



# Training Key® #571

## Investigating Sexual Assaults Part I: Elements of Sexual Assault & Initial Response

This *Training Key* addresses investigative procedures and best practices for investigating sexual assaults and working with victims of sexual violence.<sup>1</sup> This is part I of a three part series on this subject.

### Background

The investigation and apprehension of sex offenders guarantees many special challenges for responding officers and investigators. Given the serial nature of sex offenders, effective police intervention is absolutely critical. Vigorous law enforcement intervention can increase the reporting of sexual assault crimes, improve victim safety, enhance investigations, and facilitate successful prosecution.

Estimates of the incidence of sexual assault in the United States vary depending on whether they are based on crime statistics reported to the police, victimization surveys of a random sample of the population, or other methods. For example, the National Victim Center estimated in 1992 that 1 out of 7.7 American women is the victim of at least one completed rape during their lifetime and that 0.7 percent have been raped during the past 12 months.<sup>2</sup> Similarly, the National Crime Victimization Survey estimated in 1995 that 0.5 percent of U.S. women experienced an attempted or completed rape during the prior 12 months.<sup>3</sup> In contrast, estimates provided by the FBI Uniform Crime Report (UCR) tend to be much lower, primarily because they are based on the number of sexual assaults that are reported to law enforcement authorities. For example, in 2002, UCR statistics indicated a rate of 64.8 reported forcible rapes per 1,000,000 adult women.<sup>4</sup>

Many rape crisis advocates, law enforcement administrators, and others have expressed serious concerns about the limited definition of rape used by the UCR arguing that it does not present an accurate picture of sexual violence in America.<sup>5</sup> Specifically, the definition used by the FBI limits rape to "the carnal knowledge of a female, forcibly and against her will." This definition does not include a variety of other types of sexual assault.

Many argue that such a narrow definition contributes to the stereotype of sexual assault, leaving law enforcement pro-

fessionals ill prepared to respond to the realistic dynamics of these crimes. These include the following:

- Most sexual assault victims are acquainted with the suspect(s) in some way, yet they rarely expect intimacy with the suspect(s).
- The stereotype of date rape rarely applies.
- Many women are repeatedly victimized by rape and sexual assault.
- Most sexual assaults are not reported to law enforcement authorities.
- Men are even less likely to report their sexual assault to the police than are women.
- Victims often delay reporting a sexual assault for days, weeks, months, or even years. Many never disclose to anyone, including their closest friends.
- The police are more likely to be notified of sexual assaults that are committed by strangers than non-strangers.
- Sexual assault perpetrators rarely use weapons. Their weapon is their betrayal and the victim's confusion, shame, and embarrassment.
- Victims rarely report the assault to the police first. Rather, many victims come to the attention of law enforcement through public health services for runaway activity, substance abuse, prostitution, sleeping and eating disorders, mental illness, and suicide.
- Few victims are injured to the point that emergency medical attention is needed.
- Alcohol and drugs are involved in a high percentage of sexual assaults.
- Victims often lie about some of the specific circumstances of the sexual assault because they fear that their actions may have contributed to the sexual assault or that they won't be believed if their case doesn't fit the societal stereotype of sexual assault.

Because these realities differ so dramatically from the stereotypes often held by the public and professionals alike, victims are often unwilling to report a sexual assault for fear of not being believed or being blamed for the crime. Not only do these and other factors inhibit many victims from reporting their sexual assault, but these are also the same factors that have been demonstrated to influence the complaint filing and charging decisions of police and prosecutors.<sup>6</sup>

In small communities and rural areas, many of these problems are even further exacerbated. For example, recent research has documented a very high rate of sexual assault in some rural areas, yet various aspects of rural culture may deter victims from reporting or disclosing the crime to anyone. Since victims in rural communities often find themselves at great distances from law enforcement agencies, social services, and medical care facilities, victims often calculate that it is too difficult to report the crime or call for support.<sup>7</sup>

Law enforcement professionals in all kinds of jurisdictions must therefore work to help prosecutors and jurors understand the behavior of sexual assault victims and how it differs from the mythical stereotype.

