

# COMPREHENSIVE SEXUAL ASSAULT INVESTIGATION FRAMEWORK

Universal Protocol for All Forms of Sexual Violence

Including: Adult Assault, Child Sexual Abuse, Sex Trafficking, and Institutional Abuse

Evidence-Based • Trauma-Informed • Survivor-Centered • Offender-Focused

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# I. FOUNDATIONAL PRINCIPLES

Sexual assault investigations require specialized knowledge, skills, and approaches that differ significantly from other criminal investigations. This framework establishes evidence-based protocols that prioritize both justice outcomes and survivor wellbeing.

## A. TRAUMA-INFORMED APPROACH

Core Principle:

Trauma affects memory, behavior, and disclosure in ways that **MUST** be understood to conduct effective investigations. Behaviors that might seem counterintuitive (delayed reporting, fragmented memory, continued contact with suspect) are **NORMAL** trauma responses, not indicators of false reporting.

### 1. Understanding Trauma Neuroscience

During traumatic events, the brain prioritizes survival over memory formation:

- Amygdala activation: Fight/flight/freeze responses
- Hippocampus impairment: Fragmented memories, unclear timelines
- Prefrontal cortex suppression: Difficulty with sequential narration
- Tonic immobility: Inability to resist or fight back (occurs in 70% of assaults)

Investigator Training Required:

- Minimum 40-hour trauma-informed investigation training
- Annual refresher courses on trauma neuroscience
- Certification in trauma-informed interviewing techniques

### 2. Recognizing Normal Trauma Responses

The following are **NORMAL** and should **NOT** be interpreted as evidence of false reporting:

- Delayed reporting (hours, days, weeks, or years after assault)
- Fragmented or non-linear memory
- Uncertainty about details (time, sequence, peripheral information)
- Calm or flat affect during interviews
- Continued contact with suspect
- Inconsistencies in initial vs. later accounts (memory consolidates over time)

**CRITICAL:** Investigators must **NEVER** use these trauma responses as reasons to doubt credibility or close cases.

## B. SURVIVOR-CENTERED INVESTIGATION

Core Principle:

Survivors are partners in the investigation, not just sources of evidence. Their safety, autonomy, and dignity must be protected throughout the process.

### 1. Survivor Autonomy

Survivors retain control over decisions affecting them:

- Whether to participate in investigation (with clear explanation of implications)
- Whether to pursue forensic medical exam
- Timing and pace of interviews (within investigative necessity)
- Presence of support person during interviews
- Notification preferences for case updates

Exception:

Cases involving minors or incapacitated adults proceed regardless of victim preference when mandated by law.

### 2. Communication Standards

Investigators MUST:

- Explain investigation process clearly and honestly
- Provide written victim rights notification within 24 hours
- Update survivor on case status at minimum monthly intervals
- Explain delays, investigative steps, and next actions
- Notify survivor BEFORE case closure with detailed explanation
- Document all communications in case file

### 3. Safety Planning

Initial safety assessment required within first contact:

- Immediate danger evaluation
- Housing security (especially if suspect has access)
- Workplace/school safety
- Protection order eligibility and assistance
- Emergency contact information
- Referral to victim advocacy for safety planning

## C. OFFENDER-FOCUSED INVESTIGATION METHODS

### Core Principle:

Sexual assault investigations must focus PRIMARY investigative effort on the SUSPECT, not just the survivor. The burden of proof rests on evidence ABOUT THE OFFENDER, not endless scrutiny of the victim.

### CRITICAL FRAMEWORK SHIFT

#### Traditional (BROKEN) Pattern:

- 80% investigative effort on victim credibility
- 20% investigative effort on suspect
- Victim provides: phone, texts, photos, witnesses, testimony
- Suspect provides: minimal or nothing
- Result: Victim bears entire burden

#### Evidence-Based (CORRECT) Pattern:

- 30% investigative effort on victim interview/evidence
- 70% investigative effort on suspect-focused investigation
- Suspect phone/digital records subpoenaed EQUALLY to victim's
- Pattern analysis of suspect's behavior
- Proactive evidence collection FROM SUSPECT
- Result: Investigation builds case on suspect's actions, not victim's credibility

### 1. Suspect Digital Evidence Collection (MANDATORY)

IF digital evidence is collected from victim, EQUAL OR GREATER effort MUST be made to collect from suspect:

#### Required from suspect:

- Cell phone records (call logs, text messages, app data)
- Social media accounts (messages, posts, friend lists)
- Email accounts
- Dating app profiles and conversations
- Computer/device forensics
- GPS/location data
- Financial records (if relevant to case)
- Surveillance footage from suspect's locations

#### Search warrant standards:

- Probable cause exists if victim provides credible account
- Victim digital evidence alone does NOT make case - must seek suspect's
- Delays in seeking warrants must be documented and justified

#### ACCOUNTABILITY REQUIREMENT:

If victim digital evidence collected but suspect digital evidence NOT pursued, supervisor MUST document specific justification. Absence of justification = investigative deficiency.

## 2. Pattern Analysis

Most sexual offenders are serial perpetrators. Investigators MUST:

- Search for similar reports involving same suspect
- Analyze suspect's digital footprint for patterns (multiple victims, predatory behavior)
- Check protection order databases
- Coordinate with other jurisdictions
- Interview disclosed victims or witnesses
- Document suspect's methods, locations, victim selection

## D. RIGHTS-BASED FRAMEWORK

Survivors have legal rights that MUST be protected throughout investigation:

### 1. Written Rights Notification (REQUIRED within 24 hours)

All survivors must receive written notification including:

- Right to victim advocate
- Right to support person during interviews
- Right to reasonable accommodations
- Right to case status updates
- Right to notification before case closure
- Right to protection orders
- Right to restitution
- Contact information for victim services
- Investigator contact information

Format: Plain language, accessible reading level, available in multiple languages.

## SECTION II

# INITIAL RESPONSE (FIRST 24-72 HOURS)

## OVERVIEW

The first 24-72 hours after a sexual assault report are critical for:

- Evidence preservation (physical, digital, testimonial)
- Survivor safety and wellbeing
- Investigation foundation
- Institutional credibility and survivor trust

Response quality during this window significantly impacts:

- Case solvability (evidence degrades rapidly)
- Survivor cooperation (first response sets tone)
- Prosecution viability (foundation built here)
- Community trust (word spreads about how agencies respond)

## A. FIRST RESPONDER PROTOCOL

First responders are often patrol officers, not specialized investigators. However, their actions in first contact are foundational.

### 1. Initial Contact Standards

When responding to sexual assault report:

DO:

- ✓ Respond promptly (prioritize as high-priority call)
- ✓ Use trauma-informed language: "I believe you." "This is not your fault." "You're safe now."
- ✓ Ask about immediate medical needs
- ✓ Ask about immediate safety concerns
- ✓ Explain what will happen next
- ✓ Offer victim advocate immediately
- ✓ Document survivor's exact words (in quotes)
- ✓ Preserve evidence (see Section II-C)

DO NOT:

- ✗ Ask "why" questions ("Why didn't you scream?" "Why did you go there?")
- ✗ Express skepticism verbally or non-verbally
- ✗ Rush the survivor
- ✗ Conduct detailed investigative interview (leave for trained investigator)
- ✗ Make promises about case outcome
- ✗ Minimize or dismiss the report
- ✗ Suggest survivor was responsible in any way

## 2. Immediate Safety Assessment

First responder must assess and address immediate safety:

Questions to ask:

- "Are you safe right now?"
- "Does the person who hurt you know where you are?"
- "Does this person have access to your home/work/school?"
- "Do you have somewhere safe to stay tonight?"
- "Do you have concerns about retaliation?"

If safety concerns exist:

- Coordinate emergency housing if needed
- Provide protection order information
- Increase patrol in survivor's area
- Connect with victim advocacy for safety planning
- Document all safety concerns in report

**CRITICAL:** If suspect is law enforcement officer, notify supervisor AND external oversight immediately. Do NOT notify suspect's chain of command until external review confirms appropriate protocol.

## 3. Evidence Preservation - First Responder Level

Even before investigators arrive, first responders can preserve critical evidence:

If survivor still at scene:

- Secure the scene - prevent contamination or alteration
- Document scene with photos/video before anything is moved
- Note exact positions of items, clothing, bedding
- Do NOT allow cleaning or tidying
- Note environmental conditions (lighting, locked/unlocked doors, etc.)

If survivor has left scene:

- Secure scene anyway if accessible
- Attempt to preserve suspect location if known
- Note time elapsed since incident
- Document any actions survivor took after assault (showered, changed clothes, etc.)

Physical evidence from survivor:

- Advise against showering, changing clothes, eating/drinking, or using bathroom if safe to delay
- If survivor has already done these things, document but DO NOT criticize
- Explain forensic medical exam option and coordinate transport if desired
- If clothing changed, collect original clothing in paper bags (NEVER plastic)

Digital evidence preservation:

- If survivor has relevant texts/messages, ask them to avoid deleting
- Note if survivor's phone was used to document injuries
- Document any social media/dating app interaction with suspect
- DO NOT review survivor's phone in detail (privacy + proper chain of custody later)

## 4. Notification & Handoff to Investigators

First responder must:

- Notify specialized sex crimes investigators immediately (not next business day)
- Provide detailed briefing including:
  - Survivor's initial statements (exact quotes)
  - Safety concerns identified
  - Evidence preservation actions taken
  - Medical needs addressed or pending
  - Advocate notification status
- Complete initial report within 2 hours of contact
- Ensure supervisor is notified

Timeline requirement:

Specialized investigator contact with survivor must occur within 24 hours of report. Earlier is better. Delays beyond 24 hours require supervisor documentation and justification.

## B. INVESTIGATOR INITIAL CONTACT (Within 24 Hours)

Specialized sex crimes investigator assumes case and makes direct contact with survivor.

### 1. First Contact Priorities

Purpose of first investigator contact:

- Establish rapport and trust
- Provide written victim rights notification
- Explain investigation process honestly
- Conduct preliminary interview (NOT full forensic interview yet)
- Assess immediate investigative actions needed
- Coordinate advocate and support services

### 2. Written Victim Rights Notification (MANDATORY)

Investigator MUST provide written notification of survivor rights within first contact. This document should include:

Content requirements:

- Right to be treated with dignity and respect
- Right to victim advocate at no cost
- Right to support person during interviews and medical exams
- Right to be informed of case progress
- Right to notification before case closure
- Right to request investigative actions be taken
- Right to protection orders
- Right to restitution if case proceeds
- Right to privacy (limited media disclosure)
- Right to interpreter services if needed
- Right to accommodations for disabilities

- Contact information for:
  - Assigned investigator (direct line, email)
  - Investigator's supervisor
  - Victim advocacy services
  - Crisis hotlines
  - Prosecutor's office victim liaison (if applicable)

Format requirements:

- Plain language (6th-8th grade reading level)
- Available in languages spoken in community
- Accessible formats (large print, audio, etc.)
- Investigator provides copy and reviews verbally
- Survivor signature acknowledging receipt (not waiving rights)
- Copy placed in case file

### 3. Preliminary Information Gathering

During first investigator contact, gather essential information WITHOUT conducting full forensic interview:

Basic incident information:

- When did this happen? (date/time range)
- Where did this happen? (location)
- Who is the suspect? (name, description, relationship)
- Brief description of what happened (1-2 sentences)
- Were there witnesses? (who, where to find)

Immediate investigative needs:

- Is there time-sensitive evidence? (video surveillance that auto-deletes, etc.)
- Is suspect identifiable and locatable?
- Are there ongoing safety concerns?
- Is forensic medical exam still viable? (typically within 72-120 hours)

CRITICAL: This is NOT the full forensic interview. That comes later (Section IV). This preliminary contact establishes basics and immediate actions only.

### 4. Investigation Planning & Next Steps

Before ending first contact, investigator must:

- Explain what will happen next in clear, honest terms
- Schedule formal interview (typically within 3-7 days)
- Coordinate forensic medical exam if desired and timely
- Identify immediate investigative actions:
  - Scene documentation
  - Surveillance footage collection
  - Witness interviews
  - Digital evidence preservation
  - Suspect identification/location

- Provide timeline estimate ("I'll follow up within X days")
- Confirm survivor's preferred contact method
- Document everything in case file

## C. EVIDENCE PRESERVATION (IMMEDIATE ACTIONS)

Evidence degrades rapidly. Within first 24-72 hours, investigators must secure:

### 1. Scene Documentation & Physical Evidence

If crime scene is accessible:

Immediate actions:

- Secure scene (crime scene tape, limited access)
- Photograph/video BEFORE anything is moved or touched
- Document:
  - Overall scene (wide shots establishing context)
  - Specific areas described by survivor
  - Doors, windows, locks (points of entry/exit)
  - Lighting conditions
  - Furniture positions
  - Any items mentioned by survivor
  - Potential evidence items (clothing, bedding, objects)

Evidence collection:

- Collect bedding, towels, clothing in paper bags (NEVER plastic - causes degradation)
- Swab for biological evidence if visible or suspected
- Collect condoms, wrappers, lubricants
- Document and collect any weapons or restraints
- Process for latent prints if applicable
- Maintain chain of custody documentation for ALL items

If scene is not accessible (private property, suspect's residence, etc.):

- Document exact location and access barriers
- Seek search warrant if probable cause exists
- Attempt consent search from property owner/suspect
- Document in case file why scene could not be processed

## 2. Surveillance & Video Evidence (TIME-SENSITIVE)

Many businesses and residences have security cameras that automatically overwrite footage. This evidence is CRITICAL and PERISHABLE.

Within 24-48 hours, investigator must:

- Canvass area for all cameras (businesses, ATMs, traffic cams, doorbell cameras)
- Contact owners/operators immediately
- Request footage preservation (even if not immediately reviewed)
- Obtain footage covering:
  - Before incident (suspect/survivor arrival)
  - During incident timeframe
  - After incident (departure, suspect behavior)
- Document all camera locations on map
- Note cameras that existed but no longer have footage (with explanation)

Common camera locations:

- Bars, restaurants, clubs
- Convenience stores, gas stations
- Banks, ATMs
- Apartment buildings, hotels
- Traffic cameras (city/state)
- Parking garages
- Neighboring residences (doorbell cameras)

## 3. Digital Evidence Collection

Digital evidence is detailed extensively in Section III, but immediate preservation actions include:

From survivor (with consent):

- Text messages with suspect
- Social media messages
- Dating app conversations
- Photos/videos relevant to case
- Call logs

CRITICAL - From suspect (via search warrant):

Investigator MUST pursue digital evidence from suspect with EQUAL OR GREATER effort than from survivor:

- Cell phone forensics
- Text message extraction
- Social media accounts
- Email accounts
- Dating apps
- Computer/device forensics
- Location data / GPS history
- Vehicle infotainment systems (if applicable)

Timeline:

- Preservation letters to tech companies: Within 72 hours
- Search warrant applications: Within 7-14 days
- Delays beyond these timeframes require supervisor documentation

#### 4. Witness Identification & Contact

Witnesses identified by survivor or through investigation must be contacted promptly:

Types of witnesses:

- Direct witnesses (saw/heard incident)
- Disclosure witnesses (survivor told them after assault)
- Contextual witnesses (saw survivor/suspect before or after)
- Character witnesses (know suspect's pattern of behavior)
- Expert witnesses (medical, forensic, trauma specialists)

Within 72 hours:

- Attempt contact with all identified witnesses
- Conduct preliminary interviews
- Obtain written or recorded statements
- Document any witness who cannot be located or declines to cooperate
- Secure contact information for future follow-up

### D. FORENSIC MEDICAL EXAMINATION COORDINATION

Sexual Assault Forensic Exams (SAFE) or Sexual Assault Nurse Examiner (SANE) exams serve dual purposes: medical care for survivor and evidence collection for investigation.

#### 1. Timing & Viability

Exam effectiveness windows:

- Optimal: Within 72 hours of assault
- Extended: Up to 120 hours (5 days) for some evidence types
- Even if outside window: Exam may still document injuries, provide medical care

Investigator responsibility:

- Explain exam purpose, process, and timeline clearly
- Emphasize exam is survivor's choice (except in minor cases where mandated)
- Coordinate transportation if needed
- Ensure advocate is offered to accompany survivor
- Do NOT pressure or coerce exam decision

#### 2. Investigator Role During Exam

Investigator may be present for evidence transfer but should NOT:

- ✗ Be in exam room during physical examination
- ✗ Interview survivor during exam (medical process separate from investigation)
- ✗ Rush the exam process

Investigator SHOULD:

- ✓ Coordinate with medical staff on evidence collection
- ✓ Ensure proper chain of custody for evidence kit
- ✓ Photograph any visible injuries (with consent, by trained personnel)
- ✓ Obtain medical records release from survivor
- ✓ Be available to answer questions if survivor/medical staff need clarification

### 3. Evidence Kit Handling

Sexual assault evidence kits must be:

- Sealed by medical examiner immediately after collection
- Labeled with case number, date, examiner name
- Transferred to law enforcement with documented chain of custody
- Stored in secure, temperature-controlled evidence room
- Submitted to crime lab for analysis within 30 days (or as soon as investigative priority allows)

CRITICAL:

Rape kit backlog is a national crisis. Agencies MUST have policy ensuring timely testing. Kits should NOT sit untested for months or years unless survivor explicitly requests delayed testing or case circumstances prevent immediate need.

## E. DOCUMENTATION REQUIREMENTS (First 72 Hours)

Thorough documentation in first 72 hours creates foundation for entire investigation.

### 1. Required Documentation

Case file must include:

- Initial report (first responder narrative)
- Investigator preliminary report
- Victim rights notification (with survivor signature)
- Safety assessment documentation
- Scene photographs/video
- Evidence collection logs (with chain of custody)
- Witness contact attempts and statements
- Digital evidence preservation documentation
- Medical exam coordination records
- Advocate notification confirmation
- Investigation plan (next steps, timeline)
- All communications with survivor (dates, times, methods, summaries)

## 2. Timeline Documentation

All actions must be timestamped:

- Report received: [date/time]
- First responder arrival: [date/time]
- Investigator notification: [date/time]
- Investigator contact with survivor: [date/time]
- Scene secured: [date/time]
- Evidence collected: [date/time per item]
- Witness contacts: [date/time per witness]
- Medical exam: [date/time]

Purpose: Demonstrates prompt response, documents evidence viability, creates accountability.

## 3. Supervisor Review (Within 72 Hours)

Investigator's immediate supervisor must review case file within 72 hours and:

- Verify all required documentation present
- Confirm victim rights notification provided
- Assess adequacy of evidence preservation
- Evaluate investigation plan
- Identify any gaps or deficiencies
- Approve next investigative steps
- Document supervisory review in case file

Red flags requiring immediate supervisor intervention:

- Victim rights not provided
- Delayed investigator contact (>24 hours without justification)
- Scene not secured or documented
- Evidence collection from victim but NOT from suspect (without justification)
- Survivor safety concerns not addressed
- Missing documentation
- Evidence of investigator bias or skepticism in reports

## SECTION II SUMMARY

The first 24-72 hours are foundational. Agencies must have systems ensuring:

- ✓ Immediate, trauma-informed response
- ✓ Survivor rights protection from first contact
- ✓ Comprehensive evidence preservation (physical, digital, testimonial)
- ✓ EQUAL investigative effort on suspect and survivor
- ✓ Thorough documentation with accountability
- ✓ Supervisor oversight within 72 hours

Failures in this critical window often determine case outcomes. Prompt, professional, evidence-based response is not optional—it is the standard of care survivors deserve and investigations require.

— END OF SECTION II —

SECTION III - PART 1

## EVIDENCE COLLECTION STANDARDS

### Physical & Biological Evidence

#### OVERVIEW

Physical and biological evidence forms the scientific foundation of sexual assault investigations. Proper collection, preservation, documentation, and analysis of this evidence can:

- Corroborate survivor accounts
- Identify perpetrators through DNA
- Establish timelines
- Document force or violence
- Link cases to serial offenders
- Provide objective data for prosecution

However, evidence is fragile. Contamination, degradation, improper collection, or chain of custody failures can render critical evidence inadmissible or useless.

This section establishes rigorous standards for:

- Physical evidence collection and preservation
- Biological evidence (DNA, bodily fluids, trace materials)
- Crime scene processing
- Chain of custody documentation
- Evidence storage and laboratory submission

## A. PHYSICAL EVIDENCE COLLECTION

Physical evidence includes any tangible item that may contain traces of the crime, offender, or support survivor's account.

### 1. Clothing & Textiles

Survivor's Clothing:

Collection procedures:

- Request clothing worn during assault (if survivor willing to provide)
- CRITICAL: Use paper bags ONLY - plastic bags trap moisture and degrade DNA
- Collect each garment separately (prevents cross-contamination)
- If clothing is wet or damp, air dry before packaging (prevents mold/degradation)
- Document condition: tears, stains, dirt, damage, inside-out vs. right-side-out
- Photograph before collection (in situ if possible)
- Label each bag with: case number, item description, date/time, collector name
- Seal bags and initial seal

What to look for on clothing:

- Semen, saliva, blood (victim or suspect)
- Vaginal/anal secretions
- Hair (suspect's or victim's transferred)
- Fibers (from suspect's clothing or crime scene)
- Soil, vegetation, debris (establishing location)
- Cosmetics, lubricants, condom residue
- Fingerprints (on fabric surfaces)

Suspect's Clothing (if obtainable):

Equal importance to survivor's clothing. May contain:

- Victim's DNA (blood, saliva, vaginal/anal fluids, skin cells)
- Torn fabric matching tears in victim's clothing
- Environmental evidence matching crime scene
- Patterns consistent with force/struggle

Collection methods:

- Search warrant typically required unless suspect consents
- Same paper bag protocol as victim's clothing
- Document whether obtained immediately after assault or later
- Note if clothing has been washed (still collect - traces may remain)

Bedding & Textiles from Scene:

- Sheets, blankets, pillowcases from bed where assault occurred
- Towels, washcloths (especially if used for cleanup)
- Furniture upholstery if assault occurred on couch, chair, etc.
- Floor coverings (rugs, carpets) showing stains or disturbance
- Collect entire item when possible; swab stains if item too large

## 2. Objects & Items

Sexual assault may involve objects used during the crime:

Items to collect:

- Condoms, condom wrappers (DNA inside, fingerprints on wrapper)
- Lubricants, lotions, oils
- Sex toys or objects used in assault
- Restraints: rope, tape, handcuffs, zip ties, belts
- Weapons or objects used to threaten/coerce
- Drugs or alcohol containers (if drug-facilitated assault suspected)
- Tissues, napkins, paper towels used for cleanup
- Glasses, bottles, cans victim drank from (if drugging suspected)

Collection procedures:

- Photograph in place before collection
- Wear clean gloves; change gloves between items
- Avoid touching surfaces that may contain fingerprints or DNA
- Package separately to prevent cross-contamination
- Seal and label each item
- Document exact location where found

Drug-Facilitated Sexual Assault (DFSA) Evidence:

Time-sensitive: Many drugs metabolize rapidly (hours, not days).

- Collect urine sample within 24 hours if possible (drugs detectable longer in urine)
- Blood sample within 12-24 hours
- Hair sample (some drugs deposit in hair follicles, detectable for weeks)
- Any drink containers, pills, powders at scene
- Coordinate with medical examiner for toxicology testing

## 3. Environmental Evidence

Evidence from the environment establishes location, corroborates accounts, links suspect to scene:

Soil & Vegetation:

- Collect soil samples from crime scene
- Collect soil from victim's clothing/shoes
- Collect soil from suspect's clothing/shoes (if obtainable)
- Vegetation: leaves, grass, twigs, pollen
- Comparison analysis can link person to specific location

Paint, Glass, Building Materials:

- Paint chips (if assault involved vehicle, building damage)
- Glass fragments (broken windows, bottles)
- Wood splinters, drywall, concrete dust
- Can match to specific source (vehicle, building, object)

Trace Materials:

- Fibers (from clothing, furniture, carpets, vehicle interiors)
- Hair (human or animal)
- Cosmetics (makeup, lotions, perfume)
- Gunshot residue (if firearm involved)
- Collect using tape lifts, vacuuming, or careful picking with tweezers

## B. BIOLOGICAL EVIDENCE STANDARDS

Biological evidence contains DNA and can definitively identify suspects. Proper collection and preservation is critical.

### 1. DNA Evidence Types

Primary biological evidence sources:

Semen:

- Most common in sexual assault cases
- Collected via forensic medical exam (vaginal, anal, oral swabs)
- Also on clothing, bedding, other surfaces
- Detectable for 72-120 hours internally; longer externally
- Use alternate light source (ALS) to locate stains on fabric

Blood:

- May be present if force used, injuries sustained
- Victim's blood (from injuries) or suspect's blood (from scratches, bites)
- Swab wet blood; scrape dried blood
- Photograph blood patterns (may indicate struggle, movement)

Saliva:

- From kissing, licking, biting
- Swab areas of skin, clothing, objects
- Bite marks: photograph, swab, consider odontologist examination

Vaginal/Anal Secretions:

- From victim, may contain suspect's DNA if penetration occurred
- Collected via forensic medical exam

Skin Cells (Touch DNA):

- Deposited by touching
- Swab areas where suspect touched: doorknobs, steering wheel, victim's body/clothing
- Under victim's fingernails (if scratched suspect)
- Advanced technique, sensitive but can contaminate easily

Hair:

- With root: DNA testing possible
- Without root: Microscopic comparison only (less definitive)
- Collect with tweezers, package separately
- Document color, length, location found

## 2. Collection Techniques

Swabbing:

Procedure:

- Use sterile cotton or synthetic swabs
- Wet swab with sterile water or saline (never tap water)
- Swab area using rolling motion
- Use second dry swab to absorb moisture
- Air dry swabs before packaging (15-30 minutes)
- Package in paper swab boxes or envelopes - NEVER plastic
- Collect control swab from unstained area nearby

Cuttings:

For stained fabric:

- Cut out stained area with clean scissors
- Include unstained control cutting from same garment
- Package separately in paper

Scraping:

For dried biological material:

- Use clean blade or wooden applicator stick
- Scrape onto clean paper (fold into bundle)
- Photograph before and after scraping

Fingernail Scrapings/Clippings:

If victim scratched suspect:

- Scrape under fingernails with wooden stick
- Or clip fingernails over clean paper
- Package each hand separately (left/right)
- Collect within 24 hours of assault for best results

## 3. Contamination Prevention

DNA evidence is extremely sensitive. Contamination can occur from:

- Investigator's DNA (talking, coughing, sneezing over evidence)
- Cross-contamination between evidence items
- Environmental contamination
- Improper packaging (moisture, plastic bags)

Prevention protocols:

- ✓ Wear clean disposable gloves; change between evidence items
- ✓ Wear face mask when working with biological evidence
- ✓ Use clean, sterile collection tools
- ✓ Package each item separately
- ✓ Never use plastic bags or containers for biological evidence
- ✓ Air dry wet/damp items before packaging
- ✓ Work in clean environment
- ✓ Minimize number of people handling evidence
- ✓ Document everyone who touches evidence

## C. CRIME SCENE PROCESSING

Sexual assault crime scenes require specialized processing to recover all available evidence while respecting survivor dignity.

