



# Colorado Springs Police Department

## Standard Operating Procedure

### DL-1100-07 Crimes Against Children

#### Section 1100 – Investigative Functions

Effective Date: 4/19/2024

Supersedes Date: 4/17/2014

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## .01 Purpose

The purpose of this directive is to provide guidance concerning the reporting and investigation of crimes against children.

## .02 Cross Reference

[GO 122 Treatment of Victims/Witnesses & Victim Rights Notification](#)

[GO 1050 Juveniles – General Applicability](#)

[GO 1405 Collection and Handling of Digital Devices](#)

[DL-1050-01 Juvenile Victims](#)

[DL-1050-02 Misdemeanor Child Abuse](#)

[DL-1100-01 Initial Investigation Procedures](#)

[DL-1100-06 Adult Sexual Assault Investigations](#)

[DL-1400-13 Sexual Assault Evidence](#)

[DL-1840-01 Callout Criteria for the Investigations Division](#)

## .03 Definitions

*Child Sex Abuse Materials (CSAM):* Any visual depiction of sexually explicit conduct involving a person less than 18 years old.

*High Profile:* Allegations involving a teacher, coach, member of the clergy, youth counselor, or other such adult-child relationship.

*In-Home:* Allegations when the suspect and victim reside in the same location at the time of the call for service or contact between the suspect and victim is imminent (e.g., parental suspect's visitation time is imminent, adult sibling suspect is coming home from college, etc.).

*Out of Home:* Allegations when the suspect and victim reside at different locations or are not related.

*Sextortion:* A form of child solicitation where children are threatened or blackmailed, most often associated with sharing an explicit image

*Valid Disclosure:* A disclosure to a credible adult that covers the elements of a crime (e.g., a victim tells a teacher their dad made them touch his penis. This is a clear allegation of a sexual assault on a child by one in a position of trust).

## **.04 Procedure**

The following contains general guidelines regarding crimes against children, infant death, and child abuse investigations and should assist patrol officers in their decision-making process regarding these crimes. Officers are cautioned that this is not a flow chart, and their situation may be covered under more than one event; therefore, they are encouraged to be familiar with the entire procedure before deciding on their case.

Any misdemeanor allegations (e.g., Unlawful Sexual Contact, Child Abuse) initiated by a patrol officer are not assigned for follow-up by the Crimes Against Children (CAC) Unit. All investigative responsibilities, including follow-up, will remain with the patrol officer.

Officers will provide the department's Crime Victim Rights (CVR) brochure when they initiate a case report or a summons concerning a violation of a crime covered by the Victims Rights Act (VRA).

Given the sensitivity of the investigations and scrutiny placed on interviews with youth, officers should use the Child Abuse Interview Guidelines for First Responders (as attached).

### **Investigative Responses**

The Crimes Against Children (CAC) Unit has increased responsibilities in the following types of investigations, making it important to ensure continuity between the patrol and investigative responses.

#### **Death of a Child Under 5 Years of Age – Infant Death/Homicide**

The death of a child under the age of 5, infant deaths, will follow these guidelines. In most infant death incidents, it is not immediately known if the death was an accident or homicide, and as such, the CAC Unit will be the primary investigative unit in these types of cases. For cases where it is immediately apparent that the death is a result of an obvious and intentionally caused injury (e.g., stab wounds, gunshot wounds, etc.), the Homicide Unit will assume primary investigative authority. Nothing in this procedure is intended to prevent the CAC and Homicide Units from collaborating on either type of investigation.

Officers will follow the below guidelines when responding to the death of a child, whether by known or unknown means. Officers should balance the sensitivity of the incident with the need to conduct a thorough death investigation.

- Secure the scene and gather preliminary information.

