

Sex Kits that have been collected into police evidence by the JSO in last 10 years:

<u>YEAR</u>	<u>NOT PROCESSED</u>	<u>PROCESSED</u>	<u>YEAR TOTAL</u>
2004	87	140	227
2005	91	174	267
2006	145	104	249
2007	203	94	298
2008	206	98	304
2009	99	164	263
2010	145	160	305
2011	122	191	314
2012	79	214	293
2013	59	231	290
2014	64	52	116

Total number of sex kits in JSO custody is 4477

Total number of unprocessed sex kits is 1943

Consolidated City of Jacksonville  
**OFFICE OF THE SHERIFF**

**OPERATIONAL ORDER 18.03.14**

**SUBJECT: SEX CRIMES INVESTIGATIONS**

**RESCINDS: 18.03.13 (03-28-13)**

**SCOPE: RS/3**

**EFFECTIVE DATE: 12-30-13**

The purpose of this order is to establish procedures for handling sex crime investigations. This order supports the Sheriff's Office Core Value of "Always Improving."

This order contains the following numbered articles:

- ▷ **I. Patrol Procedures**
- ▷ **II. Detective Procedures**

**I. Patrol Procedures**

- A. Initial responsibilities upon arriving at the scene of a reported sex crime are as follows:
  - 1. The first officer on the scene is in charge of the investigation unless relieved by a supervisor or a Special Assault Detective;
  - 2. The officer in charge of the scene may request additional units at the scene, if needed; and
  - 3. Care should be taken not to disturb the scene, to include the victim or the victim's clothing which may contain evidence.
- B. Investigative procedures for reported sex crimes should include the following:

**NOTE: The way a Patrol Officer initially responds to a victim of a sex crime is critical. The Patrol Officer must be professional and careful not to pass judgment upon the victim or situation that led to the assault. This is an important step in establishing a victim empowered relationship and enables a victim to regain control.**

- 1. When interviewing sex crime victims, officers shall consider that the victim is probably in a state of mental shock and may be enduring a severe emotional crisis. It is important that the victim be interviewed carefully but thoroughly;
  - a. As much suspect information as possible shall be obtained and promptly broadcast to other units in the area, if appropriate.
  - b. Patrol Officers shall limit their interviews of victims to determine if a crime has been committed and if a Detective needs to be called out.

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**NOTE:** Legal mandates require that the Sheriff's Office minimize the number of interviews of sex crime victims in order to reduce the potential for emotional stress on victims.

- c. The officer shall obtain all necessary information to complete a General Offense/Incident Report.
- d. Per Florida State Statutes (F.S.S.) 960, Victim's Rights, adult victims of sexual battery are not required to make a police report in order to receive a forensic exam (i.e., be taken to Sexual Assault Response Center [SARC]).
  - (1) If an officer is made aware of an allegation of sexual battery, but the victim does not wish to speak to police, the officer should advise the victim of this available medical assistance.
  - (2) The victim should be given the rape recovery hotline phone number 358-RAPE (7273).
    - (a) This does not mean officers should discourage victims of an alleged sexual battery from reporting the incident;
    - (b) If the officer has enough information to generate a report, the officer shall do so, even if the victim does not provide detailed information, and route it to the Special Assault Unit; and
    - (c) This procedure does not conflict with when the "Refusal to Submit to Medical Examination" form is given. In those cases, the victim is making an official report, but is declining to have a medical exam.
- e. Per F.S.S. 794.052, Notification of victim's rights and services, states that a law enforcement officer that investigates an alleged sexual battery shall: Assist the victim in obtaining medical treatment (if medical treatment is necessary as a result of the alleged incident), a forensic examination, advocacy, crisis-intervention services (from a certified rape crisis center) and provide or arrange for transportation to the appropriate facility.

2. Guidelines for interviewing victims of sex crimes:

- a. The victim should be interviewed as soon as possible (either by the reporting officer or by the detective, as applicable);
- b. The interview will be conducted in private and with confidentiality;

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- (1) Unauthorized persons shall not be permitted in the interview area, including parents, other relatives, friends, etc., or
- (2) If the victim is very young or insists that someone be with them, the privacy rule may be waived as long as the officer is certain that this person is not a suspect.