### 1. Scene Security & Control

Upon arrival at crime scene:

Immediate actions:

- Secure scene with barrier tape or officer presence
- Establish single point of entry/exit
- Document everyone present
- Remove all non-essential personnel
- Prevent anyone from touching, moving, cleaning anything

Scene boundaries:

- Primary scene: Where assault occurred
- Secondary scenes: Paths of approach/departure, suspect vehicle, suspect residence
- Secure all connected locations

Time considerations:

- Scene should remain secured until processing complete
- If extended processing required (>12 hours), consider securing overnight
- Document any scene changes during security period

### 2. Scene Documentation

Documentation occurs BEFORE any evidence is collected or moved.

Photography:

Overall scene:

- Wide shots showing entire room/area from multiple angles
- Entrance/exit points
- Lighting conditions
- Overall layout before anything is disturbed

Medium shots:

- Specific areas described by survivor
- Bed, furniture, floor areas
- Items mentioned in assault
- Contextual relationship between items

Close-up shots:

- Individual evidence items
- Stains, tears, damage
- With and without measurement scale
- Multiple angles of each item

Photography standards:

- Use high-resolution camera
- Include photo log: number, description, photographer, date/time
- Photograph before, during, after processing
- Use alternate light source (ALS) to detect bodily fluids

Video Documentation:

- Walk-through video of entire scene before processing
- Narrate what is being shown
- Move slowly, pan smoothly
- Focus on areas survivor described

Written Documentation (Scene Notes):

- Date, time, location, case number
- Weather, lighting, temperature
- Who is present
- Detailed description of scene conditions
- Location of each evidence item
- Any unusual observations

Sketches/Diagrams:

- Rough sketch: Made at scene
- Finished diagram: Created later with measurements
- Show furniture placement, evidence locations, entry/exit points
- Include scale and north arrow

### 3. Evidence Search & Collection

Systematic search patterns:

Search methods (choose based on scene type):

- Grid search: For outdoor or large areas
- Zone search: Divide scene into sections, search each thoroughly
- Spiral search: From center outward or perimeter inward
- Point-to-point: Following path of offender or victim

Collection sequence:

1. Fragile/transient evidence first (biological fluids, trace materials)
2. Moveable objects second
3. Fixed items last (furniture, fixtures)

Collection procedures for each item:

- Photograph in situ (original position)
- Assign evidence number
- Document exact location
- Collect using appropriate technique (see Section B)
- Package appropriately (paper for biological, depends on item type)
- Seal and label
- Initial seal
- Log in evidence log

Special considerations for sexual assault scenes:

- Use alternate light source (ALS) to detect bodily fluids not visible to naked eye
- Pay particular attention to areas survivor described
- Bathroom areas (cleanup evidence)
- Trash cans (condoms, wrappers, tissues)
- Door handles, light switches (touch DNA)
- Personal items (phones, wallets, jewelry)

## D. CHAIN OF CUSTODY

Chain of custody documents every person who handles evidence from collection to court. Breaks in chain can make evidence inadmissible.

### 1. Chain of Custody Requirements

For EVERY piece of evidence, documentation must include:

Initial Collection:

- Case number
- Evidence number/ID
- Item description
- Where found/collected
- Date and time of collection
- Who collected it (name, badge number)
- How packaged
- Condition when collected

Every Transfer:

- Releasing person (name, signature, date/time)
- Receiving person (name, signature, date/time)
- Purpose of transfer
- Condition of evidence at transfer
- Location transferred from/to

Storage:

- Location in evidence room (locker number, shelf, etc.)
- Who has access (limited to authorized personnel only)
- Environmental conditions (refrigerated, room temp, etc.)
- Any removal for examination documented

Final Disposition:

- Return to owner (with documentation)
- Destruction (with court order/authorization)
- Permanent storage (long-term retention)

## 2. Evidence Packaging & Labeling

Proper packaging protects evidence integrity:

Package types:

- Paper bags: Biological evidence, clothing, textiles
- Paper envelopes: Small items, documents, dried biological samples
- Cardboard boxes: Larger items, multiple related items
- Plastic containers: ONLY for non-biological items (tools, weapons, electronics)
- Specialized containers: Drug evidence bags, sharps containers

CRITICAL: NEVER use plastic for biological evidence - moisture causes mold, DNA degradation.

Labeling requirements:

Every package must have label including:

- Agency name
- Case number
- Evidence number/ID
- Item description
- Date collected
- Collector name/badge
- Location collected from

Sealing:

- Seal all openings with evidence tape
- Collector initials and date across seal
- Seal must show if package opened (tamper-evident)
- Re-seal with new tape if opened, documenting who/when/why

### 3. Evidence Storage Standards

Evidence storage must maintain integrity and security:

Facility requirements:

- Dedicated, secure evidence room/facility
- Controlled access (keycard, code, biometric)
- Access limited to authorized personnel only
- All entries/exits logged automatically or manually
- Video surveillance of entry and interior
- Separate areas for different evidence types

Environmental controls:

- Refrigeration units: For biological evidence requiring cold storage
- Climate control: Room temperature, humidity control
- Dry storage: For non-biological items
- Separate storage for firearms, explosives, drugs (if applicable)

Organization:

- Organized by case number
- Each case in dedicated locker or shelf space
- Clear labeling system
- Inventory database (computerized preferred)
- Regular audits (quarterly minimum)

Sexual assault evidence kit storage:

- Refrigerated storage (extends DNA viability)
- Separate from other evidence
- Tracked for timely lab submission (no rape kit backlog)
- Retention even if not immediately tested (survivor may decide to prosecute later)

### 4. Laboratory Submission

Evidence requiring scientific analysis must be submitted promptly:

Timeline standards:

- Sexual assault kits: Within 30 days of collection
- Critical biological evidence: Within 14 days
- Other evidence: Within 60 days or as investigation requires
- Delays beyond these windows require supervisor documentation

Submission procedures:

- Complete lab submission form
- Specify what tests are requested
- Include case summary for context
- Package according to lab requirements
- Document chain of custody transfer to lab
- Track submission and follow up on results

Priority testing:

Sexual assault cases should receive priority lab processing:

- Suspect identified and in custody: Urgent priority
- Suspect unknown (CODIS database search needed): High priority
- Pattern/serial offender suspected: High priority
- Results needed for prosecution deadline: Urgent priority

## SECTION III - PART 1 SUMMARY

Physical and biological evidence provides the scientific foundation for sexual assault cases. Agencies must ensure:

- ✓ Comprehensive evidence collection (physical, biological, environmental)
- ✓ Proper preservation techniques (paper packaging, air drying, contamination prevention)
- ✓ Thorough crime scene processing (documentation, systematic search, specialized techniques)
- ✓ Unbroken chain of custody (every transfer documented)
- ✓ Secure storage (climate-controlled, access-controlled, organized)
- ✓ Timely laboratory submission (no rape kit backlog)

Evidence failures cannot be corrected after the fact. Once evidence is contaminated, degraded, or lost, it cannot be recovered. Meticulous attention to proper collection, preservation, and documentation is not optional—it is essential to justice.

— END OF SECTION III - PART 1 —

## SECTION III - PART 2

# DIGITAL EVIDENCE & INTELLIGENCE STANDARDS

## OVERVIEW

Digital evidence is now central to sexual assault investigations. Modern SA cases typically involve:

- Text messages, social media communications between parties
- Dating app interactions preceding assault
- Photos/videos documenting events, injuries, or locations
- Location data establishing movements and timelines
- Digital evidence of suspect pattern behavior

**CRITICAL PRINCIPLE:** Digital evidence collection **MUST** be pursued from suspects with **EQUAL OR GREATER** effort than from survivors.

## A. DIGITAL EVIDENCE FROM SURVIVORS

Survivor digital evidence collection requires informed consent and privacy protection.

### 1. Consent Protocols

Before collecting ANY digital evidence from survivor:

- Explain what evidence is sought and why
- Explain how it will be used
- Explain who will have access
- Obtain written consent
- Allow survivor to review what is collected
- Document consent in case file

### 2. Privacy Protection

- Limit collection to directly relevant communications/data
- Do NOT review unrelated personal content
- Return devices promptly (within 24-48 hours if possible)
- Make forensic copies rather than retaining original devices when feasible
- Protect from disclosure in discovery (rape shield laws may apply to digital content)

## B. DIGITAL EVIDENCE FROM SUSPECTS (MANDATORY)

**CRITICAL FRAMEWORK REQUIREMENT:**

IF digital evidence is collected from the survivor, investigators **MUST** pursue digital evidence from the suspect with **EQUAL OR GREATER** effort. Failure to do so requires specific supervisor-documented justification. Absence of justification = investigative deficiency.

## 1. Search Warrant Requirements

Probable cause exists when:

- Survivor provides credible account
- Digital communication between parties is established
- Suspect had means/opportunity/motive

Warrant should seek:

- Cell phone (contents, communications, location data)
- Computers, tablets, storage devices
- Social media account data (from providers)
- Email account data
- Dating app data
- Cloud storage accounts
- GPS/location history
- Financial records (if relevant to case, e.g., payments for sex, trafficking)

## C. OPEN SOURCE INTELLIGENCE (OSINT)

OSINT uses publicly available information to build investigative intelligence.

### 1. Social Media Analysis

Platforms to investigate:

- Facebook, Instagram, Twitter/X, TikTok, Snapchat
- LinkedIn (employment, connections)
- Dating apps (Tinder, Bumble, Hinge, etc.)
- Reddit, Discord, gaming platforms

Information to document:

- Suspect's online presence and activity patterns
- Posts/photos/videos from timeframe of assault or of assault
- Location check-ins, geotagged photos
- Connections to other potential victims
- Pattern of predatory behavior

CRITICAL: Screenshot and preserve all findings with timestamps BEFORE suspect can delete.

## D. SOCIAL MEDIA INTELLIGENCE (SOCMINT)

Advanced social media investigation techniques.

### 1. Network Mapping

- Identify suspect's social connections
- Map relationships to potential victims or witnesses

- Identify patterns across multiple victims

## 2. Behavioral Analysis

- Communication patterns with victims
- Grooming behavior indicators
- Post-assault behavior (blocking, deleting, threats)

## E. FINANCIAL INTELLIGENCE (FININT)

Financial records can establish patterns in certain SA cases.

Relevant when:

- Sex trafficking suspected
- Payments for sex involved
- Economic coercion used
- Suspect used financial means to access victim (gifts, payments)

Records to seek:

- Bank statements
- Credit card transactions
- Payment apps (Venmo, Cash App, PayPal)
- Hotel, travel records

## F. LEGAL PROCEDURES FOR DIGITAL EVIDENCE

### 1. Search Warrants

- Required for: Phone contents, computer forensics, private account data
- Must be specific about what is sought
- Execute promptly to prevent deletion

### 2. Preservation Letters

Send to tech companies BEFORE warrant to preserve data:

- Companies typically preserve for 90 days
- Must follow up with warrant/subpoena before expiration
- Send within 72 hours of identifying digital evidence

### 3. Forensic Analysis

- Use certified digital forensics examiners
- Maintain chain of custody for digital evidence
- Document all extraction methods
- Preserve original data (work from forensic copies)

## G. RECORDED OR PHOTOGRAPHED SEXUAL ASSAULT

(Images, Videos, Non-Consensual Distribution)

Filmed or photographed sexual assaults are increasingly common and present unique evidentiary and survivor protection challenges. Digital recordings may be:

- The strongest evidence in the case
- The only evidence when memory is impaired
- The only way to identify additional victims
- The only way to establish pattern behavior
- Used for ongoing coercion or blackmail

This subsection addresses recorded assaults, non-consensual photography, and image distribution (commonly called 'revenge porn').

### 1. Evidence Identification

Investigators must determine whether:

- The assault was recorded by the suspect
- Images/videos were taken without consent
- Images were distributed online or to others
- Images were used for coercion or blackmail
- Additional victims appear in the material
- Recording occurred while victim was incapacitated

Common scenarios:

- Suspect records assault on phone
- Hidden cameras in bedroom, bathroom
- Group assault with multiple participants filming
- Intoxication-based assault recorded when victim cannot consent
- Images shared on social media, revenge porn sites, group chats
- Images used to threaten victim into silence

### 2. Immediate Preservation Actions

Digital evidence degrades or disappears rapidly. Investigators must act within 24-72 hours:

Device-Level Preservation:

- Secure suspect's devices immediately (phones, cameras, computers)
- Preserve cloud backups (iCloud, Google Photos, Dropbox)
- Check device galleries, recently deleted folders, hidden folders
- Examine messaging apps with photo/video storage (Snapchat, Instagram, WhatsApp)

#### Platform-Level Preservation:

- Send preservation letters to platforms where images may be posted:
  - Social media (Facebook, Twitter, Instagram, TikTok)
  - Revenge porn / adult content sites
  - File sharing platforms
  - Subscription platforms (OnlyFans, Patreon) if monetized
- Request upload timestamps, IP addresses, account information

#### Metadata Documentation:

- Record filenames, timestamps, file sizes WITHOUT altering originals
- Note geolocation data embedded in images
- Document who had access to images
- Preserve evidence of distribution (shares, downloads, views)

### 3. Legal Considerations

#### Critical legal principles:

##### Consent Layers:

- Consent to sexual activity  $\neq$  consent to recording
- Consent to recording  $\neq$  consent to distribution
- Consent to distribution to one person  $\neq$  consent to public posting
- Coerced 'consent' is not valid consent

##### Separate Crimes:

- Sexual assault itself
- Non-consensual recording (voyeurism laws)
- Non-consensual distribution (revenge porn laws)
- Child sexual abuse material (if victim is minor)
- Extortion/blackmail (if images used for coercion)

Each can be charged independently or together.

##### Investigator Responsibilities:

- Review images only to extent necessary for investigation
- Minimize number of personnel viewing images
- Protect from unnecessary disclosure in discovery
- Treat viewing of images as secondary victimization - handle with care

### 4. Investigative Actions

#### Search Warrants Should Include:

- All devices capable of storing images (phones, tablets, computers, cameras)
- Cloud storage accounts
- Social media accounts
- Messaging apps
- Email accounts
- Any platform where images may have been uploaded

#### Distribution Investigation:

- Identify whether images were shared with others
- Determine scope of distribution (private group vs. public posting)
- Conduct OSINT/SOCMINT sweeps for reposts or viral spread
- Document every platform where images appear
- Identify all recipients/viewers when possible

#### Financial Exploitation (FININT):

- Determine if images were monetized (subscription sites, pay-per-view)
- Seek financial records if trafficking or commercial exploitation suspected
- Document any payments made by viewers

## 5. Survivor Protection & Support

#### Image Takedown Assistance:

- Provide survivor with information on platform reporting mechanisms
- Assist with DMCA takedown requests when applicable
- Coordinate with victim advocacy organizations specializing in image removal
- Document takedown efforts (may be relevant to sentencing)

#### Trauma Recognition:

- Distribution of images is ongoing victimization, not a separate issue
- Document emotional and reputational harm
- Recognize that images online feel permanent to survivor
- Provide resources for trauma counseling specific to image-based abuse

#### Avoid Victim-Blaming:

- NEVER suggest survivor 'should not have let themselves be photographed'
- NEVER suggest survivor 'brought this on themselves'
- Focus investigation on suspect's actions, not survivor's choices
- Treat image distribution as part of the assault pattern, not survivor error

## SUBSECTION G SUMMARY

Recorded and photographed sexual assaults require rapid digital evidence preservation, multi-platform investigation, and recognition that image distribution constitutes ongoing victimization. Investigators must:

- ✓ Preserve device and platform evidence within 24-72 hours
- ✓ Understand consent layers (activity ≠ recording ≠ distribution)
- ✓ Charge all applicable offenses (assault, recording, distribution)

- ✓ Conduct OSINT/SOCMINT for distribution scope
- ✓ Apply FININT if images monetized
- ✓ Assist survivors with takedown efforts
- ✓ Avoid victim-blaming language or assumptions

This emerging category of sexual assault requires specialized digital investigation skills and trauma-informed response. As technology evolves, so must investigative protocols.

## SECTION III - PART 2 SUMMARY

Digital evidence is now central to sexual assault investigations. This framework requires:

- ✓ EQUAL OR GREATER digital evidence collection from suspects
- ✓ Survivor consent and privacy protection
- ✓ Comprehensive OSINT investigation
- ✓ SOCMINT network and behavioral analysis
- ✓ FININT when financially relevant
- ✓ Proper legal procedures (warrants, preservation)
- ✓ Professional forensic analysis

The integration of intelligence tradecraft (OSINT, SOCMINT, FININT) into sexual assault investigations represents the modernization this field requires. Digital evidence collection from suspects must match or exceed effort given to survivor evidence—this is non-negotiable. For full OSINT/SOCMINT/FININT training, investigators should pursue accredited courses or agency-approved certification programs. A list of open-source tools is included in the Appendices.

— END OF SECTION III - PART 2 —

## SECTION III - PARTS 3 & 4

# TESTIMONIAL & CORROBORATING EVIDENCE

## PART 3: TESTIMONIAL EVIDENCE

### OVERVIEW

Testimonial evidence includes all statements from survivors, witnesses, and experts. While physical and digital evidence is critical, testimonial evidence often provides the narrative framework that makes sense of other evidence.

This section addresses:

- Survivor statements and interviews
- Witness testimony collection
- Disclosure witness statements
- Expert witness coordination
- Statement documentation standards

### A. SURVIVOR STATEMENTS

#### 1. Initial Statement vs. Formal Interview

Sexual assault investigations typically involve multiple survivor interviews:

Initial Report (First Responder):

- Brief account of what happened
- Basic who/what/when/where

- Immediate needs assessment
- NOT a formal forensic interview

Preliminary Interview (Investigator First Contact):

- Establish rapport
- Gather essential information for immediate actions
- Still NOT the full forensic interview

Formal Forensic Interview (Scheduled, Planned):

- Detailed, comprehensive account
- Trauma-informed techniques (see Section IV)
- Recorded (audio and/or video)
- May require multiple sessions
- Typically occurs 3-7 days after initial report

CRITICAL: Multiple interviews are NORMAL and do NOT indicate false reporting. Memory consolidates over time, and survivors may recall additional details in later interviews.

## 2. Recorded vs. Written Statements

Audio/Video Recording (PREFERRED):

Advantages:

- Preserves survivor's exact words, tone, emotion
- Reduces need for repeated interviews
- Captures non-verbal cues (video)
- More defensible in court (shows no leading questions)
- Allows for review by prosecutors, experts

Requirements:

- Obtain survivor consent to record
- Explain how recording will be used and who will have access
- Use quality recording equipment
- Ensure survivor is visible/audible throughout
- Document date, time, location, who is present
- Preserve original recording (do not edit)
- Store securely with case file

Written Statements:

Use when:

- Survivor declines to be recorded
- Recording equipment unavailable
- Brief supplemental statement needed

Standards:

- Use survivor's own words (quote directly when possible)

- Avoid paraphrasing or summarizing
- Read statement back to survivor for accuracy
- Survivor signs and dates
- Investigator signs and dates

### 3. Statement Documentation

Every statement must include:

- Date and time of statement
- Location where statement taken
- Who was present
- Statement method (audio, video, written)
- Survivor's emotional/physical state during interview
- Any breaks taken
- Total duration

Case file organization:

- Chronological documentation of all statements
- Note any additional details recalled in later interviews
- Explain any apparent inconsistencies (not discredit, but understand)
- Document consistency across interviews

## B. WITNESS STATEMENTS

### 1. Types of Witnesses

Direct Witnesses:

- Saw or heard the assault
- May have intervened or called for help
- Rare but extremely valuable

Collection priorities:

- Interview as soon as possible (memory degrades rapidly)
- Obtain detailed description of what they observed
- Document exact location/vantage point
- Record statement (audio/video preferred)

Contextual Witnesses:

- Saw survivor and/or suspect before or after assault
- Can corroborate timeline, location, interactions
- May describe survivor's demeanor before/after

Examples:

- Bartender who served drinks
- Friend who saw them together at party
- Neighbor who saw suspect enter/leave building
- Uber driver who drove survivor home after assault

Disclosure Witnesses:

- People survivor told about assault (immediately or later)
- Can testify about survivor's account and emotional state at time of disclosure
- Valuable for establishing timeline and consistent narrative

Interview focus:

- When and where disclosure occurred
- What survivor said (quote as closely as possible)
- Survivor's emotional state during disclosure
- Whether survivor had visible injuries
- Any details that match or differ from current account

Character Witnesses:

- Know suspect's patterns, behaviors, reputation
- May know of other victims or similar incidents
- Can establish modus operandi

CRITICAL: Always seek additional victims through character witness interviews.

## 2. Witness Interview Standards

- Interview each witness separately (prevent contamination)
- Ask open-ended questions first ('Tell me what you saw')
- Follow up with specific clarifying questions
- Do NOT suggest what witness should say
- Record or document thoroughly
- Obtain contact information for follow-up
- Document any reluctance or refusal to cooperate

Timeline:

- Interview critical witnesses within 72 hours
- Interview all identified witnesses within 14 days
- Document attempts to locate witnesses who cannot be found

## C. EXPERT WITNESS COORDINATION

Expert witnesses provide specialized knowledge that helps juries understand evidence:

### 1. Types of Expert Witnesses

Medical Experts:

- Sexual Assault Nurse Examiners (SANEs)
- Forensic physicians
- Testify about injuries, medical evidence, exam findings

#### Forensic Experts:

- DNA analysts
- Digital forensics examiners
- Toxicologists (drug-facilitated assault)
- Explain scientific evidence to jury

#### Trauma Experts:

- Psychologists specializing in trauma
- Explain trauma neuroscience
- Address common myths (delayed reporting, fragmented memory, etc.)
- Help jury understand survivor behavior

#### Specialized Experts (as needed):

- Child abuse experts (minor victims)
- Human trafficking experts
- OSINT/SOCMINT experts (complex digital cases)

## 2. Expert Coordination

#### Investigator responsibilities:

- Identify which experts case requires
- Coordinate with prosecutor on expert selection
- Provide experts with all relevant evidence/reports
- Facilitate expert review of materials
- Document expert consultations in case file

## PART 4: CORROBORATING EVIDENCE

### OVERVIEW

Corroborating evidence supports and strengthens the survivor's account without being direct proof of the assault itself. While not legally required to prove sexual assault, corroborating evidence significantly strengthens cases.

**CRITICAL:** Sexual assault does NOT require corroboration to prosecute. Survivor testimony alone can be sufficient. However, corroborating evidence makes cases stronger and more likely to result in conviction.

### A. MEDICAL RECORDS

Medical documentation corroborates injuries, timeline, and survivor's account:

#### 1. Sexual Assault Forensic Exam (SAFE/SANE) Reports

- Most comprehensive medical corroboration
- Documents injuries (genital, anal, oral, bodily trauma)
- Photographs injuries
- Collects biological evidence
- Documents survivor's account (narrative portion)

Investigator actions:

- Obtain survivor's written consent to release medical records
- Request full SAFE/SANE exam documentation
- Include photos/diagrams from exam in case file
- Coordinate with examiner if testimony needed

#### 2. Emergency Department Records

If survivor went to ER:

- Treatment records for injuries
- Medications prescribed (pain, infection prevention, emergency contraception)
- Survivor's report to medical staff
- Photographs of injuries

#### 3. Mental Health Records

With survivor consent:

- Therapy/counseling records documenting PTSD, trauma symptoms
- Crisis intervention contacts
- Psychiatric evaluations

**NOTE:** Mental health records require careful handling due to privacy protections. Coordinate with prosecutor on what is necessary and discoverable.

## B. THIRD-PARTY DOCUMENTATION

External records that support case elements:

### 1. Communications Records

- Cell phone records (call logs, text messages)
- Social media messages
- Email correspondence
- Dating app conversations
- Can establish timeline, relationship, prior communications

### 2. Location Records

- GPS/cell tower data (survivor and suspect)
- Credit card transactions showing locations
- Hotel/motel records
- Transit records (Uber, Lyft, public transportation)
- Establishes who was where and when

### 3. Business Records

- Bar/restaurant receipts
- Security logs (building entry/exit)
- Surveillance video (already covered in Section II)
- Employment records (if assault occurred at workplace)

### 4. Social Media Activity

- Posts, photos, check-ins from timeframe
- Comments or reactions to survivor's posts
- Suspect's posts before/after assault
- Can establish mood, intent, consciousness of guilt

## C. PATTERN EVIDENCE

Evidence of suspect's pattern behavior:

### 1. Prior Similar Acts

Under specific legal standards, prior sexual assaults by same suspect may be admissible:

- Prior convictions for sexual assault
- Prior reports (even if not prosecuted)
- Protection orders issued against suspect
- Similar modus operandi across cases

**CRITICAL:** Actively search for pattern evidence. Most sexual offenders are serial perpetrators.

## 2. Modus Operandi Documentation

If multiple cases identified:

- Document similarities in victim selection
- Note common methods of approach
- Identify common locations or circumstances
- Compare suspect's behavior patterns across cases
- Create pattern analysis report for prosecution

## D. CIRCUMSTANTIAL EVIDENCE INTEGRATION

Circumstantial evidence individually may be minor, but collectively can be powerful:

### 1. Timeline Construction

Piece together complete timeline using:

- Cell phone activity (calls, texts, location)
- Credit card transactions
- Witness observations
- Surveillance footage timestamps
- Social media posts with timestamps
- Building access logs

Create visual timeline showing:

- Where survivor and suspect were at each moment
- When they intersected
- Opportunity windows
- Corroboration of survivor's account

### 2. Consistency Analysis

Document how evidence supports survivor account:

- Core facts consistent across survivor's statements
- Witness statements align with survivor's version
- Physical evidence matches described events
- Digital evidence corroborates timeline
- Medical evidence consistent with assault description

### 3. Consciousness of Guilt

Suspect's post-assault behavior may indicate consciousness of guilt:

- Deleting messages, photos, social media posts
- Blocking survivor on social media/phone
- Threats to survivor or witnesses
- False alibis or changing stories
- Fleeing or avoiding contact with law enforcement
- Offering money or other inducements to drop case

## PARTS 3 & 4 SUMMARY

Testimonial and corroborating evidence provide the narrative and supporting framework for sexual assault cases. Agencies must ensure:

- ✓ Multiple survivor interviews documented (initial, preliminary, formal)
- ✓ Preference for recorded statements (audio/video)
- ✓ Comprehensive witness identification and interviews
- ✓ Expert witness coordination (medical, forensic, trauma)
- ✓ Medical records collection (SAFE exams, ER, mental health)
- ✓ Third-party documentation (communications, location, business records)
- ✓ Pattern evidence investigation (prior acts, MO analysis)
- ✓ Circumstantial evidence integration (timeline, consistency, consciousness of guilt)

While survivor testimony alone can be sufficient for prosecution, comprehensive collection of testimonial and corroborating evidence significantly strengthens cases and increases likelihood of conviction.

— END OF SECTION III - PARTS 3 & 4 —

## SECTION IV - PART 1

# TRAUMA-INFORMED INTERVIEW PROTOCOLS

## Neuroscience of Trauma

### OVERVIEW

Understanding the neuroscience of trauma is essential for conducting effective sexual assault investigations. Trauma fundamentally alters how the brain processes, stores, and retrieves information. Behaviors that might seem counterintuitive—delayed reporting, fragmented memories, calm demeanor, continued contact with the suspect—are predictable neurobiological responses to threat, not indicators of deception.

This section provides investigators with the scientific foundation to:

- Understand how trauma affects memory and behavior
- Recognize normal trauma responses (not signs of false reporting)
- Conduct interviews that work WITH survivors' neurobiology
- Avoid misinterpreting trauma responses as inconsistencies
- Explain trauma neuroscience in reports and testimony

**CRITICAL:** Every sexual assault investigator must receive training in trauma neuroscience. This is not optional—it is foundational to competent investigation.

