Child Abuse & Sexual Assaults

- ❒ Assess risk to:
  - Self/other officers;
  - Victims/witnesses/family; and
  - Public.
- ❒ Assess medical needs of victim and transport to the appropriate facility, if necessary.
- ❒ Assess the need for a forensic medical exam (Sexual Assault Medical – SAM - Exam) of the victim (***usually*** no longer than 72-hours after the assault) – this time frame also applies to "date rape drugs."
  - 13 years and younger to Children's Hospital Oakland – Please call first 428-3000 and advise you are coming in.
  - 14 years and older to ACH.
  - All suspects (regardless of age) to Santa Rita Jail / Intake – SVU will make notifications to VBS for exam and determine whether exam should take place before or after the interview.
- ❒ Conduct preliminary interview of the victim and assess the following:
  - What took place? – Is the Corpus of a crime present? Is there probable cause to arrest? Is the suspect armed?
  - Jurisdiction (City) – Who should conduct the investigation?
  - Time frame of the assault.
  - Suspect identity – Is the offender known to the victim? What is the description, location, direction of flight, activity before, during and after the assault/incident?
  - Any vehicle description or license number.
  - Comm Order completed – Date and time.
  - Advise neighboring agencies if suspect might be in their jurisdiction.
- ❒ Assess Evidence & Collection
  - Request a Technician to process the scene and collect evidence.
  - Be mindful of and attentive to possible biological evidence: blood, saliva, urine, feces, etc. and any objects (face, neck, breasts, genitalia, clothing, cloths, rags, bedding, etc.) onto which it may have been transferred.
  - Identify the crime scene and determine if a warrant is necessary to seize possible evidence – if so, secure the area and get a warrant!
  - Photograph the victim and all injuries, prior to the examination if possible (injuries will be cleaned during the exam).
  - Consider having the victim give you a crime scene walkthrough when feasible.
- ❒ Identify all other involved parties or potential witnesses [take statements]
- ❒ Statements
  - Conduct a complete 'frame by frame' interview with victim – trying to remember as much as possible (recognize and be compassionate to the needs of the victim and their state of being).
  - Advise the victim of his/her rights per Penal Code Section 293 – Right to Identity Confidentiality.
  - Advise the victim of his/her rights per Penal Code Section 679.04 – Right to have present Rape Crisis/Support Staff.
  - ***NOTE: Although child interviews will be done at CALICO – still conduct a brief interview [take a statement] to establish the probable cause of the crime.***
  - Make sure to take a statement from the first person to whom the victim disclosed.
  - Remind all victims, witnesses, and others to provide good contact information and make themselves available to follow-up investigations.
- ❒ If the suspect(s) is/are arrested, ensure a Suspect Sexual Assault Exam is completed. In most all cases, a Special Victims "call-out" should be made – notify your supervisor ASAP on each and every 'in-custody' or other serious case.
- ❒ Contact Intake Desk and have them conduct Megan's Law check for 290's in the area.
- ❒ Sometimes it might be feasible to keep the suspect out of custody – call an on-duty/on-call investigator and run the case by them.
- ❒ Always notify your supervisor of 'in-custodies' and other serious cases, i.e., serial, ritualistic, sadistic etc. DGO M-18.

AT&T Language Line at 1-800-448-3003 (OPD account # 901010).

Domestic Violence & Physical Elder Abuse

- ❒ Assess risk to:
  - Self/other officers;
  - Victims/witnesses/family; and
  - Public.
- ❒ Assess medical needs of victim; transport to appropriate facility.
- ❒ Conduct preliminary interview of the victim and assess the following:
  - What took place? – Is the Corpus of a crime present? Is there probable cause to arrest? Is the suspect armed?
  - Are there weapons in the house (12028.5 PC)?
  - Jurisdiction (City) – Who should conduct the investigation?
  - Time frame of the assault.
  - Confirm identities of both suspects & victims.
  - Any vehicle description or license number.
  - Comm Order completed – Date and time.
  - Advise neighboring agencies if suspect might be in their jurisdiction.
- ❒ Assess Evidence & Collection
  - Technician called? If not, why?
  - Photograph the victim and all injuries prior to the examination – including the entire crime scene
  - If tech not available, stack a request and make sure to take very detailed notes of the scene
- ❒ Protection Issues
  - Determine if there is an EPO, an Active TRO, or other "Stay Away/Court Order" in existence or on file.
  - If you have reasonable grounds to believe a person is in immediate/present danger (Family Code 6250), get an Emergency Protective Order (EPO). **On-duty Commissioners** can be contacted at **883-0849**. If no answer or response – call ALCO S.O. 667-7777.
  - Provide victim with Resource Brochure.
  - Determine if the victim wants a DV Counselor. If so, they can be contacted at:
    - ° Business Hours: 238-3840
    - ° Non-Business Hours: 757-5123
- ❒ Get statements from witnesses and other family members.
- ❒ If children were present or witnessed the acts, you may have a 273(a) (b) P.C.
- ❒ Remember to advise the victim of Penal Code Section 293 – Right to Identity Confidentiality.
- ❒ Always notify your supervisor of 'in-custodies' and other serious cases, i.e., serial, ritualistic, sadistic etc. DGO M-18.

