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**CSU FULLERTON POLICE DEPARTMENT
GENERAL ORDER NUMBER 6-9**

**GUIDELINES FOR
SEXUAL ASSAULT INVESTIGATION**

SUBJECT: Sexual assault investigation

PURPOSE: To establish sexual assault investigation guidelines for Officers and Investigators handling such cases.

POLICY: It shall be the policy of this Department to conduct thorough investigations into all reported sexual assaults taking into consideration the needs of the victim. It is sufficient that a victim alleges an assault, and in no case shall the victim be discouraged from making a report.

PROCEDURE:

- I. An initial sexual assault investigation can generally be divided into four areas of responsibility. These areas include the initial dispatcher's responsibility, identification and preservation of the victim, and investigative steps that can be utilized to identify the responsible party, or a suspect who is in custody, and developing a case for successful prosecution.
 - A. Dispatcher Responsibility
 1. Confirm the location of the victim and determine if he/she is injured and currently safe from the suspect.
 2. Obtain a description of the suspect, whether the suspect has left the scene and a direction of travel.
 3. Determine if the suspect was/is armed.
 4. Instruct the victim to not disturb the premises, to not wash and to await the arrival of the police.
 - B. Assigned Officer's Responsibility at the Scene
 1. Determine the location and condition of the victim.
 2. Determine if a crime has been committed. If a rape has not occurred possibly an assault of another nature has occurred.
 3. Instruct the victim to refrain from washing or changing clothes prior to medical treatment.
 4. If immediate medical attention is required, call for paramedics.
 5. Obtain updated information from the victim on the suspect, description, location and direction of flight.
 6. Briefly capsule with the victim the events that occurred and where these events occurred.

7. Notify the Watch Commander/OIC of the circumstances.

C. Watch Commander Responsibilities

1. Assign officers to ensure the crime scene is protected and notify the Investigative Sergeant and the appropriate Command Staff.
2. If a suspect has been apprehended:
 - a. The suspect should initially be examined for any trauma that may have resulted from confrontation with the victim. As appropriate, the location of this physical trauma should be noted and photographed.
 - b. The clothing of the suspect should be removed and preserved as evidence.
 - c. Record any spontaneous statements or voluntary information from the suspect.
3. If a suspect is not in custody:
 - a. Attempt to ascertain a positive identification of the suspect.
 - b. Determine a place of residence.
 - c. Determine what vehicles the suspect owns/drives.

D. Investigator Responsibilities

1. In the preliminary investigation, the following information should be gathered to substantiate the allegation of sexual assault:
 - a. Re-interview the victim and all witnesses.
 - b. Identify all persons with possible knowledge of the incident.
 - c. Ensure the crime scene is documented (photos/video).
 - d. Transport the victim to The Safe Place at Anaheim Memorial Hospital for examination.
 - 1) Before transport, have the Dispatcher contact the Forensic Nurse at (562) 497-0147 / 1(800) 566-6220 is the on-call Forensic Nurse contact for an immediate exam and the Women's Center at extension 3928 or Victim Witness at (714) 773-4575 for advocate response or (714) 957-2737-Waymakers Services Program
 - 2) Through the SART (Sexual Assault Response Team) Program, all advocates will have arrived at The Safe Place prior to the forensic nurse beginning the examination process.
 - 3) Waymakers Sexual Assault Victim Services will respond to the hospital and provide support, advocacy and counseling services.
 - e. If the victim is a CSUF student, advise the victim of Counseling and Psychological Services (CAPS) in the CSUF Student Health Center and of the CSUF Confidential Advocate located in the WoMen's Center (UH205), as an available on-campus resource.
2. Victim Interview

- a. Determine the victim's activities prior to the time of the offense and any relationship with the suspect.
 - b. Obtain the victim's account of the offense, from the time the suspect was first observed until the suspect left the scene.
 - c. Obtain and note any distinctive statements made by the suspect.
 - d. Determine and document any oddities or unusual *modus operandi* (MOs)/ trademarks demonstrated by the suspect.
 - e. Note and document the victim's condition. This should include a statement as to the victim's mental state, the evidence of torn or disheveled clothing, etc.
 - f. Obtain a complete description of the suspect.
3. Evidence: All evidence in support of the allegation of sexual assault should be gathered and preserved including:
 - a. Photographs of victim, all injuries and crime scene;
 - b. Findings in a sexual assault medical examination;
 - c. Articles of clothing from the victim and the suspected offender;
 - d. Biological body fluids;
 - e. Bedding and/or other material used.
 4. Suspect interview/interrogation: The suspect should be interviewed/interrogated using the following criteria as a guide:
 - a. Advise suspect of his/her constitutional rights and the nature of the investigation when appropriate;
 - b. Consider, evaluate and investigate all new information and alternative explanations provided by suspect;
 - c. Corroborate information already obtained through investigation;
 - d. Obtain incriminating statements including admissions and confessions; Audio/Video recording is best.

