


# PINE BLUFF POLICE DEPARTMENT POLICY & PROCEDURES MANUAL

	<b>SUBJECT:</b>	<b>POLICY NUMBER</b> <b>310</b>
	<b>INVESTIGATING SEXUAL ASSAULT</b>	<b>ISSUE DATE</b> <b>02/19/2008</b>
	<b>CHAPTER: INVESTIGATIONS</b>	<b>EFFECTIVE DATE</b> <b>02/19/2008</b>
	<b>ISSUED By:</b> Chief of Police John E. Howell	<b>TOTAL PAGES</b> <b>4</b>

## I. PURPOSE

The purpose of this policy is to provide officers with guidelines for responding to complaints of sexual assault, for dealing with victims, interfacing with local health and welfare agencies, and conducting interviews with victims and witnesses.

## II. POLICY

Sexual assault victims are typically traumatized and many, because of the extremely personal nature of the crime, are too embarrassed to report the offense to police. Often the fear of investigative, medical and prosecutorial procedures adds to a victim's reluctance to report, or unwillingness or psychological inability to assist in the investigation. Officers and criminal investigators play a significant role in the victim's willingness to cooperate in the investigation and the victim's ability to cope with the emotional and psychological aftereffects of the crime.

Therefore, it is this law enforcement agency's policy to provide victims of sexual assault with compassion and consideration, and with the necessary information and assistance to make their interaction with the criminal justice system easier.

## III. DEFINITION

**SEXUAL ASSAULT:** Sexual assault, as referenced in this policy, includes rape and other forcible, non-consensual sex acts as defined by law, in relation to female-and infrequently male-victims.

#### **IV. PROCEDURES**

**A. INITIAL RESPONSE.** Initial responding officers should be primarily concerned with the well-being of the victim and, where circumstances allow, should initiate investigative procedures that will facilitate the identification and arrest of suspects.

1. With regard to victim assistance, the officer shall:
  - a. render necessary first aid and request emergency medical assistance if required; and
  - b. attempt to gain the victim's trust and confidence by showing understanding, patience and respect for personal dignity; using language appropriate to the age, intelligence and emotional condition of the victim; informing the victim that an officer of the same sex will be provided if desired and available; and helping the victim to locate family or friends for emotional support or to obtain outside assistance from victim advocates.
  - c. Victims under age 18; the officer will call the child abuse hotline (1-800-482-5964) and report the incident to the Department of Human Services as part of the investigation.
2. With regard to initial investigation and enforcement actions, the officer should:
  - a. limit investigative questioning to those matters necessary to identify the victim and to describe and locate the suspect;
  - b. relay pertinent information to assisting personnel;
  - c. determine the victim's emotional and physical ability to answer questions concerning the assault and limit questioning accordingly;
  - d. conduct questioning in private and only by one officer;
  - e. generally, avoid asking detailed, intimate questions regarding the assault;
  - f. protect the crime scene to include bedding, clothing, and related materials and areas, and ask the victim not to wash until a medical examination has been performed;
  - g. request the victim's consent to undergo a medical examination, emphasizing its importance to investigative and apprehension efforts;
  - h. accompany the victim to the hospital and relay pertinent information concerning the assault to the examining physician;
  - i. remain on hand at the hospital (but not witness the examination) until family members, support service personnel or criminal investigators arrive;

- j. ensure that the medical examination includes collecting blood and saliva samples, pubic hair and head hair samples and combings, fingernail scrapings, vaginal smears, oral swabs and photographs, where appropriate, and ensure that evidence is properly stored and identified; and
- k. Arrange for the victim to provide a statement to investigative officers whether or not a medical examination was conducted.

**B. FOLLOW-UP INTERVIEW.** A detective will be assigned to the follow-up investigation as soon as possible after the initial complaint and will remain responsible for the case until it is closed or removed from his/her responsibility.

1. This officer shall:

- a. compile the basic investigative information contained in the initial interview, criminal complaint and medical examination;
- b. conduct an initial interview that will allow the victim to describe the incident without interruption;
- c. determine the victim's emotional and physical ability to submit to an in-depth interview and schedule the interview as soon as these factors will allow following an incident, during which the investigator shall:
- d. employ a comfortable setting that affords privacy and freedom from distractions, attempting to obtain all necessary information at this time;
- e. explain the need for obtaining detailed information concerning the crime to include details of the sex act, the suspect's modus operandi, clothing, means of restraining the victim and the use or availability of weapons; any words used or instructions given to the victim; marks, scars, tattoos, deformities or other unusual physical features or body odors of the suspect; and any witnesses, participants or accomplices that may be described or identified by the victim;
- f. document the victim's actions in response to the attack to include the type and degree of any resistance offered, the nature of any acquaintance with the suspect to include any prior intimate relationships and the state of mind of the victim during the attack;
- g. determine the degree to which the victim has received support services from family, friends and victim advocacy groups and encourage/facilitate these interactions where necessary;
- h. determine whether the victim has filed any sexual assault complaints in the past or has a criminal record;

- i. review the victim's account of the event in order to clarify any discrepancies with earlier accounts and to elaborate on issues of significance to the prosecution;
- j. encourage the victim to prosecute the case should she hesitate to do so, emphasizing the importance of prosecution for public safety;
- k. solicit the victim's continued support in the investigation, apprising the victim of future investigative and prosecutorial activities that will or may require involvement and cooperation;
- l. work with the prosecutor's office to develop the case, to familiarize the victim with the types of inquiries that may be faced during cross-examination and to ensure that requests for victim protection orders are made where indicated; and
- m. Maintain continued contact with the victim to ensure that appropriate mental health and other support services are readily available.