

**Event 7– Sexual Assault
Session 4-Sexual Assault Investigation
LD 10 – Sex Crimes**

Date Revised: 10/9/2019

Course Goal: To provide the students with the basic skills necessary to complete a sexual assault investigation in a manner consistent with California statutes, Department policy, and tactically sound principles. By utilizing facilitation, role play, video, case studies, and practical application.

Learning Objectives:

- Give examples of assessing a victim’s physical state in order to make them as comfortable as possible, and secure the necessary medical attention **[10.II.A]**
- Describe common emotional and physical reactions victims experience and the pressures associated with reporting a sex crime **[10.II.B]**
- Describe a peace officer’s own emotional and attitudinal reactions to sex crimes **[10.II.C]**
- Discuss factors that set a positive tone for the victim interview **[10.III.A]**
- Select questions to be asked during the victim interview **[10.III.B]**
- Identify the purpose of a medical/legal exam **[10.III.C]**
- Explain victim’s rights **[10.III.D]**
- Discuss the types of evidence to be collected from the crime scene, victim and suspect **[10.III.E]**
- Describe the services available to sexual assault victims **[10.III.F]**
- A learning activity which requires the student to perform the tasks while conducting a preliminary investigation of a sexual assault. At a minimum, the learning activity must address the student’s ability to: **[10.VI.A]** Apply laws related to sex crimes **[10.VI.A.1]**, Maintain an objective attitude toward the investigation of sex crimes **[10.VI.A.2]**, Understand the behavioral, emotional or physical reaction of the sex crime victim **[10.VI.A.3]**, Prioritize and perform investigative tasks **[10.VI.A.4]**, Conduct a comprehensive interview with the victim **[10.VI.A.5]**, Interrogate the suspect and obtain a confession **[10.VI.A.6]**, Collect evidence from the suspect **[10.VI.A.7]**

Session Time: 3 hours

Resources:	
<ul style="list-style-type: none"> • Laptop, Projector, Speakers • Classroom with tables • White board • Dry-erase markers • Easel paper • FI Cards, Post-it cards • Radio • Sexual Assault kits (3) 	
<ul style="list-style-type: none"> • Session Summary: The student will be introduced to the skills necessary to complete a sexual assault investigation in a manner consistent with law, Department policy, and tactically sound principles. • 	
Outline	Instructor Notes
I. Interacting with the Victim A. Physical State 1. Assessing medical needs [10.II.A] a. Unconscious or injured 1) Secure transportation to an acute care	Ask: “Who are sexual assault victims?” Men, woman, children, anyone Ask: “What makes sexual

