

New York State Coalition Against Sexual Assault — NYSCASA



Believing. Healing. Preventing. Working for a world without violence.

Law Enforcement “Tip Sheet”

- Know that in approximately 85% of sexual assaults the perpetrator is known.
- There is no typical reaction to a sexual assault. Officers should be prepared for any reaction. Response to a sexual assault varies and an officer must be able to respond to each victim as an individual, recognizing that no two people will react the same.
- A victim of a sexual assault could be a child, an elderly person, someone the officer knows or has arrested for another crime. It is important that the responding officer focuses his/her attention on the crime which is being reported, initially reserving any judgments about the victim or the victim's family.
- Sexual assault is common in relationships where there is other physical violence. Officers should include questions about sexual assault in all domestic violence investigations.
- Police officers should be made aware that different cultures respond in different ways to sexual assault. Departments should make sure that officers are culturally competent.
- There are many reasons that a victim may choose not to disclose / report to you.
[Assuming that you are in the presence of the victim via a third party call]
Shame, Guilt, Embarrassment, Self Blame all impact their ability to report. Remember to NEVER blame a victim of a sexual assault for being a victim. This holds the same for any crime.
- Once a disclosure / report has been made to you attend to your job function, apprehend the perpetrator if possible, address the medical needs of the victim, do you need EMS. Begin to afford the victim the ability to make choices during your interaction with them no matter how small. E.g. would you like a female officer if you are a male and the victim is female? Or, would you like a male officer if you are a female and the victim is a male? May I call someone for you? May I sit here? All in an effort to restore a sense of control in the victim's life as they are the victim of a crime that took away any control they had over their life.
- Refer to Executive Law section 642(b), and information on local Rape Crisis Programs that you must provide to the victim of a crime listed in Section 130.00 of the New York State Penal Law.

- Encourage the victim of a sexual assault to obtain medical services for their well being e.g. EC (Emergency Contraception), HIV prophylaxis, treatment for STIs (Sexual Transmitted Infections), any physical injuries incurred, and lastly but not the least of the reasons is to attempt to recover physical evidence as a result of a forensic examination. [NY protocols state that any evidence collected as a result of a forensic exam conducted as a result of a sexual assault MUST be maintained for a minimum of 30 days]. This will allow a victim to take some time to decide on how they wish to proceed with their case and not have to make an immediate decision.
- Collect the clothes worn at the time of the assault. Identify and preserve the physical location of the assault. Know that the victim is a crime scene unto themselves. Try to prevent bathing, showering, douching, drinking, smoking, chewing gum, eating, brushing their teeth or engaging in any activity that may result in the loss of physical evidence.
- Even if a disclosure / report takes place 3 days post assault some evidence may still be obtained as a result of a forensic exam. Don't discount this exam as a result of a delayed report.
- Remember to maintain a victim centered approach to your preliminary investigation and allow for the victim to determine how their case progresses thru any portion of a systems process.

This document is a creation of The New York State Coalition Against Sexual Assault (NYSCASA) updated 2013.