




Sexual Assault Response Policy
PP 2.58-A

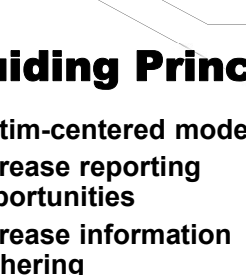
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Purpose
PP 2.58-A

- Outline response philosophy.
- Standardize response to reported sexual assaults.

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Guiding Principles

- Victim-centered model
- Increase reporting opportunities
- Increase information gathering

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Victim-centered

Justice does not look the same to everyone

- Complaints will be handled in a non-judgmental manner.
- Use of trauma-informed interview techniques.

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Victim-centered

Justice does not look the same to everyone

- Allow victims control over their reports, when possible.
 - Victim can stop and start the reporting process at their discretion
 - Victim can choose when, where, and how to report.

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Victim-centered

Justice does not look the same to everyone

Victim-centered investigations remain:

- Thorough
- Neutral
- Fact-driven

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Increase reporting opportunities

- Blind (anonymous) reporting (p. 9)
- Information-only reporting (p. 8)
- Partial & Complete Investigations (p. 8)


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Increase opportunities to gather information

- Increased reporting = increased information gathering opportunities
- Build our knowledge of potential high-risk locations / subjects

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Definitions

Minimal Disclosure

Facts and circumstances about a reported incident required to determine whether a crime occurred, jurisdiction, and initial response priorities.

- Victim's identifying & contact info
- Time/date/location
- Identity of suspect(s)
- Identity of potential witness(es)
- Basic description of crime

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Definitions

Violence Against Women Act (VAWA)

VAWA mandates a sexual assault survivor – 12 years of age & older – who requests an evidentiary examination, must be offered an examination including when the survivor declines to cooperate with law enforcement.

VAWA exams can be requested at:

- A law enforcement agency
- A medical facility
- A survivor advocacy center

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Initial Response – Patrol Division

Initial Priorities

- Contact the survivor
- Address safety/immediate medical concerns
- Secure the scene
- Secure witnesses
- Secure suspect (?)

- Protect evidence
 - On the survivor
 - At the scene
- Secure video
- Neighborhood canvass
- Preserve, summarize, and log dispatch recordings into evidence.

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Initial Response – Patrol Division

Survivor Contact

- Obtain minimal disclosure
- With survivor consent, facilitate a meeting with advocacy.
- Evaluate whether an evidentiary examination should be sought.
- If so, facilitate the evidentiary exam – see page 12

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Initial Response – Patrol Division

Considerations

- Treat the survivor with empathy, respect, and dignity.
- Record survivor interviews
 - Seek consent
 - Audio vs. video
- Use **trauma**-informed interview practices
- Provide written notification of rights – document in report.
 - Brochure, officer name, and case number.

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Initial Response – Patrol Division

Considerations

- Is an emergency protective order (EPO) appropriate?
 - Stranger vs. non-stranger sexual assault.
- EPO procedure found in PP 2-14-A: Section II, J, 6.
 - Reasons
 - Victim in immediate danger of domestic violence.
 - Child in immediate danger of abuse by family/household member.
 - Child in immediate danger of being abducted by parent/relative.
 - Elder/dependent adult in immediate danger of abuse.
 - Victim in immediate danger of stalking.

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Initial Response – Patrol Division

Considerations

- **EPO's**
 - **PP 2.14-A,II,J,6,c:** When an officer responds to an incident of domestic violence and reasonable grounds exist to believe the person is in immediate and present danger, the officer shall advise the person of the availability of an emergency protective order. An officer shall request an emergency protective order if the officer believes that a person who is eligible to receive an order is in immediate and present danger (FC §6275(b)).
 - Fill out Form EPO-001, contact the judge.
 - Copy to: protected, restrained, Dispatch for CLETS entry, issuing Court.
 - Document in report.

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Report Documentation

If you did something, document it.

General Considerations

- Do not sanitize the victim's language.
- Note whether body-worn camera or digital audio recordings exist in the report.
- Document observations of impairment.



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Report Documentation

If you did something, document it.

General Considerations


- Thorough narrative documentation:
 - Demeanor of suspects and victims.
 - Sign of physical injury of suspects and victims.
 - Consider photographs of both parties.



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Victim Advocacy



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Victim Advocacy DPD

- Survivor gets to choose involvement level of advocacy
- Advocates provide assistance with many tasks
 - RO's, CaIVCB, other criminal and civil processes

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Victim Advocacy DPD

Someone in the survivor's corner

“An advocate can be helpful now and in the future. If it is okay with you, I can ask an advocate to come meet us. You can decide if you want their assistance after speaking with them.”

EMPOWER YOLO
Providing hope. Ending violence.