AT&T Language Line at 1-800-448-3003 (OPD account # 901010).

Missing Persons

(With a special emphasis on children)

- ❒ If circumstances warrant, consider activating patrol-vehicle-mounted video camera when approaching the scene to record vehicles, people and anything else of note for later investigative review.
- ❒ Interview parent(s)/guardian(s)/persons who made the initial report.
- ❒ Confirm child is in fact missing: Thoroughly search the house/room area.
- ❒ Verify child's custody status.
- ❒ Identify the circumstances of the disappearance.
- ❒ Determine when, where, and by whom the missing child was last seen.
- ❒ Interview the individuals who last had contact with the child.
- ❒ Identify the child's zone of safety for his/her age and developmental stage.
- ❒ Based upon the available information, make an initial determination of the type of incident whether non-family abduction; family abduction; runaway; or lost, injured, or otherwise missing.
- ❒ Obtain a detailed description of the missing child, abductor, and any vehicles used.
- ❒ Secure photographs/videotapes of the missing child/abductor.
- ❒ Evaluate whether the circumstances of the child's disappearance meet AMBER Alert criteria and/or other immediate community-notification protocol. Discuss plan of activation with supervisor/ Intake Desk (238-3641).

- ❒ Relay detailed descriptive information to Communications Division for broadcast updates.
- ❒ Determine need for additional personnel including investigative and supervisory staff.
- ❒ Brief and bring up-to-date all additional responding personnel.
- ❒ Identify and separately interview everyone at the scene. Make sure their interviews and identifying information are properly recorded. To aid in this process, if possible, take pictures/video images of everyone present. Video cameras affixed to patrol vehicles may be helpful with this task.
  - Listen closely to the verb tense of reporting persons; if person speaks of the M/P in the past tense (was vs. is), this could indicate a homicide has occurred.
  - Note name, address, and home/business telephone numbers of each person.
  - Determine each person's relationship to the missing child/person.
  - Note information each person may have about the child's disappearance.
  - Determine when/where each person last saw the child.
  - Ask each one, "What do think happened to the child?"
  - Obtain names/addresses/telephone numbers of the child's friends/associates and other relatives and friends of family.
- ❒ Continue to keep the Communications Division & the Intake Desk apprised of all appropriate developing information for broadcast updates.
- ❒ Obtain and note permission to search home or building where incident took place.
- ❒ Conduct an immediate, thorough search of the missing child or person's home, even if the child/adult was reported missing from a different location.
- ❒ Seal/protect scene and area of the child's home (including the child's personal articles such as hairbrushes, diaries, photographs, or items with the child's fingerprints/footprints/teeth impressions) so evidence is not destroyed during or after initial search and to ensure items which could help in the search for and/or to identify the child are preserved ❑ Determine if any of the child's personal items are missing. If possible, photograph/ videotape these areas.
- ❒ Evaluate the contents and appearance of the child's room/residence.
- ❒ Inquire if the child has access to the Internet and evaluate its role in the disappearance.
- ❒ Ascertain if the child has a cellular telephone or other electronic communication device.
- ❒ Extend search to surrounding areas including vehicles and other places of concealment.
- ❒ Treat areas of interest as potential crime scenes.
- ❒ Determine if surveillance or security cameras in the vicinity may have captured information about the child's disappearance.
- ❒ Interview other family members, friends/associates of the child, and friends of the family to determine:
  - When each last saw the child; and
  - What they think happened to the child.
- ❒ Contact Intake Desk and have them conduct Megan's Law check for 290's in the area as well as LRMS and CRIMS on the MP/missing child.
- ❒ Contact Intake Desk to ensure child/adult is put into NCIC within **TWO-HOURS**.
- ❒ Ensure you notify your supervisor & evaluate to determine if a YFSD Call-Out is required.
- ❒ Intake Desk can assist with TRAK Flyers and phone calls.

Drug Endangered Children (DEC) Cases

Definition: Case that involve children living in a home where controlled substances are manufactured, sold or used. DEC cases are broken down into levels: 1-3 with 1 being the most severe

❑ Officers discovering children who are subjected to exposure from controlled substances (including meth labs) need to:

1. Obtain medical attention for the children;
2. Contact the Intake Desk (238-3641) to coordinate police holds/protective custody and CPS responses.
3. Place them on a police hold and/or take them into protective custody
4. Obtain toxicology screen for child and process findings for evidence.
5. Collect child's clothing as evidence. Control substances might be recovered from same.
6. Process the home in which the crime too place as a crime scene, .e.g., photographs, collection of evidence, sketches etc. A warrant might be necessary.

NOTE: Attempt to take a picture of the child with their hands stretched over their head to demonstrate their physical reach and ability to acquire controlled substances

Charges:

- ❑ 273a(a) CPC Willful harm or injury to child; endangerment -Felony
- ❑ 273a(b) CPC Willful harm or injury to child; endangerment – Misdemeanor
- ❑ 11379.7 H&S – Enhancement – Clandestine Labs and children (2 year enhancement)
- ❑ 11383 H&S – Kids under 16 in house with Clandestine labs

Authority:

- ❑ 13879.80 CPC– Drug Endangered Children State Protocol

Investigative Checklist for First Responders

Youth and Family Services Division Cases

TF-3303 (Jun 09)