## Legal Basis for Sexual Assault

For purposes of this *Training Key*, the term "sexual assault" is used to refer to felony crimes of sexual violence. Although specific statutory definitions of sex crimes vary by state, most are conceptually similar and can be understood by analyzing their elements.

### 1. General Elements of Felony Sexual Assault

In most states, crimes of felony sexual assault include one of the following sexual acts:

- Penile/vaginal intercourse
- Contact between the genitals and mouth
- Contact between an anus and a penis
- Penetration of the vagina or anus with a foreign object.

This type of sexual act then generally constitutes felony sexual assault when one of the following conditions exist:

- Force was used or threatened, even if there is no bruise or injury to the victim.
- The victim was afraid, even if this did not lead the victim to physically resist.
- The victim is disabled and cannot legally give consent (i.e., the victim cannot understand the nature or condition of the act due to illness or disability).
- The victim was severely intoxicated or unconscious as a result of drugs or alcohol and was therefore unable to give informed consent at the time of the sexual act.
- The victim was under the age of legal consent at the time of the sexual act.<sup>8</sup>

### 2. Sexual Penetration Versus Sexual Contact

Although specific terminology and definitions vary, most state laws recognize a conceptual distinction between criminal sexual acts of penetration (e.g., intercourse, fellatio, sodomy) and other forms of criminal sexual activity short of penetration (e.g., fondling, grabbing, pinching). As a result, sex crimes investigators must also recognize this distinction to appropriately identify which type of offense is being reported by the victim in a particular case.

Any incident may involve multiple offenses, including some combination of criminal sexual penetration and contact, however, each count or charge must be identified independently. For the purposes of this *Training Key*, most of the fol-

lowing discussion will refer to crimes of felony sexual assault involving sexual penetration. However, the discussion is equally relevant to crimes involving sexual contact.

## Investigative Procedures

Police officers and emergency communications personnel must use their professional judgment and follow state law and department policies and procedures in determining a proper response to a radio call involving sexual assault. Officer and victim safety must always be the first priority.

### 1. Dispatcher/Call Taker Response

**General Protocol.** When a caller reports a sexual assault, communications personnel need to elicit the initial facts of the situation (including the age and gender of the victim), and determine whether the victim or others are in life threatening danger or in need of emergency medical attention. The call taker should then request emergency medical assistance as necessary.

The call should then be identified as a sexual assault and the appropriate priority rating applied. Although most sexual assault reports are delayed by hours or even days-and are therefore not life threatening-such calls should nonetheless be handled as a priority since potential evidence will deteriorate over time and may be intentionally destroyed by the offender. Medical treatment for sexually transmitted infections and pregnancy are also time sensitive and the victim will likely want to clean up (e.g., shower, gargle, brush her teeth or douche) as soon as possible.

Depending on the type of call, the call taker and the first responding officer may need to coordinate multiple responses to several different locations (e.g., the location of the lure or seduction, the actual sexual assault, and the locations that the victim and offender went to following the sexual assault). Crimes may also involve more than one jurisdiction. Officers should follow agency policy concerning multi-jurisdictional case coordination.

**Information from the Victim.** If the radio call is a crime in progress or a crime that just occurred, the call taker will need to obtain information from the caller to assist in identifying and possibly apprehending the suspect, including gender, physical description, clothing and vehicle description. The call taker will also need to determine whether there is a relationship between the victim and suspect, whether a weapon was involved in the sexual assault, and whether there is a history of violence and/or possession of deadly weapons by the suspect.

For callers reporting a sexual assault that took place very recently, it is not uncommon for them to become very frustrated with the call taker because they believe that the officers have not yet been notified of the crime. It is therefore important for the call taker to explain that the questions being asked will not delay an officer's response to the caller's location.

