

SPECIAL VICTIMS UNIT

(SVU)

**COUNTYWIDE SEXUAL ASSAULT
&
SERIOUS CHILD ABUSE INVESTIGATIVE
MODEL PLAN**

PREPARED BY

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On behalf of Tompkins County Legislature

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TOMPKINS COUNTY SHERIFF'S OFFICE

SPECIAL VICTIMS UNIT (SVU)

Countywide Sexual Assault & Serious Child Abuse Investigative Model

Proposed staffing: 1 Lieutenant + 6 Criminal Investigators + 1 Sheriff Civilian Clerk

with a dedicated SVU Prosecutor & Victim Advocate

1. Executive Summary

Considering the national attention received regarding a recent Cornell University Police sexual assault investigation, followed by a declination of prosecution by the District Attorney, it has come to light that Tompkins County has a fragmented law enforcement structure for investigating sexual assault, serious child abuse, and related offenses across law enforcement jurisdictions. Currently, responsibility is distributed among the Tompkins County Sheriff's Office (TCSO), municipal police departments, New York State Police, and campus law enforcement agencies.

This report consists of a plan drafted by Tompkins County Sheriff Derek R. Osborne at the request of the Tompkins County Legislature to streamline all Sexual Assault/Serious Child Abuse investigations through the Tompkins County Sheriff's Office.

Tompkins County is in New York's Central Finger Lakes region and encompasses approximately 475 square miles. According to the U.S. Census Bureau, the county's population was 105,740 in the 2020 Census, with the July 2025 population estimate at approximately 104,047. The county includes the City of Ithaca, several villages and rural communities, and major institutions of higher education, including Cornell University, Ithaca College, and Tompkins-Cortland Community College. These institutions contribute to a population that includes students, faculty, employees, and visitors in addition to permanent residents.

Law enforcement services are provided through a decentralized network of county, municipal, state, and campus agencies. These include TCSO, the City of Ithaca Police Department (IPD), Village of Cayuga Heights Police Department, Village of Dryden Police Department, Village of Groton Police Department, and Village of Trumansburg Police Department, as well as the New York State Police, New York State Park Police, Cornell University Police, Ithaca College Public Safety, and Tompkins-Cortland Community College Public Safety. Each agency operates within its respective jurisdiction and authority, with responsibilities that may overlap depending on the location and circumstances of an incident. The Tompkins County District Attorney's Office, Child Protective Services, the Advocacy Center of Tompkins County, and medical and forensic service providers are also important partners in responding to and investigating sexual offenses and child abuse.

This structure provides multiple points of access for victims and complainants to report sexual assault and serious child abuse, but it also requires effective coordination among agencies with different staffing levels, investigative resources, policies, and jurisdictions. A countywide Special Victims Unit (SVU) would provide an opportunity to consolidate specialized investigative expertise, establish consistent investigative practices, strengthen coordination with victim-service and child-protection partners, and

improve continuity in complex cases. Through a clearly defined collaborative framework, the SVU could serve victims throughout Tompkins County while respecting applicable jurisdictional authority and maintaining productive relationships with participating agencies.

2. Mission

Create a specialized, countywide Special Victims Unit within the Tompkins County Sheriff's Office responsible for the criminal investigation of qualifying sexual assault and serious child abuse cases throughout Tompkins County, regardless of the agency receiving the initial report.

The objectives are to:

- Put specialized, highly trained investigators on qualifying cases from the beginning.
- Eliminate unnecessary duplication between law enforcement agencies.
- Reduce repeated interviews of victims.
- Establish one investigative case file and one investigative lead.
- Improve evidence collection and preservation.
- Create consistent countywide investigative standards.
- Strengthen coordination with Child Protective Services, the Advocacy Center of Tompkins County, the District Attorney's Office, medical providers and other law enforcement partners.
- Improve case preparation and prosecution.
- Provide smaller municipal agencies with immediate access to specialized investigators.

3. Benefits of a Special Victims Unit (SVU)

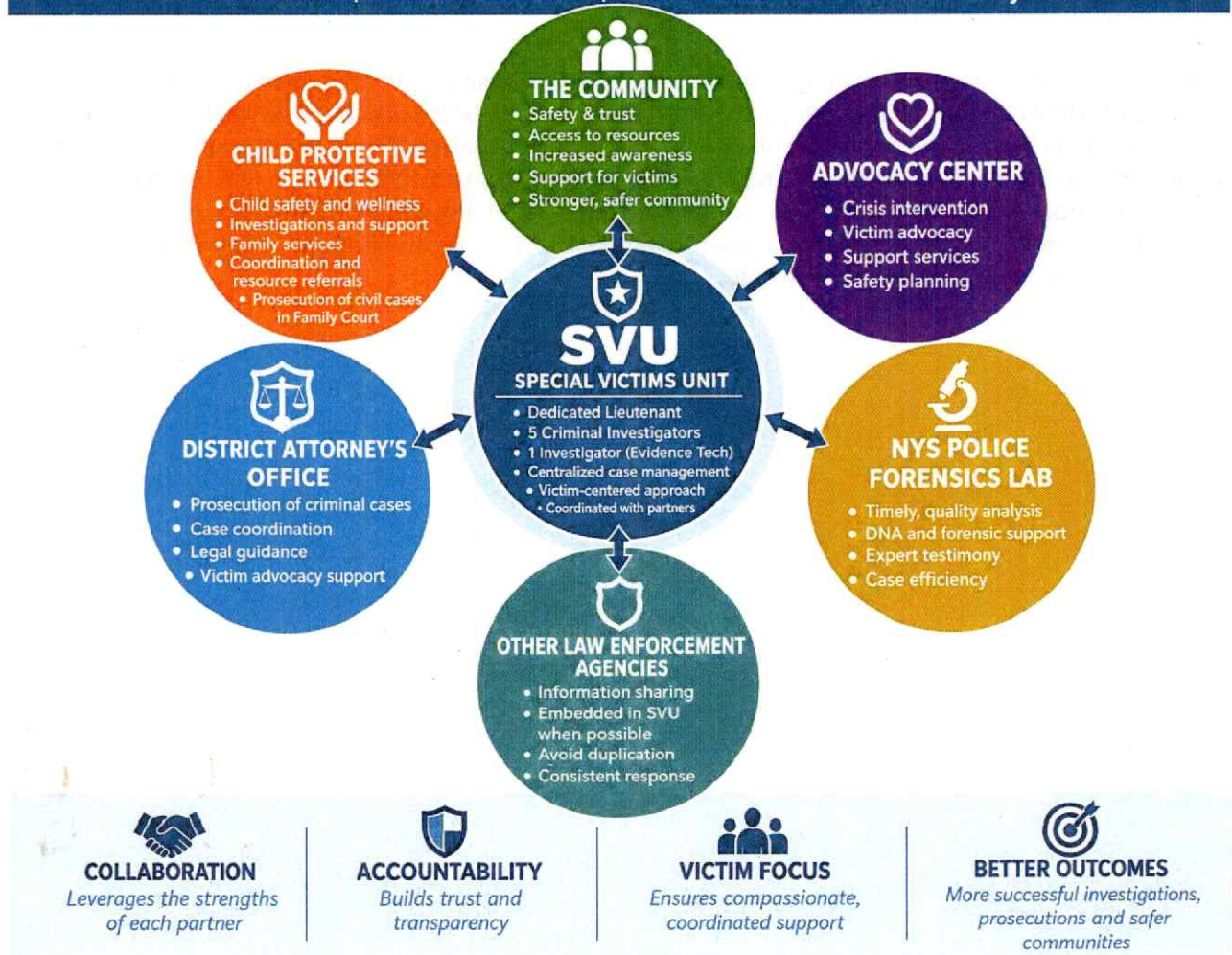
Sexual assault and serious child-abuse investigations are among the most time-intensive and specialized criminal investigations handled by law enforcement. They also require a great deal of collaboration and coordination to be successful. A single case may require forensic interviews, medical coordination, multiple victim and witness interviews, suspect interviews, search warrants, digital evidence examination, records subpoenas, prosecutor consultation, grand-jury preparation, and trial preparation.

TCSO's existing Criminal Investigation Division (CID) handled 436 cases in 2025 across a broad range of criminal matters. Those investigators are not dedicated exclusively to sex crimes or crimes against children. A specialized SVU would allow these complex cases to be handled by investigators whose primary responsibility is in this area. The creation of a separate SVU, under the direct supervision of a Lieutenant, separate from our current CID, would provide the span of supervisory control needed for such an undertaking. Our current CID would continue to operate; however, they would focus solely on property crime, robbery, homicide, burglary, drug investigation, serious non-sexual physical assaults, missing persons, and serious motor vehicle collisions.

STRONGER TOGETHER

A Coordinated Approach to Sexual Assault and Child Abuse Investigations

One Team | Shared Resources | Better Outcomes for Our Community



4. Victim-Centered Focus

The system should be designed to reduce the number of times victims must repeat their experiences to different organizations. The goal is one coordinated investigation, one primary investigator, one coordinated forensic interview when appropriate, one advocacy contact and consistent case updates.

Research examining reported rapes has found that college-age victims, defined as individuals ages 17–24, account for approximately one-third of rapes reported to law enforcement. This finding underscores the importance of coordinated sexual assault investigative resources serving college-age victims and the broader community.