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<p>facility,</p> <ol style="list-style-type: none"> 2) Perform first aid required to stabilize them until emergency personnel arrive <p>b. No pain, no injuries requiring immediate attention, and crime occurred within 72 hours, or longer depending on circumstances</p> <ol style="list-style-type: none"> 1) Make victims as comfortable as possible, 2) Get a preliminary statement, and 3) Make sure victims are transported to a medical facility <p>c. If there are special needs related to age or a physical or developmental condition, then tend to need before taking statements</p> <p>d. If no injuries, explain necessity for medical/legal exam and should be done w/in 72 hours</p> <p>B. Victim Reactions and Pressures</p> <ol style="list-style-type: none"> 1. Emotional and Physical Responses [10.II.B] <ol style="list-style-type: none"> a. Possible Emotional Reactions: Fear, Shame, Embarrassment, Guilt, Depression, Shock, Anger/Betrayal, feeling of being dirty, Self-blame b. Possible Manifestations of Emotional Reactions <ol style="list-style-type: none"> 1) Delayed reporting 2) Lack of apparent response 3) Denial that the crime occurred 4) Loss of control or ability to make decisions 5) Acting protectively toward suspect 6) Acting out (e.g. shouting, physically expressing anger or pain, or laughter) - Intentionally adding or leaving out key information 2. Treating Emotional State of Victim <ol style="list-style-type: none"> a. Officer could <ol style="list-style-type: none"> 1) Reassure victims that <ol style="list-style-type: none"> a) They are safe, b) The officer is there to help, c) Everything will be done to positively identify the person, and d) This is not their fault. 	<p>assault cases so challenging?”</p> <p>Answer: The victim is a living, breathing crime scene.</p> <p>Ask: “How do you determine the victim’s needs for medical attention? “</p> <p>Answer: <i>Ask the victim;</i> Do you need medical attention? Are you injured? Are you hurt? Be careful of saying “Are you okay?”</p> <p>Note: While in some instances simply asking the victim, “Are you okay?” may prompt the victim to tell the officer about medical needs, peace officers should be aware that the victim of sexual assault is not “okay.” They have undergone a physical assault. “Are you okay?” may be interpreted kindly, or it may produce an emotional outburst in a traumatized victim.</p> <p>Ask: If the crime has occurred within 72 hours and the victim says they are in no pain and have no injuries requiring immediate attention, what should officers do?</p> <p>Answer: Officers should- Make victims as comfortable as possible; Get a preliminary statement; and Make sure victim is transported to a Sexual Assault Response Team (SART) Hospital</p> <p>Ask: What should officers do if</p>
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<p>2) Use a gentle tone of voice.</p> <p>3) Express empathy that this has happened to the victim.</p> <p>4) Make sure that their own body language is not aggressive (e.g., sit down with victims; don't stand over them to talk).</p> <p>5) Allow victims to act out and vent their emotions.</p> <p>6) Assure victims that their confidentiality will be maintained if they desire.</p> <p>3. Reassuring Statements</p> <p>a. "You are safe now, my partners checked out your apartment and he's gone."</p> <p>b. "We will take special steps to protect your identity."</p> <p>c. "I'm sorry this happened to you. I'll do everything I can to help."</p> <p>d. Avoid saying</p> <p>1) "I understand how you feel"</p> <p>2) "I promise we will catch this guy"</p> <p>C. Officers' Attitudes [10.II.C]</p> <p>1. Officers should remain objective and</p> <p>a. Be aware of how their own preconceptions and experiences can give them biased views</p> <p>b. Consider the crime as a violent or aggressive act, rather than a sexual one</p> <p>2. Officers should avoid anger, overreaction, overzealousness, apathy, excessive sympathy</p> <p>3. Officers should convey empathy, identify with victim's feelings to officer support.</p> <p>4. Nonverbal signals can work to help convey sympathy and a desire to help, or they can work to contradict the most reassuring words</p> <p>a. Body language- maintain a nonaggressive stance</p> <p>b. Facial Expressions</p> <p>1) Remain calm, and</p> <p>2) Focus on the victim visually (make eye contact, do not just listen and write)</p> <p>3) Maintain soft and understanding tone of voice</p> <p>II. Investigating Sex Crimes</p> <p>A. Setting the Tone [10.III.A]</p>	<p>the victim is unconscious or injured?</p> <p>Answer:</p> <ul style="list-style-type: none">• Determine if the victim needs immediate medical attention, request an R.A. if necessary to secure transportation to a hospital, and• Perform first aid required to stabilize them until the R.A. Unit with emergency personnel arrives.• If the victim is removed by RA, have one officer accompany victim to the hospital for support and possible dying declaration.• Advise the class that officers should be aware if a victim is conscious, they can be the best source of information of their own medical needs since many injuries may be concealed by clothing. <p>Ask: "What are some possible emotional reactions the victim may experience after an assault?"</p> <p>Ask: "In what ways will the emotional reaction of the sexual assault victims be observed?"</p> <p>Ask: "While each situation is</p>