## A. BRAIN ANATOMY BASICS

Three key brain structures are involved in trauma response:

### 1. The Amygdala: Threat Detection System

Function:

- Detects threats in the environment
- Triggers fear and survival responses
- Operates automatically and unconsciously
- Reacts in milliseconds (faster than conscious thought)

During sexual assault:

- Amygdala becomes HYPERACTIVE
- Floods body with stress hormones (cortisol, adrenaline)
- Initiates fight/flight/freeze/fawn response
- Takes control from conscious decision-making centers

Result:

- Survival instincts override conscious choice
- Victim may freeze even if they 'wanted' to fight
- Sensory details (sights, sounds, smells) imprinted intensely
- Contextual details (time, sequence, peripheral information) may not be encoded

### 2. The Hippocampus: Memory Formation Center

Normal function:

- Creates coherent narrative memories
- Organizes events in chronological sequence
- Provides context (when, where, before, after)
- Consolidates short-term into long-term memory

During trauma:

- Hippocampus is SUPPRESSED by stress hormones
- Cannot perform normal memory consolidation
- Memories stored as fragments, not coherent narratives
- Chronological sequencing impaired or absent

Result:

- Memories are FRAGMENTED (not fabricated)
- Survivor may remember vivid sensory details but not timeline
- May remember middle of assault but not beginning or end
- May say 'I don't know' to timeline questions (truthfully)
- Memories may return in pieces over time (not changing story—memory consolidating)

### 3. The Prefrontal Cortex: Executive Function Center

Normal function:

- Rational decision-making
- Planning and strategizing
- Language and verbal expression
- Sequential narration ('First this, then that')
- Emotional regulation

During trauma:

- Prefrontal cortex is SHUT DOWN
- Blood and oxygen diverted to survival centers (amygdala)
- Rational thought becomes difficult or impossible
- Verbal processing impaired

Result:

- Survivor could not 'think their way out' during assault
- Difficulty narrating events in linear sequence
- May struggle to find words during interview
- May describe events out of order
- May have flat or dissociated affect (emotion regulation offline)

## B. WHAT HAPPENS DURING TRAUMATIC EVENTS

When the brain detects a life-threatening situation, it initiates automatic survival responses:

### 1. Fight, Flight, Freeze, and Fawn Response

The brain rapidly assesses escape options and triggers one of three responses:

FIGHT:

- Physical resistance, hitting, pushing, scratching
- Verbal resistance, yelling, threatening
- Occurs when brain assesses fighting as viable survival option

FLIGHT:

- Running away, attempting escape
- Occurs when escape route perceived as available

FREEZE:

- Inability to move, speak, or resist
- Body becomes immobilized
- Occurs when brain assesses fighting/fleeing as futile or dangerous
- MOST COMMON response in sexual assault (occurs in majority of cases)

CRITICAL: Freeze is NOT consent. Freeze is NOT compliance. Freeze is an involuntary neurobiological survival response.

Why freeze happens:

- Predator overwhelms prey in animal kingdom (evolutionary survival mechanism)
- Reduces injury from struggling
- May cause predator to lose interest
- Conserves energy for potential later escape
- AUTOMATIC—victim has no conscious control

FAWN:

- Appeasing, placating, or complying with the attacker
- Attempting to please or befriend the assailant
- Trying to de-escalate through cooperation
- May smile, laugh nervously, or act friendly
- Occurs when brain assesses that cooperation increases survival odds

CRITICAL: Fawn is NOT consent. Fawn is NOT flirting. Fawn is an involuntary survival strategy to minimize harm.

Why fawn happens:

- Brain calculates that cooperation may prevent escalation to more severe violence
- Attempts to create human connection with attacker (may reduce likelihood of murder)
- Tries to 'manage' the situation when escape impossible
- Automatic social bonding response under extreme threat
- Particularly common when attacker is known to victim

How fawn manifests:

- Survivor may say 'okay' or agree to demands
- May smile, make small talk, or act friendly during assault
- May follow attacker's instructions without resistance
- May maintain contact with attacker afterward (texting, social media)
- May express concern for attacker or make excuses for their behavior

Post-assault effects:

- Extreme shame and self-blame ('Why did I smile? Why didn't I say no?')
- Difficulty recognizing experience as assault
- Confusion about their own behavior
- Fear that cooperation will be interpreted as consent

Investigator response:

- NEVER suggest that cooperative behavior indicates consent
- Explain fawn response as automatic survival mechanism
- Reassure survivor that their response was neurobiological, not choice
- Document fawn behavior as trauma response in reports
- Prepare for defense attorneys to mischaracterize fawn as consent
- Be ready to explain scientifically why cooperation  $\neq$  consent

Common misinterpretations of fawn response:

- ✗ 'She was friendly, so it must have been consensual'
- ✗ 'He didn't say no, so he must have wanted it'
- ✗ 'She texted him after, so she must not have been assaulted'
- ✗ 'If it was really assault, they would have resisted'

ALL OF THESE INTERPRETATIONS ARE WRONG. Fawn is a survival response, not consent.

The four F's together:

- FIGHT - Physical/verbal resistance
- FLIGHT - Attempting to escape
- FREEZE - Involuntary immobilization
- FAWN - Appeasing/cooperating

All four are automatic survival responses. All four can occur in the same assault (shifting between responses). None indicate consent. None indicate the assault 'wasn't that bad.' All are neurobiologically normal.

## 2. Tonic Immobility (Extreme Freeze)

Tonic immobility is a profound freeze state occurring in approximately 70% of sexual assaults.

Characteristics:

- Complete inability to move or speak
- Feeling paralyzed even if not physically restrained
- Sensation of watching assault happen 'from outside body' (dissociation)
- May last minutes to hours
- Completely involuntary—cannot be overcome by willpower

Survivors often describe:

- 'I wanted to fight but my body wouldn't move'
- 'I was screaming inside my head but no sound came out'
- 'It felt like I was floating above watching it happen to someone else'
- 'I just went numb and shut down'

Investigator response:

- NEVER ask 'Why didn't you fight back?' or 'Why didn't you scream?'
- Explain that tonic immobility is a normal survival response
- Reassure survivor that their response was not weakness or consent
- Document tonic immobility in report as neurobiological phenomenon, not victim behavior

## 3. Sensory Overload and Selective Encoding

During trauma, sensory processing becomes distorted:

Enhanced encoding (hypervigilance):

- Threat-relevant details imprinted with extreme clarity:
  - Weapon details
  - Attacker's face, hands, eyes
  - Specific sounds (voice, door slamming, breathing)
  - Specific smells (cologne, alcohol, smoke)
  - Physical sensations

Suppressed encoding:

- Peripheral details may not be encoded at all:
  - Time (how long assault lasted)
  - Exact chronology of events
  - Room layout, furniture
  - What they were thinking during assault
  - Irrelevant sensory details

Result:

- Survivor remembers specific details vividly (attacker's cologne) but not others (what time it was)
- This is NORMAL, not inconsistent
- Brain prioritized threat-relevant information for survival

## C. POST-TRAUMA NEUROBIOLOGICAL EFFECTS

After the traumatic event, the brain continues to process the experience in ways that affect memory, emotion, and behavior:

### 1. Memory Consolidation Over Time

Trauma memories consolidate differently than normal memories:

Initial fragmentation:

- Immediately after assault, memory is highly fragmented
- Survivor may remember only pieces
- Sequence may be unclear or jumbled
- Some details vivid, others missing entirely

Progressive consolidation:

- Over hours, days, weeks, fragments gradually connect
- Additional details may surface
- Sequence becomes clearer
- This is NORMAL memory processing, not 'changing story'

CRITICAL: Later recall of additional details is EXPECTED in trauma cases. This strengthens credibility, not weakens it.

Triggers and flashbacks:

- Sensory triggers (smell, sound) can cause sudden vivid recall
- Flashbacks may feel like reliving the event
- Can bring forth details not previously accessible
- Not imagination—sensory memory being retrieved

### 2. Delayed Reporting

Delayed reporting is EXTREMELY COMMON and neurobiologically predicted:

Neurobiological factors:

- Shame/self-blame (brain incorrectly attributes freeze response as personal failure)
- Dissociation (feeling disconnected from the event, like it wasn't 'real')
- Emotional numbing (shutting down affect to cope)
- Cognitive disorganization (difficulty processing what happened)
- Avoidance (PTSD symptom—brain tries to avoid trauma reminders)

Social/practical factors:

- Fear of not being believed
- Fear of retaliation
- Relationship to suspect (confusion, conflicted feelings)
- Cultural/family pressures
- Need time to process before facing investigation

Statistics:

- Only ~30% of sexual assaults are reported to police
- Of those reported, many occur days, weeks, months, or years after assault
- Delayed reporting is the NORM, not the exception

Investigator response:

- NEVER suggest delayed reporting indicates false reporting
- Document neurobiological and practical reasons for delay
- Explain in reports that delay is consistent with trauma response

### 3. Inconsistencies and Contradictions

Apparent inconsistencies in survivor accounts are PREDICTED by trauma neuroscience:

Types of 'inconsistencies' that are actually normal:

- Different details recalled in different interviews (memory consolidating)
- Uncertainty about peripheral details (hippocampus suppression)
- Non-linear narration (prefrontal cortex shutdown)
- Estimating time incorrectly (temporal processing impaired)
- Conflicting emotions about suspect (trauma bonding, relationship complexity)

What constitutes ACTUAL inconsistency:

- Core facts changing (e.g., saying assault happened, then saying it didn't)
- Contradicting self on central elements repeatedly
- Evidence clearly contradicting account in ways trauma cannot explain

CRITICAL: Most 'inconsistencies' investigators notice are trauma effects, not deception. Default assumption should be neurobiological explanation, not dishonesty.

### 4. Emotional Presentation

Trauma survivors exhibit wide variation in emotional presentation—ALL of which are normal:

Flat affect / Emotional numbing:

- Appears calm, detached, unemotional
- Describes assault with little visible distress
- Caused by emotional regulation shutdown (prefrontal cortex)
- Defense mechanism—brain protecting from overwhelming emotion

Extreme emotional distress:

- Crying, shaking, panic
- Difficulty speaking through emotion
- Reliving trauma during interview (re-experiencing)

Vacillating between both:

- Calm one moment, distraught the next
- Laughing nervously or inappropriately (stress response)
- Emotional dysregulation common in trauma

CRITICAL: Do NOT judge credibility based on emotional presentation. Flat affect does not mean 'not traumatized.' Extreme emotion does not mean 'exaggerating.' Both are normal.

## D. IMPLICATIONS FOR INVESTIGATORS

Understanding trauma neuroscience fundamentally changes how investigators must approach sexual assault cases:

### 1. What to Expect in Interviews

Expect:

- ✓ Fragmented narrative, not chronological story
- ✓ Vivid recall of some details, no memory of others
- ✓ 'I don't know' or 'I don't remember' to many questions
- ✓ Non-linear account (jumping around in time)
- ✓ Difficulty with timeline or sequence
- ✓ Additional details emerging in later interviews
- ✓ Varied emotional presentation
- ✓ Difficulty articulating thoughts (verbal processing impaired)

Do NOT expect:

- ✗ Clear, chronological narrative from start to finish
- ✗ Perfect consistency across all interviews
- ✗ Ability to remember every detail
- ✗ Calm, composed demeanor throughout
- ✗ Immediate reporting

### 2. Questions That Don't Work

Avoid questions that presume normal memory function:

- ✗ 'What happened first? Then what? Then what?'
  - Survivor may not remember sequence
  - ✓ Better: 'Tell me what you remember, in whatever order it comes to you'
- ✗ 'What time did this happen?'
  - Temporal processing was impaired
  - ✓ Better: 'Was it light or dark? What had you done earlier that day?'
- ✗ 'Why didn't you fight back / scream / run?'
  - Implies failure; ignores tonic immobility
  - ✓ Better: 'What was happening in your body during the assault?'

- ✗ 'Are you sure that's what happened?'
  - Expresses doubt; may cause survivor to second-guess
  - ✓ Better: 'Is there anything else you remember about that moment?'
- ✗ 'You said [X] before, but now you're saying [Y]—which is it?'
  - Confrontational; ignores memory consolidation
  - ✓ Better: 'I'm hearing some new details—can you tell me more about that?'

### 3. How to Elicit Memories Effectively

Techniques that work WITH trauma neuroscience:

Sensory-based questions:

- 'What do you remember seeing?'
  - 'What sounds do you remember?'
  - 'Do you remember any smells?'
  - 'What did you feel physically?'
- Taps into amygdala-encoded sensory memories

Open-ended prompts:

- 'Tell me what you remember'
  - 'What stands out most clearly?'
  - 'Walk me through what happened, starting wherever feels right'
- Lets survivor narrate in their own fragmented way

Context reinstatement:

- 'What were you doing earlier that day?'
  - 'What do you remember about the room/place?'
  - 'What were you wearing?'
- Contextual cues help access fragmented memories

Multiple retrieval attempts:

- 'Is there anything else coming to mind now?'
  - 'Let's come back to that in a moment—we can try again'
- Memory consolidation means details may emerge across multiple interviews

#### 4. What NOT to Interpret as Deception

These behaviors/responses are NORMAL trauma effects, NOT indicators of false reporting:

- ✓ Delayed reporting (hours, days, weeks, years)
- ✓ Fragmented or non-chronological account
- ✓ 'I don't know' or 'I don't remember' responses
- ✓ Uncertainty about details (time, sequence, peripheral info)
- ✓ Additional details emerging in later interviews
- ✓ Calm or flat emotional presentation
- ✓ Continued contact with suspect after assault
- ✓ Not immediately seeking medical care
- ✓ Showering, changing clothes before reporting
- ✓ Not fighting back or screaming during assault
- ✓ Difficulty articulating experience in interview

ALL OF THESE ARE CONSISTENT WITH TRAUMA. NONE INDICATE FABRICATION.

### E. TRAINING REQUIREMENTS

All sexual assault investigators must receive comprehensive trauma neuroscience training:

#### 1. Minimum Training Standards

Initial training (before conducting SA investigations):

- 40-hour trauma-informed investigation course
- Content: Neuroscience, interview techniques, evidence collection, survivor-centered approach
- Certification required

Annual continuing education:

- 8-hour refresher course
- Updates on research, techniques, legal standards

Specialized training (for senior investigators):

- Child forensic interviewing (if handling minor cases)
- Human trafficking identification
- Drug-facilitated sexual assault

#### 2. Testifying About Trauma

Investigators may be called to explain trauma neuroscience in court:

- Why delayed reporting is normal
- Why memory is fragmented
- Why survivor didn't resist
- What tonic immobility is

Preparation:

- Be able to explain brain anatomy in simple terms
- Cite scientific research supporting trauma effects
- Clearly articulate that these are NORMAL responses
- Coordinate with expert witnesses (trauma psychologists) when needed

## SECTION IV - PART A SUMMARY

Trauma fundamentally alters brain function during and after sexual assault. Understanding neuroscience is essential for:

- ✓ Recognizing normal trauma responses (not deception indicators)
- ✓ Conducting effective trauma-informed interviews
- ✓ Avoiding victim-blaming assumptions
- ✓ Building stronger cases by working with survivor neurobiology
- ✓ Explaining survivor behavior to prosecutors, juries, and courts

Key neurobiological facts:

- Amygdala hijacks normal processing → sensory details vivid, context missing
- Hippocampus suppressed → fragmented memory, not narrative
- Prefrontal cortex shut down → freeze response, verbal difficulty
- Tonic immobility in ~70% of cases → complete involuntary paralysis
- Memory consolidates over time → additional details normal
- Delayed reporting is NORM → neurobiological and social factors

These are not signs of deception. These are signs of trauma.

Investigators who understand this neuroscience conduct better investigations, build stronger cases, and protect survivors from re-traumatization.

— END OF SECTION IV - PART 1 —

## SECTION IV - PART 2

# TRAUMA-INFORMED INTERVIEW PROTOCOLS

## Interview Environment

### OVERVIEW

The interview environment significantly impacts survivor willingness to disclose, quality of information obtained, and degree of re-traumatization experienced. A trauma-informed environment acknowledges that survivors enter interviews already in a heightened threat state—their amygdalae are on alert, scanning for danger. Every element of the environment either signals safety or reinforces threat.

This section addresses how to create physical and psychological safety in sexual assault interviews through:

- Trauma-informed physical space design
- Psychological safety protocols
- Timing and duration considerations
- Special accommodations for diverse populations

**CRITICAL:** A hostile, rushed, or uncomfortable environment can prevent disclosure, fragment memory recall further, and cause additional trauma. The environment is not incidental—it is foundational.

## A. PHYSICAL ENVIRONMENT

The physical space communicates safety or threat before a single word is spoken.

### 1. Interview Room Design

Ideal characteristics:

Location:

- Private room away from public areas
- NOT a holding cell, interrogation room, or obviously law enforcement space
- Separate from suspect interview areas
- Access to bathroom without passing through public/waiting areas
- Ground floor or elevator access (no long exposed hallway walks)

Room characteristics:

- Comfortable temperature control
- Adequate lighting (bright but not harsh/institutional)
- Soundproofing or sufficient privacy that survivor won't be overheard
- Clean, organized, professional appearance
- Free from intimidating police imagery (no weapons displays, wanted posters, crime scene photos)

Furniture arrangement:

- Comfortable seating (upholstered chairs, not metal interrogation chairs)
- Seating at same level (not investigator behind desk looking down)
- Angled positioning (not directly across, which can feel confrontational)
- Side table or small table between (not imposing desk barrier)
- Extra seating available for support person/advocate
- Survivor controls distance (can move chair if desired)

Comfort items available:

- Tissues (within easy reach)
- Water, coffee, tea
- Blanket (survivors often feel cold during interviews—stress response)
- Stress ball or fidget item (helps with nervous energy)
- Clock visible to survivor (helps with time orientation)

What to AVOID:

- ✗ Interrogation rooms with metal tables and harsh lighting
- ✗ Rooms with two-way mirrors (increases paranoia)
- ✗ Busy, noisy areas where survivor feels exposed
- ✗ Rooms that feel like cells or confined spaces
- ✗ Strong smells (cleaning products, air fresheners—can trigger memories)

## 2. Privacy and Confidentiality

Privacy protections:

Visual privacy:

- Door with window covered or blinds
- No windows facing public areas
- 'Interview in Progress' sign on door to prevent interruptions
- Ensure survivor cannot be seen from hallway when door opens

Auditory privacy:

- Soundproofed or sufficient noise buffer
- White noise machine outside door if needed
- Confirm survivor cannot hear other interviews/conversations

Confidentiality explanations:

Before interview begins, explain:

- Who will have access to interview recording/transcript
- How information will be used
- Mandatory reporting requirements (if applicable)
- Limits of confidentiality (discovery process if case proceeds)
- Survivor's right to review what is shared

**CRITICAL:** Do not promise absolute confidentiality if it cannot be guaranteed. Be honest about information sharing while emphasizing commitment to privacy.

## 3. Recording Equipment

Equipment placement and use:

Audio/video recording (preferred method):

- Explain recording at beginning: 'This helps ensure I capture everything accurately and reduces need for repeated interviews'
- Obtain verbal consent on recording
- Place camera unobtrusively (not directly in survivor's face)
- Ensure survivor is visible/audible throughout
- Test equipment before interview
- Have backup recording device

If survivor declines recording:

- Respect decision without pressure
- Take detailed written notes
- Use survivor's exact words when possible (quote directly)
- Read back portions to confirm accuracy

Recording logistics:

- State date, time, location, who is present at beginning
- Note any breaks taken
- Clearly mark end of interview
- Label and secure recording immediately
- Store with case file per chain of custody protocols

## B. PSYCHOLOGICAL SAFETY

Physical safety is necessary but insufficient. Survivors must also feel psychologically safe to disclose trauma.

### 1. Who Should Be Present

Recommended configuration:

Primary interviewer:

- Single trained sexual assault investigator
- Specialist in trauma-informed interviewing
- Preferably same investigator from initial contact (continuity)

Optional second investigator:

- Only if needed for case complexity or training purposes
- Must be introduced and explained to survivor
- Should remain quiet and observational unless necessary
- Position behind or to side of survivor (not in direct line of sight)

Support person (survivor's choice):

- Victim advocate (strongly recommended)
- Friend or family member if survivor prefers
- Must be explained that support person is there for emotional support, not to answer questions
- Support person should be positioned where survivor can see them but not between survivor and investigator

Who should NOT be present:

- ✗ Supervisors 'observing' (intimidating, increases pressure)
- ✗ Multiple investigators questioning simultaneously (overwhelming)
- ✗ Anyone not directly necessary to the interview
- ✗ People survivor does not want present (even if they claim to be supportive)

Survivor choice:

- Ask survivor at beginning who they want present
- Respect their decision
- Allow them to change their mind during interview (someone can leave or join)
- Do not pressure them to have or not have certain people present

## 2. Victim Advocate Coordination

Advocates provide critical support and should be offered in ALL cases:

Advocate role:

- Emotional support before, during, and after interview
- Explain investigation process and survivor rights
- Connect survivor to resources (counseling, medical, legal, housing)
- Accompany survivor to medical exams, court proceedings
- Advocate for survivor's needs and preferences

Investigator-advocate coordination:

- Contact advocate immediately when survivor reports
- Allow time for advocate to meet with survivor before interview
- Respect advocate's role (they are not investigators, but partners)
- Communicate about survivor's needs and concerns
- Coordinate follow-up and resource provision

If survivor declines advocate:

- Respect decision without pressure
- Provide advocate contact information in writing anyway
- Explain they can contact advocate at any time
- Document that advocate was offered

## 3. Creating Safe Atmosphere

Psychological safety is established through investigator demeanor and communication:

Initial rapport building:

- Introduce yourself by name and role
- Explain purpose of interview clearly
- Thank survivor for coming forward
- Acknowledge that talking about this is difficult
- Offer water, bathroom break, etc. before beginning

Establishing safety statements:

- 'There's no rush—we can take all the time you need'
- 'You can take a break whenever you want'
- 'If you need to stop, we can stop'
- 'It's okay if you don't remember everything—that's normal'
- 'I believe you' (if genuine and appropriate)

Body language and tone:

- Calm, measured speaking pace
- Soft or neutral tone (not harsh or aggressive)
- Open body posture (uncrossed arms, leaning slightly forward but not invading space)
- Eye contact balanced (engaged but not staring)
- Facial expression empathetic but professional
- No signs of impatience, frustration, disbelief, or judgment

What to AVOID:

- ✗ Interrogation posture or tone
- ✗ Skeptical facial expressions (eye rolling, head shaking, smirking)
- ✗ Interrupting or cutting survivor off
- ✗ Rushing through questions
- ✗ Expressing surprise, shock, or judgment
- ✗ Making survivor feel they are burdening you

#### 4. Power Dynamics and Control

Sexual assault is about power and control being taken away. Restore agency in interview:

Giving control to survivor:

- 'Would you like to start, or would you like me to ask questions?'
- 'Is it okay if I ask about [topic]?'
- 'You don't have to answer anything you're not comfortable with'
- Let survivor choose where to sit
- Let survivor decide if door is open or closed (within security protocols)
- Allow survivor to direct pace and breaks

Respecting boundaries:

- If survivor says 'I don't want to talk about that,' respect it initially
- Explain why question is important if needed, but don't force
- 'I understand this is difficult. We can come back to it later if you want'
- Never threaten or pressure survivor to disclose

Validating emotions:

- 'It's completely understandable to feel [emotion]'
- 'A lot of people feel [emotion] after something like this'
- 'There's no right or wrong way to feel'
- Do not tell survivor how they should feel or minimize their emotions

## C. TIMING CONSIDERATIONS

When and how long to interview are critical decisions that balance investigative needs with survivor wellbeing:

### 1. When to Conduct Formal Interview

Optimal timing balances evidence needs with trauma processing:

General timeline:

- Initial brief report: Immediately upon contact
- Preliminary interview: Within 24 hours (if survivor willing)
- Formal comprehensive interview: 3-7 days after initial report
- Follow-up interviews: As needed when additional details emerge

Why delay formal interview slightly:

- Allows survivor time to process initially
- Memory consolidation begins (more details accessible)
- Acute stress response reduces slightly
- Survivor can engage advocate, support system
- Investigator can review preliminary info and plan questions

Exceptions (interview sooner):

- Time-sensitive evidence exists (surveillance auto-deletes, suspect fleeing)
- Immediate danger to survivor or others
- Survivor insists on immediate comprehensive interview
- Investigation urgently requires information

Exceptions (wait longer):

- Survivor requests more time
- Survivor in acute crisis requiring stabilization first
- Medical treatment needed before interview
- Survivor is intoxicated or medicated and cannot provide clear account

**CRITICAL:** Survivor readiness trumps investigative convenience. Forcing interview before survivor is ready produces poor quality information and causes re-traumatization.

## 2. Interview Duration and Breaks

Duration guidelines:

Expected length:

- Comprehensive sexual assault interview: 2-4 hours typically
- Complex cases (multiple assaults, trafficking): May require longer or multiple sessions
- Child interviews: Shorter duration (45-90 minutes maximum)

Break protocols:

- Offer breaks every 45-60 minutes minimum
- Allow survivor to request breaks whenever needed
- Breaks should be at least 10-15 minutes
- Provide private space for breaks (not just hallway)
- Offer food/beverage during breaks if interview is long

Signs survivor needs a break (even if they don't ask):

- Increasing emotional distress
- Dissociation (glazed look, spacing out, not responsive)
- Physical signs of stress (shaking, hyperventilating, nausea)
- Difficulty concentrating or answering questions
- Repeated requests to leave or end interview

When to pause/stop interview:

- Survivor requests to stop
- Survivor becomes too distressed to continue (re-traumatization occurring)
- Survivor dissociates completely
- Medical intervention needed
- Information quality deteriorating due to fatigue/distress

Remember: Multiple shorter sessions produce better information than one grueling marathon interview.

