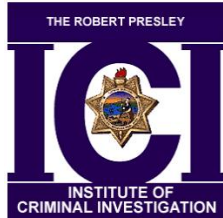


P.O.S.T. Institute of Criminal Investigations  
**SEXUAL ASSAULT INVESTIGATIONS (ICI)**

EXPANDED COURSE OUTLINE (40 Hours)

CCN: 1850-33430

Reviewed 04/21/22



**Instructional Goal:** To provide Sexual Assault Investigators with the specialized skills and knowledge necessary to collaboratively, effectively, and objectively conduct investigations unique to sexual assault.

**Performance Objectives:**

Upon completion of the course, the student/investigator will be able to:

- Interpret and apply sexual assault related laws.
- Competently exercise their investigative skills in sexual assault cases to increase the likelihood of successful prosecution under California law.
- Identify the importance of a sexual assault forensic medical examination as an investigative resource.
- Understand victim dynamics and counterintuitive behaviors.
- Develop specific investigation and interrogation framing based on offender typology

**Day 1**

**I. Introductions & Overview (60 Min)**

A. Instructor and Student Introductions

1. Name
2. Agency
3. Amount of time investigating sexual assault cases
4. What do you like about sexual assault investigation?

B. Instructor Expectations

1. Promptness
2. Cell Phone Courtesy
3. Proper Dress Code
4. Participation in all activities

**II. Legal Aspects (300 Min)**

A. Introduction

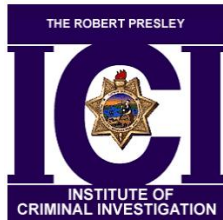
1. Instructor Introduction
2. Review Segment Goals and Objectives
3. General Opening Questions

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B. Adult Sex Abuse Law

1. 261(a)(2) Rape
2. Important Definitions

C. Evidence Code Sections Need to Know

1. Evidence Code 1103(c)(1)
2. Evidence Code 1108
3. Evidence Code 1240
4. Fresh Complaint Doctrine
5. Rape Trauma Syndrome
6. Syndrome is an acute stress reaction to a life-threatening situation
7. Type of Post-Traumatic Stress Disorder

D. Defenses

1. Honest and Reasonable Belief that Victim Consented is a defense
2. False Report
3. No Physical Evidence
4. Insufficient or inept investigation
5. Identification – not me
6. Mistake of age – only for “unlawful sex” crimes
7. Suggestive Interview

E. Courtroom Presentation

1. Direct Testimony
2. Ten Ten Testifying Tips for Investigators
3. Cross Examination
4. Cross Examination Pitfalls

F. Statute of Limitations

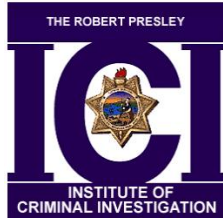
1. General Provisions
2. Special Sections for Child Sex Crimes
3. Explain Stogner case
4. 803(f) Stogner limitations
5. 803(g) applies to 290 crimes
6. 801.1(b) applies to felony 290 offenses
7. 801.1(a) applies to felony 261, 286, 288, 288.5, 288a, 289
8. 801.2 applies to 311.4(b) production of child porn

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G. Child Exploitation Law

1. Definition of Sexual Conduct
2. 311.11(a) Possession of Child Porn – Felony or Misdemeanor (wobbler); If defendant has prior 290 offense it is a straight felony
3. 311.1(a) Distribution of Child Porn – No commercial purpose, Felony or Misdemeanor (wobbler)
4. 311.2(b) Distribution with Commercial Purpose, Felony
5. 311.2(c )
6. 311.4(c ) Pose Child for Porn, Felony
7. 311.4(b) Pose Child for Porn with Commercial purposes, Felony
8. 311.2(d) Import or Possess with Intent to Distribute to Children, Felony

H. Investigations a DA Loves vs. Investigations that make a DA cry

1. To make the DA happy
2. Things that make the DA cry

**III. Medical & Forensic Exam**

(120 Min)

A. The Forensic Medical Examination

1. State Requirements
2. Local Medical Examinations sites
3. Initiating local SART Protocol
4. Examination Sequence

B. Common Medical Findings in Sexual Assault

1. Blunt Force Injury
2. Medical Conditions that interfere with interpretation of findings

C. Suspect Examinations

1. Purpose
2. Evidence
3. Conclusions and Summary

D. Complications with Exams in a hospital

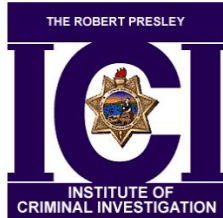
1. HIPPA – Health Insurance Portability and Accountability Act
2. Obtaining Medical Reports