Lindo, Jason M., Peter Siminski, and Isaac D. Swensen. (2018). "College Party Culture and Sexual Assault." *American Economic Journal: Applied Economics*, 10(1), 236–265. <https://doi.org/10.1257/app.20160031>

While an SVU would serve many other groups within Tompkins County, statistics suggest that a substantial number of these reports would come from the collegiate survivor community. Students may choose to report sexual assault through their institution's Title IX offices instead of local law enforcement, often because of a fear of engaging with police or a belief that local authorities may not be able to provide the support they need.

However, with recent events unfolding around the Cornell University case, there may be even more students who feel hesitant to rely solely on their institution's Title IX process and instead look for services that are independent of their academic institution. Having a specialized SVU could give survivors another option when deciding where and how to report, while creating a space here they can feel heard and supported. Establishing a specialized unit is one step toward building greater trust with survivors and making it more comfortable for them to come forward, particularly for students who may not feel that their university is the right place to seek help.

5. Countywide Reporting Data and Investigative Workload

[Workbook: NYS Index Crimes by Agency](#)

RAPE	2023	2024	2025
Cayuga Heights PD	0	0	0
Cornell University PD	4	7	0
Dryden Village PD	1	1	0
Groton Village PD	0	0	0
Ithaca City PD	6	7	7
Ithaca College Public Safety	5	7	14
NYS Park Police (TC only)	0	0	0
Tompkins Co Sheriff's Office	2	5	5
NYS Police (TC only)	18	11	4
Trumansburg Village PD	1	1	0
TOTAL:	37	39	30

*These numbers do not reflect sexual assault cases handled through Title IX that do not make it to campus police.

Cornell University: Campus Sexual-Offense Reporting

[CAMPUS WATCH](#) p.6

According to Cornell University's publication, *Campus Watch – 2026 Annual Security Report*, their crime reporting statistics related to reported sexual offenses represent much larger numbers than reflected by NYS DCJS. This is because many reports are made to Title IX and not CUPD. When a student reports a sexual offense to Title IX, they are informed that they can also make a report to CUPD or any other law enforcement agency of jurisdiction. This option is left up to the student. The 2026 Annual Security Report totals all reports made to both CUPD and Title IX. The following chart was created utilizing these numbers from their report:

Crime Classification	On Campus: Inc. Residential Facilities			Residential Facilities Only			Public Property			Non-Campus Building or Property		
	2023	2024	2025	2023	2024	2025	2023	2024	2025	2023	2024	2025
Rape	28	23	6	25	21	5	0	0	0	0	0	0
Fondling	22	21	7	6	11	1	0	0	0	1	1	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0

Ithaca College: Campus Sexual-Offense Reporting

[2026 Annual Security & Fire Safety Report](#) p.23

Crime Classification	On Campus			Student Housing			Non-Campus			Public Property		
	2023	2024	2025	2023	2024	2025	2023	2024	2025	2023	2024	2025
Rape	6	13	15	6	13	12	0	0	0	0	0	0
Fondling	9	10	12	4	8	8	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0

Tompkins-Cortland Community College: Campus Sexual-Offense Reporting

Campus Police: 2026 Annual Security & Fire Safety Report | Tompkins Cortland Community College

Crime Classification	On Campus: Inc. Residential Housing			Residential Housing Only			Non-Campus Property		
	2023	2024	2025	2023	2024	2025	2023	2024	2025
Rape	2	2	0	2	2	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0

Advocacy Center Adult & Youth Sexual Assault/Abuse Caseload

- In 2025, the Advocacy Center of Tompkins County received 355.
- 2026 the Advocacy Center received 227 through 09/30/26.
- *"There are assumed to be additional cases from any of the 3 campuses we weren't involved with, or any client's that presented at CMC (Cayuga Medical Center) and didn't want advocate support. I do believe that number would be low".*

– Bonni Georgia, Client Services Director & MDT Coordinator/Facilitator, Advocacy Center of Tompkins County.

Child Abuse Hotline Reports to Child Protective Services (CPS) 2025

- CPS processed 1141 hotline calls
- 49 abuse cases were received at intake. Of these, 46 included sexual abuse allegations.
- CPS estimates that **49 of the cases had some type of law enforcement involvement.**

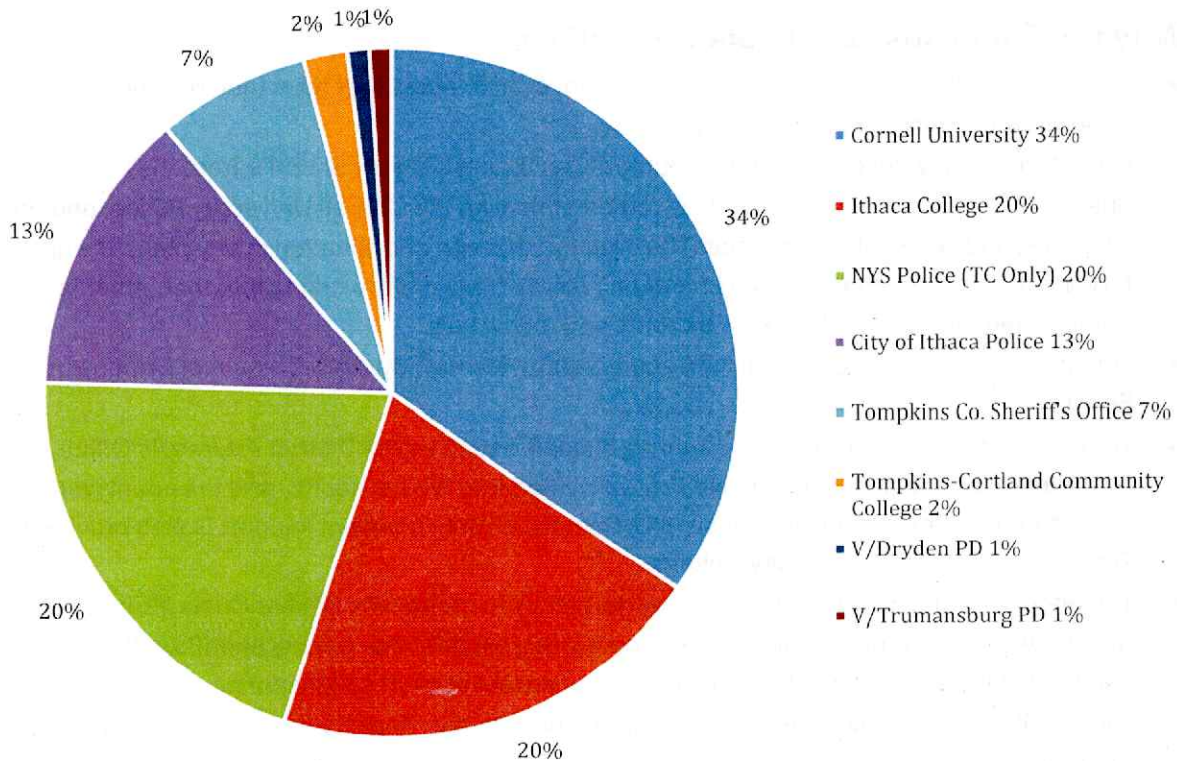
Agency Allocation Based on Rape Reports

Over the three-year time frame of 2023-2025, the total Rape reports received countywide were:

56 per year on average. Combined with CPS cases, this could lead to an SVU caseload of upwards of 105 total cases annually.

- This does not include reports that may have been received by the Advocacy Center of Tompkins County for which the victim chose not to report to law enforcement or Title IX.
- The following chart represents the average % of total Rape reports received by each agency for years 2023-2025 on average.
- The V/Cayuga Heights PD, V/Groton PD, and the NYS Park Police (TC only) did not receive Rape reports over the three-year span, so they were not included in the chart.

Average Annual Caseload by Agency % 2023-2025



6. Proposed Countywide Policy Statement

Tompkins County should have one specialized investigative response to sexual assault and serious child abuse allegations. The agency that receives the initial complaint should respond when necessary to protect life, preserve evidence and address immediate safety concerns. Once those immediate responsibilities are satisfied, the investigation should be transferred to the Tompkins County Sheriff's Office Special Victims Unit, which will serve as the countywide lead criminal investigative agency for qualifying cases.

The Sheriff's Office, Child Protective Services, the Advocacy Center of Tompkins County, the District Attorney's Office, participating law enforcement agencies, and appropriate medical and mental health providers will operate as a coordinated multidisciplinary team, with each organization retaining its independent statutory responsibilities.

This model is intended to eliminate unnecessary duplication, reduce repeated interviews, create consistent investigative standards, improve evidence preservation and provide victims and families with a coordinated point of contact throughout the criminal justice process.

7. Why the Tompkins County Sheriff's Office

- The Sheriff's Office has countywide jurisdiction, even in areas that have their own police department or campus public safety agency.
- Cornell University Police obtain their authority as Special Deputy Sheriff's from the County Sheriff. TCSO has an excellent working relationship with the Cornell University Police, and other agencies, and would like to maintain that relationship and coordination in any plan moving forward. It is in hope that with the Sheriff and Cornell University working together, other law enforcement agencies will see the benefits and follow suit.
- The Sheriff's Office has obtained NYS accreditation through the NYS Division of Criminal Justice Services.
- Tompkins County already leads partnering agencies such as the District Attorney's Office, the Department of Social Services/Child Protective Service, Whole Health, and the countywide Department of Emergency Response (911 Center). County financial support is also provided to Tompkins-Cortland Community College.
- The Sheriff's Office was the first countywide agency to create and initiate Crisis Alternative Response & Engagement Teams (CARE), partnering experienced deputy sheriffs with mental health clinicians that would be beneficial to our sexual assault call response.
- The Sheriff's Office maintains the countywide Sex Offender Registry and manages all reporting requirements.
- We have a strong record of transparency which includes publicly available policies on our website with opportunities to provide policy input. Hubs that provide call response data, use of force statistics, and CARE Team response data. Corrections data and an Animal Abuse Registry are in the works. Complaint filing instructions are also provided to the public in a variety of languages.
- Accountability in the form of being led by an elected official who is directly responsible to the public.