**NOTE: If the victim is under the age of 12, obtain information for the General Offense/Incident Report from an adult rather than interviewing the child.**

- c. If the victim requests to be interviewed by an officer of the same gender, every effort shall be made to grant this request;
- d. The victim must be assured that their identity will be protected;

**NOTE: F.S.S. 794.024 makes it unlawful to disclose any identifying information of a person who is alleged to be the victim of a sex crime. Any inquiries by the media or other persons not directly involved in the investigation or prosecution should be referred to the Police Information Officer (PIO).**

- e. Witnesses and other persons having knowledge of the offense shall be interviewed **separately and in private** to help establish the validity of the offense;
- f. Obtain all of the required reporting data from witnesses and include this in the General Offense/Incident Report; and

**NOTE: The Patrol Officer *shall not* take a written statement from any sex crime victim under any circumstances.**

- g. Patrol Officers will not obtain arrest warrants or capiases on suspects for felony sex crimes. In the event the investigation necessitates an arrest warrant for a felony sex crime, the Patrol Officer shall notify the on-call Special Assault Detective to secure a warrant from the State Attorney's Office (SAO).

3. Evidence collection procedures require:

- a. An examination of the victim for serological evidence shall be conducted as soon as possible after the offense occurs. If there is a significant delay in reporting the incident, the reason for the delay must be established and documented, as it may directly affect physical evidence.

**NOTE: Because serological evidence is a source for deoxyribonucleic acid (DNA) for comparisons, serological evidence will only be collected by those who are properly trained and equipped.**

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- b. If the sexual assault occurred within the last three days, advise the victim not to shower, bathe, or otherwise alter his physical appearance, or engage in any activity that may contaminate or destroy valuable evidence.
- c. The victim should be encouraged not to eat or drink if the crime involved an oral sexual assault that had just occurred.
- d. The officer in charge of the scene shall have a Crime Scene Detective respond to photograph, process, collect, and remove all evidence for storage in the Property and Evidence Facility.
- e. The victim's clothing, bed clothing, and other necessary evidence shall be collected.
  - (1) Each item collected shall be processed according to the procedures outlined in [Operational Order 08.01, Evidence Protection](#). This is normally the responsibility of the Crime Scene Detective or Special Assault Detective, SARC, and the Child Protection Team (CPT);
  - (2) Evidence collected should be placed in a paper bag, rather than a plastic bag due to the potential of contamination when using plastic;
  - (3) Advise the victim that his clothing may need to be collected if it was worn during and/or immediately after the assault. Recommend that he brings a change of clothes or have someone bring clothing to him; and
  - (4) If the victim has used a tampon or sanitary napkin since or during the assault, the officer should consult a Crime Scene Detective or SARC/CPT staff for appropriate collection procedures.

C. Adult Victim Procedures are as follows:

- 1. Once the initial information is obtained, and the scene is secure, officers should ensure that the following steps are taken to ensure the victim receives medical treatment:
  - a. Determine the time span between the time the offense occurred and the time reported;
    - (1) If any type of penetration occurred within the previous 72 hours, the victim should be taken to SARC at 403 West 10th Street on the second floor of the Victim Services Center.

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- (2) In certain cases, a medical exam may be beneficial up to five days after the offense occurred. The determination as to whether the victim should go to SARC will be made on a case-by-case basis by SARC medical staff (e.g. cases where the victim suffered significant trauma to the genital area). Officers should confer with SARC staff to determine if the victim should be transported to their facility. If officers have a suspect in custody, the following protocol shall take effect:
  - (a) If a suspect is in custody, and if the victim is uninjured, have the Patrol Supervisor notify a Special Assault Detective and transport the victim to the Special Assault Unit office **prior** to transporting the victim to SARC;
  - (b) Officers will be required to remain with the victim at the Police Memorial Building (PMB) so the victim can be transported to SARC after the detective has met with him;
  - (c) Officers should refrain from conducting interviews of the suspect other than the necessary basic information needed for the General Offense/Incident Report and/or booking report; and
  - (d) When the victim is ready to be taken to SARC, officers shall follow the instructions in section (a) and (b) below for notification of the Rape Recovery Team and call-out of medical staff if not during normal business hours.
- b. If the victim has sustained other injuries that require immediate medical attention officers shall:
  - (1) Notify their supervisor who will ensure that the victim is transported to the nearest medical receiving facility for emergency care (either by patrol vehicle or rescue);

**NOTE:** Patrol Supervisors shall call out a Special Assault Detective if the victim sustains significant injury, such as broken bones, serious lacerations, or any other injury likely to cause permanent disfigurement.

