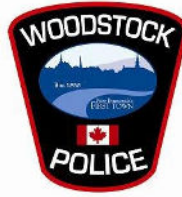


Woodstock Police Force

Standing Order

Date: February 23 rd , 2024	Standing Order: 2024-004
Subject: Sexual Assault Investigations Policy	
Link to Supporting Documentation:	
Good day. The following Sexual Assault Investigations Policy has been updated. Reason for Policy: To provide critical information and procedures respecting the initial and proceeding response to sexual assault investigations. The purpose of this policy is to ensure a thorough, unbiased, and trauma-informed investigation and referral procedures are followed and properly documented. A PDF version has been saved to WPF “TrueNAS U” drive /wpfshare /WPF POLICIES. With thanks,	
Approval – G. Forward, Chief of Police	Date: 23 February, 2024
Signature: <i>G. Forward</i>	

Woodstock Police Force
822 Main Street
Woodstock, NB
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Phone: (506) 325-4601
E-mail: wpfadmin@nbpolice.ca

Subject: Sexual Assault Investigations Policy

Policy Number: 2024-004

Effective Date: February 23rd, 2024

Next Review Date: February 23rd, 2027

Area(s) This Policy Applies to:

Office Responsible for Review of this Policy:

All Staff

Chief of Police or Designated Agent

Related Instruments:

Policy Sponsors:

Chief of Police

D/Chief of Police

Document Pages (including Title Page):

This document consists of 12 pages

Revision History:

Publication Date: February 23rd, 2024

Woodstock Police Force

Date of Passage of Current Framework:

February 23rd, 2024

**I certify that this Policy was adopted by Woodstock Police
Force as indicated above.**

Date of Revision:

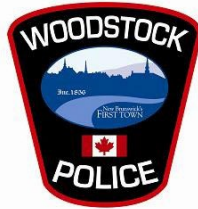
February 23, 2024

**Woodstock Police Force
Approval Date:**

February 23, 2024

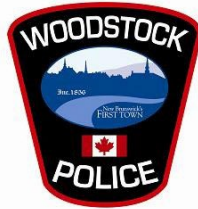
Contact:

Gary Forward, Chief of Police



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1. PURPOSE:

To provide critical information and procedures respecting the initial and proceeding response to sexual assault investigations. The purpose of this policy is to ensure a thorough, unbiased, and trauma-informed investigation and referral procedures are followed and properly documented.

2. SCOPE:

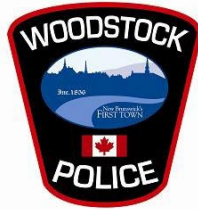
This policy applies to offense of a sexual nature against adult victims, unless otherwise specified.

3. AUTHORITY:

This policy has been approved by the Chief of Police.

4. DEFINITIONS:

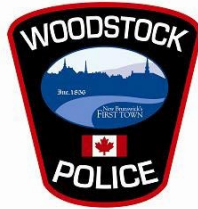
- **Acute Investigation** - The alleged incident took place within the previous seven days to it being reported.
- **Historical Investigation** - The alleged incident took place more than seven days from it being reported.
- **Forensic Nurse Examiner (FNE)**- A Forensic Nurse Examiner is a specially trained nurse educated in best-patient care for victims of violence, including sexual assault and intimate partner violence. Forensic Nurse Examiners work within the Sexual Assault Nurse Examiner Program (SANE) to collect forensic evidence, maintain the chain of custody, and provide survivor and victim-centered medical care, including referrals to supports outside of the criminal justice system.
- **Sexual Assault Nurse Examiner (SANE) Program** – The Sexual Assault Nurse Examiner Program is staffed by specially trained Forensic Nurse Examiners to provide best patient medical care and collect forensic evidence required for a sexual assault investigation, including a sexual assault evidence kit. The SANE program is available in select hospitals across the province.
- **Sexual Assault Evidence Kit (SAEK)** – An evidence collection tool used by Forensic Nurse Examiners (FNE) when collecting evidence during a sexual assault medical examination. It is best practice that this is conducted by an FNE as they are specifically trained in the forensic aspects of healthcare; however, in the absence of an FNE, another medical practitioner could also complete the SAEK.



