



# OVERLAND PARK POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

**NUMBER:** 3340  
**TOPIC:** SEXUAL ASSAULT INVESTIGATIONS

**EFFECTIVE DATE:** 02/01/2023  
**SUPERCEDES:** NEW

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Chief of Police

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CALEA references: none

## **I. PURPOSE**

The purpose of this written directive is to standardize the process for investigating sexual assault for victims 16 years of age and older in an effort to provide a trauma-informed approach to serving victims.

## **II. POLICY STATEMENT**

Officers must be sensitive to the emotional, psychological, and possible physical trauma experienced by sexual assault victims. Aside from the normal steps associated with the initial and follow-up investigations, additional protocols and services are detailed in this policy to assist in investigating sexual assaults and caring for sexual assault victims.

## **III. PROCEDURE**

### **A. INITIAL RESPONSE**

The initial responding officer(s) will immediately assess the victim's medical needs and, if appropriate, summon emergency medical personnel. If emergency medical personnel are not needed, the officer will explain the necessity of seeking medical care for the victim's health and collecting potential evidence.

The reporting officer should assess the victim's ability to give a complete statement at the time of the initial report. If the victim is exhibiting signs of stress or trauma, for example, the victim is withdrawn, nervous, or unwilling to speak with officers, officers should consider conducting a minimal facts interview only. A minimal-facts interview should include basic questions about the incident but be complete enough to assess the need for immediate follow-up. Immediate follow-up might include: determining the urgency to make an arrest, obtaining a search warrant for evidence collection, and/or the need to process a suspect to collect evidence.

Officer(s) should consider calling a Victim Services Advocate as soon as practical to assist the victim through the investigative process. Ultimately, officers or Victim Services personnel must provide the victim with a *Victims Rights Sheet* and point out contact information for MOCSA and/or any other applicable resources.

**B. SEXUAL ASSAULT EXAMINATION AT A MEDICAL FACILITY**

The responding officer(s) will encourage the victim to be seen at one of the below-listed hospitals because they are staffed with Sexual Assault Nurse Examiners (SANE) and Sexual Assault Response Team (SART) personnel.

**Victims under 18 years of age or older should be referred to:**

Children's Mercy Hospital Kansas  
913-696-8000  
5801 W. 110th Street  
Overland Park, Kansas 66211

NOTE: For victims of sexual assault under 16 years of age, refer to [SOP 3040, Child Abuse Investigations](#).

**Victims 18 years of age or older should be referred to:**

Shawnee Mission Medical Center (SMMC)  
FACT (Forensic Assessment Consultation and Treatment)  
(913) 676-7500  
9100 W. 74<sup>th</sup> Street  
Merriam, KS.  
(Emergency Room (913) 676-2218)

The examination should be performed in a timely manner to prevent the loss of potential evidence. Before going to the hospital, the officer should notify the facility regarding their impending arrival. Officer(s) will instruct the victim to refrain from douching, bathing or showering, wiping the vaginal or anal area, changing clothing, or disturbing the scene before the medical examination.

Officer(s) should suggest and help the victim arrange to take clothing with them to the hospital. If the victim is examined at one of the above-listed facilities, a SANE will

perform the examination and collect evidence. The evidence will be turned over to the investigating officer.

While undergoing the exam, the victim will be asked several questions by the SANE. Officers should avoid interviewing or asking the victim follow-up questions at this time.

If the victim is unwilling to go to one of the above-listed facilities and chooses to go elsewhere, they may do so. The officer will coordinate with the staff at the treating facility to collect the evidence and turn it over to the officer. [KSA 65-448](#) requires a doctor or specially trained nurse at any hospital to collect sexual assault evidence.

#### C. COLLECTION AND PROCESSING OF SEXUAL ASSAULT KITS

The KBI is responsible for providing Sexual Assault Evidence Collection Kits to the treatment facilities.

In accordance with [K.S.A. 22-4621](#), all sexual assault kits that correspond to a law enforcement report of sexual assault must be submitted to the Johnson County Sheriff's Office criminalistics laboratory or the Kansas Bureau of Investigation for examination within 30 business days from the collection of the kit. Examination results for all sexual assault kits will be attached to the Records Management System by Records personnel and forwarded to the designated Investigations Division Sergeant.

When a sexual assault kit is collected, the sexual assault kit will be placed into property in accordance with [SOP, 3250 Property](#). The Special Victims Unit (SVU) will ensure sexual assault kits are sent to the Johnson County Crime Lab for processing in accordance with statutory regulations.

#### D. COLLECTION OF EVIDENCE

All items recovered as evidence will be handled and processed in accordance with [SOP 3250, Property](#).

Biological evidence and clothing of evidentiary value will be placed into property. The Special Victims Unit (SVU) will review biological and clothing evidence and determine what is sent to the Johnson County Lab for processing.

Any electronic communication pertinent to the case should be collected and/or preserved as soon as possible. This includes text messages, photographs, social media profiles, dating site profiles, social media conversations, etc. The best practice for collecting this type of evidence is to have a CID Detective collect it via a forensic download. If this is not an option at the time, officers should consider photographing the evidence.

In cases of suspected drug-facilitated sexual assault, the blood and/or urine, along with the KBI evidence form and Johnson County Submission form, will be submitted to the Overland Park Police property room to be sent to the Johnson County Crime Lab for transfer to the Kansas Bureau of Investigation (KBI) Crime Lab.

E. MANDATORY SUPERVISORY NOTIFICATION

Officer(s) will notify a field supervisor of all reports involving sexual assault. A CID or field supervisor will notify Overland Park Crime Lab Detective(s), regardless of time elapsed or the victim-offender relationship, who will help assess the scene and recommend whether personnel from the Johnson County Criminalistics Laboratory need to respond and assist with processing. A CID supervisor will be consulted on all reports of sexual assault to determine if a detective should respond and for guidance on scene investigation.

F. SUSPECT PROCESSING AND INTERVIEW

Suspect processing and interviewing should be considered in all sexual assault cases.

Processing will preferably be completed by a crime scene investigator, forensic scientist, or detective/investigator that has specifically been trained in sample collection post-sexual contact. When circumstances dictate (i.e., exigency, perishable evidence), processing may also be completed by a patrol officer.

The current interpretation of case law dictates that sensitive area (i.e., genital area) processing be conducted only by members of the same sex as the person being processed.

If SANE/SART is to perform the processing, the event should include a case briefing, arrangements for additional clothing for the suspect (if clothing will be collected as evidence), and providing for the safety of the SANE during the medical-legal examination.

If Patrol officers believe they have enough information to proceed with a suspect interview, they may conduct one at the time of the initial report. A CID supervisor may be contacted to determine the need for a suspect interview.

G. FOLLOW UP BY CRIMINAL INVESTIGATIONS DIVISION

The Criminal Investigations Division will be responsible for investigating all sexual assault incidents. Detectives within the Criminal Investigations Division will receive *Trauma-Informed* interview training.

An SVU detective will conduct a more thorough interview with the victim. The interview should be conducted within a reasonable amount of time after the incident. This should allow the victim to process the trauma and allow the victim two or three sleep cycles, which will help the victim better recall what happened.

At the conclusion of the investigation, the detective will ensure sexual assault investigations warranting prosecution are reviewed by the Johnson County District Attorney's Office to determine if criminal charges will be filed.

Origin Date: 02/01/2023

CALEA REFERENCES: NONE