

General Order

Houston Police Department



ISSUE DATE:

August 1, 2022

NO.

600-14

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 600-14, dated June 19, 2018

SUBJECT: SEXUAL ASSAULTS

POLICY

The Houston Police Department's (HPD) procedural guidelines shall take the victim centered approach and ensure that sexual assault victims receive efficient police services as well as sympathetic and understanding treatment. These procedures will benefit sexual assault victims and aid in the investigation of cases. The responsive, professional treatment of sexual assault victims by the police also should encourage more victims to report offenses and generally increase public confidence in and respect for the police.

This General Order applies to all employees.

1 PROCEDURAL GUIDELINES

Officers shall at all times treat sexual assault victims with compassion, consideration, understanding, and patience, although this shall not prevent officers from collecting evidence and asking necessary questions.

Officers who respond to the scene of a sexual assault (adult or child victim) may call the Special Victims Division between 0800 hours and 1600 hours, Monday through Friday, or the Command Center after regular business hours to request the appropriate on-call Special Victims' supervisor for assistance.

If an officer has a complete license plate number for a vehicle involved in a serious crime such as sexual assault, a supervisor holding the rank of lieutenant or higher may approve usage of the Harris County Toll Road Authority (HCTRA) automated license plate recognition system. See General Order 600-27, **Preliminary and Follow-Up Investigations**, for requirements and procedures.

Officers shall consult with the Special Victims Division in all sex crime related incidents involving:

- a. Sexual assault of an adult or child victim and the suspect is still on the scene.
- b. Elderly persons.
- c. Juveniles, if guidance is needed due to the complexity of the on-scene investigation.
- d. Persons who are mentally disabled or otherwise unable to provide a statement.
- e. Serious bodily injury.
- f. Cases that could reasonably become high profile or are of media interest.
- g. A City of Houston employee.

- h. Cases in which the officer believes a crime scene unit should be requested to process the scene.

Immediate follow-up investigation shall be determined by a Special Victims Division supervisor.

Officers responding to a sexual assault involving a peace officer shall immediately notify the Homicide Division's Special Investigations Unit.

The officer making the original incident report shall provide the sexual assault victim with the incident number and the name and telephone number of the appropriate sex crimes unit in the Special Victims Division, Adult Sex Crimes Unit (ASCU) or Crimes Against Children Unit (CACU), that will be conducting the follow-up investigation. The officer shall instruct the victim to call the appropriate sex crimes unit in order to clarify processing steps, obtain information on support services for sexual assault victims, and schedule an appointment.

Officers shall inform the victim about the HPD Victim Services Division, which assists victims of violent crime. For extenuating circumstances requiring immediate assistance after hours, the HPD Command Center can contact a crime victim liaison. Additionally, officers shall provide victims of sexual assault with the latest version of the "blue card" and document such action in the incident report.

If an officer makes an arrest for a sexual assault, the officer shall contact the Special Victims Division's on call supervisor so that a Special Victims Division investigator can conduct an immediate follow-up investigation with the suspect. For arrests made after regular business hours, officers shall contact the Command Center and have the appropriate on-call supervisor contacted so that an on-call investigator can be sent to follow up with the arrested suspect.

Forensic Medical Examination and Sexual Assault Kit

Texas law states that if a sexual assault is reported to a law enforcement agency within 120 hours following the assault, with the consent of the victim, the agency shall request a forensic medical examination. If a sexual assault is not reported within 120 hours, the agency may request a forensic medical examination if the agency believes a forensic medical examination would further the investigation or prosecution or the physician or examiner notifies the agency that a forensic medical examination should be conducted.

The primary officer assigned to the sexual assault investigation shall refer all sexual assault victims to the nearest designated sexual assault treatment center for a forensic medical examination. These designated treatment centers are hospitals located in Houston and Harris County that have made a commitment to prioritize the treatment of sexual assault victims in order to reduce the treatment time for these victims and to reduce the time an officer is out of service.

As an option for adult sexual assault victims, the primary officer shall offer to contact Texas Forensic Nurse Examiners (TxFNE) to arrange a forensic medical exam at an alternate location in order to avoid long wait times that typically occur in hospital emergency rooms. TxFNE may be reached at 281-306-6893 (press 1 to speak with the 24/7 on-call forensic nurse).

As an option for child sexual assault victims, the primary officer shall direct victims to the Texas Children Hospital to avoid long wait times. Alternative facilities available for child sexual victims during business hours include the University of Texas Medical School's Child Abuse Resource

and Education (C.A.R.E.) Clinic in the Houston Medical Center (business hours only, see note below) and the Children's Assessment Center.