CARE
center for advocacy, resources & education

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Trauma will likely impact a survivor's ability to recall details DPD

CENTRAL

- Spatial/location data
- Order of events
- Contextual cues

VS.

peripheral

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Trauma-informed interview practices can assist in obtaining information

CENTRAL

- Start with the memories **VS.**
- Sensory-based questions
- Emotions and thoughts

peripheral

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Trauma-informed interviewing

- Avoid interruption
- Avoid leading questions
- Avoid sequencing
- Avoid sharing personal information
- Show empathy
- Be patient
- Use open-ended questions
- Use the interviewee's language

CENTRAL

peripheral

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Co-occurring Crimes

- Juveniles – PP 2.13-C
- Elder/Dependent Adults – PP 2.16-B
- Domestic Violence – PP 2-14-A

Sexual Battery Investigations

- Consider collection of clothing touched by the reported suspect for potential touch DNA analysis.

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Intelligence gathering opportunities

Reporting Options

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Reporting Options

Intelligence gathering opportunities

Information Only Report

- Survivor requests no investigation
- Survivor interview and Inquiry into Serial Sexual Assault (ISSA) are completed.
- Reported suspect name, DOB, etc. entered in report.
 - Suspect is only entered as "Mentioned" subject in RIMS, unless a Complete investigation is completed.

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Reporting Options

Intelligence gathering opportunities

Partial Investigation

- More investigation than Information Only Reports
- Not a Complete Investigation
- Reported suspect is only entered as "Mentioned" subject in RIMS, unless a Complete investigation is completed.
- Allows a survivor to proceed with an investigation at their preferred pace.

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Reporting Options

Intelligence gathering opportunities

Complete Investigation

- Necessary investigative steps to send the case to the DA have been completed.
- Case is sent to the DA with the consent of the survivor.
- Reported suspect changed to "Suspect" in RIMS.

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Reporting Options

Intelligence gathering opportunities

Blind (Anonymous) Reporting

- Anonymous Reports may be made by anyone, regardless of their association to the case.
- Pull a case number for a Miscellaneous Service Report (MSR) with the title "Anonymous Sexual Assault Report."
- Document what you are told. Respect the RP's desire to be anonymous.
- No investigative action will be taken. Disposition the case as "Information only."

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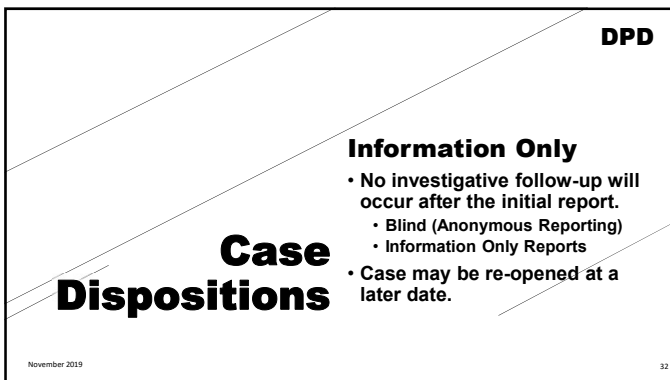
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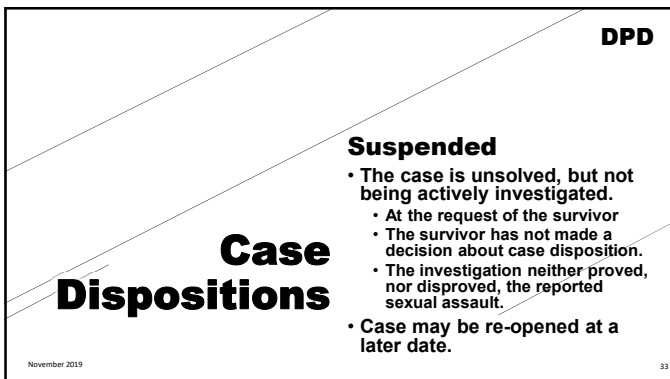
Inquiry into Serial Sexual Assault (ISSA)

- Investigation into prior instances of similar conduct.
- Review and summarize local crime reports detailing prior instances of suspected sexual assault or violence.
- Conduct an NCIC Offline Search (refer to page 19).

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Case Dispositions

Unfounded
A thorough investigation revealed no crime occurred.

- Survivor non-cooperation or recantation is not sufficient for this disposition.
- Evidence independent of the survivor statement must clearly show the reported sexual assault did not happen.

This disposition must be approved by an Investigations Division supervisor.

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Case Dispositions

Case to DA for review/charges

An investigation has been completed and the case will be sent to the DA for review or charging.

- Absent extraordinary circumstances, this disposition should be made with the consent of the victim.

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Case Dispositions

Case Cleared by Arrest

- The investigation lead to the arrest of at least one suspect and was sent to the DA for charging.

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- **Watch
Commander/Field
Supervisors**
- **Investigations
Division
Sergeant/Lieutenant**

Roles

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Questions

PP 2.58-A

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