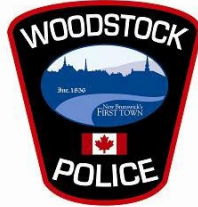
- **Preliminary interview** – A preliminary interview is taken at the time of the initial report and establishes the basic elements of the crime (identity of suspect, location, timeframe, and type of physical evidence to be obtained) and the level of threat the offender currently poses to the victim and public safety.
- **Detailed interview** – A detailed interview is video/audio recorded and includes the pure version statement and subsequent questions needed to fully recreate the reality of the event.
- **Community Based Sexual Violence Services (CBSVS)** – Specialized sexual violence support services across New Brunswick. Services could include counselling, support groups, hospital accompaniment to the SANE program, legal support, and accompaniment throughout the criminal justice system, among others. Services vary by region.
- **Secondary Wounding** – Secondary wounding occurs when a response to a disclosure of sexual violence blames, shames, or in any way harms the victim. This can include comments or behaviors that lead to the victim feeling blamed or shamed for being targeted, their reactions during or immediately following the sexual assault, discounting, or minimization, and/or denial, disbelief, or avoidance.
- **Violence Against Women Advocate Case Review (VACR) Model** – The VACR model uses front-line expertise and subject expertise around sexual violence to review police files of sexual assault. Reviews performed by community members in the field of sexual violence and gender-based violence ensure victim-blaming, biases, stereotyping, and discriminatory practices are not being used within sexual assault files and provides recommendations for municipal police forces.
- **Sexual Assault Investigation Review Committees (SAIRC)** – Following the RCMP's release of *The Way Forward – The RCMP's sexual assault review and victim support action plan*, which provided the framework for Royal Canadian Mounted Police (RCMP) divisions to establish external review committees.

5. POLICY:

1. Whenever a complaint of sexual assault is made by a person, every reasonable effort must be made to contact an experienced member with appropriate training, demonstrated skills and proper interviewing techniques to investigate the complaint(s).
2. When conducting a sexual assault investigation, consideration must be given to the complainant's gender, sexual orientation, cultural influences, socio-economic factors, vulnerability, familial/social support networks, ability, and mental health/addiction concerns.



3. Many victims are not familiar with the investigative process and/or their understanding has been shaped by media. Take care to explain the investigative process throughout the entirety of the interaction with the victim.
4. Sexual assault is often experienced as a traumatic event, which can overwhelm a person's capacity to cope due to accompanying feelings of fear, terror, helplessness, hopelessness, and despair. Remember that the individual's behavior before, during, or after the assault is a result of the trauma and violence that they have experienced. Individuals may respond to trauma in a variety of ways; including a variety of demeanors and emotions from crying to distress, to calm or seemingly cheerful.
5. It is important to remember that sexual assault victims may act in counter-intuitive ways. Many victims do not resist, say no, attempt to escape, cry out for help, and may appear to have willingly submitted to the assault. These behaviours could be evidence of a sexual assault and should be given attention and recorded in a sexual assault investigation.
6. Many behaviours and responses expressed by victims are directly related to traumatic experiences. What might appear to be an inconsistency in a victim's reaction or how they recount the incident can be a typical and predictable of responding to and coping with a traumatic event.
7. Trauma can affect a victim's ability to give a detailed or chronological statement. A person experiencing trauma will often recall and/or disclose information over a period of time as memories are triggered and as trust is established with the investigator.
8. Express understanding, patience, and respect and avoid making judgments about the victim or the case while also being cognizant of personal bias or opinions. Officers must also be mindful of common misperceptions and myths around sexual assault.
9. Throughout the investigation, officers must avoid commenting directly on believability or credibility regarding the victim's statement.
10. A KGB statement from a victim of sexual violence, including those involving intimate partner violence, is not consistent with a trauma-informed approach and is not recommended in New Brunswick.
11. It takes courage to report a sexual offense and members of the public may not be aware of the practical and jurisdictional limits of law enforcement. It is best practice for members to take a report from anyone reporting a complaint of sexual assault, regardless of the jurisdiction of the incident, and facilitate the transfer of the file to the appropriate agency.



12. Appropriate safety planning must be a part of the initial response and any subsequent investigation as incidents of sexual violence can present varying degrees of risk for individuals. Consider ongoing safety of the victim and others by developing a safety plan where appropriate.

6. PROCEDURES:

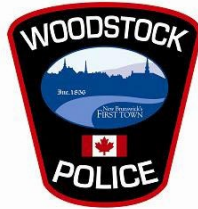
DISPATCH SERVICES, upon receiving a sexual assault complaint, shall:

1. Consider immediate safety of the victim first and foremost.
2. Ensure appropriate priority rating is applied to the call. It is best practice to score all sexual assault reports as a high priority, regardless of when the assault happened or type/perceived severity of the report.

POLICE OFFICER, upon being dispatched to a sexual assault, shall:

1. Sexual offenses are identified as high priority. If possible, notify a supervisor at the time of a sexual assault complaint. Consultation with a supervisor is recommended prior to any arrest(s) or significant decision in the investigation.
2. Keeping in mind the principles of pure version statements, briefly speak to the victim in private. This preliminary interview seeks to aid in identifying any immediate action that may be required such as; determining general information regarding the offence including location (jurisdiction), medical needs of the victims, timeframe and the level of threat the offender currently poses to the victim and/or public safety. It is imperative the initial interview be conducted in a tactful and trauma-informed manner.
3. Determine if weapons or firearms are involved. If applicable and authorized, seize any weapons or firearms in the interest of public safety and/or for evidentiary purposes. As the investigation unfolds, follow any appropriate revocation or prohibition procedures if applicable.
4. Considering the mental and physical condition of the victim, if possible, obtain any suspect(s) description and other pertinent information only if it pertains to public safety and/or the preservation of evidence.
5. In collecting additional information, recognize the traumatic event experienced by the victim may have a significant impact on detail recollection, memory, and recall.