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<p>1. Initial Contact</p> <p>a. Officers should be aware of</p> <ol style="list-style-type: none"> 1) Their everyday terminology: avoid alienating the victim with legal terms and jargon. 2) Their body language: assure the victim that they are concerned, but calm and confident. 3) The words they use convey their sensitivity to the victim about what happened. 4) Their demeanor communicate that they are a professional and that they are comfortable with talking about the subject (not indicating surprise, distaste, embarrassment, etc.). 5) The language they use: be aware of possible misperceptions of police procedures <p>2. Beginning the Interview</p> <p>a. Officers should</p> <ol style="list-style-type: none"> 1) Establish rapport and explain the investigative process and the need for asking the victim questions. 2) Reassure the victim that it is understood that this is a difficult situation and that the officer conducting the interview is there to help. 3) Make the victim as physically comfortable as possible; consider the best physical location and need for privacy. 4) Ask if the victim wants an officer to contact a support person (family, friends, or advocate, depending on agency policy and resources) to be present during the interview. 5) Let the victim know that everything possible will be done to help <p>3. Victims' right to counsel and support person</p> <p>a. Per PC 264.2, officers must immediately notify the local rape victim counseling center whenever a victim of an alleged violation of specified sex offenses is transported to a</p>	<p>different, what can officers do to treat the victim's emotional state?"</p> <p>Answer: Assure victims that their confidentiality will be maintained if they desire.</p> <p>Ask: If the victim has special needs related to age or a physical condition. Has a physical or developmental disability or has a communication need, what should officers do?</p> <p>Answer: Assess specific needs and tend to these before taking a statement. (i.e. if the person is Deaf or Hearing-impaired request a Sign Language interpreter)</p> <p>Hand-out: Confidentiality and DV Victim Information Notification Everyday (VINE) Pamphlet</p> <p>Ask: "What can officers do or say to assist the victim in regaining control?"</p> <p>Ask: "What nonverbal signals should officers be aware of when</p>
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<p>hospital for any medical evidentiary or physical examination</p> <ol style="list-style-type: none"> b. Victim has the right to have a sexual assault victim counselor and at least one other support person of the victim's choosing present at any medical evidentiary or physical examination c. Victim has the right to have victim advocates present at any interview by law enforcement authorities or attorneys d. Penal Code Section 679.04(a)(1) enables an officer to exclude a support person from a medical exam if the person would be detrimental to the examination.” <p>B. Interviewing the victim</p> <ol style="list-style-type: none"> 1. Because each act of penetration or contact is considered a separate crime and carries a separate penalty, officers must ascertain: <ol style="list-style-type: none"> a. If any of these acts occurred during the assault and, if so, b. How many times and in what sequence 2. Possible Questions [10.III.B] <ol style="list-style-type: none"> a. What was the appearance of the suspect (i.e., pants unzipped, naked) b. Did the suspect ejaculate? c. Did the suspect have an erection? d. Did the suspect wear a condom? If so, where was it disposed of? e. Did the suspect say anything? If so, what was said? f. Where any threats made? If so, what threat? g. Where any tools, weapons, or other objects used by the suspect? 3. After nature of crime is established, other questions to ask are <ol style="list-style-type: none"> a. Can the victim identify the suspect? b. What is the past relationship with the suspect? c. To whom did the victim first tell about the assault <ol style="list-style-type: none"> 1) To corroborate the victim’s statement and any information victim may have forgotten. 	<p>interacting with the victim?”</p> <p>Ask: “Knowing what nonverbal signals officers needs to be aware of what, what should officers try to do when interacting with a victim?”</p> <p>Note: Do not ask how many times the victim was penetrated.</p>
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- 2) Statements may be admissible as exception to hearsay rule
 - d. Is the victim sexually active? If yes, has victim been recently sexually active
 - 1) Assess the presence of possible injury.
 - 2) Separate the DNA from the consensual partner from that of the suspect
 - e. Did the suspect take anything belonging to the victim (or is anything missing), to possibly link suspect to victim
 - f. Will the victim provide fingerprints to eliminate or compare to other prints at
- C. Collecting Crime Scene Evidence
- 1. Evidence from the scene **[10.III.E]**
 - a. Discarded items or articles,
 - b. Contraceptives of any form and their packaging,
 - c. Binding or other restraint materials (do NOT untie or cut knots),
 - d. Fingerprints,
 - e. Hair and debris (e.g. fibers, dirt, etc.)
 - f. Lubricants, materials such as bedding, clothing and towels, and
 - g. Biological fluids (i.e., semen, blood)
 - 2. Evidence from victim
 - a. Sexual assault medical examination (refer to Chapter 3)
 - b. Book Sexual Assault Kit as one item to be frozen; list as item #1 on property report.
 - c. Fingerprints
 - 3. From the offender
 - a. Suspect sexual assault kit
 - b. Blood sample for DNA
 - c. Blood sample for alcohol testing and drug screening
- D. Medical/Legal Exam of Victim **[10.III.C]**
- 1. The purpose is to collect, preserve, and document evidence and may help
 - a. Determine if there are physical signs of injuries.
 - b. Document the type and location of injuries.
 - c. Determine if there is evidence of recent sexual activity.
 - d. Determine if the physical findings are