## 3. Multiple Session Planning

Complex cases often require multiple interview sessions:

When multiple sessions are appropriate:

- Initial interview reveals more complexity than anticipated
- Survivor becomes too distressed to complete in one session
- Multiple incidents to discuss
- Survivor remembers additional details later (memory consolidation)
- Follow-up needed after evidence review

Planning multiple sessions:

- Explain to survivor that additional sessions are normal and expected
- Schedule next session before ending current one (provides structure)
- Give survivor time between sessions to process
- Coordinate with advocate for support between sessions
- Document what was covered in each session

Session structure:

- Session 1: Overview, timeline, key facts
- Session 2: Detailed account of assault itself
- Session 3: Follow-up on specific details, clarifications
- Session 4+: As needed for additional information

#### 4. Survivor Readiness Assessment

Before beginning formal interview, assess whether survivor is ready:

Indicators of readiness:

- Survivor expresses willingness to proceed
- Able to communicate verbally and coherently
- Not currently in acute medical crisis
- Not actively intoxicated or under influence impairing communication
- Has had opportunity to access advocate/support
- Understands purpose and process of interview

Indicators survivor may not be ready:

- Extreme dissociation or unresponsiveness
- Severe panic or anxiety preventing communication
- Suicidal ideation requiring immediate mental health intervention
- Physical injuries requiring immediate medical attention
- Explicitly states they are not ready

If survivor is not ready:

- Prioritize immediate needs (medical, safety, mental health)
- Reschedule interview for later time
- Maintain contact and provide support resources
- Do not pressure or shame survivor for not being ready
- Document decision and reasoning in case file

## D. SPECIAL ACCOMMODATIONS

Diverse survivor populations require specific environmental and procedural accommodations:

### 1. Language Interpretation

For survivors who do not speak English fluently:

Interpreter requirements:

- Professional interpreter, NOT family member or friend
- Certified in legal/forensic interpretation when possible
- Same gender as survivor if requested
- From different community if survivor concerned about confidentiality
- Trained in trauma-informed interpretation

Interpreter protocols:

- Brief interpreter on case sensitivity before interview
- Interpreter sworn to confidentiality
- Interpreter translates verbatim (first person, exact words)
- Investigator speaks directly to survivor, not to interpreter
- Allow extra time for translation
- Confirm survivor understands through back-translation when needed

Why NOT to use family/friends as interpreters:

- May censor or change survivor's words
- Survivor may withhold information due to shame
- Family member may have relationship to suspect
- Re-traumatizes family member who hears graphic details
- Not professional or neutral

### 2. Disability Accommodations

Survivors with disabilities require tailored accommodations:

Physical disabilities:

- Wheelchair accessible interview location
- Appropriate seating arrangements
- Accessible bathroom facilities
- Extra time for physical mobility needs

Hearing impairments:

- Certified ASL interpreter
- Visual aids and written materials
- Face survivor directly when speaking (lip reading)
- Good lighting for visual communication
- Written confirmation of key points

Visual impairments:

- Verbal descriptions of physical environment
- Read aloud any written materials
- Announce people entering/leaving room
- Avoid relying on visual aids or diagrams

Cognitive/intellectual disabilities:

- Simpler, concrete language
- Shorter, more frequent breaks
- Visual aids when helpful
- Consult with specialists on communication strategies
- Extra patience and repetition
- Support person familiar with survivor's communication needs

### 3. Cultural Considerations

Cultural competence in interviewing:

Gender of interviewer:

- Ask survivor if they have preference
- Some cultures/religions require same-gender interactions
- Accommodate when possible
- If not possible, explain and ensure survivor is comfortable proceeding

Cultural norms around disclosure:

- Some cultures have strong taboos against discussing sex/assault
- Family honor concerns may affect disclosure
- Fear of community ostracism
- Religious shame or guilt
- Acknowledge these pressures without judgment
- Reassure about confidentiality protections

Immigration concerns:

- Undocumented survivors may fear deportation
- Explain separation between criminal investigation and immigration
- Inform about U visa and T visa protections for crime victims
- Connect with immigration advocacy resources
- Do not report immigration status to ICE

Cultural consultation:

- When working with unfamiliar cultural groups, consult with cultural liaisons
- Learn basic cultural norms that may affect interview
- Avoid assumptions or stereotypes
- Ask survivor about their preferences and needs

#### 4. Age-Appropriate Modifications (Minors)

Child and adolescent survivors require specialized protocols:

Interview environment for children:

- Child-friendly space (less institutional, more welcoming)
- Age-appropriate furniture (child-sized for young children)
- Toys, books, comfort items available (but not distracting during interview)
- Colors, decorations less sterile than adult interview rooms

Specialized child interviewers:

- Forensic child interviewer certification required
- Training in child development and communication
- Understanding of age-appropriate expectations
- Protocols like NICHD (National Institute of Child Health and Human Development) interview method

Parent/guardian presence:

- Generally, parent NOT present during interview (can influence child's responses)
- Exception if child extremely young or anxious and needs parent for comfort
- If parent present, positioned behind child where child cannot see them
- Parent instructed not to speak or react during interview
- Never allow parent if they are suspect or have relationship to suspect

Language and techniques:

- Age-appropriate vocabulary (avoid adult terms for body parts/acts)
- Shorter interview sessions (30-60 minutes maximum)
- Frequent breaks
- Use of anatomical drawings or dolls (when appropriate and trained)
- Gentle, patient pacing
- Building rapport through non-threatening topics first

## SECTION IV - PART 2 SUMMARY

The interview environment—physical and psychological—determines whether survivors feel safe enough to disclose trauma. Agencies must ensure:

- ✓ Trauma-informed physical space (private, comfortable, non-intimidating)
- ✓ Privacy and confidentiality protections
- ✓ Appropriate recording equipment and protocols
- ✓ Psychological safety (appropriate people present, victim advocate offered)
- ✓ Safe atmosphere (rapport, validation, control restored to survivor)
- ✓ Appropriate timing (3-7 days typically, with flexibility)
- ✓ Reasonable duration with breaks (2-4 hours, multiple sessions if needed)
- ✓ Special accommodations (language, disability, cultural, age-appropriate)

Environment is not incidental. A hostile or careless environment prevents disclosure, fragments memory further, and re-traumatizes. A thoughtfully designed, trauma-informed environment enables survivors to share their experiences safely and completely.

— END OF SECTION IV - PART 2 —

## TRAUMA-INFORMED INTERVIEW PROTOCOLS

### Question Techniques

#### OVERVIEW

How questions are asked determines what information is obtained and how much additional trauma is inflicted. Questions must be designed to work WITH trauma neuroscience, not against it. This section provides specific question types, phrasings, and techniques that maximize information quality while minimizing re-traumatization.

**CRITICAL:** Question technique is a learned skill. Investigators must be trained in trauma-informed questioning and practice before conducting sexual assault interviews.

#### A. OPEN-ENDED QUESTIONS

Open-ended questions allow survivors to narrate in their own words, in their own order, using their own fragmented memory structure.

##### 1. Why Open-Ended Questions Work

Neurobiological basis:

- Trauma memories are NOT stored chronologically (hippocampus suppression)
- Forcing linear narration requires prefrontal cortex function that was offline during trauma
- Open-ended questions let survivor access memories however they are stored
- Reduces cognitive load (survivor not trying to organize while recalling)
- Produces more complete information

Benefits:

- Survivor controls pace and content
- Reveals what survivor finds most salient
- Harder to attack as 'leading' in court
- Gets survivor talking (builds momentum)
- Less re-traumatizing than rapid questioning

##### 2. Effective Open-Ended Questions

Primary prompts:

- ✓ 'Tell me what happened'
- ✓ 'Tell me everything you remember'
- ✓ 'Start wherever feels right and tell me what you remember'
- ✓ 'What stands out most clearly in your memory?'
- ✓ 'Help me understand what happened'

Follow-up prompts:

- ✓ 'Tell me more about that'
- ✓ 'What else do you remember?'
- ✓ 'And then what happened?'
- ✓ 'Is there anything else about [topic] you remember?'
- ✓ 'Keep going, I'm listening'

Encouraging continuation:

- ✓ 'Okay' (simple acknowledgment)
- ✓ 'Mm-hmm' (nonverbal encouragement)
- ✓ 'I'm with you' (supportive presence)
- ✓ Nodding (visual encouragement)
- ✓ Silence (allowing processing time)

### 3. When to Use Open-Ended Questions

Beginning of interview:

- Start with broadest open-ended question
- Let survivor provide initial narrative uninterrupted
- Only ask clarifying questions after free recall complete

Any time survivor gets stuck:

- Return to open-ended prompts
- 'What else comes to mind?'
- Allows survivor to reset and find new entry point

After closed questions:

- After series of specific questions, return to open-ended
- 'Is there anything else you want to tell me about that?'
- Catches details specific questions may have missed

## B. SENSORY-BASED QUESTIONS

Sensory details are encoded by the amygdala even when hippocampus fails. Sensory questions access these vivid trauma-encoded memories.

### 1. Why Sensory Questions Work

- Amygdala prioritizes threat-relevant sensory information during trauma
- Visual, auditory, olfactory, tactile details imprinted intensely
- More accessible than narrative or timeline information
- Can trigger additional memory retrieval
- Provides corroborating details (suspect's cologne, room lighting, etc.)

## 2. Effective Sensory Questions

Visual:

- ✓ 'What do you remember seeing?'
- ✓ 'When you picture that moment, what stands out visually?'
- ✓ 'Describe what [person/place] looked like'
- ✓ 'Was it light or dark?'
- ✓ 'What was [suspect] wearing?'

Auditory:

- ✓ 'What do you remember hearing?'
- ✓ 'Do you remember any sounds?'
- ✓ 'What did [suspect's] voice sound like?'
- ✓ 'Were there any background noises?'
- ✓ 'Did [suspect] say anything? What do you remember them saying?'

Olfactory:

- ✓ 'Do you remember any smells?'
- ✓ 'Was there a particular scent you noticed?'
- ✓ 'Could you smell anything on [suspect]?' (cologne, alcohol, smoke)

Tactile/Physical:

- ✓ 'What did you feel physically?'
- ✓ 'What sensations do you remember in your body?'
- ✓ 'Was it hot or cold?'
- ✓ 'What did [surface/object] feel like?'

Emotional/Internal:

- ✓ 'What were you feeling emotionally?'
- ✓ 'What was happening inside your body?'
- ✓ 'What were you thinking at that moment?' (if accessible)

## 3. Sequencing Sensory Questions

Start broad, then narrow:

- 'What do you remember about that moment?' (open)
- 'What did you see/hear/smell?' (sensory-specific)
- 'Tell me more about [specific detail]' (focused)

Use sensory questions to reconstruct timeline:

- When survivor can't remember sequence, ask about sensory shifts
- 'Did the lighting change?' → indicates movement/time passage
- 'Did you hear different sounds?' → indicates scene changes
- Sensory anchors can help organize fragmented memories

## C. COGNITIVE INTERVIEW TECHNIQUES

Cognitive interviewing is an evidence-based method that enhances memory retrieval through psychological principles.

### 1. Context Reinstatement

Principle: Memory is context-dependent. Recreating mental context helps retrieval.

Technique:

- 'I want you to go back to [day] in your mind'
- 'Think about what you were doing earlier that day'
- 'Picture the place where this happened—what did it look like?'
- 'What were you wearing? Who were you with before this happened?'
- Build mental context before asking about assault itself

Benefits:

- Activates associated memories
- Makes fragmented memories more accessible
- Reduces anxiety by starting with non-threatening details

### 2. Multiple Retrieval Attempts

Principle: Memory consolidation is ongoing. Additional details emerge across multiple attempts.

Technique:

- Ask about same event from different angles
- 'Let's go back to [moment]—is there anything else you remember now?'
- 'We talked about [topic] earlier—has anything else come to mind?'
- Return to topics multiple times throughout interview
- Schedule follow-up interview for additional retrieval

Important:

- Frame as normal: 'It's very common for people to remember additional details over time'
- Do NOT suggest survivor is 'changing their story'
- New details are EXPECTED, not suspicious

### 3. Free Recall Before Cued Recall

Principle: Spontaneous recall is more accurate than prompted recall.

Sequence:

1. Free recall: 'Tell me what happened' (no prompts)
2. General probes: 'Tell me more about [topic survivor mentioned]'
3. Specific questions: 'What was [suspect] wearing?' (only after free recall)
4. Leading questions: AVOID, but if necessary, only after all other methods exhausted

Why this order:

- Free recall produces most accurate information
- Early specific questions can contaminate or limit free recall
- Let survivor exhaust spontaneous memory first
- Then fill gaps with specific questions

### 4. Change Perspective Technique

Principle: Retrieving memory from different perspectives accesses different details.

Technique (use cautiously):

- 'If someone had been watching, what would they have seen?'
- 'Think about the room from a different angle—what else was there?'
- Can help access visual details not initially recalled

CAUTION:

- Use ONLY for environmental details, not assault itself
- Do NOT ask survivor to 'imagine' suspect's perspective
- Can be re-traumatizing if used incorrectly

## D. WHAT NOT TO ASK

Certain question types cause harm, contaminate information, or reveal investigator bias.

### 1. 'Why' Questions

Never ask:

- ✗ 'Why didn't you fight back?'
- ✗ 'Why didn't you scream?'
- ✗ 'Why didn't you run?'
- ✗ 'Why did you go there/do that/wear that?'
- ✗ 'Why didn't you report sooner?'

Why these harm:

- Implies survivor should have acted differently
- Victim-blaming
- Ignores trauma neuroscience (freeze/fawn responses)
- Makes survivor defensive
- Damages rapport

Ask instead:

- ✓ 'What was happening in your body during the assault?'
- ✓ 'Were you able to move/speak?'
- ✓ 'What were you experiencing physically?'
- ✓ 'What made you decide to report now?'

### 2. Leading Questions

Avoid:

- ✗ 'He forced you, didn't he?'
- ✗ 'You were afraid, right?'
- ✗ 'So then he raped you?'
- ✗ Questions that suggest expected answer

Why these harm:

- Contaminates survivor's independent recollection
- Defense will attack as investigator 'feeding' information
- Survivor may agree even if not accurate
- Undermines case credibility

Ask instead:

- ✓ 'What did [suspect] do?'
- ✓ 'How were you feeling?'
- ✓ 'Tell me what happened next'

### 3. Closed Yes/No Questions (When Open-Ended Better)

Problematic when used too early:

- ✗ 'Did he hit you?' (before survivor has free recalled)
- ✗ 'Was the door locked?'
- ✗ 'Were you drinking?'

Why these limit information:

- Survivor only provides yes/no, not full context
- Misses nuance and details
- Investigator controls narrative (should be survivor)

Better approach:

- ✓ 'What did [suspect] do physically?'
- ✓ 'Tell me about the door/room/situation'
- ✓ 'What had you been doing earlier?'

When yes/no is appropriate:

- After open-ended questions exhausted
- To clarify specific detail already mentioned
- For concrete facts: 'Was this during the day or night?'

### 4. Rapid-Fire Questioning

Avoid:

- ✗ Asking multiple questions before survivor can answer
- ✗ Interrupting survivor mid-answer with new question
- ✗ Rushing through topics without allowing processing time

Why this harms:

- Overwhelms survivor
- Feels like interrogation, not interview
- Prevents memory retrieval (needs processing time)
- Communicates impatience/disbelief

Better approach:

- ✓ Ask one question at a time
- ✓ Allow silence for survivor to process and answer
- ✓ Wait for complete answer before next question
- ✓ Comfortable with pauses (memory retrieval takes time)

## E. HANDLING 'I DON'T KNOW' RESPONSES

'I don't know' or 'I don't remember' are common and legitimate in trauma interviews.

### 1. Normalizing Memory Gaps

When survivor says 'I don't know/remember':

- ✓ 'That's okay—it's very common not to remember everything'
- ✓ 'A lot of people don't remember [detail type]'
- ✓ 'That's understandable'
- ✓ Accept the response without judgment

Do NOT:

- ✗ 'Try harder to remember'
- ✗ 'You must remember something'
- ✗ Express frustration or disbelief
- ✗ Pressure survivor to recall

### 2. Alternative Phrasing

If 'I don't know' to direct question, try different approach:

Original question: 'What time did this happen?'

Response: 'I don't know'

Alternative: 'Was it light or dark outside?'

Alternative: 'What had you done earlier that day?'

Alternative: 'Do you remember if it was before or after [event]?''

Technique:

- Shift from specific to general
- Use contextual or sensory cues instead of direct facts
- Allow survivor to narrow down from broader frame

### 3. When to Move On vs. When to Try Different Approach

Move on if:

- Survivor clearly does not remember despite multiple approaches
- Detail is not critical to case
- Pursuing further causes distress
- Multiple 'I don't know' responses indicate fatigue or overwhelm

Try different approach if:

- Detail is important to investigation
- Only asked once (can try sensory/contextual reframe)
- Can return later in interview or in follow-up session

Remember:

- 'I don't remember' does NOT mean lying
- Document what survivor DOES remember, not what they don't
- Memory gaps are predictable and normal in trauma

## F. ADDRESSING DIFFICULT TOPICS

Certain topics are necessary but sensitive. Approach with care.

### 1. Sexual Details

Balance needed:

- Enough detail for investigation and prosecution
- Not excessive or gratuitous
- Clinical terminology when needed

How to ask:

- ✓ Preface: 'I need to ask some specific questions about what happened physically. I know this is difficult'
- ✓ Use survivor's own words first, then clarify if needed
- ✓ 'You said [suspect] raped you—can you tell me specifically what [suspect] did?'
- ✓ 'What parts of your body did [suspect] touch?'
- ✓ 'What did [suspect] do with [body part]?'

Clarifying anatomy:

- Use proper anatomical terms: penis, vagina, anus, breasts, etc.
- If survivor uses euphemisms, ask 'When you say [term], do you mean [anatomical term]?'
- Be clear and direct, not coy

Clarifying acts:

- 'Did [suspect's] penis penetrate your vagina/anus/mouth?'
- 'Was there oral, vaginal, or anal penetration?'
- 'Did [suspect] use an object?'
- 'Did [suspect] ejaculate? Where?'

**CRITICAL:** Ask these questions clinically and matter-of-factly, not voyeuristically. Maintain professional demeanor.

## 2. Consent and Resistance

Consent questions must be trauma-informed:

NEVER ask:

- ✗ 'Did you consent?'
- ✗ 'Did you want this to happen?'
- ✗ 'Why didn't you say no?'

Ask instead:

- ✓ 'Did you agree to [act]?'
- ✓ 'Were you able to say what you wanted?'
- ✓ 'Did you tell [suspect] to stop? What happened when you did?'
- ✓ 'Were you able to move/leave?'

Resistance questions:

- ✓ 'What was happening in your body?'
- ✓ 'Were you able to resist physically?'
- ✓ 'Did you try to fight/leave/call for help?' (neutral, not accusatory)
- ✓ 'What prevented you from [action]?'

Document freeze/fawn:

- If survivor describes inability to move/speak, document as tonic immobility
- If survivor describes compliance, document as fawn response
- Explain in report that these are involuntary survival responses

## 3. Suspect Relationship

Understanding relationship context:

- ✓ 'How did you know [suspect]?'
- ✓ 'What was your relationship like before this happened?'
- ✓ 'Had you been romantic/sexual partners before?'
- ✓ 'How long had you known each other?'
- ✓ 'Why were you together that day?'

If previous sexual relationship:

- Do NOT suggest that previous consent = current consent
- 'Had you had consensual sex with [suspect] before?' (establishes pattern but doesn't imply consent)
- 'What made this time different?'
- Focus on THIS incident, not history

Post-assault contact:

- ✓ 'Did you have contact with [suspect] after this happened?'
- ✓ 'Can you tell me about that contact?'
- ✓ Accept without judgment (trauma bonding, fear, fawn response all normal)

## G. QUESTION SEQUENCING

Order of questioning affects information quality and survivor comfort.

Recommended sequence:

1. Rapport and orientation (10-15 minutes)
  - Introductions
  - Explain process
  - Establish ground rules (breaks, pacing, etc.)
  - Non-threatening small talk if appropriate
2. Context before incident (15-20 minutes)
  - What were you doing that day?
  - How did you come to be at [location]?
  - Who were you with?
  - Relationship to suspect
3. Free narrative of assault (30-60 minutes)
  - 'Tell me what happened'
  - Open-ended follow-ups
  - Let survivor narrate without interruption initially
4. Clarifying questions (30-60 minutes)
  - Sensory details
  - Specific acts/sequence
  - Timing and location details
5. Difficult topics (20-30 minutes)
  - Sexual details
  - Consent/resistance
  - Only after rapport firmly established
6. After assault (15-20 minutes)
  - What happened immediately after?
  - Who did you tell?
  - Medical care sought?
  - Contact with suspect?
7. Open-ended conclusion (10-15 minutes)
  - 'Is there anything else you want to tell me?'
  - 'Is there anything we didn't cover that you think is important?'
  - Explain next steps
  - Provide resources

Flexibility: This is a guide, not rigid script. Follow survivor's lead and adjust as needed.

## H. AVOIDING RE-TRAUMATIZATION

Every interview has potential to re-traumatize. Minimize harm while obtaining needed information.

### 1. Balance Necessary Detail with Protection

Get enough for case:

- What happened (acts committed)
- Who (suspect identification)
- Where (location)
- When (timeframe)
- Consent status
- Force or coercion used

Do NOT require:

- Excessive repetition of graphic details
- Minute-by-minute blow-by-blow (unless critical)
- Survivor to 'prove' their trauma was severe enough
- Re-narration in specific order if survivor unable

### 2. Monitoring Distress Levels

Watch for signs of increasing distress:

- Crying intensifying
- Difficulty breathing/hyperventilating
- Shaking/trembling
- Dissociation (glazed, unresponsive, 'spacing out')
- Flashback occurring (re-experiencing trauma)
- Requesting to stop repeatedly

When distress escalates:

- Offer break immediately
- 'Let's pause for a moment'
- Grounding techniques: 'Look around and name 5 things you can see'
- Check in: 'Are you okay to continue, or should we stop for today?'
- Respect survivor's answer

### 3. Offering Breaks Proactively

Don't wait for survivor to ask:

- Before difficult topics: 'We're about to talk about [topic]. Would you like a break first?'
- Every 45-60 minutes minimum: 'Let's take a break'
- After emotional moments: 'That was hard—let's pause'
- Frame as normal, not punishment: 'Taking breaks helps memory retrieval'

## SECTION IV - PART 3 SUMMARY

Question technique determines information quality and survivor wellbeing. Trauma-informed questioning requires:

- ✓ Open-ended questions (free recall, survivor-controlled)
- ✓ Sensory-based questions (accessing amygdala-encoded memories)
- ✓ Cognitive interview techniques (context reinstatement, multiple retrieval)
- ✓ Avoiding harmful questions (why questions, leading, rapid-fire)
- ✓ Normalizing 'I don't know' responses (memory gaps are normal)
- ✓ Sensitive approach to difficult topics (sexual details, consent, relationship)
- ✓ Appropriate sequencing (rapport → context → free recall → clarification)
- ✓ Minimizing re-traumatization (balance detail needs, monitor distress, offer breaks)

These techniques are evidence-based and trauma-informed. They produce better information AND protect survivors. Proper questioning is not optional—it is the foundation of competent sexual assault investigation.

— END OF SECTION IV - PART 3 —

## SECTION IV - PART 4

# TRAUMA-INFORMED INTERVIEW PROTOCOLS

## Documentation Methods

### OVERVIEW

Documentation transforms interviews into usable evidence. How investigators record, transcribe, and report survivor accounts affects case outcomes, survivor dignity, and institutional accountability. Documentation must balance accuracy, completeness, and trauma-informed language.

This section addresses:

- Recording and transcription standards
- Real-time note-taking techniques
- Trauma-informed report writing
- Preserving survivor's voice and agency
- Review and verification with survivor

**CRITICAL:** Poor documentation can destroy cases, re-traumatize survivors, and shield institutions from accountability. Documentation quality is not clerical—it is investigative competence.

## A. RECORDING AND TRANSCRIPTION STANDARDS

Audio/video recording is the gold standard for sexual assault interviews.

### 1. Recording Best Practices

Pre-interview setup:

Equipment check:

- Test audio/video quality before survivor arrives
- Ensure sufficient battery/power
- Have backup recording device ready
- Check storage capacity
- Position camera to capture survivor clearly (but unobtrusively)

Starting the recording:

- State date, time, location on recording
- Identify everyone present (names, roles)
- Obtain survivor's verbal consent to record
- Explain how recording will be used and who will have access
- Note on recording if survivor has any concerns about confidentiality

During interview:

- Do NOT turn recording off unless absolutely necessary
- If break taken, note time break starts and resumes
- If recording must be stopped temporarily, state reason on recording
- Monitor recording indicators (ensure it's actually recording)
- Do NOT allow recording to run out of storage mid-interview

Ending the recording:

- State time interview concluded
- Note total duration
- Ask survivor if there's anything else they want on record
- Clearly mark end of interview on recording

### 2. Transcription Standards

Full transcription requirements:

What to transcribe:

- Every word spoken by survivor
- Every question asked by investigator
- Non-verbal sounds when relevant (crying, pauses, etc.)
- Time stamps for significant moments or breaks
- Notation when recording paused/resumed

Transcription rules:

- Verbatim—use survivor's exact words, including grammatical errors or incomplete sentences
- Do NOT 'clean up' language or correct grammar
- Do NOT omit profanity, slang, or colloquialisms
- Indicate when words are inaudible: [inaudible]
- Indicate when speaker uncertain: [possibly: word]
- Note significant non-verbal communication: [crying], [long pause], [laughs nervously]

Format:

- Speaker labels: INVESTIGATOR: / SURVIVOR: / ADVOCATE:
- Paragraph breaks for each speaker turn
- Time stamps every 5-10 minutes: [00:15:32]
- Page numbers
- Header with case number, date, participants

Quality control:

- Transcriptionist should not be involved in case (neutrality)
- Investigator reviews transcript for accuracy
- Corrections clearly marked (strikethrough original, add correction)
- Final transcript signed by transcriptionist and reviewing investigator

### 3. Recording Storage and Security

Immediately after interview:

- Label recording with case number, date, participant names
- Create backup copy
- Store original in secure evidence storage
- Maintain chain of custody documentation
- Restrict access to authorized personnel only

Long-term storage:

- Digital files on secure server (not personal devices)
- Encrypted if possible
- Access logged (who viewed, when)
- Retention per agency policy and legal requirements
- Destruction only per court order or policy (not investigator discretion)

## B. REAL-TIME NOTE-TAKING TECHNIQUES

Even when recording, investigators should take notes to capture observations and facilitate report writing.

### 1. What to Document in Notes

Key information:

Factual details:

- Date, time, location of interview
- Who is present
- Key facts survivor discloses (names, dates, places)
- Important quotes (exact words when significant)
- Sequence of events as survivor describes

Observations:

- Survivor's demeanor and emotional state
- Physical presentation (visible injuries, clothing, condition)
- Changes in affect during interview (calm → distressed, etc.)
- Difficulty with particular topics or questions
- Signs of trauma response (dissociation, hypervigilance, etc.)

Investigative leads:

- Evidence to collect (mentioned but not yet obtained)
- Witnesses to interview
- Locations to document
- Follow-up questions to ask in next session
- Digital evidence sources identified

Process notes:

- Breaks taken (time, duration, reason)
- Technical issues (recording problems, interruptions)
- Survivor requests or concerns during interview
- Investigator's immediate impressions or concerns

### 2. Note-Taking Methods

Techniques:

Linear notes:

- Write chronologically as interview progresses
- Use shorthand or abbreviations (but clarify later)
- Flag important items with symbols (\*, !, etc.)
- Leave space between topics to add details later

Mind mapping:

- Useful for fragmented trauma narratives
- Central topic in middle, related details branching out
- Connect related pieces as survivor discloses them
- Can help visualize gaps or inconsistencies to explore

Digital notes:

- Laptop or tablet if survivor comfortable (not distracting)
- Easier to search and organize later
- Faster typing than handwriting
- CAUTION: Screen can be barrier to eye contact and rapport

Best practice:

- Brief notes during interview (don't let note-taking dominate attention)
- Expand notes immediately after interview while memory fresh
- Focus on listening and engagement over perfect notes
- Notes supplement recording, don't replace it

### 3. Organizing Notes for Report Writing

After interview, before writing report:

- Review notes while interview is fresh in mind
- Clarify abbreviations and incomplete thoughts
- Organize chronologically or thematically
- Cross-reference with recording timestamps
- Identify gaps where follow-up needed
- Note which details need corroboration or investigation

## C. TRAUMA-INFORMED REPORT WRITING

How investigators write reports affects how survivors are perceived by prosecutors, juries, and the public.

