



GENERAL ORDER

Loudoun County Sheriff's Office

Chapter: Operations

Section: 411.10

Subject: Response to Selected Situations

Topic: Adult Sex Crimes

Enacted: 07/30/2015

Last Review: 01/12/2026

Review: 04/01/2028

I. PURPOSE

The purpose of this General Order is to provide a reference for conducting the initial patrol response and preliminary investigation of adult victims of sex offenses

II. POLICY

It shall be the policy of the Loudoun County Sheriff's Office to utilize uniform procedures when investigating sex offenses.

Sex crime victims may suffer extreme psychological as well as physical injury. Investigating deputies should be cognizant of this and conduct the investigation with patience and understanding of what the victim has experienced. The deputy's investigative technique may influence the victim's cooperation in any subsequent proceedings.

III. PROCEDURE

A. Emergency Communications Center ("ECC") Responsibilities:

1. This is usually the victim's first contact with the Sheriff's Office. Call takers and dispatchers are to show sensitivity toward victims who call the Emergency Communications Center.
2. When ECC personnel receive a sex crime complaint they shall obtain as much information as possible, to include incident location, current location of suspect, lookout information, medical needs, etc.

B. Patrol Responsibilities:

1. Patrol units shall be dispatched to the scene as a first priority. Other deputies not responding directly to the scene, but in the general area, should begin a search for the suspect, if applicable. This also applies to deputies no longer needed on scene after it has been secured.
2. When deputies arrive at the scene, the priority is to determine the victim's need for medical attention, followed by an attempt to obtain a suspect description, means of escape, vehicle description, direction of travel, and any other relevant information pertaining to the suspect.

C. Interviewing Deputy's Responsibilities:

1. If available, a deputy of the same gender as the victim should conduct the victim interview. However, supervisors have the authority to make assignments as deemed necessary.
2. Understand that victim reactions are varied; therefore, the victim may not have followed recommended procedures regarding crime scene preservation. For example, the victim may have already obtained hospital treatment, showered, changed clothes, etc. The victim should not be lectured or disparaged for these actions.
3. The victim interview should be conducted in private or as privately as possible under the circumstances. In some cases, the victim may be reluctant to relate details if a friend or family member can overhear the conversation or if others are allowed to walk in and out of the interview area.
4. Before beginning the interview, the deputy should:
 - a. Establish rapport with the victim
 - b. Explain the need to ask questions that may be embarrassing to the victim
 - c. Explain hospital and investigating procedures
5. The interviewing deputy should be patient and allow the victim to tell the story in his/her own words. A certain amount of resistance is to be expected. The victim may not know the meaning of technical words such as fellatio, cunnilingus, sodomy, etc. Therefore, simple words and phrases should be used so that the victim will be certain to understand the questions being asked.
6. The victim's reaction and demeanor shall be considered in determining the timing and length of the preliminary interview. The preliminary interview should be thorough enough to establish the elements of the crime but may not be in-depth. If the victim's reaction warrants, detailed questioning may be postponed; however, the interviewing deputy should make certain that the following points are included:
 - a. Elements of the crime (force, threat, intimidation, penetration, no consent, rape, sodomy, etc.)
 - b. Identification and preservation of physical evidence (bed covers, weapon, clothing, etc.)
 - c. Identification of any potential suspect(s)
 - d. Location of the crime scene
 - e. Timeframe of the offense

7. At no time will a victim of a sex offense be required or requested to submit to a polygraph examination as a condition of proceeding with an investigation of his/her complaint. [§19.2-9.1 B, Code of Virginia](#).
8. After gathering the initial information, notify the shift supervisor to determine if a detective should be called to the scene. The Special Victims Unit of the Criminal Investigations Division ("CID") should be notified whenever their expertise is needed, or a supervisor determines such notification is appropriate. A CID supervisor can be contacted at any time to assign the appropriate detective. The need for immediate follow-up should be considered.
9. Based upon current DNA analysis capabilities at the Department of Forensic Science (9/16/16), the maximum collection time for vaginal penile penetration is 120 hours and anal penile penetration is 72 hours. Other types of assault such as cunnilingus or saliva on skin is 96 hours and fellatio is 24 hours. Vaginal and anal digital penetration is 48 hours. If an adult was victimized within these time frames, a detective should be called to arrange an examination by a Sexual Assault Nurse Examiner (SANE).