Learning Activity #1: Case Studies one case study to a Learning Team

Learning Activity #2: Instructor Role Play Sexual Assault Investigation Session

Ask: “What is the single most important piece of evidence?”

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<p>consistent with the time frame and victim's history.</p> <ol style="list-style-type: none">2. Biological samples include:<ol style="list-style-type: none">a. Bodily fluids,b. Foreign hairs and fibers found on the victim, or Hair samples of the victim.3. Exam must be conducted by specialized trained teams at a medical facility4. Officer's Responsibility<ol style="list-style-type: none">a. Explain the necessity of the examination to the victimb. Obtain verbal agreement from the victim for a forensic examination.c. Ensure the victim has transportation to the designated facility.d. Brief the designated medical professional.e. Request the examination.f. Obtain briefing from the medical professional at the end of the exam.g. Remember that the suspect may also be subject to a sexual assault examination.h. Ensure the victim is returned to a safe location after the exam.i. Submit the evidence to the property room <p>E. Available Services for Victim [10.III.F]</p> <ol style="list-style-type: none">1. Rape Crisis Centers<ol style="list-style-type: none">a. Available throughout Californiab. Provide services to assist with:<ol style="list-style-type: none">1) Hospital accompaniment2) Liaison with the criminal justice system in some counties2. State Victim/Witness Services<ol style="list-style-type: none">a. Available throughout Californiab. Provides services to assist with:<ol style="list-style-type: none">1) Financial compensation and possible associated expenses,2) Liaison with the criminal justice system, and - information pertaining to the situation3. Per Penal Code Section 264.2(a), the peace officer is required to provide the victim with a "Victims of Domestic Violence" brochure <p>F. Victim's rights [10.III.D]</p> <ol style="list-style-type: none">1. Per Penal Code Section 293(a), the officer is	<p>Present: Sexual Assault Kit (3 kits) Packaging Sexual Assault Evidence</p>
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responsible for informing the victim that the victim's name will become a matter of public record unless the victim requests confidentiality. The confidentiality notification and victim's response shall be documented in the officer's report.

2. Penal Code Section 637.4(a) prohibits the officer from requesting that the victim undergo a polygraph examination

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Learning Activity #1:
Case Studies [10.VI.A.1-7]

A. Small Group Activity: Sexual Assault Case Studies

The student will participate in a learning activity regarding law enforcement contact with a crime victim. At a minimum, the learning activities must include:

- a) Psychological reactions to victimization
- b) Identification of any underlying or related problems
- c) Assistance and support services available to the victim
- d) Legal and procedural information to provide the victim
- e) Qualifications for compensation under the Victims of Crime Compensation Program

A learning activity which requires the student to perform the tasks while conducting a preliminary investigation of a sexual assault. At a minimum, the learning activity must address the student's ability to:

- a) Crimes related to sex crimes
- b) Maintain an objective attitude toward the investigation of sex crimes
- c) Understand the behavioral, emotional or physical reaction of the sex crime victim
- d) Prioritize and perform investigative tasks
- e) Comprehensive interview with the victim

B. Distribute: One Case Study to Each Learning Team/ Table

C. Advise: They are to work as a group to complete the questions, including:

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Case Study #1:

You respond to a radio call where you receive the following information:

Sue and Bill have a college class together. Bill has repeatedly asked Sue out for a date, which Sue has declined in the past. Today, Sue reluctantly agreed to go out to dinner with Bill. After dinner, Bill drove Sue home and parked his vehicle in front of her house. Sue thanked Bill for dinner, but when she attempted to exit the vehicle, Bill automatically locked the doors, pulled Sue toward him, and forcefully kissed her on the mouth against her will. Bill then lifted Sue's blouse up and grabbed her aggressively on the breasts with his hands. Sue repeatedly told Bill to stop, but he continued to touch her breasts until Sue was able to free herself from his grasp, exit the vehicle, and run to the safety of her home. Bill left the location.

1. Do the elements of a penal code violation exist here?

Yes

If yes, what violation?

Felony Sexual Battery and False Imprisonment

(Recognize the crime elements required to arrest for sexual battery and whether it is a misdemeanor or felony)

(Recognize the crime elements required to arrest for battery and whether it is a misdemeanor or felony)

(Recognize the crime elements required to arrest for false imprisonment and whether it is a misdemeanor or felony)

1. What would you say to Sue to establish rapport and begin the interview?

Let her know that she is safe

Tell her that she is doing the right thing by coming forward

Ask if she wants an officer of the same gender to conduct interview

Ask her if she wants a support person

3. What report, if any, would be taken?

Sexual Battery Report

Request additional filing for false imprisonment

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Case Study #2:

You responded to a radio call where you received the following information:

Jill met Ted while riding the metro link and invited him over for dinner. After dinner, Jill poured them both a nightcap. The last thing Jill remembers about the evening is feeling very light headed. Jill woke up alone in bed in the morning, completely naked and feeling very sore all over her body. She doesn't exactly remember what happened the night before, which concerned her, especially since she noticed bruising to her inner thighs and soreness in her vaginal area. She believes that she may have been assaulted by Ted.