- (2) In incidents requiring additional emergency medical treatment which prevents the victim from being transported to SARC, officers shall call or have National Crime Information Center (NCIC) notify the 24 hour hotline/Rape Recovery Team at 358-RAPE (7273), and advise the victim's status and location (the officer will need to provide a call-back number for the advocate if needed); and

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- (3) Officers shall remain with the victim until SARC staff or a detective (if one is responding) arrives.
- c. If the victim has no injuries requiring immediate medical attention, and no suspect is in custody, officers shall:
- (1) Ask the victim, prior to leaving for SARC, if the victim would like the assistance of an Advocate to answer any questions, explain the process, and provide counseling and assistance throughout the entire process; and
    - (a) If the victim *does* wish to speak with an Advocate, the officer or NCIC will request the Advocate respond by calling the 24 hour rape hotline at 358-RAPE (7273);
    - (b) When the Advocate is requested, they will then notify SARC of the incident, and request that medical staff be enroute as well. Officers should make sure that the victim is going to cooperate prior to requesting this call-out;
    - (c) If the victim ***does not*** wish to see an Advocate, the Advocate will not initiate contact. The officer/detective or appropriate Victim Services staff member will provide information to the victim about the availability of advocacy services and how to contact an Advocate in the future. Officers who receive this information will ensure the victim has it along with any other required paperwork; and
    - (d) Officers shall indicate in the narrative of the General Offense/Incident Report whether the victim did or did not choose to speak with an Advocate.

**NOTE:** Response time for an Advocate should not exceed 45 minutes; however, in some instances officers may have completed the investigation prior to the arrival of an Advocate. Officers may return to service without waiting for the Advocate, upon being relieved by SARC personnel. Officers shall not leave a victim until they are relieved by either an Advocate or SARC personnel. In the event an Advocate or SARC personnel do not respond, the officer shall notify a patrol supervisor.

- (2) Transport the victim to the SARC facility at 403 West 10<sup>th</sup> Street (Second floor of the Victim Services Center).
  - (a) If after 1700, or on weekends and holidays, the officer shall contact NCIC for the gate and alarm code so that they can unlock the SARC building.

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- (b) Officers will remain with the victim at SARC until medical personnel arrives.

**NOTE:** If the adult victim is reporting a sex crime but refusing to be examined, the officer shall complete a **REFUSAL TO SUBMIT TO MEDICAL EXAMINATION Form (P-0145)** and have the victim read and sign it. The victim's signature will be witnessed by the reporting officer and the on-scene supervisor. A copy (yellow) of the form will be given to the victim and the original (white) forwarded to the Special Assault Unit. *This Refusal to Submit to Medical Examination Form (P-0145) will not be utilized when the victim decides not to make a criminal report of a sex crime (see non-reporting victims' rights in section 1. B. d, of this order).*

D. Juvenile Victim Procedures are as follows:

1. For victims who are under the age of 18 with no injuries/no suspect in custody, officers shall adhere to the following procedures:
  - a. If the incident occurred more than 72 hours prior, the officer shall take the report following the same protocol as for adults (document on a General Offense/Incident Report and route to the Special Assault Unit); and
  - b. If the incident occurred within the 72 hour time frame, or if there are extenuating circumstances that warrant an immediate medical opinion or examination, then:
    - (1) If during regular business hours, the Reporting Officer shall first notify the on-call Special Assault Detective prior to transporting the juvenile to CPT. The detective will notify CPT that a victim is being transported to their facility located at 4539 Beach Boulevard;
    - (2) If the officer needs to transport the victim after regular business hours, or on weekends or holidays, NCIC shall be notified so that a CPT staff member can respond to the Beach Boulevard location; and
    - (3) The transporting officer shall remain at CPT until the conclusion of the exam unless relieved by another officer or detective. This includes times during regular and non-business hours.

