It is the policy of this Department to use a victim-centered approach in the investigation of sexual violence. A victim’s distress may create an unwillingness or psychological inability to assist with the investigation. Officers and detectives play a significant role in both the victim’s willingness to cooperate in the investigation and ability to cope with the emotional and psychological after effects of the crime. Therefore, it is especially important that these cases be handled from a nonjudgmental perspective so as not to communicate in any way to a victim that the victim is to blame for the crime.

The Department recognizes the fact that sexual assaults (rape, forcible sodomy, sexual battery, object penetration, and attempts thereof) are personal violent crimes that have great psychological and physical effects on the victims. Those who are lesbian, gay, bisexual or transgender identified may have specific privacy needs depending on whether the individual is "out" to others in their lives. Sensitivity and awareness about the particular obstacles and barriers victims of same-sex sexual assault face in reporting is of critical importance.

The purpose of this directive is to provide officers with procedures for responding to reports of sexual violence, assisting victims, and conducting brief, preliminary interviews with victims, witnesses, and suspects.

Pursuant to Virginia Code §19.2-9.1 neither the detective assigned nor any other law enforcement officer, attorney for the Commonwealth, or other government official shall ask or require a victim of an alleged sex offense to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an offense. If a victim is requested to submit to a polygraph examination during the course
of a criminal investigation, such victim shall be informed in writing and that the refusal of a victim to submit to such an examination shall not prevent the investigation, charging, or prosecution of the offense.

11.15.02 DEFINITION

Sexual Violence as used in this directive refers to felony crimes of sexual assault. Those crimes include rape, attempted rape, forcible sodomy, carnal knowledge (statutory rape), aggravated sexual battery, inanimate or animate object sexual penetration, crimes against nature and incest, and indecent liberties with child.

11.15.03 PROCEDURES

A. Dispatcher or Call Taker

1. When a caller reports a sexual assault, Department of Emergency Communications (DEC) personnel should elicit the initial facts of the situation and determine whether the victim or others are in life-threatening danger or in need of emergency medical attention.
C. First line Supervisors

1. Respond to assist officers investigating felony sexual assaults.

2. Exhibit sensitivity to victims and ensure that victims are dealt with properly by clarifying their expectations to line officers.

3. Call the on-duty Criminal Investigations Section supervisor as soon as a felony sex offense is confirmed. If CIS is not on-duty, contact the commander of the Crimes Against Person Section.

4. Ensure that patrol officers complete a report that documents their actions at the crime scene.

5. If a suspect is located, ensure that officers do not mirandize or question about the offense.

D. Criminal Investigations Section

1. A detective will respond to handle a sexual assault investigation as soon as he/she is made aware of the offense.
2. As soon as a detective arrives, he/she assumes control of the crime scene and the investigation.

3. The investigation of the case will be handled in accordance with standard operating procedures of the Criminal Investigations Section.

4. All medical fees expended in the gathering of evidence through physical evidence recovery kit examinations conducted on victims complaining of sexual assault under Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 shall be paid by the Commonwealth pursuant to subsection F of § 19.2-368.11:1. Victims complaining of sexual assault shall not be required to participate in the criminal justice system or cooperate with law-enforcement authorities in order to be provided with such forensic medical exams.

5. Information on legal and community resources available to alleged victims of sexual assault will be provided by the assigned detective. Note, this may be accomplished by giving the victim a victim assistance card.

E. Crime Scene Investigation

1. ONLY Crime Scene Investigators will process evidence at the scene of any sexual assault.

2. The scene will be processed in accordance to the standard operating procedures of the Crime Scene Investigations Section.

BY AUTHORITY OF:

Earl L. Cook
Chief of Police