1. List the appropriate action for the responding officers in order of importance.

Ask if she needs Medical Treatment
Let her know she did the right thing by calling
Tell her that this was not her fault

2. What are the significant pieces of evidence?

Jill – biological evidence (including urine)
The glasses used for drinking
The sheets and other bed clothes

3. How would you collect this evidence?

SART Hospital for the biological evidence
Attempt to have the victim wait to urinate until she reaches the hospital
However, if she is unable – collect the urine in a specimen jar or other clean container

4. What report, if any, would you complete?

Penetration with a foreign object (unknown if penis)

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Case Study #3:

You are working the front desk when Sarah approaches the counter and relates the following incident:

After bowling with friends Sarah was walking to her car, when she was grabbed from behind by a man who covered her mouth and threatened to kill her if she screamed. The man forced Sarah into a utility storage room in the parking garage where she had parked her car and pulled her pants and underpants down. The man forced Sarah to the ground and attempted to insert his penis into her anus. Sarah began to struggle away from the man as he attempted to do this, which angered him. He slapped Sarah repeatedly on the head. He then grabbed Sarah by the back of the hair and forced his penis into her mouth. Sarah continued to struggle and was able to break free from the man's grasp. Once she was free Sarah ran to the police station which was next door. Sarah does not know what happened to the man.

1. What crime(s) have been committed?

Oral Copulation
Assault with intent to commit Sodomy
Kidnapping

(Recognize the crime elements required to arrest for oral copulation and whether it is a misdemeanor or felony)

(Recognize the crime elements required to arrest for assault with intent to commit rape or other crimes specified in PC 220 and whether it is a misdemeanor or felony)

(Recognize the crime elements required to arrest for kidnapping and whether it is a misdemeanor or felony)

2. What could you say to help bring the victim out of crisis state?

“You’re safe now”

“Take your time.” (Once the crime broadcast is made)

“You did the right thing by calling us”

3. What services do you need to provide the victim?

Medical Treatment, Rape Crisis Counselor, Same gender officer, Support Person
DV Memo, Acting Booklet, Marsy's Rights Card, Indemnification of victim

4. Is there any evidence you need to be concerned with?

Biological Evidence

Possible evidence is Storage Shed

Photographic evidence

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Case Study #4:

You respond to a radio call and are met by Sandy who related the following:
Sandy and John have been married for 8 years and are currently separated and not living together. Sandy has a current restraining order against John. This evening, Sandy told John to come over to talk about separating their finances. When John got to Sandy's residence he told her what he really wanted was reconciliation. Sandy told John that was not possible because she had feelings for someone else. John proceeded to kiss Sandy, but she pulled away from him. John angrily advanced toward Sandy and shoved her onto the couch. Sandy tried to struggle from his grasp, but John used his body weight to hold her down. John tore Sandy's clothing and had sexual intercourse with her while repeating over and over, "I'm the only one who will ever get to do this to you." Sandy was crying and pleaded with John to stop, but he continued until he reached ejaculation. Sandy then took the cordless phone into the bathroom, locked the door and phoned the police. Sandy stayed in the bathroom until the police arrived. She does not know where John is.

1. What will you say if Sandy is unable to stop crying or stops talking?

"You're safe now"

"Take your time." (Once the crime broadcast is made)

"You did the right thing by calling us"

"Would you like a support person here?"

2. What penal code violations apply?

Spousal Rape

(Recognize the crime elements required to arrest a suspect for spousal rape and whether it is a misdemeanor or felony)

3. What do you believe is significant to document?

Their relationship

The existing restraining orders

Her statements

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Case Study #5:

You respond to a radio call, “See the woman at the pay phone Santa Monica and Vine”, you are met by Alice who relates the following:

Alice has been a working prostitute in Hollywood Division for approximately 5 years. You have arrested her several times in the past for prostitution. You observe her to have a bruised left eye and a small cut above her lip as she tells you two men broke in to her hotel room and demanded money from her. When she told them, she didn’t have any money, one of the men said, “Well then you’re going to give us something.” Alice proceeds to tell you that for the next 4 hours she was held against her will and repeatedly raped and sodomized by both men. When they left the room she quickly dressed and ran to the phone booth and called the police.