**NOTE:** If the victim is not examined by CPT personnel at the time the offense is reported, specific reference to this shall be noted in the narrative of the General Offense/Incident Report so that a Special Assault Detective can make an appointment for the victim.

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2. Victims who are under the age of 18 and require immediate medical treatment:
    - a. Transport the juvenile, or have rescue transport to the nearest hospital; and
    - b. The 72 hour criteria for adults apply with the exception of notifying CPT rather than SARC personnel.
  3. Collection of physical evidence:
    - a. During the examination at either SARC or CPT, physical evidence will be collected from the victim such as spermatozoa, hair, etc.;
    - b. The victim will be treated for any injuries sustained in the attack;
    - c. The victim will be examined for the possible infection of venereal disease and/or pregnancy;
    - d. If at all possible, the officer should take the victim a change of clothes. The clothing worn during the attack will be collected as evidence at the examination location (if the victim has already changed clothes, the officer should bring the clothing worn at the time of the assault to the exam). A Crime Scene Detective should be utilized to collect the evidence; and
    - e. Officers should not allow victims to bathe, wash, or change clothes, as valuable serological evidence may be lost by doing so. If the sexual assault involved oral/penile penetration, the victim should refrain from consuming liquids (e.g., water, coffee, etc.) if possible. During the examination, medical personnel may take oral swabs to collect possible evidence.
- E. Guidelines for the investigation of sex crimes involving children:
1. All allegations of child sex crimes (any sex crime, including sexual battery, lewd and lascivious assault on a minor, molesting, pornography, etc.) is investigated by the Special Assault Unit. The words "**Attention: SPECIAL ASSAULT**" must appear on the General Offense/Incident Report to ensure proper routing of these cases;
  2. If the suspect is someone who lives in the child's home and an arrest is not made, removal of the child may be appropriate under certain circumstances. Officers shall consult with the DCF for placement;
  3. Officers shall follow the procedures previously outlined in this article regarding response, interviews, reporting; and sexual battery requirements for sexual abuse of children;

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4. F.S.S. Chapters 794, 800, and 827 refer specifically to the elements of sexual child assaults, sexual child abuse, sexual battery upon a child, and lewd, lascivious or indecent assault. These chapters should be reviewed to determine the elements and proper listing of the offense;
5. If the parent or guardian is not available to give the required permission for the medical examination of a juvenile, F.S.S. 39.304 authorizes a Police Officer, DCF or CPT investigator to authorize and sign for the exam. The necessary forms are kept at the CPT office located at 4639 Beach Boulevard;
6. Officers must notify the Florida Abuse Hotline and Tracking System at 1-800-962-2873 regarding incidents of child abuse, neglect or sex-related crimes against children; and
  - a. Reporting Officers shall document the telephone call in the narrative of the report;
  - b. If a DCF investigator is present, the name of the investigator shall be listed as the complainant on the report and it shall be noted in the narrative that the Florida Abuse Hotline was not contacted as a DCF Investigator (include his name) was present; and
  - c. If a DCF Investigator is present, the officer/detective shall ask the DCF Investigator if the Florida Abuse Hotline has been notified or if the Florida Abuse Hotline is the complainant. If so, the officer/detective is relieved of the responsibility of notifying the Florida Abuse Hotline.
    - (1) Document in the report that the Florida Abuse Hotline is the complainant or that the DCF Investigator has notified the Florida Abuse Hotline; and
    - (2) If DCF is the complainant of the police report or if DCF is on the scene, the officer is not required to notify the Florida Abuse Hotline.
7. Officers should refer to [Operational Order 10.01, Juvenile Operations](#), for procedures regarding placement of abused and/or dependent children.

**F. Drug-Facilitated Sexual Assault Investigation Procedures:**

1. In drug-facilitated sexual assaults, the victim is often surreptitiously given the substance in a drink. The effects of the drug may cause the victim to lose consciousness, or be rendered so incapacitated by the drug that they are unable to fend off the assault. The victim may also suffer amnesia-like symptoms and/or have little or no recollection of the attack.

