

Purpose

It is the purpose of this policy to establish guidelines in handling information and evidence pertaining to victims of sexual assault whereby the victim is identified as “Jane Doe” by hospital personnel, for confidentiality purposes. This policy will guide agency personnel in the handling of calls from hospitals reporting “Jane Doe” cases and the handling, transportation and storage of evidence related to these incidents.

Policy

It is the policy of the Cecil County Sheriff’s Office to be compassionate and understanding of the needs of the sexual assault victim and the conflicts they must overcome in order to make an informed decision as to how to handle their victimization. In some cases, the victim may not be able to make the decision to participate in or pursue a criminal case at the time of the incident. As a result, the “Jane Doe Program” was developed.

A “Jane Doe” victim is defined as a victim of sexual assault who wants to remain anonymous and does not wish to disclose to police any information concerning the offense. The “Jane Doe” victim is afforded the opportunity to respond to the emergency room at Union Hospital for the purpose of receiving a Sexual Assault Forensic Examination (SAFE) by a qualified Forensic Nurse Examiner (FNE) and to receive medical treatment and counseling, related to the sexual assault.

The “Jane Doe” victim will disclose to the FNE, in confidence, information concerning the particulars of the offense to include the date, time, location, and the alleged suspect information. A report containing this information will be completed by the FNE, sealed in a confidential file, and maintained at Union Hospital. The SAFE examination will be conducted on the victim to document any trauma and verify a sexual assault occurred. As is standard in all sexual assault examinations, the Maryland State Police “Victim Sexual Assault Evidence Collection Kit” will be used to collect any and all forensic evidence to include DNA samples and the victim’s clothing. The hospital will assign a hospital case/file number to the evidence that will be marked “Jane Doe” case. The victim has ninety (90) days to decide whether to proceed with having the offense investigated by the appropriate law enforcement agency. At no time will the victim’s name or information be disclosed unless they come forward within the ninety (90) day period and decide to pursue a criminal investigation. If the victim elects to pursue the case, they will notify Union Hospital who will in turn make the necessary arrangements for the victim to meet with the appropriate law enforcement agency. The information obtained by the hospital, which was disclosed by the victim, will then be provided to the law enforcement agency.

The Cecil County Sheriff’s Office has accepted the responsibility of receiving from Union Hospital and maintaining the evidence of “Jane Doe” cases, which fall in the jurisdictions and town limits of the North East Police Department, the Perryville Police

Department, the Port Deposit Police Department and the Rising Sun Police Department. The Maryland State Police and the Elkton Police Department will handle and maintain all “Jane Doe” evidence that falls within their jurisdictions. The Cecil County Sheriff’s Office will maintain the evidence of these other police departments in the same manner as the Sheriff’s Office cases. In the event the victim comes forward within the ninety (90) day period, and the hospital notifies the Sheriff’s Office of this, the Sheriff’s Office will then investigate the allegations in accordance with the established Memorandum of Understanding.

In the event that the victim does not pursue the matter within the ninety (90) day period, Union Hospital will send a letter to the Cecil County Sheriff’s Office, Evidence/Property Officer, 107 Chesapeake Blvd., Suite 112, Elkton, MD 21921. This letter will serve as official notice that the victim in the referenced “Jane Doe” case has elected not to pursue the matter. This letter will also serve as written authorization for the Cecil County Sheriff’s Office to destroy any and all evidence related to this particular case. The evidence will be maintained until this letter has been received.

NOTE: The ninety 90 day period begins when the victim reports the incident to the hospital.

Procedures

- A. Upon the Sheriff’s Office receiving a call from the hospital emergency room regarding a “Jane Doe” case, a complaint control card will be opened, listing the hospital employee as the caller. The employee’s job title should be listed on the card along with their full name.
- B. The hospital employee/caller will provide the Duty Officer or Dispatcher with the hospital case file/control number.
- C. The hospital employee/caller will be provided with the assigned Cecil County Sheriff’s Office complaint control card number, and then they will request a Deputy respond to take the evidence into custody.
- D. All cards pertaining to “Jane Doe” cases will be coded “41” Miscellaneous.
- E. The remarks section of the card will contain the notation: “Jane Doe Case” and the hospital case/file number. A finished copy of this complaint control card will be provided to the Dispatch Manager.
- F. A Deputy will be dispatched to the hospital emergency room to collect the “Victim Sexual Assault Evidence Collection Kit” with an attached hospital form listing the CCSO and hospital case file/control number.
- G. The assigned Deputy will be provided the assigned Cecil County

complaint control number prior to arriving at the hospital. The Deputy will use this number to compare to the evidence he/she is receiving, as will the hospital staff.

- H. The Deputy will obtain the full name, title, and telephone number of the person from whom the evidence is obtained. The date and time the evidence was received will be noted. (All of this information will be used for the Cecil County Property Record Form that will track the “Chain of Custody”.)
- I. The Deputy will sign the hospital chain of custody logbook upon receiving the evidence.
- J. The Deputy will then transport the evidence directly to the Cecil County Sheriff’s Office where a Cecil County Property Record Form will be completed.
- K. The form will be completed as follows:
 - 1. The Deputy will note “Jane Doe” in the “Seized From” section of the form.
 - 2. The CCSO complaint control number and the hospital control number will be noted in the “Incident #” section of the form. The CCSO number will be documented first, followed by the hospital number.
 - 3. The “Owner” section of the form will contain the name of the police agency who has jurisdiction of the case, (i.e. Rising Sun Police Department, etc.)
 - 4. The “Received Form” block in the chain of custody section will contain the full name and title of the hospital staff member from which the evidence was received.
 - 5. The Deputy’s name will be documented in the “Received By” block and the evidence will be “Released To” CCSO property room.
- L. The Deputy will then attach a copy of the CCSO complaint control card to the evidence and then secure the evidence in the property room.
- M. No additional action is needed by the Deputy or the Dispatcher.
- N. No report will be generated, unless the victim comes forward within the ninety (90) day period.

- O. In the event the victim comes forward within the allotted time, and the Sheriff's Office is notified, the Duty Officer will notify the Criminal Investigation Division.
- P. When the police investigation is initiated, the complaint control card will be re-coded, at that time, to reflect the appropriate crime. The assigned Detective will initiate the change, the original case number will remain the same.
- Q. The evidence:
 - 1. will be stored separately in the property room; and
 - 2. will be retained until such time the victim elects to pursue the matter within the ninety (90) day period; and
 - 3. all letters received from the hospital authorizing the destruction of the evidence will be maintained by the Property Officer.
- R. This policy does not apply to cases where the victim is under the age of eighteen (18) and the alleged sexual assault involves a parent, family member, household member or other person who has permanent or temporary care and/or custody or has the responsibility for the supervision of a minor child. For such cases, it is mandated by law that these cases be reported to the Department of Social Services, and the appropriate law enforcement agency for investigation.