1. How will you initiate an interview/investigation?

After requesting MT, conduct investigation as you would any sexual assault investigation

2. What questions will you ask Alice to establish criminal violations?

The interview will be no different than if she was not a prostitute

3. What, if any, evidence will you collect?

Biological evidence from Alice
Possible prints for items touched by suspects
Sheet from the bed where assault occurred

4. How will you package it?

Sexual Assault Kit is frozen
Bed clothes are stored in paper or card board box after drying

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Case Study #6:

You are getting ready to return to the field when you are called to the W/C office. The W/C advises you to interview Jason who is the possible victim of a sexual assault. He is waiting at the front desk. Jason is 28 years old and just moved to the area. He volunteers at an animal rescue hospital. Two weeks ago, while at the rescue hospital, Mark invited Jason to dinner at his apartment. Jason accepted since he was new to the area and had few friends. When Jason got to Mark's apartment, Mark offered him a beer. Jason drank it, but soon after felt nauseated. Mark told Jason to go "crash in the bedroom" and jokingly referred to him as a lightweight. Jason said all he remembers is waking up with his clothes off, which he did not remove himself, and being extremely sore around his anus. He confronted Mark about what happened, but Mark told him, "Hey, I was the one who had to fight you off." Jason is embarrassed and ashamed by what he believes happened to him. He waited two weeks to report the incident because of these feelings.

1. What action, if any, should you take?

Advise him that coming forward was the right thing to do
Tell him he did nothing to deserve this
Ask if he wants an officer of the same gender and/or a support person

2. What report, if any, would you complete?

Penetration with a foreign object (unknown if penis)

3. What resources would you provide for Jason?

Rape crisis counselor
DV Vine Pamphlet
Marcy's Law Memo
Acting Booklet
Business card with detective contact number
Confidentiality
MT on advice of SART Hospital personnel

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Case Study #7:

You and your partner respond to a radio call of an unknown disturbance in a parking lot. You are met by Marsha who related the following:

Marsha’s car stalled on the way home from a late shift at work. Jim stopped to assist her and offered to call AAA from his cell phone. Jim waited with Marsha for the tow truck and suggested they go to the local convenience store for a soda. Marsha was apprehensive, but felt Jim was sincere and helpful so she agreed. Jim passed two stores and Marsha became alarmed. He drove into an empty parking lot and Marsha jumped out of the car and began to run. Jim chased her on foot and shoved her to the ground causing lacerations to the palms of her hands and knees. He choked her until she began to lose consciousness. He pulled her pants down and inserted fingers into her vagina. He then put his penis into her vagina and had sex with her until he ejaculated. He then forced her onto her stomach and had anal sex with her. While this was occurring he continuously called her a “fucking bitch” and “whore.” After he had anal sex he forced his penis into her mouth which caused her to vomit. This enraged him, and he stood up and kicked her several times in the stomach before fleeing in his vehicle.

1. What penal code violations have occurred?

Kidnapping
ADW
Penetration with a foreign object
Rape
Sodomy
Oral Copulation

(Recognize the crime elements required to arrest for rape, oral copulation, penetration with a foreign object, sodomy, and; and, whether it is a misdemeanor or felony)

(Recognize the crime elements required to arrest for Assault with a deadly weapon or by means of force and whether it is a misdemeanor or felony)

2. What are your first three responses upon arrival?

Request MT
Crime Broadcast
Assure Marsha’s safety

3. Other than biological evidence what key piece of evidence may assist detectives with a follow up?

Cell phone records from call to AAA
Possible License Plate Number

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Case Study #8:

You receive a radio call “See the woman possible attack investigation, 123 B St.” Upon arrival you are met by Sarah who is Jessica’s friend. Sarah relates the following:

