



## King County

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June 20, 2017

TO: Sheriff John Urquhart

FR: Deborah Jacobs, Director, Office of Law Enforcement Oversight

RE: Recommendation on GOM 17.20.000 Investigations of Sexual Assault by Patrol

After a recent misconduct investigation regarding the appropriateness of a deputy's response to a sexual assault alleged victim came to light, OLEO is pleased that KCSO will adopt a policy to assist patrol deputies in their responses to sexual assault investigations.

Included with this memo is OLEO's redline to the new draft policy on Investigations of Sexual Assault by Patrol, GOM 17.20.000. Please note that OLEO has drawn upon the expertise of KCSARC in developing these recommendations.

Although some of OLEO's additions to the draft policy may seem better suited to include in the sexual assault investigations online training, we strongly encourage KCSO to retain the Sexual Assault Data and specific "one-liners" OLEO included to provide officers more knowledge, guidance and practical examples. We specifically offered this language because responding appropriately and empathetically to victims of sexual trauma uses different skills than the general questioning techniques patrol officers are accustomed to use when investigating suspects.

In addition to those recommendations, OLEO cautions KCSO to clarify in GOM 17.20.000 that the policy applies to investigations of *adult* victims of sexual assault, not minors.

## 17.20.000 INVESTIGATION OF SEXUAL ASSAULT BY PATROL

17.20.005

### INTRODUCTION: 06/17

In addition to a victim-centered approach, KCSO is committed to improving its response to sexual assault cases through improved leadership, training, transparency, public outreach, and investigative accountability. The goal of these guidelines is to support deputies as first responders in handling sexual assault cases for successful prosecution through victim support and detailed investigative documentation.

#### Sexual Assault Data:

- [60% of sexual assaults go unreported.](#)
- [9 in 10 sexual assault victims know the offender.](#)
- [23% of women in Washington State report being a victim of rape at some point in their lifetime.](#)
- [Delayed reporting is common.](#)
- [Victims of sexual assault often blame themselves, fear they won't be believed, and are concerned about their safety if they report.](#)
- [Victims of Intimate Partner Sexual Violence \(IPVS\) often suffer the highest frequency of multiple rapes and often have difficulty recognizing that sexual violence is a crime.](#)
- [Victims often have fragmented recollections and difficulty with details due to how our brains process traumatic events.](#)

17.20.010

### PATROL DEPUTY RESPONSIBILITY: 06/17

1. [If dispatched to an incident involving a minor, contact a supervisor or SAU detective before responding.](#)

2. Determine whether victim requires immediate medical attention and summon aid if necessary.

3. Obtain brief details of the event (enough to determine if a sexual assault is *alleged*).

- [Gather basic facts, suspect and potential witness information.](#)
- [Do not question the victim's credibility; further investigation and credibility of the report will be done by SAU detectives.](#)
- [Say: "I know this can be difficult to talk about. You can take your time. I am here to help."](#)
- [Ask: "Help me understand what you are able to remember about your experience."](#)
- [Allow victim to talk without interruption.](#)
- [Avoid asking "Why?" Instead say, "Tell me more about..."](#)

4. [Be patient and attempt to establish rapport with victim](#)

- [Express concern for the victim's physical and emotional well-being: "I am here to help you" or "this is not your fault"](#)
- [Acknowledge the trauma of the event: "You are not alone," "Trauma can feel overwhelming and there are services and people who can help you – can I share resources with you?"](#)
- [Allow the victim to express his/her feelings: "What are your reactions to this event?" or "What is the most difficult part of your experience?"](#)
- [Express \*\*non-judgmental\*\* attitudes toward the victim \(e.g., reassure the victim he or she will not be judged\)](#)

Do not make promises that cannot be kept (i.e., assurances of arrest or protection, or that a detective will contact them the next day), [but explain the general investigation and court process.](#)

5. [Locate and preserve the crime scene](#)

6. [Broadcast the suspect description \(if appropriate\)](#)

7. Arrange for the victim to [receive a medical forensic exam](#), even if he/she has bathed. The victim may choose where to be treated, but SAU's recommendation is Harborview Medical Center or UW Medical Center for adult victims and Seattle Children's Hospital for juvenile victims.

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- Sexual assault examinations may be performed up to 5 days from the incident.
- Ensure the victim signs a medical release form.
- Advise the victim:
  - Not to bathe before the examination;
  - Bring in clothes worn at the time of the incident, if possible;
  - Bring a change of clothing;
  - To consider coming to the hospital with a support person (family, friend, advocate) as the examination may take several hours.

8. Determine if the case requires a SAU call-out per GOM 11.00.085

- If SAU personnel respond, they will be responsible for:
  - Leading the investigation.
  - Obtaining necessary search warrants and or waivers.
  - Conducting the in-depth interview with the victim.
  - Coordinating with patrol and other personnel for collection and processing of evidence at the crime scene and at the medical facility.
  - Interviews of all available witnesses and other significant persons.
  - Coordinating the canvassing/search of the area around the crime scene.
  - Follow up on any suspect leads.
  - Other duties as may be necessary.

9. Provide the victim with the case number and contact information for the King County Sexual Assault Resource Center (KCSARC) or other support services per GOM 1.11.000:

- 24-Hour Resource Line: 1-888-99VOICE (1-888-998-6423). [www.kcsarc.org](http://www.kcsarc.org)

10. If SAU does not respond – Deputies should process the crime scene in accordance with GOM 8.01.000 and collect available evidence; for example:

- Photograph the scene and victim's injuries (if any)
- If crime scene is in a building or vehicle consider the need for a search warrant and process the point of entry and exit, and any other areas likely to yield positive latent print results.
- At the location where the sex act occurred, look for:
  - Semen, blood, or other stains on sheets, blankets, pillow cases, towels, clothing.
  - Loose hairs from pubic areas, head or body.
  - Items and or fibers from suspect's clothing;
  - Items used to bind, gag, blindfold, or control the victim (Never untie knots made by the suspect.)
- Package each evidence item in its own paper bag (whenever possible, allow wet items to dry before packaging)
- Collect evidence from hospital exam (or arrange for its collection, see GOM 8.01.035 for details);
- Canvass the area (residences, businesses, apartments, etc.) for potential witnesses and surveillance video;
- If the victim is both willing and able, conduct a more detailed victim interview (record it if possible);
- Locate, contact, interview, and arrest suspect(s) whenever legally possible;

11. Complete the Incident Report prior to the end of shift (ensuring that contact information for all known witnesses and the first person to whom the victim reported the crime are all listed).

**Deputies should call the on-duty patrol supervisor if they encounter unique situations or are unsure of how to proceed in an investigation. Patrol supervisors may call SAU per GOM 11.00.085.**

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