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**DAY 2**

**IV. Victim Dynamics and Advocacy**

(240 Min)

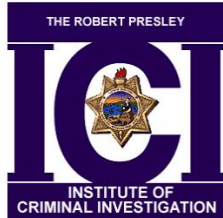
- A. Introduction and Overview
  - 1. Brief Instructor Background
  - 2. Goals of Module
- B. Dynamics of Sexual Assault
  - 1. Common Myths and Facts
  - 2. Disclaimer
  - 3. General Statistics
  - 4. Learning Activity
    - a. The Undetected Rapist Techniques table top exercise.
- C. Biases in Law Enforcement
  - 1. Background
  - 2. Learning Activity
    - a. Biases table top exercise.
    - b. Investigators pit falls.
  - 3. Alcohol and Sexual Assault
  - 4. False Allegations – Provide formal definitions
  - 5. False Allegation
  - 6. Inadvertently creating a “false” report
  - 7. How to recover from a bad first impression
  - 8. Other Biases in Law Enforcement
  - 9. Delayed reporting
- D. The Impact of Sexual Assault
  - 1. Learning Activity
    - a. Impact of Crime table top exercise.
    - b. Unique Factors to Sexual Assault
  - 2. Unique Factors to Sexual Assault
  - 3. Working with sexual assault victims
  - 4. Empathy as an Investigative Tool
  - 5. Trauma and Stress Responses

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6. Learning Activity
  - a. Victim Case Study Video table top exercise.

E. Victim Advocacy

1. Historical Background and Challenges
2. What is a Victim Advocate?
3. What law enforcement needs to know about advocacy
4. Privileged Communications

F. Special Populations

1. Additional Considerations

G. Additional resources

1. Additional resources
2. Questions

**V. Computer Forensics**

**(240 min)**

A. Introduction

1. Instructor Background
2. Overview of Module

B. Recognizing potential digital evidence

1. Case Examples
2. Fruits of the Crime
3. Instrumentalities
4. Repositories of crim
5. Corroborating Evidence

C. Search and Seizure of digital evidence

1. 4<sup>th</sup> amendment, Cyberspace, and Digital evidence
2. Seizing and securing evidence

D. Cyberchild Exploitation: Computer forensic response and child rescue

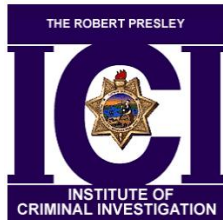
1. Introduction to sexual predators in the digital world
2. Profile of the computer sexual offender
3. Varying offenses related to sexual predators in the digital world
4. Computer Forensic Analysis Procedures to recover artifacts

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5. Rescuing children from on-going contact offenses
  6. Project Safe Childhood introduction
  7. Prosecutions routes
- E. Sexual Predators Online
1. Provide a local case example
  2. Internet terminology review
  3. Internet service connections and capabilities
  4. Learning Activity
    - a. Table top exercise.
    - b. Online data mining Sexual Predators.
  5. Tracking Online Sexual Predators
  6. Internet resources and methods used by offenders to target, stalk, attack, and/or murder victims
  7. Networking with other Law Enforcement

**Day 3**

**VI. Sexual Offender Typology & Interrogation Techniques** (360 min)

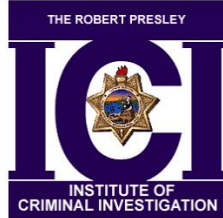
- A. Introduction
  1. Brief Instructor Introduction
  2. Why Typology is important
- B. Offenders
  1. Stereotypes of Sexual Offenders
  2. Offender Motivations
  3. Profiling Sexual Offenders
- C. Rapist Typology
  1. Power Reassurances/Pseudo-Unselfish
  2. Power Assertive/Selfish
  3. Pseudo-Assertive/Pseudo-Unselfish/Selfish
  4. Anger Retaliatory/Selfish/Oppportunistic
  5. Anger Excitation/Selfish
- D. Multiple Offender/Gang Rape

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1. Definition
  2. Parties to a crime
  3. Active vs. Passive participants-recognizing potential suspects
  4. Obstacles
- E. Preparation for Interrogation Practical
1. Overview
  2. Recommendations
- F. Interrogation Practical
1. Mock interrogation with students.

