

GENERAL ORDERRev. 08/06/08

SEXUAL ASSAULTS

This order establishes policies regarding investigations of sexual assault cases involving both adults and juveniles, and includes procedures for investigating, gathering evidence, obtaining medical treatment, and preparing incident reports.

I. POLICY**A. INVESTIGATIVE RESPONSIBILITIES.**

1. The Special Victims/Child Abuse Section of the Juvenile Division is responsible for the investigation of any type of sexual abuse, sexual assault or sexual molestation involving a victim under 14 years of age. The Child Abuse Section is also responsible for the investigation of any type of sexual assault, sexual battery or unlawful intercourse involving a victim between the ages of 14 and 17 when the perpetrator is a family member or in a position of trust with respect to the victim, i.e., coach, teacher, care-provider, trusted family friend. Special Victims/Child Abuse Section also handles incest cases involving a victim under 18.
2. The Sexual Assault Section of the Investigations Bureau- Bureau of Inspectors is responsible for the investigation of any type of sexual assault, sexual battery or incest involving a victim 18 years of age or older. The Sexual Assault Section is also responsible for the investigation of any type of sexual assault, sexual battery, or unlawful intercourse involving a victim between the ages of 14 to 17 when the perpetrator is not a family member or adult in a position of trust with respect to the victim, i.e., stranger, boyfriend, acquaintance, etc. In rape cases with more than one victim, if victims are both under and over 14 years of age, assignment will be made on a case-by-case basis
3. The Domestic Violence Response Unit and the Sex Crimes Detail may be assigned the investigation of cases when an individual alleges being the victim of both sexual assault and domestic violence. In all cases the Commanding Officer of the Sex Crimes Detail and the Commanding Officer of the Domestic Violence Response Unit shall meet and confer. The Commanding Officers may assign the investigation to the detail best suited for a successful investigation and prosecution. The protocol for Investigative Detail assignment is, as follows:
 - a. If the crime(s) occurred within 72 hours of being reported the case will be assigned to the Sex Crimes Detail.
 - b. In cases of domestic violence involving life threatening injury or great bodily injury, the case will be assigned to the Domestic Violence Response Unit.

- c. In cases when the subject alleges a sexual assault which occurred four or more days prior and a more recent allegation of domestic violence is alleged, the case will be assigned to the Domestic Violence Response Unit.
- d. In cases of an allegation of both sexual assault and domestic violence, an Inspector from Sex Crimes and Domestic Violence Response Unit may be assigned to work together on the investigation.

II. PROCEDURES

A. FORENSIC EXAMINATION AND MEDICAL TREATMENT

- 1. JUVENILES. Sexual assault victims under 18 years of age will be taken to San Francisco General Hospital as follows:
 - a. To the Pediatrics Outpatient Clinic, 6th floor, Main Building, during business hours, or
 - b. The Emergency Department at all other times.
- 2. ADULTS. Sexual assault victims 18 years of age or older will be taken to San Francisco General Hospital Emergency Department.

B. PRELIMINARY INVESTIGATION AND COLLECTION OF EVIDENCE/RESPONSIBILITIES OF REPORTING OFFICER

- 1. EVIDENCE COLLECTION. In addition to conducting a preliminary investigation, respond to the crime scene and collect evidence (see DGO 6.02, Physical Evidence). Each item of evidence must be placed in a separate property envelope (one item per envelope), including evidence taken from the suspect. Do not leave any evidence with the nurse or doctor examining the victim; however, slides and swabs used for semen testing and sperm detection collected by the medical staff will be preserved and retained at SFGH.
- 2. NOTIFICATIONS
 - a. Notify the Crime Scene Investigations Unit when specialized techniques are required to collect and preserve evidence, e.g., blood, semen, fingerprints, or evidence that cannot be practically packaged.
 - b. Notify the Child Abuse Section or the Sexual Assault Section as appropriate. Notify Operations Center after business hours. Notifications to the Investigative Details or Operations Center should be made as soon as practical to ensure an expeditious response by the on-call inspector(s).

3. OTHER DUTIES/SERVICES

- a. If requested, provide the victim with transportation to his/her residence or another appropriate location within San Francisco.
- b. Give the victim the incident case number along with a Victim of Violent Crime Notification form (see DO 6.19, Victim of Violent Crime Notification).

C. INCIDENT REPORTS, INTERVIEWS AND RECORDS

1. STATEMENTS. In cases involving victims under 18 years of age, information may be taken from the doctor or nurse examining the victim if interviewing the victim is impractical and there is an extended delay for the medical examination.
2. INCIDENT REPORT. When a Child Abuse Section Investigator responds on a case to conduct the investigation, he or she is responsible for making the initial report. Child abuse investigators may require the responding officers to submit an initial or supplementary report indicating initial information reported to police, observations, statements, evidence and other related information. If, however, the investigator determines that an immediate interview of the victim is not practical or warranted (due to the child's age, time of night, etc.), he/she may request that the patrol officer complete the initial incident report. In all other cases, the patrol officer shall complete the initial report.
3. CONFIDENTIALITY OF PUBLIC RECORDS. Penal Code Section 293, requires that you inform the victim that her/his name will become public record unless she/he requests that it not. Indicate in the incident report that you have advised the victim and indicate the victim's response. Also see DO 3.16, Release of Police Reports. All confidential reports shall be stamped in red "CONFIDENTIAL"
4. MEDICAL REPORT. In cases involving victims 18 years of age or older, place the medical examination report in a plain envelope, write the case number on the face, and forward it to the Sexual Assault Section. Medical examination reports of victims under 18 years of age will be retained by the medical staff and forwarded to the Juvenile Division or the Sexual Assault Section.

- D. AIRPORT BUREAU OPERATIONS: Airport Bureau members shall follow Airport Bureau General Orders and San Mateo County protocols.

THE FOLLOWING FLOW CHART ASSISTS MEMBERS IN
DETERMINING CASE ASSIGNMENT FOR
SEXUAL ASSAULT INCIDENTS