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2. If the assault is thought to have occurred within the preceding 12 hours, the officer shall do the following:
  - a. Notify a supervisor;
  - b. Ask the victim to provide a urine sample at that time. If they are willing to do so, the supervisor will request a Crime Scene Detective respond immediately. The supervisor shall advise the dispatcher of the nature of the call and explain that it is necessary for a Crime Scene Detective to respond without unnecessary delay;

**NOTE:** If the victim is being transported to SARC for a sexual assault examination within 12 hours of the assault, the victim will be requested to provide a urine sample during the exam, so it will not be necessary to request a Crime Scene Detective. If SARC personnel will not be able to examine the victim prior to the end of the 12 hour time period, a Crime Scene Detective will be requested to collect the urine sample from the victim. If any questions arise about this procedure, supervisors are directed to contact the Crime Scene Detective Supervisor.

- c. The Crime Scene Detective will provide the victim with a collection cup and allow the victim to provide the sample privately; and
    - d. The Crime Scene Detective will seal the specimen cup in a biohazard bag and submit the sample to the Property and Evidence Facility.
- G. Arrest procedures for sex crimes suspects are as follows:
  1. Officers shall not advise the suspect of the Miranda Warning. Suspects will be advised of the Miranda Warning by the Special Assault Detective;
  2. The Patrol Supervisor shall notify the on-call Special Assault Detective of the arrest;
    - a. If the arrest is made Monday through Friday between the hours of 0800 and 2400, a detective will be working and available to interview the suspect, or
    - b. If the arrest is made after midnight on a weekday, or on a weekend or holiday, it will be necessary to have the Investigative Dispatcher call out a detective to respond for the interview.
  3. A Patrol Officer's interaction with the suspect should only consist of obtaining the necessary data for Arrest and Booking Report purposes. Officers should avoid any interrogation or interview with the suspect;

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4. Interviews of felony sex crime suspects shall be conducted by a Special Assault Detective, regardless of the time of the day. Once the Special Assault Detective becomes involved in the interview process, that detective will assume responsibility for filing the case with the SAO;
5. If a suspect chooses to discuss the incident without any questioning on the part of the Patrol Officer, the officer shall document these statements;
6. If an arrest is made, officers shall consult with the Special Assault Detective regarding seizing **all** of the clothing worn by the suspect as evidence and have each item packaged individually, not collectively, for future laboratory analysis. If possible, evidentiary items will be collected by a Crime Scene Detective;
7. Officers shall follow all Sheriff's Office Written Directives regarding arrest and booking procedures;
8. If a vehicle other than the victim's was used by the suspect at the scene of the crime, it may be necessary to impound and seal the vehicle until a search warrant can be obtained; and
  - a. If the suspect gives consent to search and the vehicle belongs to him, the officer shall have the suspect sign the Consent to Search Form (P-0492);
  - b. If consent is not granted, or the vehicle does not belong to the suspect, a search warrant will be needed. This means that the officers on the scene should refrain from any searching of the vehicle until a warrant is obtained;
  - c. A hold shall be placed on the vehicle for the Special Assault Unit and the vehicle information included in the General Offense/Incident Report; and
  - d. If the victim's vehicle was used, it may be processed and released at the scene without a warrant, with the victim's permission.
9. Transport the suspect to the Special Assault Unit Office for an interview. Suspects shall be interviewed subsequent to the victim.

H. Special Assault Detective call-out procedures are as follows:

1. A Special Assault Detective shall be called out as soon as the criteria for a call-out are met for a felony sex crime under any of the following circumstances:
  - a. An arrest is made (whether the arrest is made on a warrant or during the investigation);

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- b. The victim sustains significant injury, such as broken bones, serious lacerations, or any other injury likely to cause permanent disfigurement;
- c. There is a burglary in connection with the incident (in these cases, the detective shall respond to the crime scene);
- d. The incident appears to be part of a pattern or series; or
- e. The incident involves another serious crime such as a robbery, kidnapping, etc. where a sexual battery was also part of the crime. In these cases, the detectives from the responding units shall coordinate their efforts in the investigation of the offense.

