



Sheridan Police Department
Policies and Procedures
28.5
Chapter 28 – Call Response
Section 5 – Sexual Assault

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Signature:

The Sheridan Police Department recognizes that sexual assaults are personal violent crimes that can have great psychological and physical effects on the victims. It is the policy of the department to assist sexual assault victims in a supportive manner, using appropriate crisis intervention skills. Because of the seriousness of these offenses and the delicate nature of the investigations involved, it is important for the department to professionally and thoroughly investigate all reports.

28.5.1 General Responsibilities

- A. All department employees will treat sexual assault victims with courtesy, dignity, respect, and compassion.
- B. Department personnel shall use appropriate communication skills when interacting with sexual assault victims.
- C. Department personnel shall be aware of community services available to victims of sexual assault.

28.5.2 Communication Technician Responsibilities

Upon receiving a report of a sexual assault or attempt, the communications technician should:

- A. Obtain initial information such as name, present location, telephone number, victim's condition, and basic incident details.
- B. Attempt to ensure the victim's safety:
 - 1. A patrol officer should be dispatched immediately.
 - 2. Emergency medical personnel should be requested if needed.
 - 3. Ask for name of the assailant, if known, description, possible location or direction and means of flight from the scene, and the time elapsed since the crime.
 - 4. Broadcast a description of the suspect(s) and vehicle(s) to officers and provide to neighboring jurisdictions as appropriate.
- D. If a victim calls but is uncertain whether or not he or she wants police intervention:
 - 1. Encourage reporting while trying to obtain basic information about the crime.
 - 2. Do not insist on the victim's identity.
- E. If the victim decides not to make a report to an officer:
 - 1. Encourage the victim to go to the hospital for treatment and/or evidence collection.
 - 2. Refer the victim to the Advocacy and Resource Center for advocacy.

28.5.3 Initial Investigation

- A. The responsibility for the initial investigation of sexual assaults rests with the patrol officer dispatched to the scene.

- B. The patrol officer has certain immediate responsibilities, as follows:
 - 1. Providing medical attention and protection to the victim.
 - 2. The officer shall explain his or her role to the victim and what will be done at the scene and through follow-up.
 - 3. If the victim prefers a female officer, every attempt to provide one should be made, but if one is not available, the officer shall nevertheless encourage the victim's cooperation.
 - 4. The assigned officer will conduct a brief interview of the victim. It is important this interview by the responding patrol officer is brief. Neither the investigation nor the victim is served by having to do two detailed interviews. The initial patrol officer's interview should be limited to determine:
 - a. If a crime has been committed and if so, what offense.
 - b. The location of the crime scene.
 - c. Information to identify and/or locate the suspect.
 - d. The victim's relationship to the suspect, and any current safety concerns regarding contact between the victim and the suspect.
 - 5. Preserve the crime scene.
- C. The first officer on the scene must always be aware that the manner in which he or she treats the victim at the time of the crime and afterwards affects not only the victim's immediate and long-term ability to cope with the crime, but also the willingness of the victim to assist in the investigation and prosecution.
- D. After obtaining preliminary information regarding a reported sexual assault, the officer shall notify the on-duty supervisor. (See 28.1.4 for CID response and notifications).

28.5.4 Investigator Responsibilities

- A. The investigator shall review the CID call-out notification and communicate with the patrol supervisor regarding the status of the investigation.
- B. Interviews and Interrogations
 - 1. The effectiveness of an investigator, as well as the success of the investigation, is largely dependent upon his or her ability to obtain information from victims, complainants, witnesses, informants, and suspects. Therefore, it is essential that the interviews and interrogations be conducted by investigators with sensitivity, patience, persistence, and dedication to the task at hand.
 - 2. A quality interview of the victim is the foundation for the investigation and should be conducted with skill and care. The investigator should avoid conducting subsequent interviews.
 - 3. The investigator should anticipate some confusion, memory suppression or reluctance to discuss fear-inducing or humiliating details of the incident. This information should be obtained by patient, supportive rapport building, not by questioning a victim's veracity or motives.
 - 4. "Why questions" that sound accusatory or judgmental about the victim's actions or behavior prior to the assault should be avoided. ("Why did you go to the house?" "Why did you accept a ride with him?") How questions should be used instead ("How did you end up in the car with --?").
 - 6. All interviews should be video recorded.

- C. At the conclusion of the interview, the investigator shall ensure the victim has been advised of his or her rights as a crime victim (see section 25.1) and asked about any additional assistance needed.
- D. The investigator will notify the victim when the suspect is arrested and keep the victim informed of the status of the case.