**VII. Investigator Wellness**

(120 min)

- A. Introduction
  1. Instructor Introduction
  2. Review Goals and Objectives
- B. Role of the Investigator
  1. Personal Impacts
  2. The Challenge
  3. Defense Mechanisms
- C. Stress and Burnout
  1. Definitions
  2. Managing Stress
  3. Disruption of Family Activities
  4. Overprotection
  5. Family Safety Issues
- D. Strategies for Healthy Coping
  1. Current Techniques used to manage stress
  2. New stress management techniques
  3. Other resources

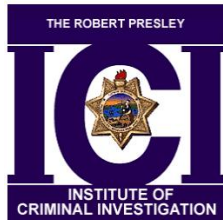
**Day 4**

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**VIII. Evidence and Crime Scene Activity**

(480 min)

- A. Physical Evidence in Sex Crimes
  - 1. Physical Evidence
  - 2. Identifying the most probative evidence
  - 3. What physical evidence can provide
  - 4. Prioritizing evidence for submission to lab
  - 5. Crime Lab Services
- B. Evidence Considerations with respect to the Victim, Suspect, and Crime Scene
  - 1. Lockard Exchange Principle
  - 2. Victim
  - 3. Scene
  - 4. Suspect
- C. Drug Facilitated Sexual Assaults
  - 1. Commonly used drugs
  - 2. Effects of commonly used drugs
  - 3. Collection of Samples for Lab and Detection Time Frames of  
Drugs
  - 4. Crime Scene and Suspect Considerations for Evidence
- D. Collection and Packaging of Physical Evidence
  - 1. General Considerations
  - 2. Fingerprints vs. Contact DNA
  - 3. Evidence Stains
  - 4. Alternate Light Source
- E. Combined DNA Index System (CODIS)
  - 1. Structure of the Database and profiles maintained in each
  - 2. Requirements for what profiles can and cannot be entered into  
CODIS
  - 3. Timelines for entry, upload and hit notification
  - 4. CODIS Hits/Requirement for Investigator following a Hit to an  
Offender
  - 5. Special Considerations
- F. Evidence Conclusion and Transition to Crime Scene Learning Activity
  - 1. Final Questions/Thoughts

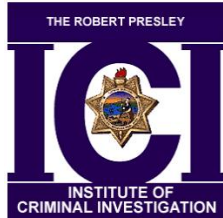


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2. Introduction of Law Enforcement Instructor
3. Crime Scene Learning Activity
  - a. Table top exercise
  - b. Mock Crime Scene Walk Through

**Day 5**

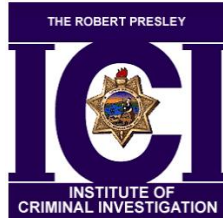
- IX.** Case Management & Investigative Techniques (480 min)
- A. Case Management
    1. Evaluating Cases
    2. Preliminary Investigative To Do List
  - B. Planning Investigation
    1. Coordinating Follow up Logistics
  - C. Executing Investigative Plan
    1. Documentation
    2. Organize and Prepare Discovery for Prosecution
  - D. Sexual Assault Issues
    1. Learning Activity
      - a. Table top exercise
      - b. Unique Difficulties of Sexual Assault Investigations
    2. Investigator Qualifications
    3. Unique Evidence Issues
  - E. Case Preparation
    1. Learning Activity
      - a. Table top exercise
      - b. Developing an Investigative Plan
    2. Investigative Tools and Techniques
    3. Anticipated Suspect Defenses
    4. Corroborating victim's account of events
    5. Proving and disproving suspects account of events
    6. Miscellaneous
    7. Investigative Techniques and Strategies

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8. Line ups
9. Complex cases
- F. Sexual Assault Search Warrants
  1. Brief review of search warrant basics
  2. Resources and Case Law Updates
  3. POST Search Warrant Writing Tool
  4. Learning Activity
    - a. Table top exercise
    - b. Sealing all or portions of the search warrant
- G. Pretext Phone calls
  1. Introduction to Pretext calls
  2. Penal Code
  3. Learning Activity
    - a. Table top exercise
    - b. Pretext Phone Calls
  4. Investigator Preparation
  5. Victim Preparation
  6. Equipment
  7. The call and after
  8. Pretext call examples