- The New York State Police have jurisdiction as well; however, they do not share our Records Management System and access to their investigations, reports, and results are typically unavailable to the County.
- The Sheriff's Office has strong and collaborative victim-centered policy in place regarding sexual assault response (if an SVU is established, this policy will need minor modification):

➤ G.O. 1006 Investigation & Response to Sexual Assault (**Attachment A**)

8. Proposed Organizational Structure, Staffing and Coverage

Sheriff → Undersheriff → Lieutenant, Special Investigations Unit → Six SVU Investigators

Position	Primary Responsibility
Sheriff, Undersheriff	Supervisory Oversight
Lieutenant — SVU Commander	Unit command, case assignment, quality control, DA liaison, training, policy, case review and program management.
Investigator 1	
Investigator 2	
Investigator 3	
Investigator 4	
Investigator 5	
Investigator 6	Evidence & Forensic Services
Civilian Sheriff Clerk	Case Coordination & Administrative Support
+ Investigator(s) from partnering agencies, i.e. CUPD	Investigative Support, Jurisdictional Liasson
Co-located Advocate - Advocacy Center of Tompkins County	Victim Advocacy & Support
Dedicated SVU Prosecutor	Assigned by the District Attorney

Staffing and Coverage

Normal coverage could use staggered weekly schedules consistent with contractual obligations, supplemented by an investigator on-call after hours. The on-call investigator would determine whether immediate response is required or whether the matter can safely be addressed during normal SVU hours.

The proposed schedule uses staggered day and evening shifts as it pertains to investigative shift assignments. The model includes one Lieutenant, five SVU Investigators, and a sixth Investigator assigned exclusively to evidence technician duties.

This model provides scheduled coverage from 7:00 a.m. to 10:00 p.m. Monday – Friday, coverage on Saturday, and overnight on-call availability; it does not establish a continuously staffed 24-hour unit.

Position	Proposed Schedule	Workdays
Lieutenant	7:00 A – 3:00 P	Monday - Friday
Criminal Investigators 1, 2 & 3	7:00 A – 3:00 P	Monday - Friday
Criminal Investigators 4	2:00 P – 10:00 P	Monday - Friday
Criminal Investigator 5	2:00 P – 10:00 P Tue-Fri Flex starting time between 7 A – 12 P on Saturday	Tuesday - Saturday
Evidence Technician Investigator	8:00 A – 4:00 P	Monday - Friday
Civilian Clerk	8:00 A – 4:30 P	Monday - Friday

This is a proposed baseline. The Lieutenant may adjust assignments to accommodate leave, training, scheduled interviews, forensic examinations, workload demands, and other operational needs.

Operational Guidelines

- **Evidence technician coverage.** The evidence technician investigator should ordinarily work 8:00 a.m.–4:00 p.m. and should not be included in the routine on-call rotation. A separate call-out procedure should address exceptional overnight evidence needs. This is considered a special assignment position in the labor contract, therefore normal working hours can be determined by the Sheriff.
- **Case continuity.** The assigned case investigator retains primary responsibility for the investigation. After-hours actions must be documented and communicated to that investigator.
- **Partner-agency protocols.** Define notification and response procedures with local law enforcement agencies, campus police, the Advocacy Center, and Child Protective Services.

Overnight On-Call Rotation (10:00 p.m.–7:00 a.m.)

One of the five SVU Investigators serves as the primary on-call investigator each week, with another investigator designated as backup. The five-week rotation distributes primary on-call duty approximately once every five weeks per investigator.

On-Call Responsibilities

- Assess urgent sexual assault and child abuse reports that cannot reasonably wait until the next business day.
- Coordinate with the responding agency and determine immediate investigative needs.
- Arrange or conduct time-sensitive victim and witness interviews when appropriate.
- Coordinate urgent forensic examinations, evidence collection, and notifications to partner agencies.
- If additional resources are necessary after hours, the on-call investigator will contact the Lieutenant.
- Document after-hours decisions and actions and brief the Lieutenant and assigned case investigator as soon as practicable.

Evidence Technician Investigator

This position would create dedicated evidence-management and forensic-support capability within the SVU rather than functioning as a general case investigator. Duties would include:

- Collection and preservation of physical evidence.

- Sexual-assault evidence/kit coordination.
- Crime-scene documentation and evidence photography.
- Evidence packaging, submission and chain-of-custody management.
- DNA and biological-evidence coordination.
- Digital-evidence intake and preservation.
- Coordination with forensic laboratories.
- Tracking outstanding forensic examinations.
- Evidence-related search warrant execution and coordination.
- Coordination of evidence transfers between agencies.
- Preparation and organization of evidence for court.
- Identification of forensic-investigation deficiencies in transferred cases.
- Training patrol officers and investigators on evidence preservation.

Case-Transfer Evidence Audit

Whenever an existing case is transferred to SVU, the Evidence Technician Investigator should conduct an evidence audit. The audit would identify missing, improperly documented, unsubmitted or outstanding evidence and establish a forensic action plan for the assigned investigator.

9. Interagency Participation, Governance and Legal Framework

The model could also provide for one-two designated investigator(s) from Cornell University Police through a formal interagency agreement. Ideally, any partner investigators would be assigned full-time or for a guaranteed, defined portion of their work schedules, rather than being available only on an ad hoc basis. However, a TCSO investigator will always be assigned as a lead investigator for each case.

- **TCSO / SVU Lieutenant:** Directs unit operations; establishes case assignments and priorities; monitors progress; reviews investigative completeness; coordinates resources and prosecutorial referrals; and resolves operational issues under the agreed protocols.
- **TCSO investigators:** Conduct and lead investigations, complete follow-up, coordinate countywide casework, and ensure cases are documented and advanced consistently.
- **Cornell University Police investigator(s):** Contributes campus-specific expertise, facilitates lawful coordination involving university records and witnesses, and conducts interviews and other investigative tasks assigned through the SVU.
- **Other Law Enforcement Agencies:** SVU service would also be offered to Ithaca College, Tompkins-Cortland Community College, the City of Ithaca Police Dept., Village of Groton Police Dept., Village of Cayuga Heights Police Dept., Village of Dryden Police Dept., and the Village of Trumansburg Police Dept., all of which would not have resources equivalent to those provided for in this plan. As the Ithaca Police Department is a large agency within Tompkins County, an SVU assigned investigator from their agency should also be welcomed should they choose to participate.

The SVU should be developed as a cooperative partnership, not as an effort by one agency to take over another agency's cases. Participating agencies bring institutional knowledge, established community relationships, jurisdictional responsibilities, and investigative experience. Where mutually agreed, investigators from participating agencies could be embedded within the SVU or assigned to joint investigations. TCSO would provide the unit's organizational home and operational leadership, while

participating agencies retain their respective institutional responsibilities under applicable law and the adopted agreements.

Interagency Agreement Requirements

Before implementation, TCSO and collaborating agencies should execute a written agreement, reviewed by appropriate legal counsel, that defines:

- The SVU's lead-agency role and the scope of cases accepted by the unit.
- Case assignment, operational direction, lead-investigator responsibilities, supervisory review and a process for resolving disagreements.
- The participating law enforcement agencies' commitments to dedicated investigator time, availability, training and participation in case conferences.
- Employment, payroll, benefits and disciplinary responsibilities for personnel assigned by partner agencies.
- The legal authority of each investigator, including any required appointments or designations.
- Evidence custody, records access, confidentiality, information sharing, retention and reporting requirements.
- Procedures for significant investigative decisions, case closure, reassignment and prosecutorial coordination, subject to applicable law.

Legal consideration: An interagency agreement can define the parties' working relationship but cannot independently expand an officer's statutory powers or override legal employment and supervision requirements. Counsel should confirm the applicable New York law, Cornell's special deputy framework, any necessary appointments or designations, and the precise scope of the Sheriff's operational direction before the model is adopted.

10. Cases to Be Referred to the SVU

Automatic referral criteria should include:

- Sexual assaults, rapes and criminal sexual acts.
- Serious child sexual abuse and sexual offenses involving children.
- Child sexual exploitation, online exploitation, or the distribution of child pornography.
- When serious neglect results in significant injury.
- Suspicious child deaths.
- Cases involving multiple victims.
- Cases involving educators, coaches, caregivers or other persons in positions of trust.
- Cases involving law enforcement, government personnel, or high-profile people.
- Serial or connected sexual offenses.
- Human trafficking involving a child.
- Other cases designated by the Sheriff, SVU Lieutenant or District Attorney as requiring specialized investigation.

11. Countywide Investigative Model, Workflow and Case-Transfer Protocol

The SVU is intended to provide a countywide specialized service for long-term investigation, forensic coordination, evidence management, victim coordination, and prosecution preparation.