D. Victim/Witness Program:

1. As soon as practicable after identifying a victim of a crime, the victim shall be provided with a standardized form listing the specific rights afforded to crime victims under [§19.2-11.01, Code of Virginia](#), as amended. The form shall include a telephone number so the victim can receive further information and assistance in securing the rights afforded to crime victims.
2. This resource must be provided to the victim and, if appropriate, to a family member to assist and support the victim.
3. The interviewing deputy should decide the appropriate time to mention this service. If the victim requests or is too upset to call, the detective may call the service if he/she determines it will be beneficial to the victim at that time.
3. Delivery of this information should be noted in the Incident Based Reporting system or supplemental report.

E. Hospital Procedures

1. It is the detective's responsibility to authorize a Sexual Assault Nurse Examiner ("SANE") and have a nurse called and activated before responding to a Forensic Assessment and Consultation Team Department ("FACT"). If the victim is at another location, the deputy may be advised to transport the victim. It is the nurse's protocol to contact a Loudoun Abused Women's Shelter ("LAWS") advocate for the victim once they are paged and activated.
2. If awaiting a detective at the FACT, the deputy should preserve the evidence on the

victim's body. The deputy should stay with the victim and provide him/her with any required assistance.

3. Only the SANE is authorized to administer the victim's Physical Evidence Recovery Kit ("PERK").
 - a. The SANE nurse will explain the PERK procedures to the victim prior to the victim entering the examination room. The procedures include taking head and pubic hair samples, vaginal, anal, and/or oral swabs.
 - b. The SANE will collect all PERK evidence at the hospital and take photographs of any injuries
 - c. If needed, as directed by the SANE, the detective shall assist at the hospital. Under normal circumstances, the detective will not be present in the examination room during the PERK procedures.
 - d. The detective, if necessary, shall assist in planning for the victim's transportation home.
 - e. The detective shall be responsible for preserving the chain of custody regarding the completed PERK. When directed by SANE, the PERK must be refrigerated as soon as possible and must be submitted to the lab within seven (7) days.
4. Mandatory requirements are still in effect regarding reporting incidents to Child Protective Services or Adult Protective Services when applicable.
5. A PERK received by a law enforcement agency must be submitted to the lab within 60 days of receipt, except under the following circumstances: (1) it is an anonymous kit that will be forwarded to the lab for storage, (2) the kit was collected by the Office of the Chief Medical Examiner as part of a routine death investigation and the law enforcement agency and medical examiner determine that analysis is not warranted, (3) the kit is connected to a criminal offense outside of the Commonwealth, or (4) the kit was determined by law enforcement not to be connected to a criminal offense. [§19.2-11.8, Code of Virginia](#).
6. Suspect PERK
 - a. When directed by a SANE, a suspect PERK should be collected in any investigation where probable cause exists for crimes such as rape, sodomy, incest, etc. All suspect PERKs must be submitted to the lab within seven (7) days.
 - b. The detective assigned to the case or Evidence Clerk may transport the PERK test to the lab.

- c. If an identified suspect will not consent to a PERK, a search warrant for the person shall be obtained in a timely manner.

7. Anonymous Victims

- a. On occasion, a victim may anonymously obtain his/her own SANE and PERK and not request or want the involvement of law enforcement. The hospital that has conducted the exam shall be forwarded to the Virginia Department of Forensic Science (“DFS”) for storage after 30 days. DFS shall store the anonymous PERK for 2 years. The victim has the option of extending the storage an additional 10 years by a written objection to the destruction of the PERK.
- b. It is possible that the victim may change his/her mind after the initial assault to proceed with an investigation.
 - i. If done within the first 30 days, the victim must contact the hospital directly to sign a form changing their status from “anonymous” to “reported.”
 - ii. If done between 30 days – 2 years, the victim must contact DFS to change their status from “anonymous” to “reported.”
- c. Unless a victim extends the storage period or comes forward and wishes to proceed with an investigation, the PERK will be destroyed after two years of being retained in storage with DFS. [§19.2-11.6, Code of Virginia](#).

F. Evidence Collection

- 1. Initial deputies should note any evidence observations to CID or the Forensic Services Unit (“FSU”).
- 2. Due to the severity of sexual assaults, an evidence technician shall process each crime scene. If a Crime Scene Investigator is not available, a patrol or CID supervisor should authorize calling one out to the scene. If members of FSU are not available, a patrol Evidence Technician may be called for processing of the crime scene. Specific areas of interest include:
 - a. Collect any weapons, instruments, clothing or bedding that may be involved in the crime in accordance with the laws of search and seizure.
 - b. If the victim is not immediately going to see a SANE, collect all items of clothing worn by the victim at the time of the offense for potential DNA analysis, including touch DNA.
 - c. Search for any evidence that may support or refute the statements of the

victim, suspect, or witnesses

- d. Complete a thorough report assuring accuracy and detail