Note: For a referral and scheduling at either the University of Texas C.A.R.E. Clinic or the Children's Assessment Center, officers shall contact the Special Victims Division's CACU.

If an officer is dispatched directly to the hospital to take a report, the officer making the original incident report shall provide the hospital official with the following information:

- a. Incident number
- b. Names of the complainants and witnesses
- c. Date and time of the offense

The address of the hospital shall not be used as the offense location in the incident report. The officer shall list the offense location as the location where the crime occurred.

When an officer has a prisoner in custody or is otherwise unable to go directly from the crime scene to the hospital for needed follow-up, the officer shall first advise a supervisor and then the dispatcher. The officer shall supplement the call history with the following information:

- d. Type of offense
- e. Incident number
- f. Location of crime scene
- g. Date of incident
- h. Suspect information
- i. Complainants' and witnesses' names
- j. Investigating officer's name
- k. Name of sexual assault treatment center (e.g., hospital)

The dispatcher contacted shall then be responsible for assigning another unit to make the needed hospital follow-up. If the treatment center is not in that dispatcher's area, the dispatcher shall advise the appropriate dispatcher. It shall then be the responsibility of the second dispatcher to assign a unit to make the needed hospital follow-up.

The officer responsible for picking up the sexual assault kit prepared by the treatment center shall deliver it to the Department's Property Division regardless of whether the kit is a Houston Police Department kit or another kit the hospital may have used inadvertently for the examination. This officer shall complete a supplement to the original report detailing the pickup and tagging of the sexual assault kit.

Also, officers who are assigned to pick up sexual assault kit evidence from hospitals shall use the Sexual Assault Kit Evidence-Chain of Custody Record template to document the details of the transaction. The Sexual Assault Kit Evidence narrative form is located in the ARS Narrative Templates under the input code "SAK CHAIN." The template can be found in the Narrative tab "8 Narrative." Select "Load Narrative Template" and type "SAK CHAIN" in for the Code.

Authorizations are not required to submit a sexual assault kit to the Property Division (see General Order 700-01, **Property/Evidence Control Regulations**).

Officers shall contact supervisory staff of the Special Victims Division if there are any questions or issues regarding the incident or treatment center procedures.

Evidence

In addition to the normally required report information, the officer making the original incident report or the officer making the follow-up call shall enter and identify all property, articles, and evidence on a separate and appropriate property screen.

Officers shall collect all evidence that could aid in the prosecution of the sexual assault including, but not limited to, the following:

- a. Weapons
- b. Scene photos
- c. Photos of injuries
- d. Blood, semen, hairs
- e. Items that may contain evidentiary biological materials including, but not limited to:
 1. Clothing
 2. Undergarments
 3. Sheets
- f. Bindings
- g. Audio or video recordings
- h. Cellular telephones
- i. Other digital evidence

Sexual Abuse of a Child (Younger than 17)

When responding to an incident involving the sexual abuse of a child younger than 17 years of age, officers shall generate an incident report and forward it to the Special Victims Division for assignment to an investigator. This also applies to delayed reports of sexual abuse. Juvenile

sexual abuse complainants should be forensically interviewed, therefore, officers should refrain from interviewing juvenile complainants beyond what is needed to establish a crime occurred.

Officers shall ensure that victims of sexual assaults are immediately referred for a forensic medical examination as outlined in the above Forensic Medical Examination and Sexual Assault Kit section. Officers may contact the Special Victims Division's Crimes Against Children Unit on-call supervisor for guidance.

Officers shall *not* direct victims or caretakers to the Children's Assessment Center or the Special Victims Division's Crimes Against Children Unit in lieu of generating an original incident report. Officers becoming aware of an incident are required to generate an incident report. Officers shall advise victims or the non-offending caretakers that a Crimes Against Children Unit investigator will contact them to schedule an interview. Officers shall also provide victims or non-offending caretakers the telephone numbers to the Crimes Against Children Unit for any follow-up questions.

The Texas Department of Family and Protective Services (DFPS) shall be contacted by the responding patrol officer for allegations of sexual assault of a child in which the alleged perpetrator is a family member or caretaker. Statewide Intake may be contacted by calling 1-800-877-5300. Officers shall include the DFPS's reference number given to them in their original or supplement report.

2 FORT BEND COUNTY SEXUAL ASSAULT PROTOCOL

Officers responding to sexual assault of adult or child victims in Fort Bend County shall follow the same protocol as listed in Section 1, *Procedural Guidelines*. Officers may contact the Fort Bend County District Attorney's Office for information or charging decisions.

For adult victims, officers may contact the Fort Bend County Women's Center Hotline at 281-342-4357 for additional assistance.


Troy Finner
Chief of Police