

## **Sexual Assaults** **(Outline of DGO 6.16, DB 11-072, DB 13-062)**

*The following is based on a Department-published Order. Officers are encouraged to read and study the named order to then determine the usefulness of this outline.*

### **I. REPORTING OFFICER'S RESPONSIBILITIES**

#### **A. Responsibilities**

- Preliminary investigation
- Respond to crime scene
- Collect evidence, refer to DGO 6.02, Physical Evidence
- Do not leave any evidence with nurse or doctor conducting exam of victim

#### **B. Notifications**

- CSI when specialized techniques required to collect and preserve evidence (e.g., blood, semen, or evidence that cannot be practically packaged)
- Child Abuse Section or Sexual Assault Section as appropriate or the Department Operations Center after hours

#### **C. Other Duties/Services**

- If requested, transport victim to his/her residence or other location within San Francisco
- Give victim case number, Victim of Violent Crime Notification

#### **D. Sexual Assault Victim's DNA Bill of Rights**

- DNA Bill of Rights-SFPD Form 540
- To inform sexual assault victims of their right to receive specific information regarding their case
- Upon request, agency may inform the victim of the status of the DNA testing of the rape kit evidence or other crime scene evidence from the victim's case.
- Request can be requested to be in writing
- Members shall provide sexual victims with the sexual assault victim's with the Sexual Assault Victims' DNA Bill of Rights card
- SFPD 540 card shall be issued to sexual assault victims by the initial investigation patrol officer.

### **II. FORENSIC EXAM AND MEDICAL TREATMENT**

#### **A. Juveniles taken to:**

- SFGH Pediatrics Outpatient Clinic, 6<sup>th</sup> floor, during business hours
- Emergency Dept all other times

#### **B. Adults:** Taken to SFGH Emergency Dept

### **III. INVESTIGATIVE RESPONSIBILITIES**

#### **A. SVU: Special Victims/Child Abuse Section investigates:**

- Any types of sexual abuse, assault, molestation with victims under 14 yrs
- Any type of sexual assault, battery, unlawful intercourse with victims between
- 14 and 17 yrs when perpetrator is family member, person in position of trust (i.e., coach, teacher, care provider, etc)
- Incest cases with victims under 18 years

**B. Operations Bureau: Sexual Assault Section investigates:**

- Any type of sexual assault, battery, incest with victims 18 yrs or older
- Any type of sexual assault, battery, unlawful intercourse with victims between 14 and 17 yrs when perpetrator is not a family member (i.e., stranger, boyfriend, acquaintance, etc)
- Rape cases with more than one victim, if victims are both under and over 14 yrs,
- assignment made on case by case

**C. Domestic Violence Response Unit and Sex Crimes Detail:**

- May investigate cases when individual is alleged victim of both sexual assault and domestic violence
- Refer to DGO for specific investigative assignment protocol

**IV. INCIDENT REPORTS, INTERVIEWS, RECORDS**

**A. Statements**

- In cases with victim under 18 yrs, information may be taken from doctor or nurse conducting exam, if interviewing victim is impractical, or there is an extended delay for exam

**B. Incident Report**

- Juvenile/Child Abuse Investigator responsible for initial report when he/she responds to conduct investigation
- Responding Officer required to submit initial or supplementary report at request of Investigator
- In all other cases, responding officer shall complete initial report
- Note all forms provided to the victim in narrative of incident report

**C. Confidentiality**

- Per 293 PC, reporting officer required to inform victim
- Must indicate advisement and victim's response in report
- All Confidential reports to be red-stamped "CONFIDENTIAL"

**D. Medical Reports Adult Victims**

- Place medical exam report in plain envelope
- Write case number on front
- Forward to Sexual Assault Section

**Juvenile Victims**

- Medical reports to be retained by medical staff to be forwarded to SVU or Sexual Assault Section

## **Crime Victims Confidentiality Form (DB 08-108)**

Members shall continue to advise victims of their right to confidentiality pursuant to California Government Code section 6254 in any of the following **Penal Code Sections**:

- 220
- 243(e)(1)
- 261
- 262
- 264
- 264.1
- 273a
- 273d
- 273.5
- 286
- 288
- 288(a)
- 289
- 368
- 368(b)
- 368(b)(1)
- 368(c)
- 422.6
- 422.7
- 422.75
- 646.9

### **Reporting Officer's Duties**

Advise victims that by electing confidentiality, their name will not become a public record. If a victim requests confidentiality, members shall check the "293 Confidential" box on the heading page of the incident report form.

In all cases, Members shall include the victim's full name in the Reportee/Victim area of the Heading page of the report and complete all of the fields in that area. Individuals electing confidentiality shall be referred to only by their role ("Victim") in the narrative portion of the incident report.

### **Sgt's/Lt's Duties**

Members approving incident reports in which the "293 Confidential" box has been checked shall stamp the report in red ink with a "CONFIDENTIAL" stamp on the top of the heading page of the police incident report and on the top margin of each succeeding page. Members shall not release any of the above listed reports from the district station.