During the preliminary response to sexual assault calls, officers and communications personnel must refrain from judging the information obtained from the victim or reporting party. Each caller may respond differently depending on their own background, personality, and the circumstances of the assault. Officers and call takers should be aware of this and make every effort to keep an open mind when responding to evaluate a sexual assault. For example, most sexual assault victims are female, but assumptions should be avoided if the caller is male. Regardless of any "gut" feelings, proper investigative procedures should be followed for every sexual assault reported.

**Evidence Collection Issues.** Officers and communications personnel must also keep in mind that sexual assault victims often feel ashamed or guilty because of something they did or did not do relating to the sexual assault. Many times, one of the first questions asked by a dispatcher or call taker is whether a victim showered or bathed since the sexual assault. Victims may evade this question or answer in the negative, because they are afraid to say that they did something "wrong." With this in mind, it is best to ask whether a sexual assault victim has bathed, douched, urinated or made other physical changes (i.e., engaged in any activity that may have contaminated or destroyed probative evidence such as semen, saliva, hairs). If the victim has not engaged in any of these activities, it is important for the dispatcher or call taker to request that the sexual assault victim not do so and to clearly explain the reason for the request.

If a drug-facilitated sexual assault is suspected, the call taker should ask the victim about the need to urinate. If the victim does need to urinate and cannot wait for the officers to respond with a urine collection bottle, the victim should be requested to urinate in a clean jar or container with a lid. If the victim can wait, however, it is best for medical or law enforcement personnel to collect a urine specimen whenever possible.

Law enforcement agencies should establish protocols to preserve all sexual assault calls (911 and non-emergency responses) and any computer printouts that may be available regardless of the delay in reporting. Tapes should be reviewed by investigators during the investigation and preserved to meet the needs of prosecutors during the trial.

## **Initial Officer Response**

**Emergency Response.** It is typically best for the first responding officer on the scene to make contact with the victim as soon as possible to ensure that the victim is safe and to reassure the victim that safety issues are the first priority. Additional responding officers can then begin a search for the suspect when appropriate.

If the victim is injured, paramedics will generally transport the victim to the nearest trauma facility (depending on local resources and protocol). In most cases, however, the victim will not need emergency medical attention. The victim can therefore remain at the scene to assist in identifying the crime scene, witnesses, evidence, suspects, etc. With the advancement of DNA, forensic evidence is remarkably stable and the victim should not be hurried away from the scene unless there is trauma or the need for emergency medical assistance.

**Notifying a Victim Advocate.** As soon as possible, responding officers should notify a victim advocate to provide the victim with emotional support and to empower the victim to make informed decisions throughout the investigative process.

**Evidence Collection Issues.** Following the emergency response, the next task for responding officers is to identify and secure the crime scene(s) to ensure that evidence is not contaminated or destroyed. In that effort, officers must take care to protect the integrity of the specimens and to guard the chain of custody by properly marking, packaging and labeling all evidence for future identification.<sup>9</sup> When available and appropriate, crime scene technicians and forensic scientists can be dispatched to assist with the crime scene. In cases where dispatch is not possible because of limited resources, officers can still seek assistance and guidance by telephone.

The process of identifying and collecting evidence is often made somewhat more difficult by the fact that most victims have left the actual location of the sexual assault by the time

the crime is reported. For example, the victim might have gone home and immediately changed clothes. In this case, the clothing the victim put on following an assault can be more important evidence to collect than the clothing worn at the time of the assault, especially the clothing worn closest to the genital area (e.g., panties, nylons, pants, and shorts).

Responding officers must ensure that the crime scene is photographed prior to processing. Many officers use Polaroid photographs for investigative purposes because they are immediately available for the prosecuting attorney. However, 35mm photographs should always be taken in addition because of their superior quality. The investigation of every sexual assault should also include a detailed diagram of the crime scene(s), and videotaping can even be helpful - especially in the case of a complicated or extensive crime scene.

