



Sexual Assault Investigations

I. INTRODUCTION

The purpose of this policy statement is to establish guidelines to govern the conduct of sexual assault investigations and to emphasize a compassionate and supportive approach on the part of the investigating deputy toward the victim.

II. POLICY

- A. It is the policy of the Ridgely Police Department that the health and safety of a sexual assault victim is of paramount importance. The victim's physical condition and mental state should be immediately assessed and appropriate medical attention provided if required.
- B. It is the policy of the Ridgely Police Department that the first Officer to respond to a sexual assault has three primary responsibilities:
 - 1. Physically protect and emotionally support the victim.
 - 2. Identify, isolate and protect the crime scene.
 - 3. Conduct a quality preliminary investigation.
- C. It is the policy of the Ridgely Police Department that the investigating Officer shall candidly inform the victim what will be expected of him/her in the ensuing criminal investigation and any possible court appearance.
- D. It is the policy of the Ridgely Police Department to respect and protect the identity and confidentiality of the sexual assault victim.
 - 1. Officers/investigators should make efforts to provide a private and comfortable space for victims, especially when being asked to disclose details of their case.
 - 2. Officers/investigators should make an effort to limit the number of disclosures that need to be made.
 - 3. Officers/investigators should be aware, and advise victims if appropriate, that the details of their case can, and will, become a matter of public record

and cannot be fully protected as confidential.

4. The officer/investigator should provide the victim with contact information for a certified sexual assault crisis program serving the jurisdiction at the time of the initial contact.
 5. Victims should be advised that the services provided by certified sexual assault crisis programs are confidential, and
 6. The officer/investigator should advise victims that information discussed with any advocate from a certified sexual assault crisis program will not be shared with the investigator without the victims expressed consent.
 7. The officer should not suggest a victim of sexually assaultive behavior sign a waiver of rights during the initial contact with the victim or during the continued investigation.
- E. It is the policy of the Ridgely Police Department to deal with all sexual assault victims in a totally considerate and sensitive manner and to conduct the investigation objectively and professionally, without any preconceived or biased judgments relating to the victim's background, personal circumstances or perceived motivation.

III. PROCEDURE

- A. The principal investigating Officer shall keep the sexual assault victim informed of the progress of the investigation.
- B. The investigating Officers will clearly and patiently explain to the sexual assault victims the availability of appropriate victim assistance programs and services in the area.
- C. The investigating Officers will explain to the sexual assault victims the purpose and availability of judicial Peace Orders and Protective Orders.
- D. The investigating Officer that receives a sexual assault report shall offer the victim the opportunity to be taken immediately to the nearest designated health facility, regardless of the type or degree of sexual assault reported. See: Annotated Code of Maryland, Article 27, 790.
- E. On first contact with a sexual assault victim, the investigating Officer shall give the victim a copy of the Crime Victims and Witness pamphlet describing the victims' rights, services and procedures, before and after the filing of a charging document other than an indictment or information in Circuit Court.
- F. The officer/investigator should be aware of the potential to re-traumatize the victim when conducting follow-up contacts.

- G. If a victim requests that the scope of an investigation be limited or that an investigation be temporarily or permanently suspended, the Ridgely Police Department shall thoroughly document this request, and;
1. The officer/investigator should inform the victim that the officer, or an officer within the agency who investigates sexual assaults, will follow-up with the victim within 30 days of the initial contact to confirm the victim continues to request the suspension of the investigation and the officer/investigator will discuss how and when follow-up contact will be made.
 2. Victims should be given the opportunity to indicate the preferred manner in which contact will be made via phone, e-mail, mail, or in-person.
 3. If the victim would like to be contacted by phone, the officer/investigator should determine if a voicemail can be left and with what information.
 4. The officer should document the victim's preference in the report.
 5. The officer/investigator should provide the victim with the appropriate contact information for the law enforcement agency and/or assigned investigator.
 6. Victims should be advised to contact the agency, or assigned investigator, at any time, with questions about their case; and/or if they have decided to pursue a criminal investigation.
- H. The officer/investigator should follow-up with the victim no later than 30 days following the initial contact. If the victim continues to request a suspension of the investigation:
1. The officer/investigator should provide contact information for the appropriate individual or unit at the time of the follow-up;
 2. The officer should request the victim advise the agency if a decision has been made to continue the investigation or to continue the decision to suspend the investigation.
- I. The officer should advise the victim any decision to suspend an investigation will not be considered permanent and, should the victim choose to pursue a criminal investigation at a later date, the case may be re-opened for investigation.
1. The officer/investigator should again provide contact information and should provide information for a certified sexual assault crisis program serving the jurisdiction.
 2. The officer should notify the victim of any statute of limitations.
 3. The officer should document this contact in the appropriate record.