or were not funded in the previous cycle shall be awarded as a result of a competitive request for proposal (RFP) process. The RFP process shall comply with all applicable state and federal statutes for sexual assault/rape crisis center funding, and to the extent possible, the response to the RFP shall not exceed 25 narrative pages, excluding attachments.

(C) Grants shall be awarded to SASPs that propose to maintain services previously granted funding pursuant to this section, to expand existing services or create new services, or to establish new sexual assault/rape crisis centers in underserved or unserved areas. Each grant shall be awarded for a three-year term.

(D) SASPs reapplying for grants shall not be subject to a competitive bidding grant process, but shall be subject to a request for application (RFA) process. The RFA process for a SASP reapplying for grant funds shall consist in part of an assessment of the past performance history of the SASP in relation to the standards established pursuant to subparagraph (A). The RFA process shall comply with all applicable state and federal statutes for sexual assault/rape crisis center funding, and to the extent possible, the response to the RFA shall not exceed 10 narrative pages, excluding attachments.