



CHATHAM COUNTY POLICE DEPARTMENT

STANDARD OPERATING PROCEDURES

SOP # OPS-036:
SEXUAL ASSAULT INVESTIGATIONS

EFFECTIVE: 02/01/2018
REVISION: 02/17/2019

PURPOSE

The purpose of this Standard Operating Procedures is to establish procedures that guide both Patrol Officers and Investigators during sexual assault investigations.

POLICY

For the purpose of this policy, the term “sexual assault” is generic for all sex crimes. It is the policy of the Chatham County Police Department (CCPD) to investigate sexual assault cases with the highest standards of legal and professional conduct in a sensitive, supportive attitude intended to instill trust with the victim, the general public, and facilitate proper information gathering.

PROCEDURE

I. INITIAL RESPONSE

- A. When a sexual assault complaint is received in the Communications Center, the Communications Specialist receiving the call shall request the following information:
 - 1. Victim's name.
 - 2. Location of caller.
 - 3. Where the attack occurred.
 - 4. When the attack occurred.
 - 5. Name and/or description of perpetrator(s).
 - 6. Direction and means of perpetrator's flight, if applicable.
- B. The Communication Specialist shall make every effort to keep the victim on the phone line until the first Officer arrives on the scene.
- C. The Detective or Detective Unit Supervisor shall notify Rape Crisis to send a volunteer and a Sexual Assault Nurse Examiner (S.A.N.E.) to an authorized medical facility. Unless medical needs dictate otherwise, all sexual assault cases shall be investigated in an appropriate setting to ensure the medical needs, privacy and comfort of the victim.
- D. All biologic evidence will be collected up to a minimum of 120 hours (5 days) after assault. In addition, cases should be evaluated on an individual basis as the medical forensic examination may be completed beyond 120 hours.
- E. The responding Officer shall assess the victim's well-being and let the victim know they are there to help.
- F. An Officer shall:
 - 1. Secure the scene of the attack and begin a Crime Scene Access Log (CCPD Form #1181), provided the crime scene is located.

2. Locate and identify witnesses.
 3. Conduct an area canvass.
 4. Obtain suspect information and issue a BOLO.
- G. The responding Officer should explain to the victim each step of the investigation, including the S.A.N.E. examination.
1. The Officer should explain that the SANE examination is a free forensic procedure designed to identify, document, and collect evidence.
 - a. O.C.G.A. 17-5-72 states: A victim shall have the right to have a forensic medical examination regardless of whether the victim participates in the criminal justice system or cooperates with law enforcement in pursuing prosecution of the underlying crime. A victim shall NOT be required to pay, directly or indirectly, for the cost of a forensic medical examination. The cost of a forensic medical examination shall be paid for by the Georgia Crime Victims Emergency Fund, as provided for in Chapter 15 of this title. *NOTE: A victim has the right to stop the SANE examination at any time for any reason. Law enforcement shall not encourage a victim to stop a SANE examination.*
 2. At no time shall the victim be misled concerning the purpose of the SANE examination.
 3. If possible, the victim should take a change of clothing to the authorized medical facility and the need to keep crime scene clothing as evidence should be explained.
- H. Anonymous Reporting: the reporting of a sexual assault without providing personal information or facts about the case to law enforcement. As much as possible, all other initial response procedures will be followed:
1. Under certain circumstances, a victim can have a Forensic Exam completed without reporting the nature of the crime committed.
 - a. A CRN will be pulled, however no information pertaining to the complainant or the facts of the case will be written in the report.
 - b. The report will state the officer responded to the authorized medical facility in reference to an anonymous report of sexual assault. A sexual assault kit was collected and logged into the property room.
 2. A sexual assault kit will be completed by the SANE nurse when authorized by the victim. A CRN will be assigned to the Sexual Assault kit, which will be logged into the property room.
 - a. The victim's information will not be put on the Sexual Assault Kit. Use the words "Anonymous Reporting" for identification purposes.
 3. A Detective Sergeant will be notified.
 4. The victim will be advised they have up to one year to change their mind and add the relevant facts and personal information to the report.
 5. Forensic evidence for anonymously reported sexual assaults will be maintained for not less than 12 months. The victim must also be informed, at the time of the anonymous reporting, that after twelve months the evidence may be destroyed, per O.C.G.A. 17-5-71 (b) Preservation of Evidence.
 7. The victim should be transported to the authorized medical facility's Quiet Room.

8. Victims with life threatening or major trauma injuries will be taken an authorized medical facility. This decision will be made by medical personnel.
9. The victim should not be transported in the rear seat of marked unit with a cage, unless no other means of transportation exists.
- I. Once at the hospital, the Officer should never leave the victim alone and should take the victim to a private waiting room, if the Quiet Room is unavailable.
- J. Officers shall not discuss the investigation openly or within hearing distance of the victim or others not associated with the investigation (i.e. other patients, hospital employees, etc.).

II. FOLLOW-UP INVESTIGATION

- A. When conducting sexual assault investigations, Detectives will:
 1. Ensure the victim understands the investigation process and who each person is that will be involved, to include the S.A.N.E. Nurse, Rape Crises or appropriate medical personnel.
 2. Ensure that evidence at the scene is collected.
 3. Ensure information about the perpetrator has been sent to nearby agencies, if appropriate.
 4. Explain the investigator's role and how the interview is conducted and why certain sensitive questions have to be asked, as well as the importance of the *modus operandi* and the necessity of providing details.
 5. Interview the victim with the SANE Nurse, Rape Crisis or appropriate medical personnel, if circumstances allow.
 6. Allow the victim to first tell what happened in their own words with no interruptions prior to asking specific questions.
 7. Make notes of the victim's condition.
 - a. If there is any likelihood that a "date rape" drug was used, the S.A.N.E. or medical facility at the request of the detective shall obtain a blood or urine sample from the victim. The sample shall be logged into evidence and placed in the evidence refrigerator until it can be transported to the GBI Crime Lab for analysis.
 - b. Photographs of the victim's injuries should be taken by the SANE Nurse during the examination.
 - (1) If the examination is conducted by a physician, a Crime Scene Officer shall photograph the victim's injuries, if any.
 - (2) Photographs may be taken the following day to show the extent of any bruising. Following day photographs will be taken by a Crime Scene Officer.
 8. Ensure that medical evidence and the victim's clothing are obtained in a legal manner (Sexual Assault kit used, Sexual Assault Data Form completed by the S.A.N.E. Nurse, physician or appropriate medical personnel and signed by case detective).
 9. Ensure that the victim has a means of transportation from the hospital.
 10. Brief the victim on next contact, judicial process, and other information.

11. The case detective will ensure the medical evidence (Sexual Assault kit) is obtained from the authorized medical facility as soon as possible. Said evidence must be retrieved from the S.A.N.E. or medical facility as soon as reasonably possible. The case detective will also ensure the kit is submitted to the GBI within 96 hrs to comply with O.C.G.A. 17-5-72.
 - a. Submit it to GBI Crime Lab through the CCPD Property Room.
 - (1) All Sexual Assault kits **except** cases that are **unfounded** or **anonymously** reported will be submitted to the GBI for processing.
 - (a) Anonymously reported kits will only be sent to the GBI Crime Lab with the victim's approval and request.
12. Conduct a subsequent in-depth interview, if appropriate.
13. Show photo line-ups, if appropriate.

BY ORDER OF:

Electronically Approved in PowerDMS on 02/17/2020

Jeffrey M. Hadley
Chief of Police