Operational Workflow

Step 1 — Initial response

The agency receiving the complaint responds immediately, addresses safety and medical emergencies, separates victim and suspect, preserves the scene, identifies witnesses, prevents destruction of evidence and takes emergency enforcement action when necessary. The receiving agency limits the victim interview to who, what, when, where, and collects initial information via (modification will be needed for multi-agency use):

- Sexual Assault Preliminary Report (**Attachment B**)

Step 2 — SVU notification

The receiving agency notifies the SVU on-call investigator immediately. Responding officers should avoid conducting unnecessary detailed victim interviews when a coordinated forensic/ investigative interview can occur, while preserving information necessary for immediate safety and probable cause.

A Sexual Violence Response Advocate, "Advocate", will be co-located with the SVU Team at the Sheriff's Office. This Advocate will be employed, trained and supervised by the Advocacy Center of Tompkins County. The Advocate will be contacted immediately during the SVU Notification step of the Response Process. If the co-located Advocate is not available, the Advocacy Center's hotline should be contacted, and the on-call Advocate will be deployed as needed.

Consideration should also be made regarding the use of their child-friendly trauma informed location (CAC) to conduct and record forensic interviews of children. The Advocacy also has a mobile unit for such purposes that could be dispatched.

Step 3 — Referral, Acceptance and Assignment

Reports meeting the SVU's written acceptance criteria are referred to the unit and entered in a common case-management process. The SVU Lieutenant designates one accountable TCSO investigator as lead for each case and establishes the investigative plan. The originating agency becomes an assisting/initial-response agency and remains available for assistance as requested.

Step 4 — Investigative Task Assignment

TCSO and SVU-assigned investigators from participating agencies carry out assigned tasks such as interviews, evidence collection, witness follow-up and lawful records requests within their respective legal authority at the direction of the SVU Lieutenant and TCSO lead investigator.

Step 5 — Supervisory Review and Prosecutorial Coordination

The SVU Lieutenant monitors progress, addresses investigative gaps, coordinates resources and ensures required reviews occur.

The SVU coordinates case presentation and referrals with the appropriate prosecutor, who retains independent charging and prosecutorial discretion.



*"As evidenced by the MDT/SAIT which already exists for Tompkins County, we know that a multidisciplinary team is best practice in regard to sexual assault cases, minimizing further trauma to victims and providing a more solid investigation. **We, at the Advocacy Center fully support your proposed model of investigating sexual assault cases and the Sheriff's Office makes the most sense to house this specialized team.** With a specialized team, we will be able to provide focused training for those who handle these cases. With specialized and targeting training, we will be able to provide the level of care that victims deserve while also pursuing justice in the most effective manner".*

Jennifer Brownell – Executive Director, Advocacy Center

12. Multidisciplinary Team

The SVU should operate in partnership with:

- Tompkins County Child Protective Services
- The Advocacy Center of Tompkins County
- Tompkins County District Attorney's Office
- Appropriate medical and forensic providers
- Mental-health professionals when appropriate
- Participating municipal, campus and state law-enforcement agencies

The model should preserve the independent statutory and professional responsibilities of each organization. SVU handles criminal investigations; CPS handles child safety and protective services responsibilities; the Advocacy Center provides victim advocacy; medical providers handle medical/forensic care, and the District Attorney determines prosecutorial action

Case review would continue to be managed in partnership with the Advocacy Center of Tompkins County's Multidisciplinary Team/Sexual Assault Investigation Team (MDT/SAIT) framework.

Established in 1987, this framework coordinates the investigation, prosecution, and treatment of child sexual abuse and adult sexual assault cases in Tompkins County. Its membership currently includes law enforcement agencies, the District Attorney's Office, the Department of Social Services, Probation, Mental Health, the County Attorney's Office, Cayuga Medical Center's Sexual Assault Nurse Examiner (SANE) Program, and the Advocacy Center. A multidisciplinary Advisory Board, composed of senior representatives from participating agencies, provides oversight to promote a coordinated, effective, and comprehensive response to victims. If this plan is implemented, the law enforcement participation may be limited to the TCSO SVU team as the investigative process will be more streamlined.

13. Case Management, Accountability and Program Evaluation

Each SVU case should receive a unique case number and be tracked for:

- Originating agency and date reported
- Offense classification
- Assigned investigator
- CPS involvement
- Advocacy Center involvement
- Medical/forensic examination
- Physical and digital evidence
- Suspect identification
- Warrant and arrest status
- District Attorney referral
- Grand jury/prosecution status
- Final disposition

The Sheriff's Office could publish aggregate annual SVU statistics without releasing confidential victim or investigative information. Tracking on our public transparency hub should be considered.

Program Evaluation

Evaluation should assess investigative timeliness, case outcomes, victim experience, interagency coordination, workload, and resource utilization, subject to applicable confidentiality and reporting requirements.

14. Implementation, Case Transition and Recommended Next Steps

If the Tompkins County Legislature, participating law enforcement agencies and other partners elect to pursue the proposed Special Victims Unit (SVU), a formal planning group should be convened to develop the organizational structure, legal framework, operational protocols, and resource requirements necessary for implementation. An SVU Planning Group should be established.

Planning Group Composition

- Sheriff and Undersheriff: Executive oversight and operational accountability.
- SVU and Criminal Investigations Division (CID) leadership: Investigative procedures, staffing and operational coordination.
- District Attorney's Office: Prosecutorial coordination and case-screening requirements.
- County Attorney: Legal review of authority, jurisdiction, agreements and proposed legislation.
- Tompkins County Legislature: Legislative authorization, funding and staffing approvals.
- Child Protective Services (CPS): Child-safety coordination and referral procedures.
- Advocacy Center leadership: Victim advocacy and forensic-interview coordination.
- Medical and forensic partners: Examination, documentation and evidence coordination.
- Participating law enforcement agencies, including Cornell University Police Department and other interested agencies: Shared practices, referrals, information sharing and agency participation.
- Additional stakeholders as needed for campus jurisdiction, victim services, forensic resources, records management, labor, facilities and implementation logistics.

Before requesting final authorization, the planning group should confirm that the following implementation requirements are addressed:

- **Legislative authorization:** Determine, with County Attorney review, whether implementation requires a county resolution, local law, budgetary action, or other formal authorization. Any proposed legislation should clearly establish the unit's intended purpose, authority, and relationship with participating agencies.
- **Operating protocol:** Finalize written procedures for the workflow and related procedures described in this report, in consultation with participating agencies and legal counsel.

Facility and Resource Assessment

A physical and operational assessment should be conducted as to how the existing Sheriff's Office facilities can accommodate the proposed unit which is currently far too small. The assessment should consider:

- Dedicated office space for the Lieutenant and five plus Criminal Investigators.
- Secure evidence processing, temporary storage, and chain-of-custody requirements for the evidence technician investigator.
- Confidential interview rooms and private spaces for victims, witnesses, and families.
- Secure access to investigative records, digital evidence, and case-management systems.
- Appropriate workspace for participating agency investigators who may be embedded with the SVU.
- Access to meeting and coordination space for multidisciplinary case reviews.
- Information security, victim privacy, employee safety, and separation of confidential records.
- Required equipment, technology, vehicles, operating expenses, and future space needs.

The assessment should identify necessary renovations, estimated costs, potential funding sources, and any phased implementation options. Any embedded personnel or shared workspaces must operate under clear confidentiality, record access, and supervisory protocols.

As many of TCSO's deputies would be promoted to investigator positions necessary to create the SVU, a plan should be implemented that includes hiring incentives for lateral transfers from outside agencies to quickly backfill the resulting deputy openings.

Implementation Timeline

Timeline	Action
0–30 days	Planning committee; identify stakeholders; establish program objectives. Identify funding opportunities/sources.
30–60 days	Develop MOU or County Resolution/Law, SVU policy, case-transfer protocol, MDT protocol, on-call policy and evidence procedures.
60–90 days	Select Lieutenant and five investigators; begin specialized training. Backfilling deputy sheriff positions after promotions are made.
90–120 days	Pilot countywide model for sexual assault and child sexual abuse. Begin case transition.
120–180 days	Establish a go-live date to start receiving cases.
365 days	Conduct first formal program evaluation.

Case Transition Start Date

Once the SVU is established, a start date for the SVU to begin receiving cases should be determined. Investigations initiated prior to the established start date would remain with the originating agency.

Final Approval and Launch Sequence

After the planning work is complete, the proposal should proceed through the following final steps:

- Circulate the proposed framework to participating agencies and stakeholders for review and revision.
- Submit the completed proposal, including projected costs and implementation requirements, for formal legislative and administrative authorization or funding. A proposed budget is attached (**Attachment C**).
- Upon approval, finalize agreements, establish procedures, prepare facilities, train personnel, and implement the unit through an agreed-upon transition plan.
- Determine how to best educate our community on the SVU and solicit its use if needed.

The success of the SVU should be measured by whether it improves investigations, strengthens partnerships, protects victims, and delivers better outcomes for the community while preserving clear legal authority and accountable leadership.

ATTACHMENT A



INVESTIGATION AND RESPONSE TO SEXUAL ASSAULT

✓ new: rescinds: amends:		cross-reference: New York State Penal Law Section 130 & New York State Executive Law
		accreditation standards: NYSLEAP Standard(s): 29.4 & 29.5
effective date: June, 2020	amend date:	

I. PURPOSE

The purpose of this General Order is to provide officers and investigators with guidelines for responding to reports of sexual assault. This includes assisting victims, collaborating with local health and service agencies, conducting interviews with victims, witnesses, and suspects. Because of the special needs involved in sexual assault investigations, this policy is an all-inclusive document that covers first response, investigations, and prosecution.