### 1. Language and Tone

Use neutral, professional language that respects survivor dignity:

Appropriate language:

- ✓ 'Survivor reported that...'
- ✓ 'Suspect allegedly...'
- ✓ 'Sexual assault' or specific act (vaginal penetration, etc.)
- ✓ 'Survivor stated she was unable to resist' (factual, trauma-informed)
- ✓ 'Memory fragmentation consistent with trauma response'

Inappropriate language:

- ✗ 'Victim claims' or 'alleges' (implies doubt)
- ✗ 'Sex' or 'sexual intercourse' (minimizes assault)
- ✗ 'She admitted' or 'confessed' (suggests wrongdoing by survivor)
- ✗ 'She failed to resist' (victim-blaming)
- ✗ 'Story changed' (use 'additional details recalled' instead)
- ✗ 'Inconsistencies raise questions' (use 'fragmented memory consistent with trauma')

Describing survivor's demeanor:

- ✓ Factual observations: 'Survivor appeared calm during interview'
- ✓ Contextualize: 'Flat affect consistent with emotional numbing response to trauma'
- ✗ Judgmental: 'Surprisingly unemotional' or 'did not seem upset'
- ✗ Interpretive: 'appeared to be lying' (inappropriate speculation)

### 2. Documenting Trauma Responses

Reports must contextualize behaviors that may seem counterintuitive:

Examples:

Delayed reporting:

Instead of: 'Survivor did not report assault until two weeks later'

Write: 'Survivor reported assault two weeks after occurrence. Delayed reporting is common in sexual assault cases due to trauma processing, fear of retaliation, and social factors.'

Memory fragmentation:

Instead of: 'Survivor could not remember timeline or sequence of events'

Write: 'Survivor's memory of the assault was fragmented, which is consistent with trauma neuroscience. During traumatic events, the hippocampus (responsible for sequential memory) is suppressed, resulting in non-linear recall. Survivor was able to recall specific sensory details but not chronological sequence.'

Freeze response:

Instead of: 'Survivor did not physically resist'

Write: 'Survivor reported experiencing tonic immobility (involuntary paralysis), an automatic neurobiological survival response occurring in approximately 70% of sexual assaults. Survivor stated she was unable to move or speak despite wanting to resist.'

Continued contact:

Instead of: 'Survivor continued texting suspect after assault'

Write: 'Survivor had contact with suspect via text message following the assault. Post-assault contact is common and can result from trauma bonding, fear of retaliation, fawn response (appeasement survival mechanism), or relationship complexity.'

### 3. Avoiding Victim-Blaming Language

Report language must never imply survivor caused or contributed to assault:

Victim-blaming language to AVOID:

- ✗ 'Survivor was intoxicated'
- ✗ 'Survivor was dressed in...' (clothing irrelevant)
- ✗ 'Survivor went to suspect's residence voluntarily'
- ✗ 'Survivor had been drinking with suspect earlier'
- ✗ 'Survivor accepted ride from suspect'

Neutral, contextual language:

- ✓ 'Survivor reported consuming alcohol. Intoxication can impair ability to consent and can be used by suspects to facilitate assault.'
- ✓ 'Survivor was at suspect's residence when assault occurred.'
- ✓ 'Survivor and suspect had been socializing earlier in the evening.'

Focus on suspect's actions, not survivor's:

- Center report on what suspect DID, not what survivor wore/drank/said
- Survivor's pre-assault behavior is largely irrelevant to whether assault occurred
- Only include survivor's actions when directly relevant to investigation (e.g., timeline)

## D. PRESERVING SURVIVOR'S VOICE

Reports must preserve survivor's own words and agency, not just investigator's interpretation.

### 1. Direct Quotation

Use survivor's exact words for key statements:

When to quote directly:

- Describing what happened: 'He forced me down and raped me'
- Stating lack of consent: 'I said no multiple times but he didn't stop'
- Describing threats or coercion: 'He said he would kill me if I screamed'
- Powerful or particularly descriptive phrases: 'I felt like I was outside my body watching it happen'
- Anything that could be misconstrued if paraphrased

Quotation format:

- Place exact words in quotation marks
- Attribute clearly: 'Survivor stated, "..."'
- Include context when needed
- Use [brackets] for clarifying insertions: 'He [suspect] told me to shut up'
- Use ellipses for omitted portions: 'I was so scared... I couldn't move'

What NOT to change:

- Grammar or word choice
- Profanity or slang (quote exactly)
- Emotional descriptors ('I was terrified' not 'she appeared afraid')

## 2. Balancing Detail with Privacy

Include necessary detail while protecting survivor dignity:

Necessary detail:

- Acts committed (vaginal penetration, oral copulation, etc.)
- Force or coercion used
- Lack of consent
- Injuries sustained
- Evidence of assault (biological fluids, etc.)

Unnecessary detail:

- Gratuitous descriptions beyond what's legally required
- Survivor's sexual history (generally inadmissible anyway—rape shield laws)
- Personal information unrelated to case (unless investigatively relevant)
- Excessive detail about survivor's physical appearance

Test:

Ask: 'Is this detail necessary for prosecution or investigation?'

If yes → include

If no → omit or minimize

## 3. Documenting Survivor Agency

Reports should reflect survivor's active participation in investigation:

Document survivor's choices:

- 'Survivor consented to forensic medical exam'
- 'Survivor requested victim advocate be present'
- 'Survivor provided digital evidence voluntarily'
- 'Survivor requested break during interview'
- 'Survivor identified additional witnesses'

Show survivor as active participant, not passive subject:

Instead of: 'Victim was interviewed'

Write: 'Survivor provided detailed account of assault'

Instead of: 'Victim gave phone to investigator'

Write: 'Survivor voluntarily provided cell phone containing relevant text messages'

## E. REVIEW AND VERIFICATION WITH SURVIVOR

Survivors should have opportunity to review documentation for accuracy before case proceeds.

### 1. Report Review Process

Timing:

- Provide report draft to survivor within 7-14 days of interview
- Allow reasonable time for review (at least 5-7 days)
- Schedule follow-up meeting to discuss any corrections

What to provide:

- Interview transcript OR detailed summary (survivor's choice)
- Investigative report sections pertaining to survivor's account
- List of evidence collected
- Investigation timeline/status

Review meeting:

- Go through report with survivor
- Ask: 'Is this accurate? Did I get anything wrong?'
- Document any corrections survivor identifies
- Explain why certain details included/excluded
- Address any concerns survivor has about language or framing

CRITICAL: This is verification, not requiring approval. Survivor does not have veto power over report, but deserves accuracy check.

### 2. Addressing Corrections and Clarifications

When survivor identifies errors:

Factual errors (objective mistakes):

- Correct immediately
- Examples: Wrong date, misspelled name, incorrect location
- Document correction in case file

Misquotations:

- Check against recording/transcript
- If survivor is correct, fix quote
- If quote is accurate, explain and offer to clarify with additional context

Interpretive differences:

- Survivor feels report mischaracterizes something
- Discuss: 'Help me understand what I got wrong'
- Revise language if possible without changing facts
- If cannot revise, note survivor's concern in supplemental report

New information:

- Survivor remembers additional details during review (common)
- Add to supplemental report
- Document as 'additional recall' not 'changing story'
- Consider follow-up interview if significant new information

### 3. Final Documentation

Completed case file must include:

Interview documentation:

- Audio/video recording (original + backup)
- Complete transcript
- Investigator notes
- Investigative report incorporating interview

Review documentation:

- Log showing survivor was offered opportunity to review
- Notes from review meeting
- Any corrections made
- Survivor's signature acknowledging review (if obtained)

Supplemental reports:

- Additional information recalled
- Follow-up interviews
- Corrections or clarifications

Quality assurance:

- Supervisor review and approval
- Verification that all required elements present
- Confirmation trauma-informed language used throughout

## SECTION IV - PART 4 SUMMARY

Documentation determines whether survivor accounts become usable evidence. Trauma-informed documentation requires:

- ✓ High-quality recording and verbatim transcription
- ✓ Detailed real-time notes (observations, leads, process)
- ✓ Trauma-informed report language (neutral, educational, no victim-blaming)
- ✓ Contextualizing trauma responses (delayed reporting, fragmentation, freeze)
- ✓ Preserving survivor's voice through direct quotation
- ✓ Balancing necessary detail with survivor privacy
- ✓ Review and verification process with survivor
- ✓ Comprehensive final case file documentation

Poor documentation has destroyed countless valid cases. Victim-blaming language has re-traumatized survivors and prejudiced juries. Failure to preserve survivor's voice has erased their agency. This is preventable through competent, trauma-informed documentation practices.

— END OF SECTION IV - PART 4 —

SECTION IV: TRAUMA-INFORMED INTERVIEW PROTOCOLS - COMPLETE

## SECTION V - PART 1

# SUSPECT-FOCUSED INVESTIGATION

## Pattern Analysis

### OVERVIEW

Most sexual offenders are serial perpetrators. Pattern analysis—the systematic examination of suspect behavior across multiple incidents—is essential to competent sexual assault investigation. Identifying patterns accomplishes multiple critical objectives: corroborates current victim's account, identifies additional victims, demonstrates predatory intent, and strengthens prosecution through pattern evidence.

**CRITICAL:** Failure to conduct pattern analysis is an investigative deficiency. Every sexual assault investigation must include active search for additional victims and behavioral patterns.

This section addresses:

- Why pattern analysis is essential
- Methods for identifying patterns
- Documenting modus operandi (MO)
- Connecting cases across jurisdictions
- Using pattern evidence in prosecution

## A. WHY PATTERN ANALYSIS MATTERS

### 1. Serial Offender Statistics

Research consistently shows sexual assault perpetrators rarely offend only once:

Key findings:

- Undetected rapists report an average of 5-6 victims each
- Most sexual offenders commit multiple types of sexual violence (assault, harassment, coercion)
- Campus studies show repeat offenders account for 90%+ of sexual assaults
- Rapists who are prosecuted typically have prior unreported or uninvestigated assaults
- Pattern behavior often escalates over time (harassment → assault → aggravated assault)

Implications for investigation:

- Current victim is statistically unlikely to be offender's first
- Additional victims exist but may not have reported
- Prior incidents provide corroborating evidence
- Pattern demonstrates intent and predatory behavior (not 'misunderstanding')

Default assumption: Suspect has assaulted before and will assault again if not stopped.

### 2. Benefits of Pattern Analysis

For current investigation:

Strengthens case:

- Corroborates victim's account through similar reports
- Demonstrates consistent behavior pattern
- Rebuts 'consent' defense (pattern shows non-consensual behavior)
- Rebuts 'misunderstanding' defense (pattern shows intent)
- Provides additional evidence sources (witnesses, victims, documentation)

Identifies additional victims:

- Prior victims may be willing to testify
- May have additional evidence (photos, texts, witnesses)
- Linking cases increases likelihood of prosecution
- Provides closure/justice for multiple survivors

Legal advantages:

- Pattern evidence often admissible under specific rules (Federal Rule 414, state equivalents)
- Prior sexual assaults admissible to show propensity
- Demonstrates modus operandi
- Multiple victims = stronger prosecution position

For public safety:

- Prevents future assaults by serial offender
- Identifies high-risk individuals
- Enables intervention before escalation

## B. IDENTIFYING PATTERNS: DATABASE SEARCHES

Pattern analysis begins with systematic database searching.

### 1. Internal Agency Records

Search local department records for:

Prior sexual assault reports:

- Suspect's name in all sexual assault case files
- Both as named suspect and as mentioned individual
- Include closed cases (no charges filed  $\neq$  no assault occurred)
- Include unfounded cases (may have been improperly dismissed)
- Search variations of suspect's name

Related offenses:

- Domestic violence (intimate partner violence correlates with sexual violence)
- Stalking or harassment
- Voyeurism or indecent exposure
- Revenge porn / non-consensual image distribution
- Child abuse or endangerment
- Protection orders (temporary or permanent)

Search parameters:

- Suspect's full name and known aliases
- Address history
- Phone numbers
- Vehicle information
- Employment/school affiliations

Documentation:

- Document ALL searches conducted (even if no results)
- Note date, database, search terms used
- Pull complete case files for any matches
- Review for similarities to current case

## 2. State and National Databases

NCIC (National Crime Information Center):

- Search suspect's criminal history
- Prior arrests and convictions in any jurisdiction
- Outstanding warrants
- Protection orders from other jurisdictions

ViCAP (Violent Criminal Apprehension Program):

- FBI database for violent crimes
- Search for similar sexual assault patterns
- Enter current case details for cross-referencing
- May identify interstate patterns

Sex Offender Registries:

- State and national registry searches
- Prior sex offense convictions
- Registration violations
- Note: Absence from registry does NOT mean no prior assaults (most unreported)

CODIS (DNA Database):

- If DNA evidence collected, run through CODIS
- May link to other unsolved sexual assaults
- Can identify suspect if DNA on file from prior case
- Regular re-checks (database constantly updated)

Court Records:

- Civil protection orders
- Divorce filings (may contain allegations of abuse)
- Child custody disputes
- Prior criminal cases (not just convictions, but arrests and dismissed charges)

## 3. Cross-Jurisdictional Coordination

Contact neighboring jurisdictions:

Geographic search:

- Counties/cities where suspect has lived
- Suspect's home jurisdiction
- College/university police (if suspect is student or alumnus)
- Military law enforcement (if suspect has military affiliation)
- Tribal police (if applicable)

Information sharing:

- Provide suspect details to other agencies
- Ask about similar unsolved cases
- Request copies of any reports involving suspect
- Coordinate if multiple active investigations
- Consider joint investigation or task force if serial pattern clear

Barriers to overcome:

- Jurisdictional silos (agencies don't share information)
- Privacy laws (HIPAA, education records)
- Lack of resources/time
- Institutional resistance to acknowledging serial offenders in their area

CRITICAL: Investigator persistence is essential. Serial offenders rely on jurisdictional boundaries preventing pattern detection.

## C. DIGITAL AND SOCIAL MEDIA PATTERN SEARCHES

Modern pattern analysis requires digital investigation.

### 1. Social Media Analysis (SOCMINT)

Platforms to investigate:

Public profiles:

- Facebook, Instagram, Twitter/X, TikTok
- LinkedIn (employment history, connections)
- Reddit, Discord, gaming platforms
- YouTube (comments, uploads)

What to look for:

- Connections to multiple women who may be potential victims
- Posts or comments showing predatory attitudes
- Photos/check-ins at locations matching assault patterns
- Friend/follower lists (potential victims or witnesses)
- Public arguments, breakups, harassment visible on profiles
- Screenshots of threatening/coercive messages others have posted

Pattern indicators:

- Multiple women commenting about suspect's behavior
- Repeated pattern of short relationships ending badly
- Blocking/being blocked by many women
- Comments from others warning people about suspect

Documentation:

- Screenshot EVERYTHING immediately (before suspect can delete)
- Include timestamps and URLs
- Capture full context (not just isolated posts)
- Preserve using specialized tools if possible (maintains metadata)

## 2. Dating App Patterns

Many sexual assaults involve dating app encounters:

Platforms:

- Tinder, Bumble, Hinge, OkCupid, Match
- Grindr, Her, and other LGBTQ+ focused apps
- Niche dating apps for specific communities

Investigating patterns:

- Obtain suspect's profile(s) via search warrant if current victim met via app
- Request match history, message history from app company
- Identify other potential victims from matches
- Review messages for predatory patterns (love bombing, rapid escalation, coercion)

Common patterns:

- Repeated similar opening lines or conversation patterns
- Rapid push to meet in person
- Pressure for private location (suspect's place or victim's place, not public)
- Alcohol-focused first dates
- Similar assault circumstances across multiple victims

Outreach to other matches:

- Consider contacting other matches to inquire about experiences
- Coordinate with prosecutor on approach (privacy concerns)
- May discover additional victims or corroborating witnesses

## 3. Online Community Warnings

Survivors often warn each other online:

Where to look:

- Private Facebook groups (women's safety groups, local community groups)
- Reddit (local subreddits, women's forums)
- Anonymous reporting sites (Can I Kiss You, Where's Your Line)
- College/university gossip pages or confessional pages
- #MeToo posts or threads

How to search:

- Search suspect's name (full name, nicknames)
- Search initials or partial descriptions if full name not used
- Search locations associated with suspect (workplace, favorite bar, etc.)
- Review contextual threads (posts about local assault prevention, warnings)

Follow-up:

- Document warnings found
- Attempt to contact posters (may be additional victims or witnesses)
- Respect anonymity but provide option to report formally
- Even if posters don't come forward, documentation shows pattern awareness in community

## D. DOCUMENTING MODUS OPERANDI (MO)

Modus operandi (MO) is the suspect's method of committing assaults. Consistent MO across victims is powerful pattern evidence.

### 1. Victim Selection Patterns

Analyze characteristics of multiple victims:

Demographics:

- Age range (college-aged, specific age group)
- Gender identity
- Race/ethnicity
- Physical appearance (hair color, body type, etc.)

Vulnerability factors:

- Social isolation (new to area, few friends)
- Economic dependence (employees, students)
- Previous trauma history (predators target those with trauma)
- Substance use
- Disability or cognitive impairment

Social connection:

- How suspect meets victims (dating apps, work, school, social circles)
- Relationship at time of assault (stranger, acquaintance, dating, coworker)
- Length of time between meeting and assault

Pattern documentation:

- Create victim comparison chart
- Note similarities and differences
- Identify suspect's 'type' or target profile

## 2. Approach and Grooming Methods

How suspect gains access and trust:

Initial contact:

- Dating app opening lines or profile strategy
- Introduction through mutual friends
- Workplace interactions
- Offering help or assistance
- Shared activities or interests

Relationship building:

- Love bombing (excessive attention, gifts, compliments)
- Rapid escalation of intimacy
- Isolation from friends/family
- Testing boundaries progressively
- Establishing financial or emotional dependence

Manipulation tactics:

- Guilt trips or emotional manipulation
- Gaslighting (undermining victim's perceptions)
- Threats (explicit or implicit)
- Use of alcohol or drugs
- Exploiting power dynamics (boss/employee, teacher/student)

## 3. Location and Circumstance Patterns

Where and when assaults occur:

Location patterns:

- Suspect's residence (most common)
- Victim's residence
- Hotels/motels
- Vehicles
- Workplace after hours
- Outdoor locations (parks, trails)
- Parties or social gatherings

Circumstantial patterns:

- First date assaults
- After drinking together
- When victim is isolated from others
- After drugging victim
- During or after consensual intimate activity (then non-consensual escalation)

Timing patterns:

- Time of day (late night most common)
- Day of week (weekends common for date-based assaults)
- Seasonal patterns (if any)
- Frequency (weeks, months between assaults)

#### 4. Assault Method Patterns

How suspect commits assaults:

Force continuum:

- Physical force (hitting, restraining, overpowering)
- Threats of force (verbal threats, display of weapons)
- Coercion (emotional manipulation, professional/academic threats)
- Incapacitation (drugs, alcohol, sleep)
- Exploitation of freeze response (no force needed if victim paralyzed)

Specific actions:

- Removing/disabling victim's phone
- Locking doors, blocking exits
- Specific restraint methods
- Recording assault
- Specific sexual acts (types, sequence)
- Things suspect says during assault

Pattern significance:

- Consistent method = planned, not spontaneous
- Demonstrates intent and predation
- Refutes 'misunderstanding' defense

#### 5. Post-Assault Behavior Patterns

What suspect does after assaults:

Immediate aftermath:

- Apologies or minimization ('It wasn't that bad')
- Threats if victim reports
- Love bombing (excessive affection, promises to change)
- Blaming victim ('You wanted it')
- Immediate departure/ghosting

Days/weeks after:

- Continued contact or attempts to maintain relationship
- Monitoring victim's social media
- Spreading rumors about victim
- Deleting digital evidence (texts, photos, social media connections)
- Moving on to new potential victim rapidly

If confronted or reported:

- Specific defense strategy ('She wanted it', 'She's crazy', 'She's lying for attention')
- Intimidation tactics
- Recruiting friends/family to harass victim
- Filing false counterclaims (defamation, harassment)

## E. CONNECTING CASES

Once patterns identified, link cases formally.

### 1. Creating Pattern Analysis Report

Comprehensive report documenting:

Executive summary:

- Suspect identification
- Number of cases identified (minimum)
- Timeframe of assaults
- Geographic range
- Pattern consistency strength

Case summaries:

- Brief summary of each connected case
- Date, victim (identifier, not name in pattern report), location
- Key facts and outcome (reported, prosecuted, convicted, etc.)

Pattern documentation:

- Victim selection patterns (with comparison chart)
- Approach methods similarities
- Location/circumstance patterns
- Assault method consistencies
- Post-assault behavior patterns

Evidence links:

- DNA matches (if available)
- Digital evidence connections (same phone number, IP address, dating profiles)
- Witness overlap
- Physical evidence similarities

Visualizations:

- Timeline showing all assaults
- Geographic map showing assault locations
- Comparison tables highlighting similarities

## 2. Contacting Additional Victims

Once pattern identified, reach out to other potential victims:

Approach:

- Sensitive, trauma-informed contact
- Explain why contacting: 'We're investigating reports involving [suspect name] and your name came up as potentially having relevant information'
- Do NOT pressure or demand cooperation
- Provide victim advocate contact information
- Respect if person declines to participate

Benefits of coming forward:

- Explain that multiple victims strengthen case
- Pattern evidence may be admissible
- Potential for justice in their case as well
- Prevents future assaults

Support provided:

- Victim advocacy
- Coordination with prosecutor
- Protection order assistance if desired
- Connection to counseling/resources

## 3. Multi-Victim Prosecution Strategy

Coordinate with prosecutor:

Charging decisions:

- Separate charges for each victim
- Joint trial vs. separate trials (strategic decision)
- Strongest cases prosecuted first vs. all together

Pattern evidence admissibility:

- Federal Rule of Evidence 414 (prior sexual assaults admissible)
- State equivalents (most states have similar rules)
- Demonstrate modus operandi, intent, lack of mistake
- Motion in limine to admit other victim testimony

Victim coordination:

- Keep all victims informed of case progress
- Prepare victims for possible testimony about each other's cases
- Support group or communication channel if victims consent
- Ensure each victim has individual advocacy

## F. COLD CASE PATTERN REVIEW

Pattern analysis can solve old cases.

When new SA report filed, review cold cases for patterns:

Search criteria:

- Unsolved cases with similar MO
- Cases in same geographic area
- Cases with same victim demographic
- Cases with DNA evidence that can be compared

CODIS checks:

- If current case has DNA, check against cold case DNA
- May identify suspect in old cases
- May link multiple unsolved cases to same suspect

Benefits:

- Solves old cases
- Provides justice for cold case victims
- Strengthens current case through pattern evidence
- May have additional evidence from old case to apply to new

## SECTION V - PART 1 SUMMARY

Pattern analysis is essential to competent sexual assault investigation. Most offenders are serial. Failure to search for patterns is an investigative deficiency.

Required pattern analysis components:

- ✓ Database searches (local, state, national)
- ✓ Cross-jurisdictional coordination
- ✓ Digital and social media investigation (SOCMINT)
- ✓ Dating app pattern analysis
- ✓ MO documentation (victim selection, approach, location, assault method, post-assault behavior)
- ✓ Connecting cases and contacting additional victims
- ✓ Cold case review
- ✓ Comprehensive pattern analysis report

Pattern evidence:

- Corroborates current victim
- Identifies additional victims
- Demonstrates predatory intent
- Often admissible in court
- Prevents future assaults

Every sexual assault investigation must actively search for patterns. Serial offenders rely on investigators failing to connect their crimes. Pattern analysis protects survivors, achieves justice, and prevents future victimization.

— END OF SECTION V - PART 1 —

## SECTION V - PART 2

# SUSPECT-FOCUSED INVESTIGATION

## Digital Forensics FROM SUSPECT

### OVERVIEW

Digital evidence collection from suspects is not optional—it is mandatory when digital evidence is collected from survivors. This equal evidence standard ensures investigative fairness, prevents survivor-only scrutiny, and frequently provides the strongest evidence in sexual assault cases. Suspect digital evidence often contains communications with the victim, evidence of pattern behavior, communications with other victims, and consciousness of guilt.

**CRITICAL FRAMEWORK REQUIREMENT:** If digital evidence is collected from the survivor, investigators **MUST** pursue digital evidence from the suspect with **EQUAL OR GREATER** effort. Failure to do so requires specific supervisor-documented justification. Absence of justification constitutes investigative deficiency.

## A. MANDATORY EQUAL EFFORT STANDARD

### 1. The Equal Evidence Principle

Fundamental requirement:

IF survivor provides digital evidence OR digital evidence is collected from survivor (phone, social media, email, etc.), THEN investigator MUST pursue digital evidence from suspect with EQUAL OR GREATER effort.

Rationale:

- Prevents one-sided scrutiny of survivor while suspect escapes examination
- Suspect digital evidence often more probative than survivor's
- May reveal pattern behavior, other victims, predatory planning
- Demonstrates investigative fairness and competence
- Absence of equal effort suggests investigator bias

What 'equal or greater effort' means:

- If survivor's phone obtained → suspect's phone must be sought via warrant
- If survivor's social media reviewed → suspect's social media must be investigated
- If survivor's texts examined → suspect's texts must be obtained
- If survivor's location data used → suspect's location data must be sought
- Effort should be proportional or greater (suspect has no expectation of equal protection as victim)

### 2. Accountability Mechanism

Documentation requirement:

Investigative reports must explicitly document:

- What digital evidence was collected from survivor
- What digital evidence was pursued from suspect
- Whether effort was equal or greater
- If not equal, why not (specific justification required)

Supervisor review:

- Supervisor must verify equal effort standard met
- If investigator collected survivor digital evidence but did NOT pursue suspect digital evidence:
  - Supervisor MUST document specific justification
  - Absence of justification = investigative deficiency
  - May require corrective action (issuing warrant, pursuing evidence)

Quality assurance:

- Regular audits of sexual assault cases for equal effort compliance
- Track percentage of cases where suspect digital evidence pursued
- Low compliance rates indicate systemic bias or inadequate training
- Use as performance metric for investigators and supervisors

### 3. Exceptions (Rare)

Limited circumstances where equal effort not required:

Legal barriers:

- Suspect has fled jurisdiction and cannot be located
- Warrant denied by court (must document reason for denial)
- Evidence destroyed before warrant could be executed (document attempt)

Strategic decisions:

- Prosecutor declines to pursue charges (investigation closed)
- Survivor withdraws cooperation entirely (not just reluctance—complete withdrawal)

CRITICAL: These exceptions are NARROW. Default is always equal effort. Investigator convenience, resource constraints, or 'we don't usually do that' are NOT valid justifications.

## B. WHAT TO COLLECT FROM SUSPECT

Comprehensive digital evidence collection from suspect.