**NOTE:** **A Special Assault Detective can always be called anytime a supervisor determines a detective can significantly help the investigation.**

- 2. Overtime call-out shall be authorized by a supervisor.
  - 3. When detectives are called out to a sex crime, they are responsible for making the arrest decision.
  - 4. If the incident is one that has multiple suspects, multiple victims, or any other circumstances that would require more than one detective to respond, the responding detective shall notify his supervisor and request additional assistance from the Special Assault Unit.
- I. All felony sex crimes investigations on Duval County School Board property will be investigated by patrol in accordance with section I. (Patrol Procedures) of this order.
  - J. Florida Safe Harbor Act: On January 1, 2013 the Florida Safe Harbor Act was implemented with the intent to ensure the safety of juvenile victims who have been trafficked for sexual exploitation.
    - 1. Officers who are investigating cases of sexually exploited children, human trafficking of juveniles, or suspected human trafficking of juveniles shall notify the on-call Integrity/Special Investigations Unit (ISIU) detective and DCF via the Florida Abuse Hotline Information System at 1-866-532-2873.
    - 2. Refer to [Operation Order 11.25, Human Trafficking](#) for additional information.

**II. Detective Procedures**

- A. General investigation procedures in sex crime cases are as follows:
  - 1. All felony sex crime cases will be assigned and followed-up by a detective;

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2. Once a detective is assigned the case, he will ensure that the victim is interviewed as soon as possible. This interview should be conducted in privacy and with confidentiality. Unauthorized people shall not be permitted in the interview. This includes the parents and other relatives, friends, etc., of the victim. If the victim is very young or insists that someone be present with them, the rule of privacy may be waived;
3. Witnesses and other persons having knowledge of the offense should be interviewed separately and in private to help establish the validity of the offense; and
4. A detective will interview the suspect(s) and:
  - a. Ensure that the Miranda Warnings are given and a Constitutional Rights Form (P-0378) is used in the presence of a witness, when possible, and
  - b. Utilize the video monitoring equipment to record all suspect interviews according to policy.

**NOTE: No law enforcement officer, prosecuting attorney or government official shall ask or require a victim of a sexual offense to submit to a polygraph examination or other truth-telling device as a condition of the investigation.**

- B. Investigative procedures for Burglary/Sexual Battery cases are as follows:
  1. Upon notification, a Special Assault Detective will report promptly to the crime scene; and
    - a. Confer with the Patrol Officer to obtain the basic information and take charge of the inner perimeter of the crime scene;
    - b. Survey the crime scene;
    - c. Confer with the Crime Scene Detective to ensure that the scene is completely processed.
      - (1) The detective will utilize the Sheriff's Office Latent Print Unit in all cases where appropriate.
      - (2) After consultation with the Crime Scene Detective, the detective assigned the case has the authority to call for the assistance of the Florida Department of Law Enforcement (FDLE) Crime Lab, after consultation with an Special Assault Unit Supervisor.
    - d. Interview the victim/witness(es) and conduct a neighborhood canvass; and

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- e. Ensure that the victim is promptly transported to the proper examination location.
- 2. During follow-up investigation, a Special Assault Detective will:
  - a. Make an appointment with the victim for any additional investigation, such as:
    - (1) Re-interviewing the victim;
    - (2) Having a composite drawing of the suspect(s) prepared, when applicable;
    - (3) Having the victim review the photograph file, when applicable; and
    - (4) Obtaining elimination fingerprints.
  - b. Pick up the Sexual Assault Kit from the examination location within 10 calendar days.
  - c. Immediately log the kit into the Property and Evidence Facility and complete a pre-log request for the kit to be submitted to FDLE; and
  - d. Obtain any necessary felony arrest warrant(s) from the SAO.
- C. Investigative procedures in cases of custodial sexual offenses involving juvenile victims are as follows:
  - 1. Caretaker cases are those which involve a suspect who was responsible for a juvenile's safety and welfare for even a short period of time and include parents, other family members, teachers, baby sitters, and day care workers;
  - 2. The initial Patrol Officer should notify the Abuse Registry in Tallahassee at 1-800-962-2873. The detective shall ensure that this has been done;
  - 3. The interview procedure of the victim/witness remains the same. However, interviews of victims 11 years old and under should be conducted by DCF and CPT employees. Detectives shall schedule these appointments as soon as possible; and
  - 4. Non-caretaker cases with juvenile victims will sometimes require counseling and Family Assistance Services. This assistance will not be handled through DCF. Victims shall be referred to the Child Sexual Assault Program at the CPT.
- D. Investigative procedures in cases involving lewd and lascivious offenses are as follows:

