



*Alexandria Police Department*



**Directive 11.15**

**Response to Sexual Assaults**

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<b>Changes: None – New Directive</b>	<b>Review Date: 2012</b>

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**11.15.01 POLICY/PURPOSE**

It is the policy of this department to use a victim-centered approach in the investigation of sexual violence. A victim’s distress may create an unwillingness or psychological inability to assist with the investigation. Officers and detectives play a significant role in both the victim’s willingness to cooperate in the investigation and ability to cope with the emotional and psychological after effects of the crime. Therefore, it is especially important that these cases be handled from a nonjudgmental perspective so as not to communicate in any way to a victim that the victim is to blame for the crime.

The department recognizes the fact that sexual assaults (rape, forcible sodomy, sexual battery, object penetration, and attempts thereof) are personal violent crimes that have great psychological and physical effects on the victims. Those who are lesbian, gay, bisexual or transgender identified may have specific privacy needs depending on whether the individual is "out" to others in their lives. Sensitivity and awareness about the particular obstacles and barriers victims of same-sex sexual assault face in reporting is of critical importance.

The purpose of this directive is to provide officers with procedures for responding to reports of sexual violence, assisting victims, and conducting brief, preliminary interviews with victims, witnesses, and suspects.

Pursuant to Virginia Code §19.2-9.1 the detective assigned nor any other law enforcement officer, attorney for the Commonwealth, or other government official shall ask or require a victim of an alleged sex offense to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an offense. If a victim is requested to submit to a polygraph

examination during the course of a criminal investigation, such victim shall be informed in writing and that the refusal of a victim to submit to such an examination shall not prevent the investigation, charging, or prosecution of the offense.

#### **11.15.02 DEFINITION**

**Sexual Violence as used in this directive refers to felony crimes of sexual assault. Those crimes include rape, attempted rape, forcible sodomy, carnal knowledge (statutory rape), aggravated sexual battery, inanimate or animate object sexual penetration, crimes against nature and incest, and indecent liberties with child**

#### **11.15.03 PROCEDURES**

##### **A. Dispatcher or Call Taker**

1. When a caller reports a sexual assault, communications personnel should elicit the initial facts of the situation and determine whether the victim or others are in life-threatening danger or in need of emergency medical attention.
2. If the call is about a crime in progress or a crime that just occurred, the call taker should obtain information from the caller to assist in identifying and apprehending the suspect. Information about the relationship of the suspect with the victim, weapon use, and history of violence should be obtained. In order to minimize victim frustration, the call taker should explain that the questions being asked of the caller will not delay the dispatch of an officer to the caller's location.
3. To ensure critical evidence is not lost, communications personnel shall:
  - a. Ask whether the victim has bathed, urinated or made other physical changes and advise against doing so.
  - b. Ask the victim to use a clean container to collect the urine should the victim have to urinate.
  - c. Let the victim know that other evidence may still be identified and recovered so the crime should still be reported if the victim has bathed or made other physical changes.
  - d. Preserve the recording of the telephone call for the investigation/prosecution.

**B. Responding Officers**

1. Make contact with the victim as soon as possible. Summon emergency medical assistance if needed.
  - a. If the victim is seriously injured:
    1. Rescue should transport the victim to the nearest medical facility for treatment. If the victim's condition allows, the victim should be taken to Inova Fairfax Hospital where specially trained staff and equipment for forensic examination are available.
    2. The primary officer should follow the victim to the hospital in his/her cruiser. If a crime scene needs to be secured, a second officer should be requested to respond and preserve the crime scene pending crime scene processing.
    3. The officer should remain at the hospital with the victim until relieved by the responding detective.
    4. In cases where treatment for physical injury is declined or unnecessary, the victim can remain at the scene to assist in identifying the crime scene(s), evidence, witnesses, and/or the suspect.
2. Evaluate the scene for people, vehicles, or objects involved as well as possible threats and relay all vital information to responding officers and supervisors.
3. Secure the crime scene to ensure that evidence is not lost, changed, or contaminated.
4. Request assistance from CIS and CSI.
5. The primary officer should obtain basic information from the victim to include the location, time, date, and elements of the offense, and any suspect information. Once this is accomplished, further questions about the offense should be avoided. The patrol officer is NOT to conduct any extensive interview of the victim or suspect.
6. Record observations of the crime scene. This should include the demeanor of the suspect and the victim. Document injuries observed and/or disheveled clothing.
7. Victims should be encouraged not to wash, or bathe, as such acts may result in the destruction of physical evidence. If the victim needs to urinate and cannot wait until they get to the hospital, they should be instructed to urinate into a clean container. This should then be turned over to CSI, the detective assigned, or transported to the hospital with the victim.

8. If the victim has not changed clothes, he or she should be asked not to do so. If the victim has changed clothes, all clothing worn prior to the assault should be secured. Clothing or other evidence located (indoors or outdoors), and not subject to damage by weather or other means, should remain in place until collected by a Crime Scene Investigator.
9. Once the assigned detective determines whether or not a SANE exam will be conducted, the officer will either remain at the scene with the victim until the detective arrives or transport the victim to Fairfax Hospital. If possible, the officer should have the victim bring a change of clothes to the hospital.
10. Crimes Scene Investigators should handle all evidence collection and scene processing. Patrol officers should not collect any evidence unless immediate failure to do so would mean the loss of the evidence.
11. If an arrest is made, the suspect should be transported to Criminal Investigations and secured in an interview room. The arresting officer may obtain basic information such as the suspect's name, address, date of birth etc. Specific questions about the offense should not be asked. The officer should record any observations made and any spontaneous statements uttered by the suspect.
12. The first responding officer should complete an incident report. That report should contain first hand observations and briefly document what the officer did at the scene.

### **C. First line Supervisors**

1. Respond to assist officers investigating felony sexual assaults.
2. Exhibit sensitivity to victims and ensure that victims are dealt with properly by clarifying their expectations to line officers.
3. Call the Criminal Investigations Section supervisor as soon as a felony sex offense is confirmed.
4. Ensure that patrol officers complete a report that briefly documents their actions at the crime scene.
5. If a suspect is located, ensure that officers do not mirandize or question about the offense.

**D. Criminal Investigations Section**

1. A detective will respond to handle a sexual assault investigation as soon as they are made aware of the offense.
2. As soon as a detective is notified, they assume control of the crime scene and the investigation.
3. The investigation of the case will be handled in accordance with standard operating procedures of the Criminal Investigations Section.
4. All medical fees expended in the gathering of evidence through physical evidence recovery kit examinations conducted on victims complaining of sexual assault under Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 shall be paid by the Commonwealth pursuant to subsection F of § 19.2-368.11:1. Victims complaining of sexual assault shall not be required to participate in the criminal justice system or cooperate with law-enforcement authorities in order to be provided with such forensic medical exams.
5. Information on legal and community resources available to alleged victims of sexual assault will be provided by the assigned detective. Note, this may be accomplished by giving the victim a victim assistance card.

**E. Crime Scene Investigation**

1. ONLY trained Crime Scene Investigators will process the scene of any sexual assault.
2. The scene will be processed in accordance to the standard operating procedures of the Crime Scene Investigations Section.

**By Authority of:**

**David P. Baker  
Chief of Police**