**Identifying and Locating Witnesses.** Responding officers must identify and isolate any potential witnesses to the sexual assault. If there are numerous potential witnesses (e.g., at a fraternity party, RAVE party or night club), another officer should be assigned to monitor the witnesses to prevent them from talking to each other. That officer should also collect some form of identification from each person present, documenting names, addresses, telephone numbers and other contact information.

Although there will rarely be eyewitnesses to the sexual assault itself, there may be any number of corroborating witnesses to other aspects of the event, such as a neighbor who heard a scream or the gas station attendant who noticed the victim crying in her car. It is especially important that the victim be questioned about the first person she or he told about the sexual assault. This person must be identified and interviewed, because such an "outcry witness" can be used to boost the credibility of the victim. This can be particularly important in the case of a delayed report and/or a consent defense raised by the suspect.

**Additional Resources.** In small and/or rural communities, law enforcement agencies are encouraged to utilize the services of firefighters, emergency medical services, police chaplains or specially trained volunteers to assist the responding officer(s). For example, victims should never be left unattended or left in the immediate area where the sexual assault occurred unless the first responding officers are handling a critical threat. The best practice when responding to sexual assault victims is to establish protocols and resources to summon crisis intervention personnel to the crime scene, once it is secure and the victim is safe. If a crisis interventionist is responding to the scene, the victim should be notified of this immediately. Regardless of what the response may look like in each individual community, steps should be taken to protect the sexual assault victim's privacy and dignity at all times.

## **Preliminary Victim Interview**

While the victim interview is one of the key components of a sexual assault investigation, it can also be one of the most challenging and exhausting tasks for a criminal investigator. Victim advocates or rape crisis counselors can therefore be particularly helpful to both the victim and the investigating officer, by providing the victim with the emotional support and information needed to make informed decisions throughout the investigative process.

**Initial Response.** Sexual assault investigations should typically incorporate both a preliminary and subsequent in-depth interview with the victim. In the initial interview, the responding officer must first establish that a crime has occurred. At this time, only minimal information is needed to confirm that

the victim is reporting a crime of sexual assault. However, the responding officer also needs to learn enough information to establish the elements of the crime and to identify any potential witnesses, suspects, evidence, and the crime scene(s).

During this initial response with a sexual assault victim, the officer must determine whether the victim should undergo an acute forensic examination and provide transportation to the designated medical facility if needed. The officer should also advise the victim that the forensic examiner will collect any clothing that was worn during and/or immediately after the sexual assault. It is therefore recommended that the victim either bring a change of clothing to the hospital where the forensic examination will be conducted, or have someone else bring a change of clothing.

**Interview Protocol.** Once the scene is secured and the victim is as comfortable as possible, the officer should then initiate a preliminary interview with the victim. Opening remarks represent a critical point at which an officer might gain the victim's confidence and let the victim know that a major part of the officer's function is to provide assistance and protection. It is helpful and appropriate for the officer to tell the victim that he or she is sorry this happened and to express an interest in the victim's well-being. By doing this, the officer contributes to the immediate and long-term emotional health of the victim and lays the foundation of mutual cooperation and respect upon which a successful interview is built.

The preliminary interview of a sexual assault victim should always take place in privacy and without distractions. If the victim chooses to have a rape crisis advocate or support person present, every effort should be made to provide such support. In most circumstances, a spouse, boyfriend/girlfriend, or parent is not the best support person to have present during an interview because the victim may hesitate to reveal all of the details that are needed to effectively investigate the assault. However, victims might be uncomfortable asking their friends or family members to leave the interview. The investigator should then take responsibility for the decision by explaining to the friend or family member that they cannot be present because they may potentially be a witness in the investigation and will need to be interviewed separately.

At some point during the preliminary interview, the officer must obtain contact information for the victim, especially because those victimized by sexual assault often make arrangements to stay with a friend or family member. The officer should also explain that this first interview is preliminary in nature and is not intended to include every possible detail. The victim should therefore be notified that an investigator will need to talk with the victim again as new information is discovered and new leads are explored during the course of the investigation.

