



**SACRAMENTO POLICE DEPARTMENT
GENERAL ORDERS**



**533.06
SEXUAL ASSAULT INVESTIGATIONS
10-18-2023**

PURPOSE

The purpose of this order is to establish procedures for providing care to sexual assault victims and ensuring that proper investigative techniques are utilized in reported sexual assaults.

POLICY

It shall be the policy of the Sacramento Police Department that officers investigating sexual assaults make every effort to reduce the emotional trauma of the victim, collect information and evidence and follow proper investigative procedures.

PROCEDURE

A. INITIAL RESPONSE

1. If the question of jurisdiction arises, the officer's first obligation is to the victim. Officers should provide medical aid and comfort to the victim and use caution not to destroy or alter physical evidence.
2. When responding to a sexual assault call officers shall:
 - a. Determine whether the suspect is still at the scene.
 - b. Determine whether a sexual assault has occurred and broadcast suspect information.
 - c. Secure the crime scene and request Crime Scene Investigators (CSI).
 - d. Prior to obtaining an initial interview, provide the victim with a copy of the Domestic Violence Brochure (SPD 957), noting the section pertaining to sexual assaults.
 - (1) An initial investigation by officers to determine whether a crime has been committed and the identity of the suspects shall not constitute a law enforcement initial interview.
 - e. Obtain preliminary victim and witness statements as soon as possible.
 - f. Determine if the victim will consent to an evidentiary exam (EE). Officers shall not dissuade a victim from obtaining an EE.
 - g. Evidentiary Exams will be scheduled by detectives unless there is a need for an acute EE. The following time frames meet the criteria for acute EE.
 - (1) Victim twelve years of age or older:
 - (2) Victim under twelve years of age:
 - h. If the victim consents to an acute exam immediately ensure that "When Everyone Acts Violence Ends" (WEAVE) is notified.
 - i. Notify the Communications Center as soon as possible if the victim is going to undergo an acute exam.
 - (1) Upon notification of an acute exam by an officer, the Communications Center shall contact and advise the team that a victim is en route.
 - (2) If the victim declines an examination, the reasons shall be noted on the report.
 - j. Arrange for transportation of the victim to
 - k. Obtain the victim's address, phone number, and other contact information (such as email addresses, social media information, etc.) so that contact can be made by an investigator. If there is



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no address or phone number for the victim (as may be the case with persons experiencing homelessness), ask the victim to contact the Sexual Assault and Child Abuse (SACA) Unit as soon as possible during normal office hours.

- I. Inform the victim that their name will become a matter of public record unless they request that their name not be a matter of record. This information shall be noted on the report.

- (1) Officers shall complete a Victim Confidentiality Request Form (SPD 273) to be submitted to Records.

3. The offense report does not need to contain every detail of the victim's statement but shall substantiate the elements of the crime as the victim will generally be reinterviewed by detectives or forensic interviewers
 - a. When documenting sexual assault crimes against children under fourteen years old, officers should attempt to only obtain the basic details of the case from child victims. It is preferable to attempt to obtain as much relevant information as possible from sources other than the child victim (e.g., from the reporting party, a parent who is not a suspect, or other witness with direct knowledge of the event). This is the preferred investigative method when dealing with child sexual assault victims due to the possibility of unintentionally influencing a child victim's recollection of the incident.
 - b. Child victims will often be contacted for a follow up interview with a detective or a forensic interview specialist.
 - c. Officers should attempt to identify and obtain a statement from anyone the child victim made a disclosure of abuse.
4. In all reported or suspected cases of sexual assault, a report should be written. This includes incidents in which the allegations appear unfounded or unsubstantiated.
5. Penal Code § 637.4 prohibits officers from requesting a victim take a polygraph test in a case involving the use of force, violence, duress, menace, or threat of great bodily harm in the commission of any sex offense.
6. The watch commander will determine if a call out for a SACA detective is needed.

B. TRANSPORTATION OF RAPE VICTIMS

1. Officers shall ensure transportation to a location of the victim's choosing within a reasonable distance of [REDACTED] after the sexual assault examination.
2. If possible, attempt to have a friend or relative of the victim respond to the hospital for emotional support and to provide transportation after the examination.
3. If there is no one available, the officer shall inform the victim that a WEAVE representative can respond to the hospital. If the victim agrees, a WEAVE representative will remain with the victim and provide the transportation needed.
4. If the victim does not have transportation and declines assistance from WEAVE, instruct the hospital to call the Communications Division to have an officer dispatched to provide transportation for the victim.