II. POLICY

It is the policy of the Tompkins County Sheriff's Office to understand that a victim's distress may create an unwillingness or psychological inability to assist in the investigation. Officers and investigators play a significant role in both the victim's willingness to cooperate in the investigation and ability to cope with the emotional and psychological after effects of the crime. Therefore, it is especially important that these cases be handled from a nonjudgmental perspective so as not to communicate in any way to a victim that the victim is to blame for the crime. Members of the office are required to aid crime victims and encourage them to take advantage of assistance as provided by the New York State Crime Victim's Compensation Law.

Note: According to NYS Executive Law section 642(b), all police departments shall provide victims of crime defined in Article 130 of the Penal Law with the name, address and telephone number of the nearest Rape Crisis Center in writing. In Tompkins County that would be the Advocacy Center of Tompkins County.

III. DEFINITIONS

Consent: Words or overt actions by a person who is legally and functionally competent to give informed approval, indicating a freely given agreement to engage in sexual acts.

Forcible Compulsion: As used in this policy and stated in Article 130 of the New York State Penal Law, forcible compulsion means to compel by the use of physical force or to threaten a person so as to make them believe that they are in danger of immediate death or serious physical injury, or that another person will be kidnapped.

Sexual assault generally constitutes a felony when one of the following conditions exists:

1. Force was used or threatened, even if there is no bruise or injury to the victim;
2. The victim was afraid, even if this did not lead the victim to physically resist;
3. The victim was disabled and could not legally give consent (that is, the victim could not understand the nature or condition of the act due to illness or disability);
4. The victim was severely intoxicated or unconscious as a result of drugs or alcohol and was therefore unable to give informed consent at the time of the sexual act;
5. The victim was under the age of legal consent at the time of the sexual act.

Sexual Assault: As used in this policy refers to crimes of sexual violence.

Sexual Assault Medical Forensic Examination: An examination of a sexual assault patient by a health care provider, ideally one who has specialized education and clinical experience in the collection of forensic evidence and treatment of these patients.

Sexual Contact: As used in this policy and stated in Article 130 of the New York State Penal Law, sexual contact means any touching of the sexual or other intimate parts of a person not married to the actor for the purpose of gratifying sexual desire of either party. It includes the touching of the actor by the victim, as well as touching of the victim by the actor, whether directly or through clothing.

Victim Advocate: This generic term may apply to a wide range of service providers, rape crisis counselors, social workers, victim witness providers and law enforcement officers. Depending on the primary function of these different advocates, the levels of confidentiality and privilege they have will vary and should, therefore, always be understood by each member of the office and communicated to the victim.

IV. **PROCEDURES**

A. Initial Officer Response

1. As part of the emergency response, officers should:
 - Respond immediately to the location of the victim, which may or may not be the crime scene. If needed, summon emergency medical assistance. If the victim is not at the crime scene, determine the location of the crime scene(s);
 - Evaluate the scene for people, vehicles, or objects involved as well as a possible threat;
 - Relay all vital information to responding officers and supervisors, including any possible language barriers;
 - Secure the crime scene to ensure that evidence is not lost, changed, or contaminated;
 - Request assistance from investigators, evidence technicians, crime scene technicians, and the prosecuting attorney when appropriate;
 - Begin a search for the suspect when appropriate.

2. Special Considerations – Minors and Cognitively Impaired Adults

- Advocacy Center of Tompkins County shall be notified as soon as reasonably possible when reports of potential sexual assaults of minors and cognitively impaired adults are received.
- Officers responding to reports of sexual assaults involving these sensitive population groups shall limit their actions to the following:

- Ensuring the scene is safe;
- Safeguarding evidence where appropriate;
- Collecting any information necessary to identify the suspect;
- Addressing the immediate medical needs of the individuals at the scene.

- Officers should not attempt to interview the victim in these situations, but should instead await the arrival of individuals with specialized training and experience.

Note: CPS should be contacted for a joint interview.

- Officers should be cognizant of indicators of sexual abuse, which can include:
 - Symptoms of sexually transmitted diseases;
 - Injury to genital area;
 - Difficulty and/or pain when sitting or walking;
 - Sexually suggestive, inappropriate, or promiscuous behavior or verbalization;
 - Expressing age-inappropriate knowledge of sexual relations; and/or
 - Sexual victimization of other children.
- In the event that an officer has reasonable cause to suspect sexual abuse by a parent or caretaker the officer shall report their concerns by telephone to the New York Statewide Central Register of Child Abuse and Maltreatment (SCR) at 1 (800) 635-1522. Oral reports to the SCR must be followed within 48 hours by a written report to the local department of social services' CPS unit on form LDSS-221A.

B. Assisting the Victim

1. Officers should be especially sensitive to the needs of victims who have been subjected to a sex offense or incest. Therefore, it is the policy of the Tompkins County Sheriff's Office to treat victims of sex offenses and/or incest in accordance with provisions of subdivision 2-A of Section 642 of the Executive Law.
2. Show understanding, patience, and respect for the victim's dignity and attempt to establish trust and rapport.
3. Inform the victim that an officer of the same sex will be provided if desired and available.

4. Advocacy Center of Tompkins County should be contacted as soon as possible to provide assistance throughout the reporting and investigative process.
5. Supply victims of sexual assault with the phone number for the Rape, Abuse, and Incest National Network (RAINN) Hotline, 1-800-656-HOPE and/or supply the local Advocacy Center of Tompkins County Hotline, 1-607-277-5000. Assistance is provided 24 hours a day, 7 days a week. Services offered include law enforcement accompaniment, SANE hospital accompaniment, safe house shelter for domestic violence victims and their children. Also, provide an Office of Victims Services Card.
6. Request a response from the investigator and limit the preliminary interview, so that the victim is not then asked the same questions by the investigator again. **Note: Sexual assault victims must be interviewed in a private, secure area away from the general public or general police operations while at the station. The office of the Criminal Investigations Division will be used to conduct all interviews. Interviews of child and adolescent victims should be conducted at the child interview room, which is accessed by calling the CAC Lead Advocate at the Advocacy Center of Tompkins County.**
7. Be aware that a victim of sexual assault may bond with the first responding officer. It is important to explain the role of the different members of the sexual assault response team and help with transitions through introductions.
8. Record observations of the crime scene, including the demeanor of the suspect and victim and document any injuries or disheveled clothing.

C. Evidence Collection Issues

1. Officers shall request assistance or direction from crime scene technicians and/or evidence custodians.
2. Responding officers shall protect the integrity of the evidence and guard the chain of custody by properly marking, packaging, and labeling all evidence collected, including:
 - Clothing worn at the time of the assault and immediately afterward, especially the clothing worn closest to the genitals (such as undergarments, pants, and shorts);
 - Photographs of the victim's injuries (if any), the suspect's injuries (if any), and the crime scene prior to processing.
3. **Remember:**
 - When photographing a victim, be sensitive to the location of the injuries on the victim's body;
 - Summon an officer of the same sex as the victim;
 - Photograph victims using drapes and other techniques that help to maintain the victim's dignity;
 - Instruct medical personnel to take photographs of the genitalia when needed.

4. Processing the crime scene(s):

- Officers shall introduce the need for a medical examination to the victim explaining the importance to investigative and apprehension efforts as well as for the victim's well-being. Officers shall not coerce victims to go to the hospital or to provide samples from drug screening. Victim advocates can assist in explaining the procedures of the hospital exam.
- DNA evidence plays a crucial role in the sexual assault investigation. In addition to the victim's and suspect's bodies and clothing, there are many other potential sources such as condoms, sheets, blankets, pillows, and bottles that may contain biological evidence such as blood, sweat, tissue, saliva, hair, and urine. To properly collect DNA evidence, officer shall:
 - Use sterile gloves and change as needed;
 - Use sterile swabs, papers, solutions, and tools;
 - Package evidence in individual envelopes;
 - Avoid touching the area where potential DNA evidence may exist;
 - Avoid talking, sneezing, and coughing over evidence;
 - Air dry evidence before packaging;
 - Put evidence into new paper bags or envelopes, not plastic.

5. The sexual assault evidence kit shall be accepted from the medical staff after it has been properly sealed and labeled. Also,

- The kit will contain whole blood that requires that the kit be placed and logged into an evidence refrigerator as soon as possible. The kit may also contain a urine sample for toxicology testing. If it does, the urine sample shall also be refrigerated.
- The kit shall not be allowed to freeze or be exposed to heat such as being near a car's interior heater.

D. Stranger vs. Non-Stranger Assaults

1. Non-Stranger Assault: The majority of non-stranger sexual assaults result in a consent defense. Thus, evidence of particular importance includes:
 - Evidence of physical or verbal resistance on the part of the victim;
 - Evidence of genital or non-genital injury;
 - Detailed account of the victim's thoughts and feelings during the assault;
 - Information regarding the suspect's size and strength in comparison to the victim's;
 - Information regarding the environment in which the assault took place (such as isolation, soundproofing, etc.)
 - Information regarding the victim's behavior after the assault, including posttraumatic stress.
2. Stranger Assault: Evidence in stranger sexual assaults often center on a question of identification pending the processing of DNA evidence. Therefore, investigative strategies must remain flexible. An identity defense will typically include latent fingerprints, lineups, DNA, and trace evidence.