### 1. Mobile Devices

Cell phones are often the most valuable evidence source:

What to seek in warrant:

- All cell phones in suspect's possession or control
- Complete phone contents (not just specific apps or messages)
- Text messages / SMS (sent and received)
- MMS / picture messages
- All messaging apps (WhatsApp, Signal, Telegram, Snapchat, Instagram DM, Facebook Messenger, etc.)
- Call logs (incoming, outgoing, missed, duration)
- Contact list
- Photos and videos (including deleted)
- Location data / GPS history
- App usage data
- Web browsing history
- Search history
- Calendar / scheduling apps
- Notes apps
- Voice memos / recordings

Why phone is critical:

- Communications with victim before/during/after assault
- Communications with other potential victims
- Communications with friends (may show consciousness of guilt or bragging)
- Location data placing suspect at scene
- Photos/videos of assault or victim
- Search history showing predatory planning ('how to drug someone', 'what to say after rape accusation', etc.)
- Dating app activity

## 2. Computers and Tablets

Personal computers, laptops, tablets:

What to seek:

- All computers/tablets in suspect's possession or residence
- Hard drive contents (complete forensic image)
- Email accounts accessible from device
- Social media accounts logged in on device
- Web browsing history
- Search history
- Downloaded files
- Photos and videos
- Documents
- Chat logs (if using computer-based messaging)
- Deleted files (recoverable)

Analysis priorities:

- Emails to/from victim or others
- Pornography consumption patterns (may reveal sexual interests/violence)
- Research on drugs, date rape, evading detection
- Forums or communities focused on predatory behavior
- Photos/videos from assaults

## 3. Social Media Accounts

ALL social media platforms suspect uses:

Platforms to seek:

- Facebook (profile, messages, photos, friends list, likes/comments)
- Instagram (profile, DMs, photos, followers, story archives)
- Twitter / X (tweets, DMs, follows)
- TikTok (videos, messages, follows)
- Snapchat (messages, photos, friends, location data)
- LinkedIn (professional connections, messages)
- Reddit (username, posts, comments, messages)
- Discord (servers, channels, DMs)
- Gaming platforms (Xbox Live, PlayStation Network, Steam—can be communication platforms)

What to request from platforms (via warrant/subpoena):

- Account registration information
- IP addresses used to access account
- Login history (dates, times, locations)
- All messages (sent and received, including deleted)
- All photos and videos posted or shared
- Friend/follower lists
- Search history within platform
- Location data (if platform collects)

Why social media is valuable:

- Direct messages with victim
- Messages with other potential victims
- Posts or comments revealing attitudes about women, sex, consent
- Photos placing suspect at location or with victim
- Friend/follower connections to multiple victims
- Evidence of suspect monitoring victim's profile after assault

## 4. Dating Apps

If assault involved dating app meeting or suspect uses dating apps:

Apps to investigate:

- Tinder, Bumble, Hinge, OkCupid, Match, Plenty of Fish
- Grindr, Her, and other LGBTQ+ apps
- Niche dating apps

What to request from app companies:

- Account profile information
- Profile photos and bio text
- Complete match history
- All messages exchanged (with victim and all other matches)
- Swipe history (who suspect swiped on)
- Location data
- Payment history (if paid subscription—shows deliberate use)

Analysis focus:

- Messages with victim (establishing contact, arranging meeting)
- Pattern across multiple matches (same opening lines, same approach)
- Identify other potential victims from match list
- Frequency of app use (heavy users more likely to have multiple victims)

## 5. Email Accounts

Email remains important communication channel:

What to seek:

- All email accounts suspect uses (personal and work if accessible)
- Complete email contents (inbox, sent, drafts, trash, spam)
- Attachments (photos, documents)
- Contact lists
- Login history (IP addresses, locations)

Providers to subpoena:

- Gmail / Google
- Outlook / Microsoft
- Yahoo
- AOL
- Work email (requires different process—employer may control)

What to look for:

- Emails to/from victim
- Dating site notifications (reveals additional dating profiles)
- Receipts for relevant purchases (drugs, hotels, etc.)
- Account recovery emails (reveals additional accounts)

## 6. Cloud Storage

Cloud accounts may contain evidence deleted from devices:

Services to seek:

- iCloud (Apple)
- Google Drive
- Dropbox
- Microsoft OneDrive
- Amazon Cloud

What to request:

- All files stored (photos, videos, documents)
- Backup data from phones (may have deleted messages, photos)
- Deleted items (if recoverable)
- Sharing history (who has access to what files)

Why cloud storage matters:

- Auto-backup means data persists even if deleted from phone
- May contain assault photos/videos suspect thought were deleted
- Document storage may reveal planning or post-assault activity

## 7. Gaming and Communication Platforms

Gaming platforms are communication tools:

Platforms:

- Discord (servers, voice chat logs, DMs)
- Xbox Live (messages, voice chat, friends list)
- PlayStation Network (messages, friends)
- Steam (chat, friends, game activity)
- Twitch (streaming, chat, DMs)

Why relevant:

- Suspect may communicate with victims via gaming platforms
- Gaming communities sometimes used for grooming
- May reveal additional victims
- Friends on platform may have knowledge of suspect behavior

## C. SEARCH WARRANT PROCEDURES

Legal process for obtaining suspect digital evidence.

### 1. Probable Cause Standards

Probable cause exists when:

For devices:

- Survivor provides credible account of assault
- Suspect had opportunity and means
- Digital communication between parties is established or likely
- Modern sexual assault investigations routinely involve digital evidence

For social media/email accounts:

- Suspect and victim communicated via these platforms
- Evidence suggests suspect used platforms around time of assault
- Platforms likely contain communications relevant to investigation

Threshold is relatively low:

- Probable cause is NOT proof beyond reasonable doubt
- Just reasonable belief that evidence exists
- Credible survivor account + established suspect identity = probable cause for digital search

### 2. Warrant Scope and Specificity

Warrant must describe with particularity:

Items to be seized:

- Specific devices (cell phone, laptop) OR
- Categories of devices (all computers and electronic devices)
- Specific accounts (suspect's Facebook account) OR
- Categories of accounts (all social media accounts)

Information to be searched:

- Communications between suspect and victim
- Photos and videos related to assault or victim
- Location data placing suspect at scene
- Evidence of pattern behavior or other victims
- Research or planning of assault
- Consciousness of guilt (attempts to delete evidence, threatening messages)

Time frame:

- Include reasonable time before and after assault
- Example: If assault on June 1, warrant for communications from May 1 - July 1 (or longer)
- Broader time frame justified if pattern investigation

Best practice:

- Request comprehensive access (entire device/account)
- Courts generally permit in sexual assault investigations
- Narrower scope acceptable if court requires

### 3. Preservation Letters

Critical timing issue:

The problem:

- Warrants take time to prepare and execute (days to weeks)
- Suspects often delete evidence when they know investigation underway
- Tech companies auto-delete data after certain periods (30-90 days typically)
- Evidence can disappear before warrant issued

The solution: Preservation letters

- Letter sent to tech company requesting preservation of account data
- Does NOT require warrant (simple request)
- Companies typically preserve for 90 days
- Gives investigator time to obtain warrant
- Must follow up with warrant/subpoena before 90 days expires

When to send:

- Within 72 hours of identifying digital evidence need
- BEFORE suspect is notified of investigation if possible
- As soon as digital accounts identified

What to include:

- Suspect's account identifier (username, email, phone number)
- Case number
- Types of data to preserve (messages, photos, login history, etc.)
- Time frame of data
- Investigator contact information

**CRITICAL:** Send preservation letters IMMEDIATELY. Delayed preservation = lost evidence.

## 4. Warrant Execution Timing

Execute warrants promptly:

Timing considerations:

- Execute within 24-48 hours of issuance if possible
- Before suspect becomes aware of warrant if possible
- When suspect likely to be present (for device seizure)
- Coordination with prosecutor on strategy

Execution procedure:

- Seize devices immediately before suspect can delete
- Place devices in airplane mode (prevents remote wiping)
- Document condition of devices (on/off, screen displayed, apps open)
- Secure devices in evidence
- Send immediately to forensic examiner

For online accounts (served on companies):

- Submit warrant/subpoena to company's legal process team
- Follow company-specific procedures (each has different portal/process)
- Response time varies (weeks to months typically)
- Follow up regularly on status

## D. FORENSIC EXTRACTION METHODS

Technical process for extracting and analyzing digital evidence.

### 1. Device Imaging

Create forensic copy of device:

Process:

- Use certified forensic tools (Cellebrite, Oxygen Forensics, etc.)
- Create bit-by-bit copy of entire device storage
- Preserve original device (work only from copy)
- Document imaging process (date, time, method, examiner)
- Generate hash values to verify integrity

Why forensic copy:

- Preserves original evidence
- Allows multiple analyses without affecting original
- Defensible in court (original untouched)
- Can create multiple copies for different analysts

Challenges:

- Locked/encrypted devices (see encryption section)
- Damaged devices
- Large storage capacity (takes time)
- Proprietary formats (require specialized tools)

## 2. Deleted Data Recovery

Recover deleted messages, photos, files:

How deletion works:

- 'Deleted' data often not truly gone—just marked as available space
- Data remains until overwritten by new data
- Forensic tools can recover overwritten data

Recovery methods:

- Physical extraction (low-level data extraction)
- File carving (reconstructing deleted files from fragments)
- Database recovery (recovering deleted SQLite entries)
- Cloud backup recovery (if data backed up before deletion)

What can be recovered:

- Deleted text messages
- Deleted photos and videos
- Deleted social media messages
- Deleted browser history
- Deleted files and documents

Limitations:

- Factory reset usually destroys data (but check cloud backups)
- Overwritten data cannot be recovered
- Secure deletion tools (rare on phones) may prevent recovery
- Recovery success depends on time since deletion and device usage

## 3. Encryption Challenges

Modern devices often encrypted:

The challenge:

- iPhone and Android devices encrypted by default
- Requires passcode/biometric to unlock
- Without unlock, data inaccessible
- Suspect has 5th Amendment right against self-incrimination (cannot be forced to provide passcode in many jurisdictions)

Solutions:

- Biometric unlock (fingerprint, face) if device still active when seized
- Consent search (suspect voluntarily provides passcode—get in writing)
- Forensic unlock tools (Cellebrite, Grayshift)—expensive, not always successful
- Cloud data (iCloud, Google backup may contain data even if device locked)
- Connected device extraction (if phone synced with computer, data may be accessible)

Legal strategies:

- Compel biometric unlock (less 5th Amendment protection than passcode)
- Contempt proceedings if passcode known but refused (limited success)
- Focus on cloud data and connected accounts (don't require device unlock)

## 4. App-Specific Extraction

Each app stores data differently:

Messaging apps:

- WhatsApp: Encrypted, stored locally, can be backed up to cloud
- Signal: Highly encrypted, difficult to extract
- Snapchat: Messages auto-delete but may be recoverable from cache
- Instagram/Facebook Messenger: Stored locally and on servers
- iMessage: Stored on device and iCloud

Dating apps:

- Data stored on company servers (must subpoena company)
- Limited local caching on device
- Screenshots from device if app is logged in when seized

Social media:

- Combination of local cache and server storage
- Most complete data from company (via warrant)
- Device may have recent messages/photos in app cache

Best practice:

- Extract device AND subpoena app companies
- Device extraction captures what's currently there
- Company data captures full history including deleted content
- Cross-reference both sources for completeness

## E. ANALYSIS FOCUS AREAS

What to look for in suspect's digital evidence.

### 1. Communications with Victim

Priority analysis:

Before assault:

- How suspect and victim met / initial contact
- Grooming or manipulation attempts
- Plans to meet (date, location)
- Discussions about drinking, drugs, location
- Evidence of premeditation or planning

During/around assault:

- Communications on day of assault
- Location sharing
- Any messages during assault (rare but possible)

After assault:

- Apologies, minimization, love-bombing
- Threats if victim reports
- Attempts to maintain relationship
- Blocking or ghosting
- Attempts to delete or retract messages

What strengthens case:

- Victim saying 'no' or 'stop' in messages
- Suspect acknowledging non-consent ('I know you didn't want to')
- Post-assault apologies (imply wrongdoing)
- Threats to keep victim silent
- Contradictions with suspect's later statements to police

### 2. Communications with Other Potential Victims

Pattern evidence:

- Similar messages to multiple women
- Dating app conversations with same patterns
- Complaints from other women in messages
- Multiple women blocking suspect
- Messages indicating other sexual encounters

Follow-up actions:

- Identify other potential victims from message list
- Contact other women to inquire about experiences
- Build pattern evidence for current case
- May discover additional prosecutable cases

### 3. Search History (Predatory Research)

Web search history can reveal intent:

Incriminating searches:

- 'How to drug someone without them knowing'
- 'Date rape drugs'
- 'How long do drugs stay in system'
- 'What to do if accused of rape'
- 'How to delete text messages permanently'
- 'Statute of limitations sexual assault [state]'
- Searches about victim (stalking behavior)
- Violent or non-consensual pornography

Why search history matters:

- Demonstrates premeditation
- Refutes 'misunderstanding' defense
- Shows consciousness of guilt (post-assault searches)
- Correlates to assault timeline

### 4. Photos and Videos

Visual evidence:

Evidence photos/videos:

- Recordings of assault itself
- Photos of victim during assault
- Photos of incapacitated victim
- Photos showing victim injuries
- Location photos placing suspect at scene

Pattern photos:

- Photos of multiple potential victims
- Similar photos across different women (same pose, location, etc.)
- Trophy photos
- Organized folders/albums by victim name

Metadata:

- Date/time stamp (corroborates timeline)
- Location data (places suspect at scene)
- Device information (proves photo from suspect's phone)

## 5. Location Data Correlation

GPS and location history:

Sources:

- Phone GPS history
- Google Maps Timeline
- Apple Maps / Find My
- App location tracking (Uber, fitness apps, social media)
- Cell tower triangulation

Analysis:

- Place suspect at assault location at time of assault
- Disprove suspect's alibi ('I was never there')
- Show stalking pattern (repeated presence near victim's home/work)
- Correlate with victim's location data
- Establish timeline of movements

## F. OPEN-SOURCE INTELLIGENCE (OSINT) ON SUSPECT

Publicly available information about suspect.

### 1. Public Social Media Profiles

Before obtaining warrants, examine public information:

- Public Facebook, Instagram, Twitter posts
- LinkedIn professional profile
- Reddit posts and comments (search by username)
- YouTube channel or comments
- Any public profiles or posts about suspect

What to document:

- Screenshots of all public content (BEFORE suspect can delete)
- Attitudes about women, sex, consent
- Public arguments or conflicts
- Location check-ins
- Friend/follower connections
- Any complaints or warnings from others

### 2. Employment and Education Records

- Current and past employers (LinkedIn, public records)
- Educational institutions attended
- Professional licenses or certifications
- Access to potential victims through work/school
- Complaints or disciplinary actions (may require subpoena)

### 3. Property and Address History

- Current and previous addresses (public records)
- Property ownership
- Vehicle registrations
- Establishes suspect's locations over time
- Useful for cross-jurisdictional pattern searches

### 4. Financial Records (FININT)

When relevant to investigation:

- Hotel or travel records (credit card transactions)
- Purchase of drugs or relevant items
- Dating app subscription payments
- Payment apps (Venmo, Cash App) transactions with victim or others
- Demonstrates financial investment in predatory behavior (subscriptions, trips)

## SECTION V - PART 2 SUMMARY

Digital forensics from suspect is mandatory when digital evidence collected from survivor. This equal evidence standard prevents one-sided scrutiny and frequently provides the strongest evidence in sexual assault cases.

Required components:

- ✓ Mandatory equal effort standard (with supervisor accountability)
- ✓ Comprehensive collection (phones, computers, social media, dating apps, email, cloud, gaming)
- ✓ Search warrants with proper scope
- ✓ Preservation letters (within 72 hours)
- ✓ Forensic extraction (imaging, deleted data recovery, encryption handling)
- ✓ Analysis focus (communications with victim/others, search history, photos, location)
- ✓ OSINT on suspect (public profiles, employment, property, financial)

The equal evidence mandate:

IF survivor digital evidence collected → MUST pursue suspect digital evidence

Failure to do so = investigative deficiency

Absence of justification = accountability failure

Suspect digital evidence often contains the most probative evidence: communications showing non-consent, pattern behavior, other victims, consciousness of guilt, and predatory planning. Failure to collect this evidence is a fundamental investigative failure.

— END OF SECTION V - PART 2 —

## SECTION V - PART 3

# SUSPECT-FOCUSED INVESTIGATION

## Surveillance & Location Data

### OVERVIEW

Location evidence places suspects at crime scenes, corroborates survivor accounts, disproves false alibis, and establishes timelines. Surveillance footage and location data are often time-sensitive—auto-deletion means evidence disappears if not preserved immediately. This section addresses comprehensive location evidence collection and analysis.

**CRITICAL:** Surveillance footage typically auto-deletes within 7-30 days. Immediate canvassing and preservation is mandatory, not optional.

## A. TYPES OF LOCATION EVIDENCE

Multiple sources establish suspect's movements.

### 1. Cell Tower Data

What it is:

- Cell phones constantly communicate with nearby cell towers
- Carriers log which towers phone connected to and when
- Data shows general location area (within tower coverage radius)
- Not as precise as GPS but still valuable

What it shows:

- Suspect's phone was in specific geographic area at specific time
- Movement patterns (which towers, what sequence)
- Can place suspect near crime scene
- Can disprove alibi ('I was across town')

Precision:

- Urban areas: towers close together, more precise (100-500 meters)
- Rural areas: towers far apart, less precise (several kilometers)
- Triangulation using multiple towers improves accuracy
- Historical cell site analysis (HCSA) maps location over time

How to obtain:

- Requires court order or search warrant
- Served on cell phone carrier (AT&T, Verizon, T-Mobile, etc.)
- Specify phone number, date/time range
- Response time: weeks to months typically

### 2. GPS and Location Services

Phone GPS:

- Most smartphones track precise GPS location
- Google Location History (Android), Apple Location Services (iPhone)
- Precision: 5-10 meters typically
- Continuous tracking if location services enabled

Vehicle GPS:

- Built-in navigation systems (OnStar, etc.)
- Rental car GPS
- Commercial fleet tracking
- Aftermarket GPS devices

Fitness trackers and wearables:

- Fitbit, Apple Watch, Garmin, etc.
- Track location during activities
- May show suspect jogging/walking near victim's residence
- Data synced to cloud (subpoena company)

How to obtain:

- Phone GPS: from device itself (if seized) or from Google/Apple (warrant)
- Vehicle GPS: subpoena vehicle manufacturer or rental company
- Fitness trackers: from device or company (Fitbit, Apple, etc.)

### 3. Financial Transaction Records

Credit and debit card transactions show location:

What transactions reveal:

- Purchase location (store, restaurant, gas station, hotel)
- Date and time of transaction
- Type of purchase (may be relevant—alcohol, drugs, condoms, etc.)
- Geographic movement pattern

Useful for:

- Placing suspect near crime scene (gas station near victim's home)
- Establishing timeline (bought drinks at bar at 10 PM)
- Corroborating survivor account (hotel room, restaurant, etc.)
- Disproving alibi (card used in different location than claimed)

How to obtain:

- Subpoena bank or credit card company
- Request transaction history for specific date range
- Includes merchant name, location, date, time, amount

### 4. Transit and Transportation Records

Rideshare services:

- Uber, Lyft ride history
- Pick-up and drop-off locations (exact addresses)
- Date and time
- Driver information (potential witness)
- GPS route taken

Public transportation:

- Transit card usage (metro, bus)
- Shows station/stop and time
- Some systems have cameras (see video surveillance section)

Taxis:

- Dispatch records (if called for pickup)
- Credit card receipts if paid by card
- Driver may remember passenger (witness)

Airlines, trains, buses:

- Ticket purchases
- Travel dates and destinations
- Seat assignments (potential witnesses)

How to obtain:

- Subpoena rideshare company (legal process team)
- Subpoena transit authority
- Contact taxi company dispatch
- Subpoena airline/train/bus company

## 5. Video Surveillance

Most powerful location evidence when available:

Sources:

- Business security cameras (stores, restaurants, bars, hotels)
- Residential cameras (Ring doorbells, security systems)
- Traffic cameras (intersections, highways)
- Public transportation cameras (buses, trains, stations)
- ATM cameras
- Parking garage/lot cameras
- Body cameras (law enforcement, security guards)

What video shows:

- Suspect's physical presence at location
- Date/time stamp
- Suspect's appearance, clothing
- Who suspect was with
- Suspect's vehicle (make, model, license plate)
- Suspect's demeanor and behavior
- Interactions with victim (if captured)

CRITICAL TIME SENSITIVITY:

- Most systems auto-delete after 7-30 days
- Some as short as 24-72 hours
- IMMEDIATE canvassing and preservation required
- Delayed collection = lost evidence

## 6. License Plate Readers (LPR/ALPR)

Automated systems track vehicle movements:

Systems:

- Law enforcement LPR cameras (patrol cars, fixed locations)
- Private LPR networks (parking enforcement, toll roads)
- Commercial systems (repossession companies)

What LPR shows:

- License plate number
- Date, time, location of scan
- Photo of vehicle
- Direction of travel

Useful for:

- Tracking suspect vehicle movements
- Placing vehicle near crime scene
- Establishing timeline
- Identifying suspect vehicle if description known but not plate

How to obtain:

- Law enforcement LPR: request from agency database
- Private networks: subpoena company
- Search by plate number OR location + date range

## B. OBTAINING LOCATION DATA

Legal process and technical procedures for acquiring location evidence.

### 1. Warrants and Subpoenas

Legal requirements vary by data type:

Search warrant required:

- Real-time GPS tracking
- Historical cell tower data (in most jurisdictions post-Carpenter decision)
- Content of communications

Subpoena or court order sufficient:

- Subscriber information (who owns phone/account)
- Transaction records (credit cards, rideshare)
- Non-content data (call logs, IP addresses)

No legal process needed:

- Public surveillance footage (request from business/residence)
- Publicly available information
- Consent from suspect (rare but possible)

Best practice:

- When in doubt, get warrant (higher legal standard = more defensible)
- Consult with prosecutor on legal requirements
- Case law evolving—privacy protections increasing

## 2. Service Provider Procedures

Each company has specific process:

Cell phone carriers:

- AT&T, Verizon, T-Mobile, Sprint
- Legal compliance departments
- Online portals for law enforcement requests
- Response time: 2-8 weeks typically

Tech companies:

- Google (location history, Gmail, Android)
- Apple (iCloud, Find My, location services)
- Each has law enforcement portal
- Specific formatting requirements for requests
- Response time: weeks to months

Rideshare companies:

- Uber, Lyft legal process teams
- Online submission portals
- Faster response (days to weeks)

Financial institutions:

- Banks, credit card companies
- Fax or mail subpoenas to legal department
- Response time: 2-4 weeks

Investigation tip:

- Preserve first (preservation letter within 72 hours)
- Then pursue legal process (warrant/subpoena)
- Follow up regularly on request status
- Companies lose requests—persistence required

## 3. Data Interpretation

Raw location data requires analysis:

Cell tower data:

- Comes as list of tower IDs with timestamps
- Must map towers to physical locations
- Account for tower coverage overlaps
- Expert analysis may be needed for court presentation

GPS data:

- Latitude/longitude coordinates
- Plot on map software (Google Maps, specialized tools)
- Create visual timeline of movements
- Identify significant locations (home, work, crime scene)

Financial records:

- Merchant name often includes location
- May need to research merchant address
- Online purchases show billing address, not physical location

Presentation:

- Create visual maps showing suspect locations
- Timeline graphics showing movements
- Side-by-side comparison with victim's account
- Highlight corroboration and contradictions

## C. VIDEO SURVEILLANCE COLLECTION

Time-sensitive canvassing and preservation protocols.

### 1. Immediate Canvassing (Within 24-72 Hours)

CRITICAL: This cannot wait. Evidence disappears daily.

Canvassing procedure:

- Identify crime scene location and suspect/victim travel routes
- Map area in expanding radius from crime scene
- Identify all businesses and residences with potential cameras
- Physically visit each location (phone calls insufficient)
- Document every location contacted (even if no cameras)

What to look for:

- Visible cameras on exterior of buildings
- Ring doorbells, Nest cameras on residences
- ATM cameras
- Parking lot/garage cameras
- Traffic cameras at intersections
- Businesses with good sightlines to street or crime scene

Questions to ask:

- 'Do you have security cameras?'
- 'Are they recording or just live feed?'
- 'How long do you keep recordings?'
- 'Do cameras cover the street/sidewalk/parking?'
- 'Can I see where they point?' (to assess coverage)
- 'Who can I contact about getting footage?'

Documentation:

- Create canvassing log (address, contact person, camera yes/no, footage retained yes/no)
- Take photos of camera locations and coverage areas
- Get business cards or contact info for follow-up
- Note retention periods for each system

## 2. Preservation Requests

Immediate preservation before formal request:

Verbal request (same day as canvass):

- Ask business/residence owner to preserve footage immediately
- Explain auto-deletion concern
- Request specific date/time range
- Most will comply voluntarily (especially businesses)

Written preservation letter (within 24 hours):

- Follow up verbal request with written letter
- Official department letterhead
- Specify: case number, date/time range, camera location, contact info
- Request preservation for 90 days pending legal process
- Email and hand-deliver if possible

If owner refuses:

- Obtain search warrant immediately
- For private residences: need probable cause camera captured evidence
- For businesses: lower bar (less privacy expectation for exterior cameras)
- Execute warrant before auto-deletion occurs

## 3. Collection and Chain of Custody

Proper evidence handling:

Collection methods:

- Request owner provide copy (USB drive, DVD, cloud link)
- If owner has technical capability, they can extract
- If not, investigator may need to access system directly
- Cloud-based systems: owner can share link or download
- Bring blank USB drives and DVDs to canvass

Verification:

- View footage on-scene to confirm it captured relevant area/time
- Check date/time stamps for accuracy
- Note video quality and whether suspect/victim identifiable
- Request all camera angles if multiple cameras

Chain of custody:

- Document who provided footage (name, contact, business)
- Date and time footage obtained
- Original vs. copy (note if original retained by owner)
- Label media immediately with case number
- Secure in evidence storage
- Create backup copy before review

Format issues:

- Proprietary video formats may require special software to view
- Request footage in standard format (MP4, AVI) if possible
- If proprietary, obtain viewer software from camera manufacturer
- Convert to standard format for court presentation (maintain original)

## 4. Review Protocols

Systematic review process:

Initial review:

- Focus on specific date/time range relevant to case
- Look for suspect, victim, suspect's vehicle
- Note any appearances with timestamps
- Capture screenshots of relevant frames

Detailed review:

- Watch expanded time range (before and after incident)
- Look for pattern behavior (suspect casing area, following victim)
- Identify other potential witnesses visible on footage
- Document all vehicles, people entering/leaving area

Enhancement:

- Use video enhancement software if image quality poor
- Zoom and stabilize on license plates, faces
- Adjust brightness/contrast for better visibility
- Frame-by-frame review for critical moments

Documentation:

- Create review log (which footage reviewed, by whom, when)
- Screenshot and timestamp all relevant moments
- Write detailed report of what footage shows
- Prepare video clips of key moments for prosecutor/court

## D. TIMELINE RECONSTRUCTION

Synthesizing multiple location sources into comprehensive timeline.