C. FIELD SUPERVISORS

1. After consulting with the watch commander, field supervisors shall notify the on-call SACA sergeant if any of the following situations apply:
 - a. There is a complicated crime scene.
 - b. The crime is part of a series.
 - c. The victim's emotional condition indicates that a SACA detective should handle the initial interview.

D. EVIDENCE COLLECTION

1. CSI shall process crime scenes involving sexual assaults and collect evidence when latent prints may exist, or physical evidence requires special handling, packaging, or processing.
2. CSI should not be requested to photograph a victim of sexual assault if the victim is being taken to [REDACTED] for an evidentiary exam.
3. [REDACTED] will complete the Rape Examination Kits and provide all evidence to the laboratory of Forensic Services within five days.
 - a. The Rape Examination Kits will be handled by the hospital staff and not booked as evidence into



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the Evidence and Property warehouse.

4. Sexual assault tags shall be affixed to the outside of the booking locker if items of evidence require refrigeration.
5. Officers shall:
 - a. Wear disposable latex gloves when handling evidence that may be contaminated with body fluids (e.g., blood, urine, semen).
 - b. Discard latex gloves after each use, as outlined in General Order 522.05 (Infectious Disease Exposures) and wash all exposed areas with hot water and soap.
 - c. Take the suspect(s) to the jail and attempt to complete a Rape Examination Kit before booking the suspect(s) into jail. If the suspect(s) refuse, a search warrant will be necessary. The on-call phlebotomist will assist in the completion of the Rape Examination.

E. DETECTIVE FOLLOW-UP REQUIREMENTS (Penal Code § 680 Compliance)

1. Detectives and detective sergeants assigned to investigate any of the crimes enumerated in Penal Code § 680(c) (Penal Code §§ 261, 261.5, 286, 287, 289, or former Penal Code §§ 262 or 288a) shall:
 - a. Review all cases meeting these criteria, whether they are assigned or not, and determine if an EE was completed and if forensic evidence was obtained.
 - b. In Versadex, attach a Penal Code § 680 compliance template and check the appropriate boxes. If an EE was not completed or forensic evidence was not collected, nothing further is required.
 - c. If an EE was completed, no further submissions are required.
 - d. If an EE was not completed, but forensic evidence was collected, complete a DA-7 and request the evidence be delivered to the Sacramento County District Attorney's Crime Lab (CCL) within twenty days.
 - e. Ensure that an information profile for the evidence has been created in the California Department of Justice (DOJ) Sexual Assault Forensic Evidence Tracking (SAFE-T) database within 120 days of collection and report the following:
 - (1) If biological evidence samples from the kit were submitted to a DNA laboratory for analysis.
 - (2) If the kit generated a probative DNA profile.
 - (3) If evidence was not submitted to a DNA laboratory for processing, the reason, or reasons for not submitting evidence from the kit to a DNA laboratory for processing.
2. If DNA evidence of a sexual assault case is not analyzed within six months of the incident, the assigned detective shall notify the victim in writing.
3. Upon receipt of a written request from a sexual assault victim or the victim's authorized designee, detectives investigating sexual assault cases shall inform the victim of the status of the DNA testing of any evidence from the victim's case including:
 - a. Whether or not a DNA profile of the assailant was obtained from the testing of the rape kit evidence or other crime scene evidence from their case.
 - b. Whether or not the DNA profile of the assailant developed from the rape kit evidence or other crime scene evidence has been entered into the Department of Justice Data Bank or the federal Department of Justice or Federal Bureau of Investigation CODIS database of case evidence.
 - c. Whether or not there is a confirmed match between the DNA profile of the assailant developed from the rape kit evidence or other crime scene evidence and a DNA profile contained in the Department of Justice Convicted Offender DNA Data Base, provided that disclosure would not impede or compromise an ongoing investigation.
4. Upon request and provided the victim or the victim's authorized designee has kept their contact information updated, they shall be advised of any known significant changes regarding the victim's case.
5. If a sexual assault case exceeds the statute of limitations, or the assigned detective elects not to analyze collected DNA, or evidence is designated for destruction or disposal, the detective shall indicate their justification in the associated report and notify the victim in writing.



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F. DETECTIVES RESPONDING TO SEXUAL ASSAULTS

1. The on-call SACA detective shall assist in identifying and locating evidence to be collected and booked.
2. Witness statements shall be the responsibility of the patrol officer.
3. A follow-up interview of the victim by a SACA detective may be appropriate to determine more specific details of the incident and the evidence to be seized.