



Law Enforcement Response to Sexual Assault during the COVID-19 Pandemic

Educate Yourself. Stay Informed. Be Safe.

Responding to crimes against persons is considered an essential function of policing. Victims of sexual assault may face greater barriers to reporting crimes, accessing help, and obtaining support due to public health orders such as stay-at-home mandates during the COVID-19 pandemic. Despite the inherent difficulties of a global pandemic, law enforcement agencies can incorporate flexibility and innovation into both current and cold case sexual assault response efforts to ensure they are meeting the complex needs of victims, while also meeting the safety requirements of agency personnel, collaborating partners, and community members. Agency leaders should consider the following modified practices outlined in this tool to ensure agency personnel are able to safely perform essential duties related to sexual assault crimes during the COVID-19 pandemic.

INITIAL RESPONSE

During initial response to reported incidents of adult sexual assault, law enforcement personnel may be the first contact (physical or emotional) since the assault. Due to possible heightened safety and privacy concerns currently, consider adjusting practices to allow victims to determine the location and time for the initial report. Renewed activity in a cold case sexual assault may also result in contact with victims to notify of sexual assault kit results and case status. It is important to consider modifying contact practices to account for current safety and privacy concerns as well as travel restrictions for victims who live in another jurisdiction. The following suggested adjustments may enhance long-term engagement efforts with victims.

When contacting victims, first responders should:

- Pay special attention to their own eye contact, voice tone, speech patterns, and body language to convey genuine concern as personal protective equipment and physical distancing practices may impact the quality of interactions with victims.
- Incorporate information about current support and advocacy options available to the victim.

INTERVIEW AND CONTACT PRACTICES

During the COVID-19 pandemic, agencies should:

- Continue to initiate, conduct, and document investigations, interviews, and contact with crime victims in accordance with all applicable laws, rules, and directives; and in accordance with victims' rights, and account for the safety and privacy concerns of those involved.
- Utilize multiple communication avenues (virtual platforms, mobile phone, email, text) to contact victim, witness, and suspect both locally and in other jurisdictions.
- Consider expanding access for people without transportation options or those facing travel restrictions due to the COVID-19 crisis.
- Ensure language access needs are addressed in tandem with expanded communication avenues (e.g., arranging for professional interpreters who can participate in virtual and in-person communication; arranging for professional translation services for email and text communication).



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EVIDENCE COLLECTION

It is critical to ensure agency personnel keep informed of policy modifications due to COVID-19 related to crime scene evidence and sexual assault forensic exams. Documentation, collection, and preservation of evidence are crucial steps in criminal investigation and often provide the basis for effective identification and prosecution of offenders. While multiple agency practices have been modified due to the COVID-19 crisis, it is essential to ensure agency personnel at the patrol, supervisory, investigative, and crime scene unit levels have a thorough understanding of how to proceed safely with the:

- identification of crime scenes,
- collection of evidence (e.g. clothing, bedding, DNA, photos of scenes and injuries), and
- submission of evidence to the lab.

Investigative activity on cold case sexual assault may also require modification to practices relating to revisiting crime scenes for photos and reviewing evidence for possible additional collection or submission efforts. Agencies should:

- Cross-train personnel for effective and efficient evidence collection (e.g., between crime scene units and patrol, or between types of evidence within the crime scene unit).
- Assess evidence collection needs related to the lowest number of personnel to safely fulfill the need.

It is important for agency personnel to stay informed of policy modifications associated with sexual assault forensic exams for the collection of evidence from both victims and suspects (e.g., hospital entrance policies, exam locations, procedures for picking up evidence). In addition, agencies should work with correctional facilities to modify practices on how to continue to collect DNA from incarcerated suspects despite entrance restrictions due to infection control practices.

EFFECTIVE PARTNERSHIPS

It is essential to work closely with criminal justice and community partners to ensure all parties are aware of the others' current practices resulting from changes due to COVID-19. Agencies should:

- Communicate with the public on partnerships and actions being taken to support victims and hold offenders accountable in both current and cold case sexual assault response.
- Reinforce collaboration and remind community members of available services. For example:
 - Consider joint media releases
 - Cross-populate agency practices on partner websites and through resource material.
- Conduct multidisciplinary meetings (i.e. Sexual Assault Response Teams (SARTs), Sexual Assault Kit Initiative (SAKI) multidisciplinary team (MDT)) through virtual communication avenues and adjust the frequency of meetings to ensure all partners have the most current information possible.
- Review practice changes around sexual assault forensic exams (victims and suspects), advocacy (community- and system-based), prosecution, evidence (collection, submission, and testing), court procedures (civil and criminal), and jail practices.
- Establish new partnerships such as those with media, health officials, and businesses deemed as essential during the pandemic that could communicate important response practices to community members in need.



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ADMINISTRATIVE ACTIONS

Agency leadership and supervisors hold responsibility for setting effective response expectations to current and cold case sexual assault and often co-occurring crimes of domestic violence, stalking, and strangulation. Efforts to maintain regular agency response while following additional COVID-19 safety precautions are important. As restrictions ease around COVID-19 response, it is reasonable to assume that victims choosing to report sexual assault to law enforcement may increase. This may be due to reduced fears of contracting COVID-19, increased ability to physically separate from suspects, increased options for privacy, increased mobility options, and increased access to reporting mechanisms. Factor this potential reporting increase into future staffing plans to ensure appropriate and timely sexual assault response.

Leaders and supervisors are encouraged to utilize times of decreased reporting to ensure effective investigative and victims' rights practices in both current and cold case response are being exercised. Agency personnel can be directed toward completion of non-contact investigative actions such as:

- Completion of evidence inventories,
- Review and submission of additional evidence for testing,
- Review of audio and video recordings,
- Review of social media and cloud-based accounts,

- Review of jail calls,
- Comprehensive review of additional crime reports involving identified suspects,
- Completion of timelines for key case and suspect activity,
- Completion of entries into Violent Criminal Apprehension Program, and consultation with other law enforcement agencies for case connectivity,
- Communication with prosecutors around case preparation in alignment with modified court docket schedules,
- Evaluation of internal practices and tasks in connection with skills and abilities of both sworn and professional staff with possible modifications to assigned responsibilities, and
- Consideration of policy modifications beyond temporary practice changes.

Agency leaders and supervisors are encouraged to take intentional steps to maintain flexible and innovative practices to augment the essential function of effective sexual assault response beyond the current pandemic into the future.

RESOURCES

[Law Enforcement Response to Domestic and Sexual Violence and COVID-19 \(IACP\)](#)

[Sexual Violence Considerations Amid Covid-19 for Law Enforcement](#) (Oregon Sexual Assault Task Force)

[Using Virtual Meeting Software for the Law Enforcement Interview of Victims During COVID-19 and Beyond](#) (End Violence Against Women International)

[Court Appearances in Criminal Proceedings Through Telepresence](#) (Priority Criminal Justice Needs Initiative - A project of the Rand Corporation, Police Executive Research Forum, RTI International, and the University of Denver)

[Chiefs Counsel: Collections of DNA Upon Arrest: Expanding Investigative Frontiers](#) (IACP Police Chief, access limited to IACP members)

[Booking Station Hits: Arrestee Rapid DNA Analysis, Enrollment, and CODIS Hits](#) (IACP Police Chief, access limited to IACP members)