### 1. Mapping Suspect Movements

Create visual representation:

Tools:

- Google Maps / Google Earth
- Specialized crime mapping software
- Timeline creation tools (TimelineJS, etc.)
- Presentation software with map overlays

Map elements:

- Crime scene location (marked prominently)
- Suspect's home, work, frequent locations
- Victim's home, work
- All confirmed suspect locations from evidence (cell towers, GPS, video, transactions)
- Movement routes between locations
- Timestamps at each location

Layered approach:

- Base map showing geography
- Overlay 1: Cell tower coverage areas
- Overlay 2: GPS coordinates
- Overlay 3: Video surveillance locations
- Overlay 4: Transaction locations
- Different colors for different evidence types

### 2. Correlation with Survivor Account

Compare suspect's movements to survivor's narrative:

Corroboration points:

- Suspect was where survivor said (location match)
- Suspect was there when survivor said (time match)
- Suspect's route matches survivor's description
- Video shows suspect and victim together as described
- Transaction records match survivor's account (bought drinks at bar she mentioned)

Visualization:

- Side-by-side timeline: Survivor's account vs. Location evidence
- Highlight matches in green, discrepancies in red
- Show how location evidence fills gaps in survivor's memory
- Demonstrate consistency where survivor had details

Report language:

- 'Location evidence corroborates survivor's account in X ways...'
- 'GPS data places suspect at [location] at [time] as survivor reported'
- 'Video surveillance confirms suspect and victim were together at [location]'

### 3. Identifying Discrepancies

Address apparent inconsistencies:

Types of discrepancies:

- Survivor recalls different location than evidence shows
- Timeline doesn't perfectly match
- Suspect appeared in location survivor doesn't mention

Explanations:

- Trauma memory fragmentation (survivor may not remember all locations)
- Time estimation difficulty (survivor's sense of time impaired during trauma)
- Multiple locations (assault involved movement survivor doesn't recall)
- Adjacent locations (survivor said 'bar' but evidence shows 'parking lot outside bar'—functionally same)

Do NOT frame as survivor error:

Instead of: 'Victim was wrong about location'

Write: 'Location evidence provides additional detail beyond survivor's recall'

Instead of: 'Timeline inconsistent with victim statement'

Write: 'Location data establishes precise timeline, consistent with survivor's general account though more detailed'

### 4. Visual Timeline Creation

Create prosecutor and jury-friendly visual:

Horizontal timeline:

- Time axis across top or bottom
- Events plotted chronologically
- Color-coded by evidence type
- Icons or thumbnails (video still, phone icon, credit card icon)

Elements to include:

- Key events from survivor's account
- Cell tower data points
- GPS locations
- Video surveillance timestamps
- Financial transactions
- Communications (texts, calls)
- Suspect's claimed locations (if different—show discrepancy)

Presentation tips:

- Keep it clean and readable (not cluttered)
- Use consistent color scheme
- Legend explaining symbols and colors
- Large enough font for courtroom viewing
- Print on poster board AND provide digital version

## E. COUNTERING ALIBIS

Using location evidence to disprove false alibis.

### 1. Testing Suspect's Claims

Suspect's alibi statement:

Document claimed whereabouts:

- Where suspect claims to have been
- What time
- With whom
- Doing what
- How got there and left (walked, drove, rideshare)

Test each element:

- Cell tower data: Was phone in claimed location?
- GPS: Does location history support alibi?
- Video: Any surveillance from claimed location?
- Transactions: Credit card used in claimed area?
- Witnesses: Do alibi witnesses confirm?

Common alibi failures:

- 'I was home' → cell tower shows phone across town
- 'I was at work' → GPS shows route to victim's location
- 'I was at friend's house' → friend doesn't confirm OR video shows suspect elsewhere
- 'I was asleep' → phone activity shows texts/calls during claimed sleep

### 2. Digital Evidence vs. Stated Location

Location evidence rarely lies:

Confrontation in interview:

- Present suspect with alibi statement
- Show location evidence contradicting it
- 'You said you were [place], but your phone was [other place]'
- Give suspect opportunity to explain
- Document response (often confesses or changes story)

Prosecution strategy:

- False alibi = consciousness of guilt
- Shows suspect trying to hide whereabouts
- Undermines credibility on everything else
- Jury instruction: lying about whereabouts can be considered evidence of guilt

Report language:

- 'Suspect initially claimed to be [location] at [time]'
- 'Cell tower data places suspect's phone [different location]'
- 'When confronted with this evidence, suspect changed account to [new claim]'
- 'False alibi demonstrates consciousness of guilt'

### 3. Witness Verification

If suspect provides alibi witness:

Interview alibi witness:

- Separately from suspect (before suspect can coach)
- Ask detailed questions about timeframe
- What were you doing? What was suspect doing?
- How do you know what time it was?
- Were you together the whole time or did suspect leave?
- What was suspect wearing? Who else was there?

Verify witness account:

- Check witness location data (if available—cell tower, GPS)
- Does witness's own whereabouts confirm they were with suspect?
- Look for video of witness at claimed location
- Interview other potential witnesses at claimed location

False alibi witness indicators:

- Vague about timing ('around evening sometime')
- Can't recall specific details when pressed
- Story too perfect (rehearsed)
- Relationship to suspect (family, close friend, romantic partner)
- Witness's own location data contradicts their claim
- Changes story when confronted with evidence

## SECTION V - PART 3 SUMMARY

Surveillance and location data place suspects at scenes, corroborate survivor accounts, and destroy false alibis. Time-sensitive collection is critical—evidence auto-deletes rapidly.

Required components:

✓ Comprehensive location evidence collection:

- Cell tower data
- GPS (phone, vehicle, fitness trackers)
- Financial transactions
- Transit/transportation records
- Video surveillance
- License plate readers

✓ Immediate action (within 24-72 hours):

- Video surveillance canvassing
- Preservation requests
- Collection before auto-deletion

✓ Proper legal process:

- Warrants/subpoenas as required
- Service provider procedures
- Chain of custody

✓ Timeline reconstruction:

- Map suspect movements
- Correlate with survivor account
- Visual timeline presentation

✓ Alibi testing:

- Digital evidence vs. stated location
- Witness verification
- False alibi = consciousness of guilt

Location evidence is often the strongest evidence in sexual assault cases. It is objective, difficult to refute, and frequently contradicts suspect claims. Failure to collect location evidence—especially time-sensitive surveillance footage—is a critical investigative failure.

— END OF SECTION V - PART 3 —

## SECTION V - PART 4

# SUSPECT-FOCUSED INVESTIGATION

### Suspect Interview Strategy

## OVERVIEW

Suspect interviews differ fundamentally from survivor interviews. The goal is obtaining evidence, admissions, and confessions—not providing support. Suspect interviews are strategic, confrontational when appropriate, and designed to exploit inconsistencies. This section provides tactical guidance for interviewing sexual assault suspects effectively.

**CRITICAL:** Suspects are NOT entitled to trauma-informed interviewing. They receive constitutional rights (Miranda, attorney) but not the psychological accommodations provided to victims. The interview is adversarial by nature.

## A. TIMING CONSIDERATIONS

When to interview suspect affects what information is obtained and case trajectory.

### 1. Early Interview vs. Evidence Collection First

Strategic decision:

Interview BEFORE evidence collection:

Advantages:

- Lock in suspect's story before they know what evidence exists
- Get spontaneous statements that may contradict later evidence
- Suspect may provide information leading to additional evidence
- Element of surprise if suspect doesn't know investigation started

Disadvantages:

- Investigator lacks evidence to confront suspect with
- May give away investigation prematurely
- Suspect may destroy evidence once they know they're investigated
- Harder to challenge lies without evidence in hand

Interview AFTER evidence collection:

Advantages:

- Investigator has full evidentiary picture
- Can confront suspect with contradictions
- Know what suspect is lying about in real time
- Evidence already preserved (suspect can't destroy)
- Strategic presentation of evidence maximizes pressure

Disadvantages:

- Suspect may have lawyered up by this point
- Suspect has had time to prepare story
- May have consulted with others about what to say
- Evidence collection takes time (weeks to months)

Recommended approach:

- HYBRID: Conduct preliminary interview early (lock in basic story)
- Collect evidence thoroughly
- Conduct follow-up interview with evidence in hand
- Compare preliminary vs. follow-up statements for changes

## 2. Miranda Warnings and Right to Counsel

Constitutional requirements:

When Miranda required:

- Suspect is in custody (not free to leave) AND
- Being interrogated
- Both elements must be present

Custody determination:

- Formal arrest = custody
- Interview at police station may or may not be custody (depends on circumstances)
- 'Would reasonable person feel free to leave?' test
- When in doubt, give Miranda (safer for admissibility)

Miranda warnings content:

- Right to remain silent
- Anything said can be used against you
- Right to attorney
- Attorney will be provided if cannot afford
- Must obtain knowing, voluntary waiver

If suspect invokes rights:

- 'I want a lawyer' → interview STOPS immediately
- 'I don't want to talk' → interview STOPS
- Ambiguous statements ('Maybe I should get a lawyer') → clarify, don't continue interrogation
- Continuing after invocation = statements suppressed

Strategic considerations:

- Voluntary interview (not in custody) avoids Miranda entirely
- Some suspects waive rights and talk anyway
- Document Miranda administration on recording
- Have written waiver form (belt and suspenders)

## 3. Element of Surprise vs. Scheduled Interview

Surprise contact:

Advantages:

- Suspect unprepared, may make spontaneous admissions
- Catches suspect before they can destroy evidence
- Prevents consultation with attorney or others
- Emotional reaction may be revealing

Disadvantages:

- Suspect may refuse to talk without attorney
- May claim ambush/coercion later
- Confrontational approach may backfire

Scheduled interview:

Advantages:

- Appears less confrontational
- Gives suspect sense they're cooperating (may lead to more talking)
- Investigator can fully prepare
- Scheduled time ensures availability of resources (interpreter, etc.)

Disadvantages:

- Suspect has time to prepare story
- May consult attorney before interview
- May not show up

Best practice:

- Early investigation: Surprise approach
- After evidence collected: Schedule if suspect hasn't lawyered up
- Arrest situations: Interview immediately after Miranda

## B. INTERVIEW PREPARATION

Thorough preparation is essential to effective suspect interviewing.

### 1. Review ALL Evidence

Before interviewing suspect, investigator must know:

Physical evidence:

- SAFE/SANE exam results
- DNA results (if available)
- Photographs of injuries
- Crime scene evidence
- Clothing, bedding, or other physical items

Digital evidence:

- Text messages between suspect and victim
- Social media communications
- Suspect's search history (if obtained)
- Photos or videos from suspect's phone
- Dating app messages

Location evidence:

- Cell tower data
- GPS location history
- Surveillance footage
- Credit card transactions
- Rideshare records

Witness statements:

- Victim's detailed account
- Any eyewitnesses
- Disclosure witnesses
- Alibi witnesses (if claimed)

Pattern evidence:

- Prior reports involving suspect
- Other potential victims
- Modus operandi analysis

Preparation checklist:

- Create evidence summary sheet for quick reference
- Organize evidence thematically (chronological, by type)
- Identify strongest pieces of evidence to present
- Know evidence thoroughly (don't need to check notes constantly)

## 2. Know Victim's Account Thoroughly

Investigator must be expert on victim's narrative:

- Chronological sequence of events
- Specific details victim provided
- What victim says suspect said or did
- Victim's emotional and physical state
- Any resistance or objections victim expressed
- How assault ended
- Post-assault communications

Why this matters:

- Compare suspect's version to victim's
- Identify contradictions immediately
- Challenge suspect on inconsistencies
- Assess whether suspect's explanation plausible

Review victim interview recording:

- Hear victim's exact words and tone
- Note emotional moments
- Understand nuances that may not be in written report

### 3. Identify Contradictions to Exploit

Anticipate how suspect will lie and prepare counters:

Common suspect claims:

- 'It was consensual'
- 'It never happened'
- 'She wanted it / was flirting'
- 'I wasn't there'
- 'She's lying for [attention/revenge/money]'

Evidence that contradicts each defense:

'It was consensual':

- Victim's injuries
- Victim said 'no' in text messages
- Suspect's own apologies ('I'm sorry for what I did')
- Witnesses who heard victim say no
- Pattern of non-consensual behavior with others

'It never happened':

- DNA evidence
- Video showing suspect and victim together
- Suspect's own communications with victim about the encounter
- Suspect's search history (researching how to avoid detection)

'I wasn't there':

- Cell tower data placing suspect at scene
- GPS location history
- Video surveillance
- Credit card transaction nearby
- Witness who saw suspect there

Confrontation preparation:

- Anticipate defense and have evidence ready
- Don't reveal all evidence at once (strategic presentation)
- Let suspect lie first, then present contradicting evidence
- Document each lie and contradiction

### 4. Prepare Confrontation Points

Script key confrontation moments:

Question sequences:

- Start with open questions (let suspect provide version)
- Narrow to specific contradictions
- Present evidence contradicting suspect's claims
- Give opportunity to explain (often changes story)

Example confrontation:

Investigator: 'Tell me what happened that night.'

Suspect: 'I was never at her apartment.'

Investigator: 'Never?'

Suspect: 'Never.'

Investigator: [Shows cell tower map] 'Your phone was at this location for 3 hours that night.'

Suspect: [Often changes story at this point]

Evidence presentation order:

- Weakest to strongest (build pressure)
- OR save strongest for key moment
- Don't reveal everything (keep some in reserve)
- Let suspect think they might be getting away with lies, then reveal evidence

## C. INTERVIEW TECHNIQUES

Strategic approaches to elicit information, admissions, and confessions.

### 1. Reid Technique

Widely used interrogation method (use with caution):

Reid technique stages:

1. Direct confrontation ('We know you did this')
2. Theme development (provide moral justification)
3. Handle denials (cut off denials)
4. Overcome objections
5. Get suspect's attention (re-engage if withdrawing)
6. Handle passive mood (provide rationalization)
7. Present alternative questions (minimize vs. maximize)
8. Get oral confession
9. Convert to written statement

Theme development examples (sexual assault context):

- Minimization: 'She was flirting with you, anyone would have misunderstood'
- Maximization: 'This is going to look really bad unless you explain your side'
- Moral justification: 'You were drinking, things got out of hand'
- Blame victim: 'She was leading you on' (ethically questionable but sometimes effective)

CRITICAL WARNINGS about Reid:

- Can produce false confessions if misapplied
- Controversial and increasingly criticized
- Do NOT use on juveniles or intellectually disabled
- Courts increasingly scrutinizing Reid confessions
- MUST be recorded to document voluntariness
- Alternative approaches may be preferable

When Reid appropriate:

- Strong evidence of guilt
- Adult suspect with normal intellectual capacity
- Recording entire interview
- Investigator trained in technique

## 2. Cognitive Interview (Modified)

Cognitive interviewing adapted for suspects:

Standard cognitive interview is for cooperative witnesses, but elements can be used strategically:

Context reinstatement:

- 'Think back to that night. What were you doing earlier?'
- Get suspect to recreate mental context
- More likely to reveal details (including incriminating ones)

Open-ended narration:

- Let suspect tell their version without interruption
- Note contradictions for later confrontation
- Spontaneous statements often more revealing than answers to questions

Multiple retrieval attempts:

- Ask about same event from different angles
- Inconsistencies emerge across multiple tellings
- Truthful accounts remain consistent; lies vary

Change perspective:

- 'If someone else had been there, what would they have seen?'
- Can reveal details suspect didn't initially disclose
- May contradict earlier denials

## 3. Strategic Use of Evidence

How and when to present evidence:

Strategic Evidence Presentation (SEP) approach:

Phase 1: Free recall

- Ask suspect to provide account without mentioning evidence
- Document what suspect says voluntarily
- Identifies areas where suspect lies without prompting

Phase 2: Strategic questioning

- Ask about specific details you have evidence for
- Don't reveal you have evidence yet
- See if suspect lies when directly questioned

### Phase 3: Evidence disclosure

- Present evidence contradicting suspect's claims
- Start with less incriminating evidence
- Build to most damning evidence
- After each piece, give suspect chance to explain

Example sequence:

1. 'Tell me what happened that night' (free recall)
2. 'Were you at [location]?' (strategic question)
3. [If suspect denies] Show cell tower data (evidence)
4. 'How do you explain this?' (opportunity to change story)
5. Continue with stronger evidence (texts, video, etc.)

Don't reveal everything:

- Hold back some evidence
- If suspect later claims coercion, you can show they didn't know full case
- Gives ability to test new claims against unrevealed evidence

## 4. Confrontation Methods

Direct challenges to suspect's credibility:

Soft confrontation:

- 'That doesn't match what we know happened'
- 'Help me understand why [victim] would say something different'
- 'I'm having trouble believing that'
- Gives suspect face-saving way to change story

Direct confrontation:

- 'That's not true and we both know it'
- 'The evidence proves you're lying'
- 'We have video showing exactly what happened'
- More aggressive but sometimes necessary

Confronting contradictions:

- Point out when suspect's story changes
- 'A minute ago you said X, now you're saying Y'
- 'Which is the truth?'
- Forces suspect to either admit lying or create more lies

Presentation of victim's account:

- 'She says you held her down'
- 'She says she told you no multiple times'
- 'She says you threatened her'
- Gauge suspect's reaction (often revealing)

Future consequences:

- 'This is your opportunity to tell your side before this goes to court'
- 'Lying to me now only makes things worse'
- 'The DA will see you were uncooperative'
- CAUTION: Don't make promises you can't keep

## D. DOCUMENTING SUSPECT STATEMENTS

Meticulous documentation of everything suspect says.

### 1. Recording (ALWAYS)

Audio/video recording is mandatory for suspect interviews:

Why recording is essential:

- Captures exact words (no paraphrasing or memory errors)
- Documents voluntariness (no coercion)
- Preserves suspect's demeanor and tone
- Protects against false claims of investigator misconduct
- Courts increasingly requiring recording
- Jury can see suspect lying in real-time

Recording setup:

- Audio AND video (video captures non-verbal cues)
- Camera positioned to show suspect clearly
- Also capture investigator (shows no coercion)
- Test equipment before interview
- Backup recording device
- Label with case number, date, time immediately

What to record:

- Entire interview from start to finish (no gaps)
- Miranda warnings and waiver
- All questions and answers
- Breaks (note when recording paused/resumed)
- Suspect's emotional state and demeanor
- Ending of interview

If suspect refuses recording:

- Document refusal on recording before stopping
- Note exact reason given
- Take detailed written notes instead
- Have second investigator present as witness

## 2. Contradictions with Evidence

Document every contradiction:

Create contradiction log:

- Suspect's claim vs. actual evidence
- Example: 'Suspect claimed never at apartment / Cell tower data shows 3 hours at location'
- Timestamp when contradiction occurred in interview
- How suspect reacted when confronted

Track story changes:

- Initial statement vs. later statements
- Note each time story shifts
- Changes often indicate consciousness of guilt

Report writing:

- Clearly document contradictions in report
- 'Suspect initially stated [X]. When presented with [evidence], suspect changed account to [Y].'
- Explain significance of contradiction
- Reference recording timestamp for verification

## 3. Admissions (Full or Partial)

Any admission is valuable:

Full confession:

- Suspect admits to assault
- Get details: what, when, where, how
- Document exact words used
- Have suspect write statement in own handwriting if possible
- Read back statement and have suspect confirm accuracy

Partial admissions:

- Admits to being there but denies assault ('We had sex but it was consensual')
- Admits to sexual contact but minimizes ('We only kissed')
- Admits to some actions but not others
- Still valuable—contradicts 'it never happened' defense

Implicit admissions:

- Apologies ('I'm sorry if I hurt her')
- Rationalizations ('She was asking for it'—implies it happened)
- Blame-shifting ('She wanted it'—admits sexual contact)
- 'I was drunk'—implies remembering doing something wrong

Documentation:

- Quote exact words in report
- Note tone and demeanor when admission made
- Explain what admission proves
- Reference recording timestamp

## 4. Lies and Deceptions

Document all lies:

Provable lies:

- Statements directly contradicted by evidence
- False alibis
- Denial of being at location when evidence proves presence
- Denial of knowing victim when communications exist

Indicators of deception:

- Story becomes more elaborate with each telling (truth stays consistent)
- Evasive answers ('I don't recall' to specific questions)
- Deflection ('Why don't you ask her?')
- Over-specificity about irrelevant details, vague about relevant ones
- Non-verbal cues (shifting, avoiding eye contact—less reliable but notable)

Why lies matter:

- Demonstrate consciousness of guilt
- Undermine credibility generally
- Can be presented to jury
- 'If defendant is innocent, why lie about [X]?'

## 5. Consciousness of Guilt Indicators

Behaviors suggesting suspect knows they're guilty:

During interview:

- Extreme nervousness disproportionate to situation
- Asking what evidence exists before providing account
- Asking about punishment or charges before being accused
- Attempting to negotiate before admitting anything
- Minimization attempts ('It wasn't that bad')

Before interview:

- Fled jurisdiction
- Destroyed evidence (deleted texts, factory reset phone)
- Coached alibi witnesses
- Threatened victim to not report
- Changed appearance significantly

Post-assault behavior:

- Excessive apologies
- Attempts to monitor victim's activities
- Spreading preemptive rumors about victim
- Research on legal consequences (search history)

Documentation:

- Note all consciousness of guilt indicators in report
- Explain significance (innocent people don't flee, destroy evidence, etc.)
- Can be powerful circumstantial evidence

## E. POST-INTERVIEW ACTIONS

Follow-up based on suspect interview.

### 1. Immediate Evidence Follow-Up

Act on new information immediately:

If suspect mentions evidence:

- 'I texted her the next day' → Obtain those texts
- 'We took an Uber' → Subpoena Uber records
- 'We were at [location]' → Check surveillance cameras there
- Follow up on any factual claims suspect made

If suspect provides alibi:

- Interview alibi witnesses immediately
- Verify claimed locations with surveillance/records
- Obtain location data for claimed whereabouts

If suspect admits to any contact:

- Even if claiming consensual, now have admission to sexual contact
- Focus investigation on consent question
- Gather evidence showing lack of consent

### 2. Witness Interviews Based on Suspect Claims

Test suspect's version:

- Interview everyone suspect mentioned
- Ask open-ended questions first (don't reveal what suspect said)
- Compare witness accounts to suspect's claims
- Document consistencies and inconsistencies

If witnesses contradict suspect:

- Document contradiction clearly
- Consider re-interviewing suspect with new information
- Adds to consciousness of guilt evidence

### 3. Additional Surveillance If Needed

Based on interview, identify additional locations to check:

- Suspect mentioned places not previously searched for cameras
- Conduct immediate canvass (time-sensitive)
- May capture suspect going to/from scene
- May show suspect with victim as claimed or differently than claimed

### 4. Consultation with Prosecutor

Share interview results:

- Provide recording and transcript
- Highlight key admissions or lies
- Discuss charging decisions
- Identify any additional evidence needed
- Plan for potential defense strategies

## SECTION V - PART 4 SUMMARY

Suspect interviews are strategic, confrontational, and designed to obtain evidence and admissions. Unlike survivor interviews, suspects are not entitled to trauma-informed approaches—they receive constitutional rights but not psychological accommodations.

Required components:

- ✓ Strategic timing (early interview + evidence-based follow-up)
- ✓ Miranda compliance (when required)
- ✓ Thorough preparation (review ALL evidence, know victim's account, identify contradictions)
- ✓ Effective techniques (Reid/cognitive/strategic evidence presentation)
- ✓ Confrontation when appropriate
- ✓ Complete recording (audio + video, entire interview)
- ✓ Documentation (contradictions, admissions, lies, consciousness of guilt)
- ✓ Immediate follow-up (evidence, witnesses, additional surveillance)

Key principles:

- Let suspect lie before presenting contradicting evidence
- Document every contradiction and change in story
- Any admission (full or partial) is valuable
- Lies and false alibis = consciousness of guilt
- Record everything to protect against coercion claims

Suspect interviews often provide the strongest evidence in sexual assault cases. Well-prepared, strategically conducted interviews produce admissions, reveal lies, and demonstrate consciousness of guilt. Combined with physical, digital, and location evidence, suspect interviews complete the investigative picture.

— END OF SECTION V - PART 4 —

SECTION V: SUSPECT-FOCUSED INVESTIGATION - COMPLETE

SECTION VI - PART 1

## SPECIAL POPULATIONS

### Minor Victims

#### OVERVIEW

Child sexual abuse investigations require specialized knowledge, training, and protocols. Children are not small adults—they have different developmental capacities, communication abilities, and trauma responses. This section addresses investigations involving victims under age 18, with particular attention to legal requirements, forensic interview protocols, and child-appropriate evidence collection.

**CRITICAL:** Forensic child interview certification is required for interviewing minor victims. General law enforcement training is insufficient. Improper interviewing can contaminate evidence and re-traumatize children.

## A. DEVELOPMENTAL CONSIDERATIONS

Children's cognitive, emotional, and communication abilities vary by age and development stage.

### 1. Age-Appropriate Expectations

Preschool age (3-5 years):

Developmental characteristics:

- Limited vocabulary (may not know anatomical terms)
- Concrete thinking (difficulty with abstract concepts)
- Poor time sense (cannot estimate 'when')
- Short attention span (10-15 minutes maximum)
- Suggestible (more vulnerable to leading questions)

Interview implications:

- Use child's own words for body parts
- Very short interview sessions
- Avoid 'when' questions (ask 'before or after' events child knows)
- Use concrete, simple language
- NEVER use leading questions

Elementary age (6-10 years):

Developmental characteristics:

- Expanding vocabulary (may know some anatomical terms)
- Better time sense (can use school calendar, seasons)
- Longer attention span (30-45 minutes)
- Still concrete thinkers
- Beginning to understand shame/embarrassment

Interview implications:

- Can ask more detailed questions
- Use school events/holidays as timeline anchors
- Address shame sensitively
- Still avoid complex or leading questions

Adolescent (11-17 years):

Developmental characteristics:

- Adult-level vocabulary
- Abstract thinking emerging
- Strong sense of shame/embarrassment
- Peer influence important
- May minimize or deny to avoid consequences

Interview implications:

- Can conduct longer, more detailed interviews
- Address shame and self-blame directly
- Explain confidentiality limits clearly
- Be aware of minimization

## 2. Memory Formation in Children

Children encode and retrieve memories differently than adults:

What children remember well:

- Central details of traumatic event (what happened to their body)
- Sensory details (how something felt, smelled, looked)
- Emotionally significant moments

What children struggle to remember:

- Peripheral details (what perpetrator was wearing unless significant)
- Exact sequence of events
- Timing ('when' it happened)
- Number of times (if repeated abuse, difficulty separating incidents)

Factors affecting child memory:

- Age (younger = less detailed narrative memory)
- Time elapsed (memory fades faster in young children)
- Repeated questioning (can introduce errors)
- Trauma (same hippocampal suppression as adults)
- Suggestibility (especially young children)

Interview approach:

- Focus on what child CAN remember
- Don't pressure for details child doesn't have
- Use open-ended questions to get spontaneous recall
- Accept 'I don't know' without pushing

## 3. Trauma Responses in Children

Children exhibit trauma differently than adults:

Behavioral signs:

- Regression (bed-wetting, thumb-sucking)
- Sexualized behavior inappropriate for age
- Nightmares, sleep disturbances
- Withdrawal from normal activities
- Aggression or acting out
- Avoidance of certain people or places

Emotional presentation:

- May seem unconcerned or emotionless (dissociation)
- May laugh or smile when discussing abuse (coping mechanism)
- May protect abuser (especially family member)
- May recant disclosure due to pressure

CRITICAL: 'Normal' emotional response to discussing abuse does NOT exist. Children respond in many ways, all valid.

## B. LEGAL REQUIREMENTS

Child sexual abuse investigations have strict legal requirements.