Throughout the interview with the victim, every effort should be made to use simple terminology and to avoid police, medical, or legal jargon. Words should be used that are appropriate to the victim's age, sophistication and intelligence. For example, the victim is in a double bind when he or she does not have the language to describe the assault -- without using language that is seen as inappropriate and most likely, uncomfortable. With this in mind, it is often helpful for the officer to ask the victim to describe the intimate parts of the male and female body and to assess the victim's knowledge of different types of sexual activity. Once this has been established, the victim may experience relief in having a common language to communicate the details of the assault to the investigating officer.

At the conclusion of the preliminary interview, the investigator should then remind the victim that additional bruises and

other visible evidence of injury may appear later, and if this occurs the victim should contact the investigator to arrange for additional photographs or other documentation. The victim should also be encouraged to contact the investigator with any new information or evidence that arises after the preliminary interview. Finally, the investigator should provide the victim with written referrals to victim/witness assistance agencies and community-based organizations as well as arranging to transport the victim to a place of safety.

**Writing the Report.** The investigating officer must complete a written report in all cases of sexual assault, regardless of whether an arrest is made. This report needs to contain copies of the forensic examination (if available), including diagrams specifying the nature and location of all injuries, complaints of pain or tenderness, and photographs of non-genital injuries.

When documenting the victim interview, it is especially important for investigating officers to preserve the victim's statements as first heard. They should not be sanitized out of concern that the victim will be misunderstood or misrepresented. The officer should thus clearly document in very specific terms all facts and observations, including the physical and emotional condition of the victim. For example, the officer should indicate in the report that the victim was tearful and trembling, rather than just "upset." Similarly, the officer should report that the victim's shirt was torn and a shoe was missing, rather than just describing the victim's appearance as "disheveled."

**Role of the Victim Advocate.** Because of the specialized and difficult nature of these interviews, rape crisis advocates can be of tremendous assistance by helping to support the victim and explain the process. Particular benefits can be realized—both for the victim and the criminal investigator—when the same officer and advocate are assigned to assist the victim throughout the process of investigating and prosecuting the case.

It is important, however, for officers to understand the role of the advocate, which is to provide emotional support to the victim and to help empower the victim to make informed decisions throughout the investigative process. Generally, communication between a victim and community-based advocate or rape crisis counselor is confidential, and it would be a violation of victim-counselor privilege laws for an advocate to disclose any information to the officer without the victim's written consent. This right to privileged communications typically covers community-based advocates who work with sexual assault victims, as long as they complete a training course as specified by state statute. The number of training hours varies, ranging from 15 to 40 hours. The right to privileged communication does not typically extend, however, to victim-witness professionals or other service providers who operate out of the criminal justice system (e.g., the police department or prosecutor's office).

Specifically, privilege laws prevent counselors from testifying or being compelled to testify in court, and many even extend to protect written records. To provide guidance in this area, the Department of Justice has proposed model legislation defining "confidential communications" as: "any information, whether written or spoken, which is transmitted between a victim...and a victim counselor in the course of the counseling relationship and in private, or in the presence of a third party who is present to facilitate communication or further the counseling process."<sup>10</sup> The investigating officer must therefore understand and respect the privacy of communications between a sexual assault victim and a victim advocate or other service provider.

Because of this right to privileged communications, investigating officers must understand that a victim advocate cannot dis-

close information from the victim, even if it would significantly impact the investigation or prosecution of the case, unless there is a written waiver. Rather, the role of the victim advocate in such a situation is to discuss with the victim the consequences of withholding or distorting information regarding the sexual assault, and encouraging the victim to discuss with the officer any fears regarding behaviors such as drug abuse or filing a false report.

**Protecting Victim Rights.** Privacy issues concern crime victims throughout the criminal justice process. For example, many victims either decline to participate in the investigative process, or participate only in a guarded way, because they have concerns about who might have access to medical and counseling records, pre-sentencing reports, and victim impact statements. Law enforcement officers must therefore make every effort to protect the confidentiality of the victim's information to the maximum extent possible by law and policy. For example, the investigating officer can explain to the victim which information will be made public and which information will be held as confidential. Investigators can then obtain written permission from the victim for the release of any case information to other non-law enforcement organizations or to the public.