Jessica and Robert worked together at the video store. They have gone out socially with friends from work. Tonight, Robert agreed to close the store for the assistant manager. Jessica is the late shift clerk. At midnight, they are the only two employees working. At midnight Robert locked the doors and asked Jessica to stay while he counted out the cash box. She agreed, and they began to talk and laugh. Suddenly, Robert approached Jessica and said he had wanted to kiss her for a long, long time. Jessica explained to him that she only wanted to be his friend. Robert told Jessica she was nothing but a big tease, grabbed her and pushed her onto the break room couch. Jessica yelled for him to stop, but he continued to overpower her with his size. He pulled her skirt up and inserted his finger into her vagina. Jessica tried unsuccessfully to struggle away. Robert told her it was okay because he really liked her, and everyone thought they were dating any way. He then placed his mouth on her vagina. Jessica began to cry hysterically and backed away from Robert and yelled for him not to touch her again or she would tell their friends what he had done. He laughed and said, “They all think we’re doing it anyway.” Jessica shamefully confided in her best friend Sarah two days later. Sarah convinced her to call the police.

1. Have any crimes been committed?

Oral Copulation
Penetration with a foreign object

2. What would you say to Jessica if she is reluctant to speak to you?

Let her know that she did the right thing by calling
Explain that we want to get Robert off the street so that he cannot do this to anyone else

3. What resources are available for Jessica?

Rape crisis counselor, DV Vine Pamphlet, Marsy’s Law Memo, Taking Action Booklet
Business card with detective contact number, Confidentiality, Medical Treatment at SART Hospital personnel

- B. Key Learning Points:

1. It is important to keep in mind that, although this may seem like a routine investigation, the incident being investigated has been a traumatic, degrading and life changing event for the victim.
2. Transport the victim to the hospital for a forensic medical examination as soon as possible
3. Be sure to offer Victim Resources at the time of the initial investigation
4. Sexual assault can be overwhelming to officers as well as to victims, but always, peace officers need to maintain their objectivity and emotional control.

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Learning Activity #2A:
Instructor Role Play/Sexual Assault Investigation [10.VI.A.1-7]

I. SEXUAL ASSAULT INVESTIGATIONS

A. LEARNING ACTIVITY: Instructor Role Play Sexual Assault Investigation

1. Two facilitators to role play below scenario
 - a) One facilitator to role play victim of sexual assault
 - b) One facilitator to role play interviewing officer

2. Victim's role-play instructions:

You are a receptionist at a doctor's office. You got off work a little early and decided to do some grocery shopping. You went to your local grocery store. You bought your groceries and proceeded directly to your home. You did not notice anything out of the ordinary. You pulled your car into the driveway which is on the side of your house. You started unloading your groceries. You realized that it was going to take several trips, so you left the side door open as you went back and forth to your vehicle. As you placed some of the groceries on the kitchen table, you were pushed from behind to the ground by an unknown male. The unknown man straddled your back and stated, "Don't scream or I'll kill you." He then punched you several times on the left side of your face.

He then pulled up your skirt and cut your underwear off with a possible knife. He then raped you and ejaculated inside of you. When he was done, he ran out the side door. You got a quick look at the man. He was male, dark hair, blue shirt, blue jeans, black shoes. That was all you could recall. After the man left, you cleaned yourself with a kitchen towel and vomited in the sink. You immediately dialed 911.

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3. Facilitators will demonstrate a proper sexual assault investigation including the following points:
 - f) Arrival at scene
 - g) Facilitator will conduct investigation and check for suspect
 - h) Crime Broadcast
 - i) Assess Victim
 - j) Interview Victim
 - k) Provide Victim Resources
 - l) Prepare for trip to SART Hospital
 - m) Collection and preservation of evidence
4. Handout: Handout Sexual Assault Overview
 - a) Review each step so that the recruits understand the steps necessary to investigate a sexual assault
5. Facilitator to Review Victim Resources:
 - a) Materials Needed:
 - (1) Domestic Violence - VINE Pamphlet
 - (2) Taking Action Booklet
 - (3) Business Card
 - (4) Request for Confidentiality of Information
 - (5) Marcy's Law Memo Card

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Learning Activity #2B:
Recruit/Instructor Role Play/Sexual Assault Investigation

A. Recruit/Instructor Role Play Sexual Assault Investigation

2. The student will participate in one or more learning activities from the current POST-developed *Instructor's Guide to Learning Activities for Leadership, Ethics and Community Policing (December 2005)* or other comparable sources regarding victimology/crisis intervention. At a minimum, each activity or combination of activities shall address the following topics:

3. Purpose: Students will role play a sexual assault investigation, which will reinforce areas discussed in the lesson plan and allow them to apply their overall knowledge of victimology, interviewing skills, law, evidence identification and collection, and other investigative skills necessary to complete a thorough Sexual Assault Investigation.