E. Identify and Locate Witnesses and Suspects

1. Based on the victim's emotional and physical state, questions of the victim concerning the assault and description and location of the suspect shall be limited. Responding officers must identify and interview any potential witnesses, bearing in mind that there may be multiple crime scenes. It is especially important that the first person the victim told about the sexual assault be identified and interviewed.
2. Any officer who interviews a witness or a suspect, identifies evidence, or processes a crime scene shall write his or her own report detailing the actions he or she took. The investigator assigned for the follow-up investigation regardless of whether an arrest is made shall compile these supplemental reports.

F. Preliminary Victim Interview

1. Sexual assault investigations typically include both a preliminary and subsequent in-depth interview with the victim. The preliminary interview is intended to establish whether a crime has occurred. In the initial response, the officer shall first establish the elements of the crime(s) and identify any and all witnesses, suspect(s), evidence, and crime scene(s). The officer must understand, and the report indicate, that the preliminary interview is not intended to be a comprehensive or final interview. Additional interviews will be needed as the investigation develops. The initial responding officer shall complete the [Sexual Assault Preliminary Report](#) form.
2. Every effort shall be made by the investigating officer to contact a victim advocate as soon as possible. If the victim declines assistance from an advocate, the officer shall provide the victim with written referrals for community resources specifically designed to help victims of sexual assault. Take responsibility for excluding a support person when appropriate and offer the victim and support person an explanation.
3. Respect the victim's immediate priorities. Attend to the victim's immediate health and safety concerns and questions about reporting and the criminal justice process before beginning the interview. Based on the length of time between the assault and report of the crime and the individual's personal history, the victim may be in crisis and experiencing posttraumatic stress disorder or rape trauma syndrome and exhibiting a range of behaviors that will likely change over time.
4. The victim's response to trauma of a sexual assault shall not be used in any way to measure credibility. People react differently to trauma. Lack of emotion or the presence of emotion is not an indicator of the legitimacy of the assault, and either is common.
5. When drugs or alcohol are involved, the victim may have limited recollection or be unable to give a complete account of the crime. Not knowing the details of what happened may exacerbate the trauma experienced by the victim. Assure the victim that they will not be judged and that the information reported is being taken seriously.

6. Research shows that most victims of sexual assault never make a report to law enforcement. Of the victims who report, the majority do so after some delay. A delay in reporting should never deter a thorough investigation.
7. Help victims gain back a sense of control by involving them, as much as reasonable in the decision of when and where to hold the interview.
8. Guidelines for Interviewers & Investigators:
 - Remember that victims may struggle with gaps in memory;
 - Avoid leading questions while conducting the interview;
 - Use simple terminology appropriate to the victim's age, cognition and development level;
 - Remain patient and maintain an open mind while listening to the victim's account;
 - Avoid using jargon or police, medical, or legal terms.
 - Secure a private location for the interview that is free from distractions.
 - Express sympathy to the victim and an interest in the victim's wellbeing;
9. During the interview the officer shall:
 - Obtain contact information for the victim, including temporary accommodations;
 - Explain the nature of the preliminary interview and the need for follow-up contacts;
 - Limit the initial interview to questions that will establish only the basic facts of the assault and provide information necessary for the immediate needs of the investigation and safety of the victim, such as the suspect identity and elements of the crime.
 - Ask about and document signs and symptoms of injury, to include strangulation.
 - Revisit the possibility of a support person for the victims who initially declined the offer;
 - Explain that other professionals such as forensic examiners, investigators, evidence technicians, and prosecutors will have additional questions.
10. At the conclusion of the initial interview the officer shall:
 - Give the victim the Criminal Investigations Division contact information;
 - Encourage the victim to contact C.I.D. with any additional information or evidence.
 - Remind the victim that visible evidence of injury may appear later, and to contact the investigators for additional photographs or other documentation;
 - Ensure that request for victim protection orders are made where indicated;
 - Provide written referrals for victim service organizations;
 - Provide transportation when reasonably possible;
 - Inform the victim about next steps in the investigation.

G. Protecting Victim Rights

1. Throughout the investigation of the case, officers shall explain to victims the limitations of confidentiality, as well as the office's dedication to protecting the confidentiality of the victim's information to the maximum extent possible by law and policy.

2. In addition, victims should be provided information on:
 - The rights of a crime victim;
 - How to contact police if harassed or intimidated by the suspect(s) or a third party;
 - The definitions of information that is part of the public record and confidential;
 - The possibility of media coverage and information the media has access to regarding sexual assault crimes. The media does not publish victim names.
3. Every victim shall be given an Office of Victim Services (“OVS”) card and related information associated with the card. In addition, an Advocacy Center of Tompkins County Services card will also be given. *See G.O. Victim and Witness Services.*

H. Arrest and Decision Making

1. Do not pressure the victim to make any decisions regarding the participation in the investigation or prosecution during the initial interview or initial stages of the investigation. Officers shall not introduce any forms for a victim to sign to decline an investigation.
2. Delayed victim reporting is common in sexual assault cases due to the trauma and fear experienced by victims and should not deter a thorough investigation. Officers shall inquire about and document the reasons for a delayed report, while avoiding questions that could be perceived as judgmental or accusatory.
3. A victim’s right to change their mind regarding moving forward with the investigation and prosecution should only be constrained by the statute of limitations. Even then, the victim may serve as a witness in another case involving the same suspect, so an interview and investigation should always be conducted.

I. Forensic Examinations for Victims of Sexual Assault

Note: Under the provision of the VAWA Reauthorization Act of 2005, states must ensure that victims of sexual assault have access to a forensic medical exam, free of charge or with full reimbursement, even if the victim chooses not to report the crime to the police or otherwise participate with law enforcement authorities or the criminal justice system.

1. Victim-centered care is paramount to the success of the forensic examination of victims of sexual assault. A timely, professional forensic examination increases the likelihood that injuries will be documented and evidence collected to aid in the investigation and prosecution of sex offenders. Evidence may normally be collected up to 92 hours after the assault, but evidence can be gathered and injuries documented beyond that time, especially if the victim is injured, bleeding or experiencing pain.
2. Investigating Officer Actions:
 - Explain the purpose of the forensic examination and its importance to the investigation and provide the victim with information on the procedure. The victim

advocate can assist in explaining the forensic medical exam to the victim and will accompany the victim to the hospital;

- Inquire whether the victim will consent to a forensic examination;
- Inform the victim of the right to decline any or all parts of the examination;
- Should a victim initially decline a forensic medical examination, provide information as to where the victim may obtain an exam at a later time.
- Ask the victim whether there is any support person who they would like to be called or notified, and facilitate this contact;
- Notify a victim advocate to offer the victim support when a forensic examination is to be conducted;
- Address any special needs of the victim, such as communication or mobility, and notify the victim advocate of the special needs;
- Advise the victim that the forensic examiner will collect any clothing that was worn during or immediately after the sexual assault;
- Assist in arranging for clothing the victim may need after the examination. Some basic clothing is available at CMC;
- Seek permission from the victim to collect a urine sample for drug screening;
- Obtain a signed release from the victim for access to medical records;
- Encourage a victim who declines to undergo a forensic exam to get medical attention including testing for pregnancy and sexually transmitted diseases.

3. Coordination with Forensic Examiner will be as follows:

- Responding officers shall coordinate with other professionals such as forensic examiners to determine whether a forensic examination is indicated;
- When a forensic examination is indicated, the investigating officer shall brief the examining nurse or physician about the details of the sexual assault, as they are known at the time;
- Officers should not normally be present in the examining room as the forensic examiner will testify about collection of evidence and the chain of custody;
- The nurse or physician shall brief the investigating officer at the conclusion of the examination;
- The police report shall contain a copy of the forensic exam, if available, and a summary of the findings that note significant information or injury. After the examination, all the evidence shall be transferred to the office for storage.

4. When it is determined that a forensic examination will be conducted, a victim advocate or a support person of the victim's choosing shall be allowed to be present in the room and during the interview, unless it would be harmful to the investigation. The officer shall take responsibility for excluding a support person, when appropriate, and providing an explanation to the victim and the support person.

J. Drug-Facilitated Sexual Assault Considerations

1. If a drug-facilitated sexual assault is suspected, it is critical to obtain urine sample from the victim as soon as possible. If it has been less than 24 hours since the time of the assault, also obtain a blood sample in a grey-top tube. Hospital personnel can assist with the technical aspects of those procedures as they are trained and familiar, especially those in emergency care units.

2. Protocols for responding to illegal substance abuse by victims (including underage drinking) shall be followed and never used to discredit or discourage the victim from reporting the assault. The office priority is to conduct a thorough investigation of a sexual assault rather than prosecute victims for misdemeanor violations.
3. Because of the delay in reporting most sexual assaults, laboratories capable of testing urine and blood samples at very low levels for those drugs commonly used to facilitate sexual assault are essential.

K. Follow-Up Victim Interview

1. Prior to a follow-up interview, the investigating officer shall consult with office personnel who responded to the scene, retrieve communications tapes and printouts, and review all reports, including the Sexual Assault Preliminary Report form. The officer should coordinate with relevant agencies, assistance organizations, service providers, and/or sexual assault response professionals to address the needs of the victim and to discuss the best means for keeping the victim informed.
2. In preparing for the interview, the investigator shall develop an investigative strategy based on the nature of the assault and the possible defenses available to the suspect (such as denial, mistaken identity, or consent). This strategy shall guide the questions and other evidence collection efforts. Critical evidence collection efforts include evaluating whether a pretext phone call is appropriate and re-photographing injuries to document changes in visible injuries.
3. Follow-Up Interview Protocol
 - An in-depth follow-up interview shall be conducted after the victim has been medically examined and treated, and personal needs have been met.
 - In the event that the victim is still under the influence of drugs or alcohol, has been injured, or as a result of the assault has not slept, and barring exigent circumstances requiring an arrest or identification, the interview shall be delayed.
 - The interview shall be conducted in a location that is convenient, accessible, and comfortable for the victim. Help victims gain back a sense of control by involving them in the decision of when and where to hold the interview. The investigator shall provide or arrange for transportation for the victim when needed.