The investigator must also ensure that the victim is notified of his or her rights as a crime victim under state law, which may include: the right to have their name withheld from public record, the right to notification, the right to be present and to make a statement at proceedings, the right to apply for crime victim compensation, and the right to apply for an emergency protection order. The victim also has a right to be free from harassment and intimidation by the suspect, and the investigator should explain the exact process for contacting law enforcement if those laws are violated.

**Drug-Facilitated Sexual Assault.** Sexual assault victims should always be asked about any circumstances that may indicate the use of a drug to facilitate the sexual assault (e.g., whether the victim experienced any loss of memory, disorientation, severe illness or hallucinations). In doing so, however, investigators must clearly communicate to the victim that substance abuse does not justify the sexual assault. Law enforcement agencies are also encouraged to establish policies and protocols so that the victim's use of illegal drugs will not be referred for prosecution. This issue is discussed in detail in the section on sexual assault forensic examinations.

**Arrest and Prosecution Decisions.** In most situations, a sexual assault victim should not be asked during the preliminary investigation whether he or she wants to prosecute the suspect. Rather, the officer should communicate to the victim that a thorough investigation will be conducted using a team approach. Decisions as to whether or not the victim wants to prosecute and whether there is sufficient evidence to warrant criminal charges against a suspect should only be made following a complete investigation. This can be explained to the victim, if he or she is concerned about the issue of prosecution during the preliminary interview.

An exception would be in the case of an emergency response that results in an immediate arrest. In these cases, the prosecuting attorney may have as little as 24-48 hours to present sufficient evidence to keep the suspect in custody. The victim's statement is usually critical in presenting this case. Without such evidence, however, officers should be discouraged from making an immediate arrest unless there is a reason to believe that the offender may flee the jurisdiction, destroy evidence, or pose a danger to the victim or other members of the community. This allows the officer time to locate and interview any potential witnesses and

to use such investigative techniques as pretext phone calls (where allowed by law). Either way, the rationale for the decision regarding arrest should be explained to the victim and any support people present. The investigator should also advise the victim that an arrest is not a guarantee of the victim's safety, as the suspect may be released on bond shortly after arrest.

**Delayed Reports.** Most victims of sexual assault delay reporting to the police or anyone else. The reasons are many, and they may include the victim's feelings of shame, embarrassment, shock, denial, self-blame, uncertainty regarding whether the event constitutes a sexual assault, concern that no one will believe the claim of sexual assault, concern regarding family members and friends finding out what happened, fear of the criminal justice system, and fear of the consequences and how it will affect the victim's life. Because of these many fears and concerns regarding reporting, officers must be patient regarding any hesitancy on the part of the victim during the preliminary interview.

Officers must also remain sensitive to the fact that questions about the delayed report may lead the victim to feel the officer does not believe the victim's account of events or blames the victim for the assault. While the reasons for a delayed report need to be documented, such a delay in reporting should be considered normal and not seen as evidence that the victim is lying about the assault. In fact, many state laws allow prosecution many years after the sexual assault.