- The deceased child will potentially contain evidence of a crime, and officers should ensure proper evidentiary procedures are followed. This includes diplomatically ensuring that those associated with the child (e.g., parents, siblings, caregivers, etc.) have no physical contact with the child's body.
- Maintain contact with whoever had control over the child and document any statements made.
- Have a supervisor contact the on-call appropriate investigative unit supervisor.
- Complete a case report detailing your investigation.

### Felony Child Abuse

In many felony child abuse cases, further medical examinations by specialists may be necessary to determine whether an incident, an accident or abuse occurred. Additional interviews at a later time will likely be necessary. Accordingly, officers should work to maintain a positive rapport with suspects and witnesses.

- Secure the scene and gather preliminary information.
- Separate suspects and witnesses while trying to maintain a positive rapport.
- Monitor and document any statements made by parties on scene, but do not initiate a full interview.
- Have a supervisor contact the on-call CAC supervisor.
- Complete a case report detailing your investigation.

### Sexual Assaults

#### *High Profile Sexual Assaults or Relationships*

If the allegation of sexual assault or a sexual relationship involves a K-12 student and a teacher, coach, priest, youth counselor, or other potentially high-profile relationships, officers should only gather preliminary information, secure the scene if there is one, and have their supervisor contact the on-call CAC supervisor.

#### *In-Home Sexual Assaults*

In the interest of a child's safety, the CAC Unit takes an increased involvement in incidents involving In-Home Sexual Assaults.

If representatives of the CAC Unit undertake an immediate response, they will facilitate the victim receiving the forensic medical exam. If an immediate response is not warranted and the sexual assault occurred within the last seven (7) days, officers should work with the non-offending parent/caretaker to have the victim seen at UC Health (North or Central) by a Sexual Assault Nurse Examiner, also known as a Forensic Nurse Examiner.

- Depending on when the assault occurred and the location of the suspect, secure the scene and lawfully obtain any items of evidence related to the assault (refer to [DL-1400-13 Sexual Assault Evidence](#)).
- Gather complete information, interviewing the reporting party.
- Confirm the venue, date of occurrence, and if any potential evidence exists if this was not part of the disclosure.
- Determine if the suspect will have access to the child or other children to determine if they are in immediate danger.
- To protect the investigation's integrity, do not interview the child but document any disclosures the child made/makes without being questioned, noting that the interview will be arranged with the Forensic Interview Unit.
- If the suspect is not aware of the investigation, do not attempt to contact them.
- Have a supervisor contact the on-call CAC supervisor.
- Notify DHS of the incident.
- Complete a case report detailing your investigation.

#### *Out of Home Sexual Assaults*

If the sexual assault occurred within the last seven (7) days, officers should work with the child's parent/caretaker to have the victim seen at UC Health (North or Central) by a Sexual Assault Nurse Examiner, also known as a Forensic Nurse Examiner.

- If the victim is 15, 16, or 17 years of age and the suspect is not in a position of trust, refer to [DL-1100-06 Adult Sexual Assault Investigations](#) for guidelines.
- Depending on when the assault occurred and the location of the suspect, secure the scene and lawfully obtain any items of evidence related to the assault (refer to DL-1400-13 Sexual Assault Evidence).
- Gather complete information, interviewing the reporting party.
- If a valid disclosure of sexual abuse was made to a credible source, then officers do not need to interview the child regarding the specific details of the incident. Officers should confirm the venue, date of occurrence, and any potential evidence that exists, if this was not part of the disclosure.
  - For example, a disclosure of inappropriate touching would not be considered valid because that could mean different things to different people. Officers would need to obtain further information surrounding how the victim was touched inappropriately.
  - Let the family know a forensic interview will be conducted at a later time. Provide them with the "What Do I Tell My Child?" Forensic Interview Brochure
- Verify the suspect will not have access to the child.
- If the suspect is not aware of the investigation, do not attempt to contact them.
- Complete a case report detailing your investigation.

## Internet Crimes Against Children

### *Sexual Exploitation of a Child*

If the victim in the digital media is known, refer to the above sexual assault guidelines. If the victim is not on the scene or in danger, follow the steps below.