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1. F.S.S. Chapters 798 and 800 relate to lewd and lascivious behavior, lewd, lascivious, or indecent assault or act upon or in the presence of a minor child under the age of 16, and indecent exposure, etc.; and
  2. The investigations in the above cases should be conducted in the same manner as any other sexual assault. The degree of the offense varies and affects arrest procedures.
- E. Additional investigative techniques include the following:
1. Coordinating with personnel of the Crime Analysis Unit to cross-check incident reports for related modus operandi;
    - a. Note the description of the suspect(s) and/or vehicle; and
    - b. Consider the times, dates, and locations of occurrences.
  2. Checking the reporting victim's record;
  3. Checking the witness(es) credibility; and
  4. Detectives who investigate sex crimes should be familiar with the various types of sexually deviant behavior. Some of these practices may involve the commission of other offenses such as larceny, battery, or trespassing, where others may or may not involve criminal conduct but could lead to violent behavior.
- F. Procedures for the collection of evidence are as follows:
1. Examination of the victim should be conducted as soon as possible after the offense occurs. With juveniles, where penetration is alleged, it is recommended that the examination be conducted regardless of the period of time elapsed since the incident. (CPT will make the determination of whether an exam is needed);
    - a. The CPT office is located at 4539 Beach Boulevard;
    - b. Physical trauma may still be evident if the delay is not significant. There is also the possibility of pregnancy and venereal disease, which must be considered when deciding to examine the victim;
    - c. The examination will be conducted at SARC or CPT by designated medical personnel. Any physical evidence collected during the examination will be placed in the Sexual Assault Evidence Package along with the Sexual Assault Exam Report and the contents noted thereon.

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2. It will be the responsibility of the detective assigned the case to pick up the sexual assault kit from the SARC or CPT and log it into the Property and Evidence Facility within five working days. The detective will immediately complete a pre-log request for the kit to be submitted to FDLE. The final disposition of the Sexual Assault Kit should be noted in the detective's Supplemental Report. Under no circumstances will this procedure be altered by detectives;
3. Other evidence that should be collected by the detective or Crime Scene Detective includes:
  - a. Clothing worn by the victim and/or suspect at the time of the incident;
  - b. Bed sheets from the crime scene;
  - c. Photographs of the victim's injuries, suspect's injuries, and the crime scene;
  - d. Head and pubic hair of the victim, as needed;
  - e. Head and pubic hair of the suspect, either by court order or consent, as needed;
  - f. Blood samples or cheek swabs of the victim and the suspect, when appropriate;
  - g. Toilet tissue, tampons, sanitary pads or other items that may have been used by the victim during or immediately after the assault;
  - h. Any other evidence at the crime scene or other places that may contain potential DNA sources; and
  - i. Any potential DNA evidence that may have been transferred between the suspect and the victim during the incident to include external swabs collected from the bodies of the suspect and/or victim, either by court order or consent, when appropriate. Examples of this potential DNA evidence include, but are not limited to, tissue residue under the victim's fingernails and dried bodily fluids that may be present on the bodies of the suspect and/or victim.
4. A diagram of the crime scene with measurements should be made;
5. Elimination prints of all occupants of the residence should be obtained, as needed;
6. All evidence which will require laboratory analysis should be turned over to the Crime Lab or FDLE for appropriate processing;

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7. Upon completion of the assigned investigation, a Supplemental Report will be prepared containing a brief synopsis of the original General Offense/Incident Report and the details of the investigation.
- G. The "Walk in Their Shoes Act" (F.S.S. 794.052) states a law enforcement officer who investigates an alleged sexual battery shall, prior to submitting a final report, permit the victim to review the final report and provide a statement as to the accuracy of the final report.
1. The initial report of an alleged sexual battery is not considered the final report as it relates to the "Walk in Their Shoes Act" and the investigating Patrol Officer does not need to permit the victim to review the report or obtain a statement as to its accuracy. Patrol Officers conducting the initial investigation of an alleged sexual battery should complete and submit their report following current reporting procedures.
  2. For the purposes of the "Walk in Their Shoes Act", the final report shall be drafted by the Special Assault Detective investigating the case and indicate the final disposition of the case (suspended, cleared by arrest, exceptionally cleared, etc.).

  
JOHN H. RUTHERFORD  
Sheriff

Public Rec