

Department of Emergency
Services and Public Protection
Division of State Police



P.R.E.A

Prison Elimination Act

Guidelines to investigated sexual assaults that have been reported by inmates of Connecticut confinement facilities.

The following guidelines have been prepared to insure that a complete and accurate investigation is conducted in all cases of reported sexual assaults from Connecticut confinement facilities. These facilities include adult lockups, juvenile detention facilities, and residential community confinement facilities.

Each investigation is unique and not all steps within this guideline necessarily need to be followed and additional steps may be required. This guideline has been created to assist the Trooper in their investigation.

It is necessary for the investigator to determine what type of facility is reporting the sexual assault. If it is a juvenile facility the investigator must take into account the special needs of a juvenile victim. The investigator should determine if the juvenile has an active case with the Department of Children and Families and if they are currently working with the juvenile victim. The investigator must also take into account the age and mental status of the victim when conducting an interview. The interview might meet the guidelines set for a forensic interview. A forensic interview should be conducted by an interviewer trained in these types of interviews.

The investigator should see if a Trooper has been assigned to that facility as a Prison Liaison. If this is the case the investigator should make contact with the Prison Liaison and discuss the reported case prior to proceeding. This allows the investigator the ability to understand how the facility typically handles complaints of sexual assault and if there are any special requirements needed to be met prior to entering the facility.

It is important to get detailed information from the reporting facility prior to proceeding with your investigation. This allows the investigator the ability to call upon any additional resources needed and also to see if the case would meet the State Police definition of a sexual assault. An example of this would be a Department of Corrections internal guideline to report a consensual sexual act within their facility to the State Police to be investigated. The investigator should still look into the complaint but quickly determine if they are investigating a report of a sexual assault or a consensual sexual relationship or act.

Sec. 54-222a. Duty of peace officer regarding crime victim. Regulations. (a) Whenever a peace officer determines that a crime has been committed, such officer shall: (1) Render immediate assistance to any crime victim, including obtaining medical assistance for any such crime victim if such assistance is required; (2) present a card prepared by the Office of the Chief Court Administrator to the crime victim informing the crime victim of services available and the rights of crime victims in this state.

Outside of a confinement facility an investigator would provide a victim with a "Office of Victim Services Card" (JD-VS-2) that provides contact numbers of services available to victims. Investigators would also contact the Sexual Assault Crisis Center so a Sexual Assault Crisis counselor can be made available to the victim. The investigator needs to speak with staff or administrators of the confinement facility to determine if internal counseling and similar services are provided within the facility. If they are not steps need to be taken by the investigator to assure that these services are available to the victim.

The investigator should be aware that in some cases of sexual assault the victim might be hesitant to make a full complaint during initial contact but this does not take away the investigators ability to collect evidence. The investigator should be aware that victims of sexual assault can submit to a Sexual Assault Collection Kit at an area hospital or confinement facility medical unit without

making an immediate complaint. Under C.G.S. 19a-112a, a sexual assault protocol was established that allows health care facilities to obtain Sexual Assault collection Kits from sexual assault victims without making a complaint to the Police. The medical facility collecting the sample will assign the kit a confidential number. The investigator then maintains the chain of evidence and transports the kit to the Forensic Laboratory. The Forensic Laboratory will hold the kit for 60 days giving the victim time to officially report the crime of sexual assault.

The following investigative steps can be taken:

- ⑩ Determine if medical attention has been given to the victim or if it is needed.
- ⑩ Take a statement from the victim taking into account the victim's age and if the victim is mentally delayed.
- ⑩ Collection of the CT 100 Sex Crimes Kit when necessary.
- ⑩ Get a Medical Release form signed by the victim for medical treatment in and out of the confinement facility and follow up medical treatment.
- ⑩ Photograph any visible injuries when appropriate understanding that injuries to the genital area and anus will be noted in the medical reports.
- ⑩ Collect any clothing that was worn during the reported sexual assault.
- ⑩ Determine if you have a scene to process understanding the limited expectations of privacy by the victim and the accused within the confinement facility.
- ⑩ Determine if you have witnesses of the incident to interview.
- ⑩ Check with staff and administrators of any video surveillance of the area the reported sexual assault took place.
- ⑩ If you are interviewing a suspect of the sexual assault and that suspect is an inmate remember he or she is not free to leave the facility. The investigator should read and have the suspect sign a Waiver of Rights form.
- ⑩ If the suspect is under the age of 18 years you are required to treat them as a juvenile and the appropriate steps should be taken to interview them as a juvenile suspect.