- Gather complete information, interviewing the reporting party.
- Try to identify the location where the photo was taken.
- If probable cause to seize the electronic devices is established, seize the items following [GO 1405 Collection and Handling of Digital Devices](#).
  - Complete the Digital Forensic Unit (DFU) request form when the items are placed into evidence.
- Establish who owns or has access to the digital media.
  - Obtain a search waiver for the devices if needed, detailing their standing with the digital media to include the passcode for the device and access to applications in question.
- Complete a report titling it C.R.S. §18-6-403, Sexual Exploitation of Children; the Occurred Incident Type should be Sex Crimes-Juvenile.
  - If the image is of an unknown child, the victim should be listed as the State of Colorado.
- If there is any indication the victim intends to meet the suspect in the immediate future, have a supervisor contact the on-call ICAC supervisor.
- Provide the victim with a VRA brochure.

### *Internet Luring of a Child*

If possible, establish the victim's location. If the child is in immediate danger (e.g., any indication the victim intends to meet the suspect in the immediate future, the victim is with the suspect, etc.), have a supervisor contact the on-call ICAC supervisor. If the child is present and in no danger, follow the below steps.

- Determine the manner in which the contact was made (e.g., social media, text messaging, third-party application)
- Gather complete information, interviewing the reporting party.
- If probable cause to seize the electronic devices is established, seize the items following GO 1405 Collection and Handling of Digital Devices.
  - Complete the Digital Forensic Unit (DFU) request form when the items are placed into evidence.
- Establish who owns or has access to the digital media.
  - Obtain a search waiver for the devices if needed, detailing their standing with the digital media to include the passcode for the device and access to applications in question.

- Gather identifying information of the suspect (e.g., screen name, username, website, personal information)
- Complete a report titling it C.R.S. §18-3-306 Internet Luring of a Child; the Occurred Incident Type should be Sex Crimes-Juvenile.
  - Place any digital evidence into DIMS.

### *Sextortion*

When investigating allegations of sextortion, officers will:

- Identify and get statements from the victim(s).
- Identify which online platform the images are on.
- Get any identifying information about the suspect.
- Initiate a case report titled C.R.S. §18-6-403 Sexual Exploitation of a Child.
  - All Sextortion cases will get routed to the ICAC unit for review.
- Provide the victims with a VRA brochure.
- Refer the victims to the National Center for Missing and Exploited Children (NCMEC) website for additional resources, including a service called Take It Down, which helps remove explicit images of underage people online.

### Calls for Service Involving Community-Based Investigative Groups (e.g., Colorado Ped Patrol)

Some community-based investigative groups will conduct their own investigations by posing as minors online to try and catch child predators in the act. The group's investigative techniques include, once a time and location are set, the group will contact the suspect while they are live streaming or recording. Often, they will threaten the suspect by calling the police or family members if they do not talk with them. Once they are done with their contact, they will call the police.

While these groups are likely well-intentioned, the tactics used are not approved, condoned, or encouraged by the Colorado ICAC Task Force or the National ICAC. When responding to such a call for service, officers will:

- Understand all actions and conversations will usually be recorded by the group.
- Contact and identify all members present from the group and get statements.
- Initiate a case report for C.R.S. §18-3-306 Internet Luring.
- Inform all parties that a case report has been initiated and that ICAC detectives will be notified.
- Do not make an arrest on the scene. These crimes take time to investigate, and all evidence will need to be reviewed.
- Collect all evidence. Ask to seize the phone if chat was conducted on that device for a forensic download, take pictures of the chat on the phone, or ask them to email the chat log

to you. Often, they will provide printed copies of chat logs and a digital recording of the confrontation.

## **Attachments**

[Child Abuse Interview Guidelines for First Responders](#)

[What do I tell my Child Brochure? \(English\)](#)

[What do I tell my Child Brochure? \(Spanish\)](#)