- a) The students will perform the steps of a preliminary criminal investigation, including the following:
 - (1) Proceed safely to the scene
 - (2) Determine need for emergency medical services and aid any injured persons
 - (3) Verify that a crime, if any, has occurred
 - (4) Identify and arrest the suspect(s), if appropriate
 - (5) Provide dispatch with any suspect information including physical descriptions, direction of flight, mode of travel, and other pertinent information
 - (6) Contain and protect the crime scene and cause the proper collection of physical evidence
 - (7) Locate and interview victim(s) and/or witness(es) and identify other sources of information
 - (8) Collect all available information necessary to write a clear and accurate report

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- b) The students will provide victims with meaningful information that will assist them in coping
 - (1) Demonstrate knowledge of the five phases of a victim contact and identify appropriate officer actions during each phase
 - (2) Apply guidelines for interviewing a victim
 - (3) Explain the information agencies are required by law to provide to victims of criminal acts
 - (a) Government Code Sections 13950-13966
 - (b) Marsy's Law form
 - (c) Explain qualifications for compensation under the Victims of Crime Compensation Program
 - (d) Explain legal and procedural information available to the victim
 - (e) Demonstrate actions to preserve possible physical evidence at a crime scene

- 4. Materials:
 - a) Domestic Violence/ VINE Pamphlet,
 - b) Taking Action Booklet
 - c) Business Card
 - d) Request for Confidentiality of Information, LAPD Form 70- 03.02.0
 - e) Marsy's Rights Card

- 5. Procedures:
 - a) 2 recruit officers will be assigned as first responding officers.
 - b) 1 Instructor will be assigned as the victim

PLEASE NOTE: Only Instructors shall role play as the victim Instructor will be assigned as a Fresh Complaint Witness. (Optional)

 - a) All remaining class members will be assigned as observers.

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- b) Once recruit officer selections have been made, ensure that the victim is given the specific role play instructions for their role to review prior to the role play.
- c) The scenarios take place in space available within the classroom, simulated to be an auditorium.
- d) Advise observers to watch role-play following along on the checklist and be prepared to critique the scenario at its conclusion.
- e) While groups are working through the scenario write the debrief questions on the board.

6. VICTIM ROLE-PLAY INSTRUCTIONS:

You are a teacher working late one evening (6:00pm) and you heard some noise from the auditorium. When you went to investigate you were grabbed from behind by a man (M, Wht, Brn, Brn, 6, 200,25 years) who held a knife to your throat, saying that he would kill you if you screamed. You believed he was going to kill you.

He pushed you against the wall and ripped off your clothing and underwear. The suspect penetrated you vaginally with his fingers, but became angry with your resistance and shoved you onto the ground, straddled your body and struck you several times in the head with an open hand. The suspect then raped you. You remember the suspect saying over and over while he was raping you, "Does that feel good bitch?" You believe the suspect ejaculated in you. After he raped you the suspect ran out of the auditorium leaving you in a stunned state. A custodial employee heard you calling for help in the auditorium, came to your aid, and called the police for you.

Cooperate with the student investigating officers but be aware you are in a shock like state. Don't offer information unless the student investigators specifically ask you. Provide your own biographical data. You have not showered, cleaned up, or changed your clothing. You are being interviewed in the auditorium.

7. DEBRIEF

- a) Have the class critique student's interview of victim
- b) What did they do well?
- c) What could they have done better?
- d) Are there any other questions?
- e) Be sure to cover the following items:

- 1) Behaviors exhibited by persons in crisis/victims of crimes
- 2) Impact of an officer's conduct on victims, witnesses or others who may be at the scene

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- 3) Use of effective interview techniques (e.g., empathy, active listening and non-verbal skills) during a peace officer's contact with persons in crisis/crime victims
- 4) Using language that the victim understands
- 5) Victim may use slang terms for body parts
- 6) If victim is a child, officers may have to find out what words the child uses for body parts
- 7) Paraphrasing to verify that the story is complete
 - a. This will ensure that the report is complete
 - b. May also jog victim's memory
- 8) Assuring the victim that this was not her fault
 - a. Victim may self-blame i.e., "I know I should not go out at night" and "I should have fought back"
 - b. Remember, whatever the victim did to survive was right-no one deserves or asks to be sexually assaulted.
- 10) Listing and function of resources available to victims/persons in crisis