### 1. Mandatory Reporting

All states have mandatory reporting laws:

Mandatory reporters (varies by state but typically includes):

- Teachers, school personnel
- Healthcare providers
- Mental health professionals
- Childcare providers
- Law enforcement
- Some states: ANY person (universal mandatory reporting)

Reporting requirements:

- Immediate report to child protective services (CPS) AND/OR law enforcement
- Timeframe: immediate to 24 hours (state-specific)
- Failure to report = criminal penalty in most states

What triggers reporting:

- Reasonable suspicion (not proof) of abuse
- Low bar intentionally (better to over-report than under-report)
- Child's disclosure
- Physical evidence (injuries, STIs)
- Behavioral indicators

Coordination with CPS:

- CPS investigates child welfare/safety
- Law enforcement investigates criminal conduct
- Joint investigation often required
- Coordinate to avoid multiple traumatic interviews

## 2. Forensic Child Interview Protocols

Structured protocols are mandatory:

Recognized protocols:

- NICHD (National Institute of Child Health and Human Development) Protocol
- ChildFirst Forensic Interview Protocol
- Finding Words (through National Children's Advocacy Center)
- Corner House RATAAC (Rapport, Anatomy, Touch, Abuse, Closure)

Common elements across protocols:

- Building rapport first
- Assessing child's communication ability
- Open-ended questions (NOT leading)
- Free narrative encouraged
- Focused questions only after free recall exhausted
- Closure phase addressing child's wellbeing

Why protocol adherence critical:

- Maximizes accurate information
- Minimizes contamination
- Defensible in court
- Reduces need for repeated interviews (traumatic)

## 3. Parent/Guardian Notification

When to notify parent/guardian:

Generally required UNLESS:

- Parent/guardian is suspected perpetrator
- Parent/guardian may be complicit or enabling
- Notification would endanger child
- Parent/guardian would destroy evidence
- Parent/guardian would intimidate child into recanting

How to notify:

- Explain investigation sensitively
- Assess parent/guardian's reaction
- If supportive, involve in child's care
- If defensive of perpetrator, limit information shared

If perpetrator is family member:

- Non-offending parent must be assessed for protectiveness
- CPS may remove child OR remove perpetrator from home
- Prioritize child safety over family preservation

## 4. Multidisciplinary Team (MDT) Coordination

Child abuse cases require team approach:

MDT members:

- Law enforcement investigator
- Child protective services caseworker
- Forensic interviewer
- Prosecutor
- Medical provider (pediatric SANE)
- Victim advocate
- Mental health professional

MDT functions:

- Coordinate investigation to avoid duplicative interviews
- Share information (within legal limits)
- Develop coordinated case plan
- Ensure child safety
- Support prosecution

Children's Advocacy Centers (CACs):

- Neutral, child-friendly location for forensic interview
- Houses MDT services in one place
- Nationally accredited through National Children's Alliance
- Best practice for child abuse investigations
- Should be used whenever available

## C. INTERVIEW PROTOCOLS

Specialized forensic interview procedures for children.

### 1. Child-Friendly Environment

Interview space design:

Physical environment:

- Comfortable, non-institutional room
- Child-sized furniture for young children
- Bright, welcoming colors (not institutional gray/beige)
- Toys/books available in waiting area (not in interview room—distraction)
- Age-appropriate decorations
- Temperature controlled (comfortable)

Recording:

- Video AND audio recording mandatory
- Camera concealed or unobtrusive (reduces self-consciousness)
- Observation room with one-way mirror (MDT observes without overwhelming child)
- Only interviewer and child in room (unless support person needed)

Comfort items:

- Tissues readily available
- Water or juice
- Stress ball or fidget toy if child needs
- Drawing materials (can be used for communication)

## 2. Specialized Interviewer Requirements

Forensic child interviewer qualifications:

Required training:

- Forensic interviewing certification (40+ hours typically)
- Training in specific protocol (NICHHD, ChildFirst, etc.)
- Child development knowledge
- Trauma-informed care
- Annual continuing education

Experience:

- Supervised practice interviews
- Peer review of interviews
- Mentorship from experienced interviewers

Who should NOT conduct forensic child interviews:

- General law enforcement without specialized training
- Parents or family members
- Therapists treating the child (conflict of roles)
- Anyone without certification

## 3. Parent Presence Considerations

Generally, non-offending parent NOT present during interview:

Why parent typically excluded:

- Child may withhold information to protect parent's feelings
- Parent may inadvertently influence child's responses
- Parent's emotional reaction may distract or upset child
- Undermines interviewer's rapport with child

Exceptions (parent may be present):

- Very young child (under 4) too distressed without parent
- Child with disability requiring parent support
- Child absolutely refuses to proceed without parent

If parent present:

- Positioned behind child (outside child's visual field)
- Instructed to remain silent
- No facial expressions or reactions
- Interviewer addresses child only, not parent

## 4. Questioning Techniques

Question hierarchy (from best to worst):

1. Open-ended invitations (best):

- 'Tell me everything that happened'
- 'And then what happened?'
- 'Tell me more about that'
- Produces most accurate information

2. Focused questions (cued recall):

- 'You mentioned [person]. Tell me about [person].'
- Refocuses child on topic child already raised
- Still open-ended within focused topic

3. Multiple choice (use sparingly):

- 'Did this happen in the morning, afternoon, or night?'
- Include 'I don't know' option always
- Only when necessary to narrow details

4. Yes/No questions (very limited use):

- 'Did [person] touch you?'
- Only after open-ended exhausted
- Can produce inaccurate responses (children may just agree)

5. Leading questions (NEVER use):

- 'He touched you there, didn't he?'
- 'Your daddy hurt you, right?'
- Contaminates testimony, inadmissible in court
- Creates false memories in suggestible children

Use of interview aids:

- Anatomical drawings or diagrams (after verbal disclosure)
- Body maps for marking where touched
- Drawing own pictures to express what happened
- Anatomical dolls (controversial, use only if trained and appropriate)

## D. EVIDENCE COLLECTION MODIFICATIONS

Child-specific evidence collection procedures.

### 1. Pediatric SANE Exams

Specialized medical examinations for children:

Pediatric SANE (Sexual Assault Nurse Examiner) certification:

- Additional training beyond adult SANE
- Knowledge of child anatomy development
- Understanding of normal vs. concerning physical findings
- Child-appropriate communication

Exam differences from adult:

- Shorter exam (child's tolerance)
- Less invasive when possible
- External exam often sufficient (internal exam rarely needed for prepubescent)
- Explanation in age-appropriate terms
- Non-threatening positioning

Important considerations:

- MOST child sexual abuse leaves NO physical evidence
- Absence of injury does NOT mean abuse didn't occur
- Healing is rapid in children
- Many types of abuse (oral, touching) leave no physical findings

Parent/caregiver role:

- Non-offending parent typically present for support
- Positioned where child can see them
- Prepared beforehand about what to expect
- Encouraged to remain calm (child takes cues from parent)

### 2. Age-Appropriate Medical Procedures

Modifications for children:

Explaining procedures:

- Use simple, non-medical language
- Show equipment before using
- Explain what child will feel ('pressure' not 'pain')
- Allow child to hold parent's hand
- Give child some control ('Do you want to sit or lie down?')

Evidence collection:

- Same as adult (swabs, photos, clothing) but age-appropriate explanation
- Smaller speculums if any penetrative exam needed (rare)
- Photography with child's privacy protected as much as possible
- Consider sedation for very young/traumatized children (medical decision)

STI testing:

- Same STI screening as adults
- Some STIs diagnostic of sexual abuse (gonorrhea, chlamydia, syphilis in prepubescent)
- Others can be perinatally acquired (must rule out)

Pregnancy testing:

- For post-pubertal females
- Emergency contraception offered if within 120 hours
- Handled sensitively with age-appropriate explanation

### 3. Digital Evidence from Minors

Children have digital lives that may contain evidence:

Devices to examine:

- Cell phones (even young children often have them)
- Tablets, iPads
- Gaming consoles (used for communication)
- Computers (family or child's own)
- Smart watches

What to look for:

- Communications with suspect
- Grooming messages (adult building inappropriate relationship)
- Requests for inappropriate photos
- Disclosure to friends via text/social media
- Gaming platform communications (Discord, Minecraft servers, etc.)

Consent issues:

- Parent/guardian can consent to search of child's devices
- Child cannot refuse if parent consents
- Explain to child why examining device (find evidence to help their case)
- Handle sensitively (device may contain private information child is embarrassed about)

Online safety education:

- After abuse investigation, provide resources on internet safety
- Many child sexual abuse cases involve online grooming
- Prevention education for child and family

## E. SPECIAL PROTECTIONS FOR CHILD VICTIMS

Legal and procedural protections for children in justice system.

### 1. Courtroom Accommodations

Testifying is traumatic for children—accommodations help:

Closed courtroom:

- Exclude public and media (allowed in child sexual abuse cases)
- Only necessary parties present (judge, jury, attorneys, defendant)
- Reduces child's fear and embarrassment

Shielding from defendant:

- Positioning so child doesn't have direct eye contact with defendant
- Screen between child and defendant (rare, constitutional concerns)
- Child can see attorney asking questions but not defendant

Support person:

- Victim advocate or support person sits near child
- Does not speak or coach child
- Provides emotional comfort

Age-appropriate questioning:

- Judge instructs attorneys to use age-appropriate language
- Breaks as needed
- Shorter testimony sessions

### 2. Videotaped Testimony

Alternative to live courtroom testimony:

Options:

- Forensic interview recording admitted as evidence
- Videotaped deposition (defense attorney can cross-examine)
- Closed-circuit television (child testifies from separate room)

Legal requirements:

- State-specific (not all states allow)
- Often requires showing that live testimony would traumatize child
- Defendant's confrontation rights must be preserved
- Generally more accepted for very young children

Advantages:

- Reduces trauma of testifying in front of defendant
- Can be done closer to time of disclosure (memory fresher)
- Less intimidating than full courtroom

Challenges:

- Defense may object (confrontation clause)
- Not available in all jurisdictions
- Jury may respond differently to video vs. live testimony

### 3. Victim Advocates for Children

Specialized advocacy for child victims:

Child-specific training:

- Child development and trauma
- Age-appropriate communication
- Family dynamics in child abuse
- Resources for children (therapy, support groups)

Advocate role:

- Support child AND non-offending parent/caregiver
- Accompany to forensic interview, medical exam, court
- Explain process in age-appropriate terms
- Connect to mental health services
- Assist with victim compensation applications
- Follow-up throughout case and after

Court Appointed Special Advocates (CASA):

- Volunteer advocates for children in court system
- Particularly in dependency (child welfare) cases
- May also be involved in criminal case
- Represent child's best interests

## SECTION VI - PART A SUMMARY

Child sexual abuse investigations require specialized knowledge, training, and protocols. Children are not small adults—they have unique developmental needs, legal protections, and trauma responses.

Required components:

- ✓ Developmental understanding (age-appropriate expectations, memory formation, trauma responses)
- ✓ Legal compliance (mandatory reporting, forensic protocols, parent notification, MDT coordination)
- ✓ Specialized interviewing (forensic child interviewer certification, child-friendly environment, appropriate questioning)
- ✓ Modified evidence collection (pediatric SANE exams, age-appropriate procedures, digital evidence from minors)
- ✓ Special protections (courtroom accommodations, videotaped testimony, child victim advocates)

Critical principles:

- Forensic child interview certification is mandatory, not optional
- Leading questions are never acceptable
- Absence of physical evidence does NOT mean abuse didn't occur
- Multidisciplinary team approach reduces trauma and improves outcomes
- Child's emotional presentation varies widely—all responses are valid

Child sexual abuse investigations demand the highest level of professionalism, training, and sensitivity. Improper handling re-traumatizes children and destroys cases. Proper protocols protect children, preserve evidence, and achieve justice.

— END OF SECTION VI - PART A —

Next: Part B (Sex Trafficking Victims)

SECTION VI - PART 2

## SPECIAL POPULATIONS

### Sex Trafficking Victims

#### OVERVIEW

Sex trafficking is modern slavery—the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act through force, fraud, or coercion. Trafficking victims face unique barriers to disclosure and require specialized investigation and support protocols. Law enforcement must recognize trafficking victims as crime victims, not criminals, even when they have been forced to engage in prostitution or other illegal activities.

**CRITICAL:** Any minor (under 18) engaged in commercial sex is automatically a trafficking victim regardless of force, fraud, or coercion. Adults engaged in commercial sex under force, fraud, or coercion are also trafficking victims. Victims must NEVER be arrested for prostitution or related offenses.

## A. IDENTIFYING TRAFFICKING VS. PROSTITUTION

Distinguishing trafficking from consensual prostitution is essential for proper response.

### 1. Legal Definitions

Federal law (Trafficking Victims Protection Act - TVPA):

Sex trafficking of minors:

- ANY person under 18 induced to perform commercial sex act
- Force, fraud, or coercion NOT required for minors
- Minor cannot legally consent to commercial sex
- Buyer and facilitator both commit federal crime

Sex trafficking of adults:

- Person 18+ induced to perform commercial sex act
- Through force, fraud, OR coercion
- All three elements required: act, means, purpose

Commercial sex act defined:

- Sex act for which anything of value given or received
- Not just money (drugs, housing, food, gifts qualify)
- Includes prostitution, pornography, stripping, escort services

### 2. Force, Fraud, and Coercion Indicators

Means of trafficking (for adults):

Force:

- Physical violence or restraint
- Sexual assault
- Confinement or physical restriction of movement
- Substance addiction deliberately created

Fraud:

- False promises (legitimate job, relationship, better life)
- Misrepresentation of working conditions
- Fake debts imposed
- False legal threats (claiming victim will be arrested/deported)

Coercion:

- Threats of harm to victim or victim's family
- Psychological manipulation
- Debt bondage (victim told they must work off inflated debt)
- Confiscation of identification documents
- Isolation from family, friends, support systems
- Controlling finances (victim has no access to money earned)
- Controlling movement (must ask permission to leave, escorted everywhere)
- Threats to report victim to law enforcement
- Blackmail (threatening to expose to family, show explicit photos)

CRITICAL: Force, fraud, or coercion need not be continuous. Initial means of trafficking establishes victim status even if later appears 'voluntary.'

### 3. Trafficking Indicators and Red Flags

During law enforcement contact:

Behavioral indicators:

- Fearful, anxious, submissive, or overly nervous
- Avoids eye contact with law enforcement
- Defers to another person who answers for them
- Scripted or rehearsed responses to questions
- Inconsistent story or unable to provide details about self
- Does not have control of own identification
- Not familiar with local area despite claiming to live/work there

Physical indicators:

- Signs of physical abuse (bruises, burns, injuries in various stages of healing)
- Malnourished or poor physical health
- Tattoos or branding (trafficker's name, bar code, 'property of' markings)
- Signs of untreated medical conditions
- Substance abuse or addiction

Circumstantial indicators:

- Not in possession of own money or ID
- Dressed inappropriately for weather or situation
- Living or working in same location as other sex workers
- High security measures at residence (bars, locks, cameras)
- Accompanied by controlling individual who won't let them speak alone
- Online escort ads showing same person in multiple cities
- Hotel room paid for by someone else
- Multiple cell phones or frequent phone number changes

Communication indicators:

- Refers to another person as 'boyfriend' or 'daddy' but relationship has controlling dynamics
- States they owe someone money and must work it off
- Expresses fear of law enforcement
- Minimizes or denies exploitation
- Claims to be 18+ when clearly younger (coached to lie about age)

## B. TRAUMA BONDING AND CONTROL

Trafficking victims often defend or protect their traffickers due to psychological manipulation and trauma.

### 1. Why Victims Defend Traffickers

Trauma bonding (Stockholm syndrome):

Psychological mechanism:

- Intermittent reinforcement (abuse followed by kindness)
- Victim becomes attached to trafficker as survival strategy
- Small acts of kindness feel magnified due to overall abuse context
- Victim may genuinely believe they love trafficker
- Victim may see trafficker as protector (from worse alternatives)

Manifestations:

- Defending trafficker to law enforcement
- Refusing to testify or recanting testimony
- Minimizing abuse ('It wasn't that bad')
- Blaming self instead of trafficker
- Returning to trafficker after rescue
- Hostility toward rescuers/investigators

**CRITICAL:** Victim defending trafficker does NOT mean trafficking didn't occur. Trauma bonding is predictable response to prolonged abuse and control.

### 2. Learned Helplessness and Control

Psychological control mechanisms:

Isolation:

- Cut off from family, friends, support networks
- Trafficker becomes only consistent relationship
- Victim has no one else to turn to
- Reinforces dependence on trafficker

Economic control:

- Victim has no access to money earned
- Trafficker provides all necessities (food, shelter, clothing)
- Creates financial dependence
- Victim believes they cannot survive without trafficker

Identity destruction:

- Constant degradation and humiliation
- Victim told they are worthless, no one else would want them
- Victim internalizes negative messages
- Sees self as 'damaged goods' beyond redemption

Learned helplessness:

- Repeated abuse with no escape leads to giving up
- Victim stops trying to resist or escape
- Appears compliant or accepting of situation
- Does NOT mean consent—means survival adaptation

### 3. Fear of Law Enforcement

Victims often see police as threat, not help:

Why victims fear law enforcement:

- Trafficker has told them police will arrest them
- Prior negative experiences (actually was arrested for prostitution)
- Fear of being deported (if undocumented)
- Shame and stigma (don't want family/community to know)
- Fear trafficker will retaliate if victim cooperates
- Distrust of authority figures generally
- Cultural or language barriers

Overcoming victim's fear:

- Immediately establish: 'You are not in trouble. You are a victim.'
- Do NOT arrest or threaten arrest
- Explain victim services available
- Connect with specialized trafficking victim advocate immediately
- Do not pressure for immediate cooperation (may take time to trust)
- Offer safe housing away from trafficker
- Explain immigration protections if applicable

## C. INVESTIGATION PROTOCOLS

Trafficking investigations must be victim-centered and trauma-informed.

### 1. Victim-Centered Approach

MANDATORY: Do NOT arrest trafficking victims for prostitution or related offenses.

First contact protocols:

- Screen for trafficking indicators at every prostitution/commercial sex encounter
- Separate from suspected trafficker immediately
- Interview in safe, private location
- Do NOT conduct interview in front of other officers or suspected trafficker
- Explain victim status and services

Building trust:

- Be patient—disclosure takes time
- Do not express judgment or disbelief
- Validate victim's experiences
- Connect with specialized advocate who can provide ongoing support
- Provide immediate needs (food, medical care, safe shelter)

Interview approach:

- Trauma-informed interviewing (as with sexual assault)
- Open-ended questions
- Allow victim to tell story at own pace
- Do not pressure for immediate full disclosure
- Multiple interviews likely needed as trust builds
- Focus first on victim safety, then investigation

## 2. Coordinating with Trafficking Task Forces

Trafficking investigations require specialized expertise:

Federal task forces:

- FBI coordinates Human Trafficking Task Forces in major cities
- Homeland Security Investigations (HSI) investigates trafficking
- Multi-agency coordination
- Resources and expertise beyond local capacity

When to contact task force:

- ANY suspected trafficking case
- Trafficking that crosses state lines
- Organized trafficking operation (multiple victims)
- International trafficking elements
- Cases involving minors

Task force resources:

- Specialized investigators
- Federal prosecution options
- Victim services funding
- Intelligence sharing across jurisdictions
- Training and technical assistance

### 3. Financial Investigation (FININT)

Follow the money to build strong case:

Financial exploitation evidence:

- Bank accounts controlled by trafficker
- Deposits from online escort ads or buyers
- Money transfer records (Western Union, MoneyGram, PayPal, Venmo, Cash App)
- Credit cards in victim's name but used by trafficker
- Hotel payments from same source for multiple locations
- Cell phone records showing bills paid by trafficker

Asset seizure/forfeiture:

- Trafficker's assets bought with trafficking proceeds
- Vehicles, homes, jewelry, cash
- Civil and criminal asset forfeiture available
- Forfeited assets can fund victim services

Money laundering:

- Trafficking proceeds often laundered through businesses
- Cash-intensive businesses (massage parlors, nail salons, restaurants)
- Additional charges strengthen prosecution

### 4. Pattern Analysis (Multiple Victims)

Traffickers typically have multiple victims:

- Search for other victims in trafficker's control
- Review online escort ads for same phone number/photos
- Check hotel records for pattern bookings
- Interview other identified victims
- Build pattern case showing trafficker's MO
- Multiple victims strengthen case dramatically

## D. EVIDENCE COLLECTION

Trafficking cases require diverse evidence sources.

### 1. Hotel Records and Online Ads

Hotel evidence:

What to obtain:

- Registration records (who paid, ID provided)
- Payment method (credit card in whose name)
- Room assignment records
- Surveillance footage (hallways, lobby, parking lot)
- Pattern of bookings (same person booking multiple rooms over time)
- Cell phone records showing calls/texts from hotel vicinity

Online escort ads:

- Platforms: Backpage successors, Craigslist (before adult section removed), SkipTheGames, Listcrawler, escort sites
- Preservation: Screenshot ads immediately (frequently deleted)
- Metadata: Posting IP address, phone numbers, email used
- Photos: Reverse image search to find same photos in different ads/locations
- Language: Coded language indicating trafficker control ('managed', references to 'daddy')
- Pattern: Same phone number across multiple ads (multiple victims)

Undercover operations:

- Contact via ad to arrange meeting
- Identify if trafficker controls ad
- Rescue victim during operation
- Arrest trafficker or buyers

### 2. Financial Records

Financial exploitation documentation:

Bank records:

- Subpoena trafficker's bank accounts
- Deposits matching trafficking activity
- ATM withdrawals at locations matching victim movements
- Account in victim's name but controlled by trafficker

Payment app records:

- Venmo, Cash App, PayPal transactions
- Payments from buyers to trafficker
- Pattern of payments matching escort ad activity

Debt bondage documentation:

- Ledgers or records trafficker keeps of 'debt' victim owes
- Text messages referencing money victim must earn
- Evidence of inflated or fabricated debts

### 3. Communications Showing Control

Digital communications:

Text messages/calls:

- Trafficker dictating where victim goes, what to do
- Threats if victim doesn't earn enough money
- Demanding photos of money earned
- Instructions for meeting buyers
- Controlling victim's communications with others
- Tracking victim's location

Social media:

- Posts showing victim with trafficker
- Comments indicating control relationship
- Messages between trafficker and other victims
- Evidence of grooming or recruitment

Recorded calls:

- If victim makes recorded call to trafficker, captures control dynamics
- Jail calls from arrested trafficker (may contact victims to threaten)

### 4. Medical Records

Medical evidence of trafficking:

Repeated STI treatment:

- Pattern of STI diagnoses indicating frequent unprotected sex with multiple partners
- Lack of consistent partner (suggestive of commercial sex)

Injuries:

- Pattern of injuries consistent with physical abuse
- Injuries in various stages of healing
- Defensive injuries
- Sexual assault injuries

Reproductive coercion:

- Forced abortions (multiple abortions)
- Lack of prenatal care (trafficker prevents access)
- Coerced sterilization

Substance abuse treatment:

- Addiction deliberately created by trafficker
- Overdoses
- Treatment attempts blocked by trafficker

## 5. Tattoos and Branding

Physical markings of ownership:

Trafficker tattoos:

- Trafficker's name or nickname
- 'Property of [name]'
- Bar codes (dehumanizing)
- Money signs, dollar bills, crowns (representing trafficker's wealth/power)
- Located on highly visible areas (neck, face, hands) or intimate areas

Branding:

- Burns in shape of initials or symbols
- Scarification
- Forced piercings

Documentation:

- Photograph all tattoos and brands
- Ask victim about circumstances (were they forced/coerced)
- Connect to trafficker identification
- Pattern across multiple victims (same trafficker brands all victims)

## E. SURVIVOR SUPPORT SPECIALIZED

Trafficking victims require intensive, long-term support services.

### 1. Safe Housing

Immediate safety priority:

Safe house requirements:

- Secure, undisclosed location
- Away from trafficker's area of operation
- Staffed by trained advocates
- Security measures (cameras, locks, check-in procedures)
- Residential treatment if substance abuse issues

Housing options:

- Trafficking-specific safe houses
- Domestic violence shelters (if no trafficking-specific available)
- Foster care for minors
- Transitional housing (6-12 months)
- Long-term housing assistance

Why safe housing critical:

- Victim cannot escape while living with trafficker
- High risk of being found by trafficker if stays in area
- Many victims return to trafficker due to lack of housing alternatives
- Safe housing = foundation for recovery

## 2. Expungement of Prostitution Charges

Vacating convictions:

Legal relief:

- Many states have laws allowing trafficking victims to vacate prostitution convictions
- Federal Trafficking Victims Protection Act provides framework
- Victim files motion to vacate based on trafficking victimization
- Court can expunge or seal records

Why this matters:

- Criminal record creates barriers to employment, housing, education
- Victim was forced into prostitution—should not have criminal record
- Enables fresh start and reintegration

Investigator role:

- Provide letter or testimony supporting victim's trafficking status
- Document coercion/force that led to prostitution arrests
- Connect victim with legal services for expungement process

## 3. Immigration Relief (T Visas)

For foreign national victims:

T visa:

- Temporary visa for trafficking victims
- Allows victim to remain in US legally
- Work authorization included
- Path to permanent residency after 3 years
- Derivative visas available for immediate family

Requirements:

- Victim of severe trafficking
- In US due to trafficking
- Complies with reasonable law enforcement requests
- Would suffer extreme hardship if removed from US

Law enforcement role:

- Provide Law Enforcement Agency (LEA) endorsement (required)
- Document trafficking victimization
- Confirm victim's cooperation with investigation
- Connect victim with immigration attorney

CRITICAL: Never threaten deportation. Inform victims of T visa protections immediately.

#### 4. Long-Term Trauma Counseling

Specialized mental health services:

Trafficking-specific therapy:

- Therapists trained in trauma, trafficking dynamics
- Address trauma bonding
- Rebuild sense of self and agency
- Process grief, loss, betrayal
- Substance abuse treatment if needed

Duration:

- Recovery from trafficking is measured in years, not months
- Ongoing support needed
- Relapses common (returning to trafficker)
- Patience and persistence required

Support groups:

- Peer support from other trafficking survivors
- Reduces isolation
- Shared understanding of trafficking dynamics

#### 5. Economic Stability Programs

Breaking financial dependence:

Job training and placement:

- Vocational training programs
- Resume building, interview skills
- Job placement assistance
- Employer education (hiring trafficking survivors)

Education support:

- GED programs
- College access and scholarships
- Vocational certifications

Financial literacy:

- Banking, budgeting skills
- Credit repair
- Financial independence building

Benefits access:

- Victim compensation funds
- SNAP, Medicaid, housing assistance
- Disability benefits if applicable

## SECTION VI - PART 2 SUMMARY

Sex trafficking victims face unique barriers and require specialized investigation and support. Traffickers use force, fraud, and coercion to control victims, who often defend their traffickers due to trauma bonding. Law enforcement must adopt victim-centered approaches that recognize trafficking victims as crime victims, never as criminals.

Required components:

- ✓ Trafficking identification (force/fraud/coercion indicators, minor = automatic victim)
- ✓ Understanding trauma bonding (victim defending trafficker ≠ no trafficking)
- ✓ Victim-centered investigation (NEVER arrest victim for prostitution)
- ✓ Task force coordination (FBI, HSI, specialized resources)
- ✓ Financial investigation (follow money, asset forfeiture)
- ✓ Comprehensive evidence (hotel records, online ads, communications, medical, tattoos)
- ✓ Specialized support (safe housing, expungement, T visas, trauma counseling, economic programs)

Critical principles:

- Any minor in commercial sex = trafficking victim (no force/fraud/coercion required)
- Victim defending trafficker is predictable trauma response
- Never arrest trafficking victims—they are victims, not criminals
- Financial investigation essential to dismantle trafficking operation
- Recovery is long-term—victims need years of support

Trafficking is modern slavery. Proper identification, investigation, and support can liberate victims and hold traffickers accountable. Improper handling—especially arresting victims—perpetuates their exploitation and trauma.

— END OF SECTION VI - PART 2 —

Next: Part C (Institutional Abuse)