Note: Interviews of child and adolescent victims should be conducted at the child interview room, which is accessed by calling the CAC Lead Advocate at the Advocacy Center of Tompkins County.
4. At the start of the follow-up interview the investigator shall:
 - Discuss the purpose and scope of the interview;
 - Review contact information for both the victim and investigator that may need to be updated;
 - Explain the victim's rights, including confidentiality;

- Address questions regarding participation in the investigation or prosecution including an explanation of the status of the case.
5. While conducting the follow-up interview the investigator shall:
- First allow the victim to describe what occurred without interruption;
 - Relay what you heard for accuracy, identify new information or developments, and ask questions;
 - If the suspect was known by the victim, determine how long the victim knew the suspect, the circumstances of their meeting and the extent of their previous or current relationship.
 - What was the victim experiencing before, during, and after the sexual assault?
 - What did the victim see, smell, taste, hear or touch during the incident?
 - Fully document fear by recording all flight, fight, or freeze reactions the victim exhibited. For example, the victim may describe feeling unable to move.
 - Silence is not consent. "No" or resistance is communicated though more than just words. Detail and corporate what "No" looked or felt like for the individual victim in your report (i.e. looking away, closing eyes, positioning or moving body).
 - Capture details necessary to establish any premeditation or grooming behavior by the perpetrator.
 - Create a timeline to show trauma/post-assault behavior of the victim in context of previous behaviors. For example, document dramatic physical changes such as weight loss/gain or reported changes in daily routine and/or work performance.
 - Document all information given by the victim, even if it does not cast them in the best light.
 - Use the victim's exact words and place those words in quotations. Do not sanitize or "clean-up" the language used by the victim.
 - It is normal for a victim to not know or remember complete details; do not try and fill in the gaps for them.
 - Clarify any inconsistencies with earlier accounts of the sexual assault in a non-threatening manner;
 - If the facts obtained from the investigation indicate use of force by the perpetrator document using language that reflects this.
 - If at some point a consensual encounter turned nonconsensual, ask the victim to describe details about how and when the perpetrator's behavior changed.
 - Documentation should reflect a lack of consent. Avoid wording that implies consent. For instance, "he forced his penis into her vagina" denotes lack of consent while "he had sex with her" implies consensual intercourse.
 - In documenting force, be specific. "He threatened me" is vague. List the specific threats that were made, tones used, gestures and/or looks given.
 - Inquire about any circumstance that may indicate the use of a drug to facilitate the sexual assault (such as whether the victim experienced any loss of memory, disorientation, severe illness, or hallucinations);
 - If the victim was incapacitated as a result of voluntary alcohol or drug use, show why this is an issue of increased vulnerability rather than culpability.
 - Assist the victim in developing a safety plan, in the event safety concerns exist, and encourage the victim to call police if the suspect violates any existing criminal or court orders or if the suspect contacts the victim in any way.

6. Once a thorough follow-up investigation has been completed the investigator shall:
 - Evaluate impounded evidence and determine which items might have probative value based on statements and other information;
 - Submit lab service request such as DNA, biology, trace, or toxicology based on the assessment of the evidence;
 - Present the complete case file including forensic results as soon as available to the prosecuting attorney for review and work with the prosecutor's office to develop the case;
 - Encourage the victim's continued support in the investigation, apprising the victim of future investigative and prosecutorial activities that will or may require involvement. Victim follow-up builds trust with victims and sends a message to the community about the seriousness with which the office handles sexual assault crimes.

L. When Lacking the Victim Involvement

1. The Sheriff's Office shall respect a victim's inability, or decision not, to be involved in criminal justice proceedings and always be willing to offer continued assistance and referrals.

M. Contacting and Interview the Suspect

1. The investigating officer(s) shall follow office procedures on identifying the suspect, conducting the suspect interview, and collecting evidence in a sexual assault investigation. *See GO Suspect Interview and Statement Procedures (In Progress).*

Note: Consider conducting a pretext or confrontational call or messaging. Pretext phone calls/messaging are strong tools to be considered when the victim and suspect know each other. The transcripts can provide useful evidence as facts are corroborated and the suspect makes admissions or gives improbable statements. Involvement of a victim should be based on strong consideration of the victim's emotional and physical state. The victim advocate can provide support before and after pretext calls/messaging.

N. Sexual Assault Forensic Examination for the Suspect

1. The Sheriff's Office will work with other agencies and the Office of the District Attorney regarding where the forensic examination of the suspect will take place, who will pay for it, and what steps will be involved. It is essential that the victim and suspect examinations must take place in different locations or times.
2. Protocol for Suspect Examination shall be:
 - Immediately after the preliminary suspect interview, the investigating officer shall determine whether a forensic sexual assault examination should be obtained for the suspect;
 - A search warrant may be needed to collect any evidence from the body of the suspect or even to collect clothing. If the suspect consents to such evidence collection procedures, documentation of voluntary consent shall be provided in the police report;

- The investigator shall clearly document the suspect's freedom to decline any part of the examination and to leave at any time.

3. Evidence Collection

- If in custody, the suspect shall be given a Miranda warning before being asked medical history questions by the forensic examiner or investigator;
- If the suspect invokes his right to remain silent, the examiner shall bypass the medical history portion of the examination and continue documenting any visible injury and collecting the appropriate specimens;
- Both the examiner and attending officer shall be prepared to document any spontaneous statements made by the suspect regardless of whether or not the suspect is in custody and whether or not the suspect was provided with a Miranda warning.

O. Role of the Supervisor

1. Supervisors shall demonstrate a detailed understanding of victim issues and proper response by subordinates. Supervisors shall:
 - Respond to assist officers investigating sexual assaults;
 - Exhibit sensitivity to victims and ensure that victims are dealt with properly by clarifying their expectations of line officers;
 - Assist in locating resources to effectively investigate sexual assaults;
 - Encourage problem-solving partnerships to enhance cooperation between the office and community groups using a victim-centered approach;
 - Include victim services information regularly at shift briefing;
 - Work to increase interagency communication between law enforcement and prosecutors to ease the transition for victims moving from the investigation phase to prosecution.

IV. TRAINING

- A. Periodic training will be provided to all personnel, to include victim advocates, who have contact with sexual assault victims. This training will specifically address the provisions of this policy, as well as the realities, dynamics, and investigations of these crimes and legal or scientific developments pertaining to sexual assault.

Attachments:

- A. Child Advocacy Center Lead Advocate Information Form
- B. Sexual Assault Preliminary Report Form

By Order Of



Derek Osborne
Sheriff

ATTACHMENT B

TOMPKINS COUNTY SHERIFF'S OFFICE						SEXUAL ASSAULT PRELIMINARY REPORT		C&R#:	
Name of Person Who Contacted Law Enforcement				Method Report Received		☐ 911 Call ☐ Non-emergency number			
				☐ Walk-in ☐ Other: _____					
Address of Person Who Contacted Law Enforcement				C/T/V		State		Zip Code	
Telephone: Home		Work		Cell		Email			
Relationship to Victim				Others Present with Victim During Preliminary Interview					
Location of Interview									
☐ Hospital ☐ On Scene ☐ TCSO ☐ Other: _____									
Dates									
Date of Report		Time of Report		Date(s) of Incident			Time of Incident From To		
Victim									
Last Name				First Name			Middle Name		
Identifies As:									
Any Aliases				Primary Language		Special Needs, Disability, Requests, etc.			
Race/Ethnicity			Sex Female		Date of Birth		Approx. Height		Approx. Weight
Address				C/T/V			State		Zip Code
Telephone: Home		Work		Cell		Email			
Emergency Contact				Emergency Contact Telephone		Best Way to Safely Contact Victim			
Victim Demeanor Observed at Time of Interview (select all that apply) Include detailed description in narrative									
☐ Afraid/Fearful ☐ Confused ☐ Shaking/Trembling ☐ Other (describe) _____									
☐ Angry ☐ Flat Affect ☐ Tearful/Crying									
☐ Calm/Controlled ☐ Nervous/Agitated ☐ Withdrawn/Quiet/Flat Affect									
Are there any injuries? ☐ Y ☐ N If yes, describe:				Does the victim report pain? ☐ Y ☐ N If yes, describe:					
Were weapons used to hurt/injure/threaten? ☐ Y ☐ N If yes, describe:				Does the victim believe she/he may have been drugged? ☐ Y ☐ N If yes or unsure, describe: Unsure					
Did the victim voluntarily consume alcohol within 24 hours of incident? ☐ Y ☐ N If yes, describe: Follow up needed				Did the victim voluntarily take other controlled substance within 96 hours of incident? ☐ Y ☐ N If yes, describe: Follow up needed					
Has sexual abuse by suspect been ongoing? ☐ Y ☐ N If yes, how long? Follow up needed				Any other known or possible victims? ☐ Y ☐ N If yes, provide details in narrative. Follow up needed					

First Responder Checklist

The Basics: Individuals experiencing the trauma of sexual assault can display many emotions from crying to calm or seemingly cheerful. Trauma can also affect a victim's memory and ability to give a detailed or chronological statement. These are normal biological responses to trauma. A traditional interview approach, focused on a chronological narrative, can make the impact of the assault worse without resulting in good information. First responders should conduct a minimal fact interview initially, to be followed by an in-depth interview at a later date. The focus should be on victim safety and comfort, establishing trust, and documenting what the victim can remember. The officer does this by being attentive to the victim's comfort and by reassuring the victim that they are believed and that their concerns are taken seriously.

