

**Purpose**        **The purpose of this policy statement is to establish guidelines to govern the conduct of sexual assault investigations and to emphasize a compassionate and supportive approach on the part of the investigating officers towards the victim.**

**Policy:**        **It is the policy of the Cecil County Sheriff's Office:**

- A.    The health and safety of a sexual assault victim is of paramount importance. The victim's physical condition and mental state should be immediately assessed and appropriate medical attention provided, if required.
- B.    The first officer to respond to a sexual assault has three primary responsibilities:
  - 1.     Physically protect and emotionally support the victim
  - 2.     Identify, isolate and protect the crime scene
  - 3.     Conduct a quality preliminary investigation
- C.    The investigating officer shall candidly inform the victim what will be expected of him/her in the ensuing criminal investigation and any possible court appearances.
- D.    Cecil County Sheriff's Office will interact will respect and protect the identity and confidentiality of the sexual assault victim.
- E.    Cecil County Sheriff's Office Personnel will interact with all sexual assault victims in a totally considerate and empathetic manner and to conduct the investigation objectively and professionally, without any preconceived or biased judgments relating to the victim's background, personal circumstances or perceived motivation.

### III.    GUIDING PRINCIPLES

- A.    Officers investigating sexual assaults will not, at the onset of a sexual assault investigation, routinely request victims to undergo a polygraph examination merely to pre-assess the credibility to their account. The use of a polygraph examination of the victim shall only be sought after the completion of a through investigation of all the available evidence relating to the reported incident.
- B.    Polygraph examinations of sexual assault victims shall only be considered when the investigating officer has reasonable and articulable suspicion that a relevant and important part of the victim's report or testimony is false.
- C.    The principal investigating officer shall keep the sexual assault victim informed of the progress of the investigation.
- D.    Investigating officers will clearly and patiently explain to sexual assault victims the availability of appropriate victim assistance programs and services within their jurisdiction.

- E. Investigation officer will explain to sexual assault victim the purpose and availability of judicial Peace Orders and Protective Orders.

#### IV. DEFINITIONS

- A. Protective Orders are available for persons who have a relationship with the abuser: current or former spouse; cohabitant; have a child in common; relative by blood, marriage or adoption; or a victim, parent, stepparent, child or stepchild (of victim or abuser) who has lived with the abuser at least ninety days of the year before Protective Order is sought. Vulnerable adults also may qualify for protective orders.
- B. Peace Orders are not available for persons who qualify for Protective Orders. They are available for victims who have been subjected to serious bodily harm and/or are in fear of imminent serious bodily harm and are not related to the suspect/abuser. For example: persons who have been victimized by a neighbor, stranger, or someone with whom they are involved in a dating relationship may qualify for a Peace Order.
- C. Victims assistance programs are available in all Maryland counties and Baltimore City. They include 24-hour telephone “Hotlines”, crisis intervention, counseling, therapy and professional service referrals. Most are free of charge.

#### V. RELATED LAWS

- A. Peace Orders are covered in the Annotated Code of Maryland under the Courts and Judicial Proceedings Article 3-1501 – 3-1509
- B. Protective Orders and temporary Ex Parte Orders are covered in the Annotated Code of Maryland under the Family Law Article 4-501 – 4-511.
- C. Every law enforcement officer who receives a sexual assault report shall offer the victim the opportunity to be taken immediately to the nearest designated health facility, regardless of the type or degree of sexual assault reported. See: Annotated Code of Maryland Article 27, 790.
- D. On first contact with a sexual assault victim, a law enforcement officer shall give the victim a copy of a pamphlet describing victims’ rights, services, and procedures, before and after the filing of a charging document other than an indictment or information in circuit court. See: Annotated Code of Maryland, Article 27 770(b) and 841.

#### VI. VICTIM ASSISTANCE

- A. The Cecil County Sheriff’s Office Domestic Violence Coordinator shall be notified and made available to assist the victim in those cases where appropriate.

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Rodney E. Kennedy, Sheriff

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Date