NOTE: When speaking with the victim, officers should be cognizant of the way in which they speak, specifically tone and wording used, including body language, as these can be interpreted by the victim as insincere or reflect doubt, which can hinder obtaining intimate details regarding the offence.



6. Through the preliminary interview, the incident can be classified as either acute or historical.

NOTE: While the classification of the sexual violence as historical has evidentiary and investigative impacts, there are still many avenues for evidence collection such as video, witness, or third-party reports of the event.

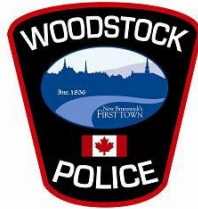
NOTE: Delayed reporting is common in sexual assault cases due to the impacts of sexual assault trauma. Victims may experience self-blame, shame, or guilt, be fearful of the repercussions of reporting, not recognize the violence as sexual assault until later in life, experience secondary wounding or re-traumatization, or not had the social supports required to report closer to the incident. All of these factors could impact a victim's ability to report immediately following the assault.

7. Explain and encourage the victim to attend the closest hospital with a Sexual Assault Nurse Examiner (SANE) Program to be seen by a Forensic Nurse Examiner, explaining the benefits of doing so for the victim and the investigation regardless of when the sexual assault occurred. The benefits include, but are not limited to, medical examination/treatment, the potential for collecting additional evidence, and specialized sexual violence support and referrals to community-based organizations.

NOTE: A referral to the SANE program can be made at any time, regardless of when the assault occurred. There are benefits to connecting individuals with the Sexual Assault Nurse Examiner Program, even if forensic evidence is unlikely to be collected.

NOTE: Evidence can be collected by Forensic Nurse Examiners/medical practitioners from adolescent and adult individuals with vaginas for up to two weeks (14 days). Evidence can be collected from adolescents and adults with penises for up to 96 hours and from children (all genders) up to 96 hours after the last contact with the perpetrator.

8. If the victim chooses to go to the hospital to access the SANE program, accompany them there and ensure all necessary and relevant information is provided to medical staff.
9. If the victim attends the hospital to access the SANE program, sexual assault evidence kits may be seized by police with the consent of the victim. This consent is typically obtained in writing by the Forensic Nurse Examiner at the time of examination.
10. Preserve all physical evidence at the scene pending the arrival of investigators and Forensic Identification Section/Services (FIS).
11. Make detailed notes of observations, including, but not limited, to the actions, utterances, and injuries of all persons involved.



12. Interview all relevant witnesses.

NOTE: Consider discussing the safety and social impacts of interviewing witnesses with the victim.

13. Obtain and preserve any related video/digital evidence.

14. If there is or was at any time an intimate partner relationship between the parties involved consult the relevant regional or provincial Intimate Partner Violence (IPV) Policies for further steps.

15. If the incident involves a child as a victim, witness, or is at any time in the care of the parties involved, a referral must be made to the Department of Social Development or Child and Family Services if the incident involves an Indigenous child. Ensure to follow relevant child abuse protocols.

16. If the incident involves an older adult or adult with disabilities as a victim or witness, a referral must be made to the Department of Social Development.

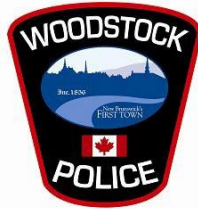
17. Provide timely updates to the victim as the investigation unfolds.

18. Prior to concluding contact with victim, ensure to explain the investigative process, specifically next steps.

19. Ensure appropriate documentation is submitted within 24 hours.

SUPERVISOR, upon being notified of a sexual assault by initial officer, shall:

1. Ensure an experienced member with appropriate training, demonstrated skills and proper interviewing techniques investigates the sexual offense complaints, when available.
2. Ensure the victim is offered the services of Victim Services and local community based sexual violence services. Be prepared to brief follow up investigator(s) as required.
3. Review all sexual assault reports for accuracy, consistency, and completeness. Ensure the initial and investigating officers have submitted a completed report which includes all supporting documentation and review the report.



Interviewing Victims

A thorough and detailed statement is often the most important part of a sexual violence investigation and is best conducted by an investigator with knowledge of the impact of trauma on victims.