Show Caring and Understanding
I am sorry for what happened to you...
Thank you for reporting...

Assisting the Victim

- ☐ Ask if there is anyone that the victim would like to contact
- ☐ Assess victim's safety & discuss safety plan
- ☐ Contact the Advocacy Center (**24-hr hotline 607-277-5000**) for support, emergency housing or accompaniment to the SANE Exam
- ☐ If applicable, contact CPS (Office 607-274-5610) or (**Child Abuse 24-hr hotline 1-800-635-1522**)

Sexual Assault Forensic Medical Examination

- ☐ Refer victim to CMC Emergency Room for a SANE Exam in accordance with agency policy
- ☐ Inform the victim that they cannot be charged for the evidence collection & exam – it is free
- ☐ Tell the victim that they can have the exam regardless of whether they wish to talk to law enforcement
- ☐ Obtain medical release form

Obtain Safe Contact Information for Victim

- ☐ Include alternate contact information for individuals who can readily reach the victim in the future

Secure Private Location for Brief Interview

- ☐ Accommodate wish to include a support person
- ☐ Accommodate special needs such as an interpreter (not a friend or family member)
- ☐ Use the Advocacy Center Victim Advocate

Conduct a Brief Minimal Fact Interview

- ☐ Ask: Help me understand what you are able to remember about your experience
- ☐ Allow victim to talk without interruption

Ask: Help me understand what you are able to remember about your experience...

Identify & Document from Victim's Narrative

- ☐ The elements of the crime
- ☐ Who did this and where are they now?
- ☐ Where did it start and where did it end?
- ☐ Were there any threats, expressed or implied weapons shown/objects threatened?
- ☐ The victim's observable emotional condition and excited utterances
- ☐ Victim and suspect injuries, observed and described
- ☐ Potential witnesses to pre and post assault conduct and anyone the victim may have told
- ☐ Drugs/alcohol involved in crime, if identified by victim
- ☐ Existence of and location of additional evidence both physical and electronic (bedding, condoms, clothing, videos, photo's, electronic messages)

Avoid Asking "Why," Instead Say Tell me more about that...
Tell me your thoughts when...
Help me understand what you mean...

Concluding

- ☐ Provide victim with contact information for you and the assigned CID Member
- ☐ Explain next steps
- ☐ Do not ask the victim to write out a statement in place of conducting an interview
- ☐ Do not ask the victim if they want to pursue prosecution at this time
- ☐ Victim Services literature provided

A more in-depth interview with a CID member will be conducted at a later time...

Incident Information

Location of Interaction Before Assault(s) (detail in narrative)

Location(s) of Assault(s) (detail in narrative)

Locations Suspect Took Victim After the Assault(s) (detail in narrative)

Type of Coercion/Force/Fear Involved (select all that apply & describe in narrative)

- | | | |
|---|---|---|
| ☐ Disregarding the victims' stated or otherwise communicated lack of consent | ☐ Threat of death | ☐ Presence of weapon Abduction |
| ☐ Victim was incapacitated | ☐ Stalking | ☐ Other (describe) _____ |
| ☐ Verbal pressure/coercion | ☐ Physical restraint | |
| ☐ Position of authority (teacher, supervisor, boss, parent) | ☐ Physical force | |
| ☐ Threat of physical force or violence | | |

Type of Assault (select all that apply)

Attempted Completed

- | | | |
|--------------------------|--------------------------|---|
| ☐ | ☐ | Rape (penile/vaginal penetration against the will, by force, threat, or intimidation) |
| ☐ | ☐ | Forced sodomy (penile/anal penetration against the will, by force, threat, or intimidation) |
| ☐ | ☐ | Forced oral-genital contact (oral copulation) |
| ☐ | ☐ | Forced sexual penetration with an object or finger |
| ☐ | ☐ | Forced touching (of intimate parts, fondling, kissing, oral contact but not penetration) |
| ☐ | ☐ | Physical assault/battery |
| ☐ | ☐ | Strangulation |
| ☐ | ☐ | Other (describe) _____ |

Possible Other Crimes to be Investigated:

Victim Incapable of Consenting or Communicating Unwillingness to Engage in Sexual Contact Due to: (check all that apply)

- | | | |
|----------------------------------|---|--|
| ☐ Age | ☐ Mental incapacity | ☐ Unconsciousness or asleep |
| ☐ Alcohol | ☐ Physical incapacity | ☐ Other (describe) _____ |
| ☐ Drugs | ☐ Subordinate position | |

Preliminary Investigation

Victim Medical Treatment (check all that apply)

- ☐ First aid rendered
☐ Medical exam
☐ Forensic exam/rape kit
☐ Admitted to hospital
☐ Will seek own
☐ Declined

Where

By Whom

Date

Crime Scene/Evidence Processing (check all that apply)

- | | |
|--|--|
| ☐ Tool marks present | ☐ Bedding/Lines Secured |
| ☐ Shoe Prints | ☐ Victim Clothing |
| ☐ Visible Fingerprints | |
| ☐ DNA Evidence Possible | |
| ☐ Identifying Items Left Behind | |
| ☐ Suspect Forensic Exam Conducted | |
| ☐ Other: _____ | |

Processing (check all that apply)

- ☐ Evidence Tech or CID Member Processed
☐ Scene Crime Scene Photos Taken
☐ Photo Log Completed
☐ Scene Sketch Completed
☐ Property/Evidence Custody Report Completed
☐ Neighborhood Canvass Conducted
☐ Video Surveillance Possibly Available

DATE SUPERVISOR NOTIFIED

TIME NOTIFIED

SUPERVISOR NOTIFIED

ID#

RESPONDED TO SCENE

☐ YES ☐ NO

DATE CID MEMBER NOTIFIED

TIME NOTIFIED

CID MEMBER NOTIFIED

ID#

RESPONDED TO SCENE

☐ YES ☐ NO

REASON CID MEMBER DID/DID NOT RESPOND:

Suspect ☐ Identity of Suspect Unknown at Time of Report <i>(include descriptors as able)</i>										
Last Name				First Name			Middle Name			
Aliases				Approx. Height		Approx. Weight		Hair Color		Eye Color
Race/Ethnicity		Sex ☐ M ☐ F		Date of Birth		Driver's License State/No.				
Address					C/T/V		State		Zip Code	
Telephone: Home		Work		Cell		Email				
Primary Language <i>(if not English)</i>			Suspect's Defining Characteristics <i>(i.e. tattoos, scars, physical disabilities, etc.)</i>							
Suspect on Scene ☐ Y ☐ N		Arrested ☐ Y ☐ N		If yes, current highest charge:						
Suspect Conduct Prior to Incident <i>(select all that apply)</i>										
☐ Grooming <i>(i.e. targeting vulnerability, testing boundaries, building trust)</i> ☐ Monitoring victim <i>(tracking patterns of conduct)</i> ☐ Weapon Use/Threat										
☐ Electronic contact <i>(i.e. internet, text messaging)</i> ☐ Providing alcohol/controlled substances										
☐ Isolating victim ☐ Other <i>(describe)</i> _____										
Relationship to Victim <i>(select all that apply)</i>					Suspect Demeanor					
☐ Recent acquaintance ☐ Casual acquaintance of victim ☐ Friend <i>(non-romantic)</i> ☐ Internet relationship ☐ Planned first meeting/date ☐ Intimate partner/dating ☐ Former intimate partner/dating					☐ Angry ☐ Apologetic ☐ Belligerent ☐ Calm/controlled ☐ Confused					
☐ Domestic Partner ☐ Married ☐ Legally separated ☐ Divorced ☐ Father of children ☐ Cohabiting ☐ Neighbor					☐ Nervous/Agitated ☐ Threatening ☐ Tearful/Crying ☐ Withdrawn/Quiet/Flat Affect ☐ Other <i>(describe)</i> _____					
Did the Suspect Consume Alcohol Within 24 Hours Prior to Incident?			Did the Suspect Take Controlled Substances Within 96 Hours Prior to Incident?			Visible Suspect Injuries?				
☐ Yes ☐ No ☐ Unknown If yes, detail in narrative ☐ Follow up needed			☐ Yes ☐ No ☐ Unknown If yes, detail in narrative ☐ Follow up needed			☐ Yes ☐ No ☐ Unknown If yes, detail in narrative				
Suspect History										
☐ Arrest record ☐ Prior sexual assault offenses ☐ Subject of protection order(s)										
☐ Currently on probation ☐ Currently on parole ☐ Registered Sex Offender										
☐ Mugshot/Photo Available ☐ Prior use of weapons										
Additional Information Known About Suspect:										

Narrative

MEMBER NAME/RANK/ID#:

SIGNATURE:

DATE:

SUPERVISOR NAME/ID#

SIGNATURE:

DATE:

FORWARDED TO CID BY:

DATE:

ATTACHMENT C