#### Acknowledgement

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#### Endnotes

- 1 For the purpose of this Training Key, those victimized by sexual assault are referred to as "victims" because this is the term most often recognized and used by professionals within the criminal justice system. Members of the medical community may refer to the same person as a "patient," whereas rape crisis centers may prefer to use the term "survivor" or "client."
- 2 National Victim Center (1992). *Rape in America: A Report to the Nation*. National Victim Center: Arlington, VA.
- 3 Bachman, R. & Saltzman, L.E. (1995). *Violence Against Women: Estimates from the Redesigned Survey*. Bureau of Justice Statistics: Washington, DC.
- 4 Federal Bureau of Investigation (2002). *Crime in the United States - 2002*. Federal Bureau of Investigation: Washington, DC. Available at <http://www.fbi.gov/ucr/02cius.htm>.
- 5 Tracy, C.E. & Fromson, T.L. (2001, May 22). *Call for Change in FBI Definition of Rape*. Public letter to the Federal Bureau of Investigation. Women's Law Project, Philadelphia, PA (<http://www.womenslawproject.org>).
- 6 Kerstetter, W.A (1990). Gateway to justice: Police and prosecutor response to sexual assaults against women. *Journal of Criminal Law and Criminology*, Vol. 81, No. 2, pp. 267-313.
- 7 Spears, J.S. & Spohn, C.C. (1997). The effects of evidence factors and victim characteristics on prosecutors' charging decisions in sexual assault cases. *Justice Quarterly*, Vol. 14, No. 3, pp. 501-524.
- 8 Lewis, S.H. (2003). *Unspoken Crimes: A Sexual Assault in Rural America*. National Sexual Violence Resource Center, A Project of the Pennsylvania Coalition Against Rape. Available at <http://www.nsvrc.org>.
- 9 Some state statutes require that the act that was committed have an element of sexual gratification to constitute a criminal offense (e.g., the "intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires"). To establish this element of the crime, investigators and prosecuting attorneys need to question the victim about whether the suspect had an erection, made verbal comments of a sexual nature, or ejaculated during the commission of the crime. Unfortunately, the existence of this element has contributed to a misperception among some law enforcement professionals that ejaculation is a required element of a sexual assault offense. Many state statutes have been changed so this element is no longer required, in recognition that crimes of sexual violence are often about humiliation and abuse rather than sexual gratification.
- 10 For more information, see the *Model Policy on Evidence Control* (1992) published by the IACP National Law Enforcement Policy Center, International Association of Chiefs of Police. Available at <http://www.theiacp.org>.
- 11 Report to Congress, supra note 1, Model Legislation, 102(A). The terms "victim," "victim counseling center," and "victim counselor" are also defined.

# questions

The following questions are based on information in this *Training Key*. Select the one best answer for each question.

1. Which of the following is an unfounded stereotype of sexual assault?
  - (a) *The police are more likely to be notified of sexual assaults that are committed by strangers than non-strangers.*
  - (b) *Sexual assault perpetrators rarely use weapons. Their weapon is their betrayal and the victim's confusion, shame, and embarrassment.*
  - (c) *Victims rarely report the assault to the police first. Many victims come to the attention of law enforcement through various public health agencies.*
  - (d) *None of the above.*
2. Which of the following is not a consideration in decisions to charge a suspect with felony sexual assault?
  - (a) *The victim failed to resist her attacker.*
  - (b) *Force was used or threatened.*
  - (c) *The victim was disabled in some way and could not give consent.*
  - (d) *The victim was under the age of legal consent.*
3. During the preliminary interview with a victim of sexual assault, officers should do all but which one of the following?
  - (a) *Tell the victim that he or she is sorry this happened and express interest in the victim's well-being.*
  - (b) *Conduct the interview in a private area where distractions can be avoided.*
  - (c) *Invite a spouse, boyfriend/girlfriend, or parent to join in the interview as a support person.*
  - (d) *Provide the victim with written referrals to victim/witness assistance agencies and arrange to transport the victim to a place of safety.*

# answers

1. (d) None of the above. All of the statements are true.
2. (a) The fact that the victim failed to resist her attacker is not in itself mitigation of or grounds for dismissing charges or allegations of sexual assault.
3. (c) Such relationships or acquaintances are not the best persons to provide support during an interview as the victim may hesitate to reveal all the details of the crime in their presence.

# have you read...?

"Crime Scene Processing: Model Policy and Concepts and Issues Paper"  
International Association of Chiefs of Police, National Law Enforcement Policy Center, Alexandria, VA 22314 (January, 2003)

This document provides protocols and practices for managing a crime scene and collecting various forms of evidence, including DNA evidence.

