

**SENECA FALLS POLICE DEPARTMENT
GENERAL ORDER**

General Order: 419	Rescinds: New Issue
Subject: Sexual Assault Investigations	NYS Accreditation: 29.5
Effective Date: 07/01/13 By Order Of: Stuart W. Peenstra, Chief of Police	

I. PURPOSE

To establish a policy and procedure for the investigation of reports of sexual assault.

II. DEFINITION

Private Setting - An enclosed room from which the occupants are not visible or otherwise identifiable, and whose conversations cannot be heard from outside such room. All Seneca Falls Police Departments, District Attorneys' Offices, and presentment agencies, as that term is defined in Section 301.2(12) of the New York State Family Court Act, are required to provide a private setting when conducting an interview of a victim of a sexual assault as defined in Article 130 or Section 225.25 of the New York State Penal Law. [NYS Executive Law, Section 642-2a (a)].

III. POLICY

- A. Members of the Seneca Falls Police Department will investigate sexual assault crimes in a diligent and compassionate manner while working cooperatively with medical professionals in the collection of evidence necessary for successful prosecution. As an investigative element, the Suspected Sexual Assault Report (Attachment A) and the sexual offense evidence collection kit (Attachment B) will be used as outlined in this directive.
- B. Members will ensure that a private setting is used for interviewing victims of a sexual assault.

IV. PROCEDURE

- A. Members conducting the preliminary investigation into an alleged sexual assault shall make every effort to gain all pertinent information concerning the crime so that the victim is not subjected to multiple interviews. A deposition should contain specific information that substantiates the reported crime. Depending on the circumstances, the best course of action may be to have an Investigator assist with the preliminary investigation. Those present during the interview of a sexual assault victim will be limited to the following:
 - 1. Members and civilian personnel directly related to the investigation of the crime.
 - 2. Social worker, rape crisis counselor, psychologist or other professionals providing emotional support to the victim, unless the victim objects to the presence of such person(s) and requests the exclusion of such person(s) from the interview.
 - 3. The parent(s) or other family member/friend of the victim, where appropriate and when requested by the victim.
- B. Members can expect that the physician examining a sexual assault victim will:

1. Utilize the sexual offense evidence collection kit for securing evidence specimens.
2. Complete the Suspected Sexual Assault Report and retain the original. One copy of the report must be provided to the officer collecting the kit and another placed in the evidence collection kit.
*NOTE: The evidence collection kit and the suspected Sexual Assault Report will be provided by the hospital.
3. Complete the information required of hospital personnel on the front of the evidence collection kit.

C. Suspected Sexual Assault Report Form:

The officer collecting the kit will enter the CR number in the "identification" block of the Sexual Assault Report and submit the form along with a completed Crime Investigation or Investigative Action Report to their supervisor for review.

D. Sexual Offense Evidence Collection Kit

1. The investigating officer has primary responsibility for the custody of the evidence collection kit.
2. The investigating officer will remain at the hospital until the physician has completed the examination of the sexual assault victim unless other appropriate arrangements are made by a supervisor.
3. The officer receiving the evidence collection kit from the examining physician will:
 - a. Document same on either the Crime Report or an Investigative Action Report and affix their signature, date, time, and CR# in the designated spaces.
 - b. Complete the chain of custody required on the front of the evidence collection kit.
 - c. Ensure that a Biohazard Warning label is provided and affixed to the outermost portion of the evidence collection kit before being transported from the hospital.
 - d. Immediately deliver the evidence collection kit to the Police Crime Lab as outlined in #4 below.
 - e. If not delivered immediately to the Crime Lab, refrigerate the collected evidence kit and place in the refrigerator with notification to the Property Clerk. The refrigerator is located in the office next to the investigators office. The evidence kit must be placed in the refrigerator and then locked.
4. The investigating officer, Evidence Technician or Property Clerk will deliver the evidence collection kit to the Public Safety Laboratory when:
 - a. A suspect has been arrested and charged with the sexual assault.
 - b. A suspect can be named or identified.
 - c. Instructed to do so by the Seneca County District Attorney's Office or a Seneca Falls Police Department supervisor.

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Attachments