28.5.5 Evidence

- A. It is important to preserve all articles of physical evidence relevant to the investigation.
 - 1. Collect undergarments, clothing, bedding, rugs, or other appropriate items which may contain semen, blood, hairs, fibers, or other pieces of trace evidence, or that might be damaged.
 - 2. Collect washcloths or towels that may have been used.
 - 3. Collect bottles, glasses, or other objects that may contain latent prints.
 - 4. Search scene for foreign objects (buttons, hair, pieces of torn clothing).
 - 5. If the crime occurred outdoors, take soil samples from several areas and sketch the location of each sample taken.
 - 6. If the crime occurred in a car, gather sweepings from seats and floors, search floor mats and seat covers for stains.
 - 7. If entry was forced into the victim's residence, gather samples of broken glass, paint samples, and note any pry marks or other signs of forced entry.
 - 8. Photograph the crime scene.
 - 9. Photograph bite marks, scratch marks, or other signs of brutality or injury to the victim. Only female officers or medical personnel should photograph private sexual areas of females.
 - 10. Each article should be separately tagged and packaged.
- B. DNA evidence is now one of the most important and reliable forms of physical evidence establishing the presence of a suspect at a crime scene. Any form of bodily fluid or other trace evidence may be used to identify the suspect's genetic identifiers (i.e. - semen, saliva, urine, blood, hair, skin samples, etc.). Even when the identity of the suspect is not in question, as in acquaintance rape cases, the presence of DNA and of trace evidence may be important.
- C. Officers should canvass the neighborhood of the crime scene for persons who have information regarding the crime.
- D. Officers should systematically search the vicinity of the crime area for any evidence that may have been lost or disposed of by the perpetrator.
- E. If a sexual assault has been reported, the victim should be asked to consent to a sexual assault forensic examination.
 - 1. Explain the importance of this exam.
 - 2. Explain that the cost of the investigative exam will be paid by the Sheridan Police Department.
 - 3. The victim may be transported to the hospital by police, ambulance personnel, or a support person.
 - 4. The medical needs of the victim are the first priority and take precedence over the sexual assault forensic examination.
 - 5. The department's preference that a Sexual Assault Nurse Examiner (SANE) performs the exam, if available, should be expressed to emergency room staff.

28.5.6 Delayed Reporting

- A. The 2005 reauthorization of the Violence Against Women Act Statute (VAWA) states that a victim of a sexual assault is not required to participate in the criminal justice system in order to be provided with a forensic medical exam.
- B. In order to comply, a victim may have an examination without notification of law enforcement.
- C. When a sexual assault victim seeks care at the hospital and the victim does not want to make a police report, the victim may have hospital staff conduct a sexual assault forensic examination in the event the victim wants to report the crime at a later time.
- D. The Wyoming Division of Victim Services is responsible for payment.
- E. If collected, the hospital will contact law enforcement for storage of the evidence collection kit. No identification of the victim is required to accept and log such evidence.

28.5.7 Child Victims

- A. Officers responding to complaints of sexual abuse of a child should ensure the safety of the child, determine if a crime scene needs protected and processed, notify the on-duty patrol supervisor and determine need for CID involvement.
- B. Initial reports usually do not require an interview of the child. Relevant information should be obtained from parents, teachers, counselors or other adults. The initial officer should:
 - 1. Explain law enforcement's role and procedures and enlist the adult's cooperation;
 - 2. Review with the reporting person the circumstances of the disclosure made by the child victim:
 - a. What, where, when, by whom, and to whom reported;
 - b. Exact words of child;
- C. Interviews of child victims should be conducted by specially trained officers or other trained personnel whenever possible.
 - 1. The interview should be conducted in a child friendly atmosphere with recording capabilities.
 - 2. If at all possible, no one other than the child and the interviewer should be present in the interview room to avoid any influence another person's presence may have on the child's disclosure. A child can be reassured the parent or other significant person will be waiting for the child in another room.
 - 3. The interviewer must:
 - a. Establish a relationship with the child suitable for obtaining the information;
 - b. Obtain a description of the assault; and
 - c. Assess the child's credibility and competency.
- D. Officers will notify and work with Wyoming Department of Family Service (DFS) investigators who have statutory responsibility to investigate abuse of children.
- E. Investigator responsibilities will mirror those outlined above for sexual assaults cases. Investigators must be aware in child victim cases of the special needs of children and the importance of notifications and communications with parents or a responsible adult.