II. Victim Notification of Investigative Procedures:

- A. If appropriate, the victim should be advised of the steps he/she will encounter during the preliminary investigation, to minimally include the following:
 1. In-depth interviews (specific/personal questions);
 2. Extensive medical examination protocol;
 3. Follow-up investigation procedures (interviews: identify suspects);
 4. Judicial process (courtroom testimony/procedures).
- B. The victim should also be advised of the services available through CSP Sexual Assault Victim Services, for support and accompaniment during the investigation and prosecution of the case in coordination with the Orange County District Attorney's Office.

III. Special Notifications:

- A. Notification of a juvenile facility, Orangewood Children's Home, 714 935-7584, shall be necessary when the victim is a minor and it appears that a parent, guardian or caretaker is an alleged offender.

- B. The victim, if a minor, will be admitted to Orangewood Children's Home under authority of 300 WIC, Police Protective Custody. The investigating officer shall complete form F-0912-28-43. The victim shall then be transported to the Orangewood Facility.
 - C. Notification to appropriate command staff shall also occur
 - D. If a CSUF student, notifications to Student Affairs
- IV. Arrest of suspect: The following factors should be considered when determining whether or not to arrest the suspect:
- A. Nature of the offense (felony/misdemeanor);
 - B. Imminent danger to the victim, community or self;
 - C. Likelihood the suspect will flee;
 - D. Potential ramifications of the arrest (may wish to file by complaint); and
 - E. Impact on the case development.
- V. Documentation:
- A. The preliminary investigative report should contain the necessary documentation including:
 - 1. Statements of victim, witnesses, and accused;
 - 2. Observations; i.e., victim's physical/emotional condition, etc.;
 - 3. Physical evidence noted and secured;
 - 4. Actions taken by the investigating officer and others.
 - B. The assigned patrol officer shall complete the crime and/or arrest report, with Investigations preparing all appropriate supplementary reports.
- VI. Reporting Requirements
- A. The final review and case summary completed by the assigned investigator should include:
 - 1. Disposition of the victim;
 - 2. Evidence identified and collected;
 - 3. Statements (oral and written);
 - 4. Disposition of the suspect;
 - 5. Victim/Witness referrals provided;

6. Coordination and consultation with other involved agencies;
7. Need for confidentiality of case information and Victim identification per Penal Code section 293(a) and California Government code 6254(f)(2). Completion of victim confidentiality form and issuance of Marsy's card
8. Report of the case progress to appropriate parties to the offense.
9. Primary officer or assisting Investigator explains Title IX responsibilities and possible accommodations/support to the victim. Find out from victim if he/she wants to provide their name and confidential phone number for contact from the Confidential Advocate and Title IX personnel or if they wish to remain anonymous (Jane/John Doe).
10. Investigators e-mail Title IX coordinator, CSUF Confidential Advocate and Command Staff a synopsis of the incident, including the victim's confidential phone number if they wish to be contacted.

B. Clery Reporting Requirements [CALEA91.4.1e]

1. The University Police Department will be responsible for transmitting data on all reported incidents to the Department of Education and compiling an annual statistical report of offenses and ensuring that it is available for public disclosure.
2. All persons identified as campus security authorities will complete a Crime Incident Report Form on all incidents that are reported to them and forward it to the Chief of Police in a timely manner for inclusion in the annual report.

C. Timely Warnings and Press Releases [CALEA91.4.1e]

1. If there is a potential threat to the campus community, the Chief of Police will authorize the issuance of a timely warning.
2. When appropriate the Command Staff will ensure that the appropriate Command Staff assists the Public Information Officer with preparing appropriate press releases.
3. In all cases, victim confidentiality will be maintained.

REVIEWED BY:
P. Launi

APPROVED:

A handwritten signature in black ink, appearing to read "Raymund Aguirre". The signature is written in a cursive style with a large initial 'R'.

Raymund Aguirre
Chief of Police