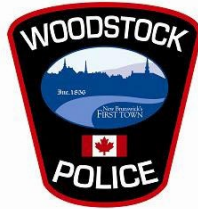
NOTE: The neurobiology of trauma demonstrates that the brain continues to be affected by hormones triggered by a traumatic event for several hours or days after the event. To allow the victim to process from the initial assault and begin to consolidate memory after the traumatic event, consider conducting the detailed interview a few hours or days after the initial assault.

NOTE: For victims under the age of 18 years of age, consult with the Department of Social Development to ensure a joint investigation is completed. The interview should only be conducted by someone trained in forensic interviewing techniques for children and youth.

1. The detailed interview should be video, and audio recorded and conducted in a soft interview room whenever possible, or in any space requested by the victim that is appropriate given the circumstances. If requested, consideration should be given to facilitating the interview at a community-based sexual violence service, where applicable/appropriate.
2. Consider a second investigator be present to monitor the interview, take monitor notes and ensure all pertinent information is covered.
3. The victim may not be able to describe the events in chronological order and a trauma-informed approach may result in obtaining a better description of the event. Starting with open-ended questions connecting to sensory fragments and building upon that may be effective. (i.e. What do you remember hearing? What do you remember smelling?).
4. If the victim is unable to participate without having a support person present, consider seeking the assistance of specially trained legal support such as offered through Victim Services, or a Community-Based Sexual Violence Service.

NOTE: If a trained legal support person is not available and victim is unable to participate without support, consider allowing a friend or relative to act as a support person. It is important to consider the legal implications of a support person who is not independent when making this decision (i.e. may have knowledge of the case, may impact the victims' comfort when describing certain situations, may be called as a witness, etc.) while balancing the needs of the victim for support.

5. Ensure the victim has privacy if brought to the police station and be given as much control and choice as possible during any interactions with the police (for example where to sit, when to take breaks, etc.).



6. Take information at face value and record the statement; accordingly, do not press the victim if they are unable to provide answers to all questions. Reassure the victim at the beginning, and throughout the interview, if they do not know or cannot remember the answer to all questions.

NOTE: Consider the impact of using mutualizing language (i.e. sex vs. forced penetration), it may be relevant to follow up with clarifying questions to recreate the event from the victim's perspective. Consider simply describing the parts of the body and what was done with those parts of the body.

7. Following a pure version statement, begin with open-ended questions and allow for free narrative to follow.
8. Let the victim tell their story without interruption and take notes as required to help the interviewer recall certain details. Advise the victim that taking notes may be a part of the investigation.
9. Disclosures that the victim may have made to others regarding the allegations should be investigated as this can lend credibility and demonstrates consistency to the allegations over time, especially in historical investigations.
10. Do not seek information from a victim that is irrelevant to the reported assault. Specifically, past sexual experience and psychiatric history or counselling. In most cases, this information is not relevant to a sexual assault investigation (see section 276 and 278 of the *Criminal Code*).

NOTE: When seeking information, consider prevalent sexual assault myths and stereotypes. Providing context to questions that could appear to uphold these myths and stereotypes can minimize the potential for traumatization and build trust with the investigator.

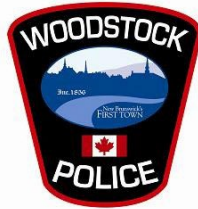
11. Provide the opportunity to take breaks as needed.

Interviewing Offenders

The interview with the suspect is an important piece of evidence in any investigation, but particularly in sexual assault investigations. A suspect interview allows an opportunity to determine the presence of affirmative consent, gain additional evidence and contribute to a complete and comprehensive investigation. In some cases, it may be the best evidence if the victim was unconscious or incapacitated.

Evidence Collection

Evidence is vital to investigators in objectively determining what occurred in the circumstances being investigated and must be analyzed objectively. All exhibits and evidence are to be properly handled and processed.



Obtaining Sexual Assault Evidence Kits (SAEKs).

Oftentimes, police are not present while sexual assault evidence kit is completed. Arrangements can be made for the SANE to contact police once the sexual assault kit is complete and ready to be retrieved.

1. Ensure the victim is afforded all privacy and consideration required. The case should not be discussed in public areas.
2. Ensure the sexual assault evidence kit is seized properly, ensuring chain of custody with thorough notes.
3. In addition to ensuring the paperwork associated to the sexual assault kit is completed, ensure a separate consent for the release of medical information is obtained or attempted to be obtained. Medical records are held separately from the sexual assault kit and records.

Freezer/Third Option

1. Police may receive a report from a victim who had a sexual assault evidence kit completed previously that is in storage at the applicable hospital. The forensic nurse examiner presents victims with the opportunity to have the sexual assault kit stored while they consider making a police report.
2. The sexual assault kits are kept in storage for six (6) months. After six months, the kit is destroyed if investigative proceedings have not begun. Victims can request that sexual assault evidence kits be held for longer than six months by calling the appropriate SANE program.
3. To retrieve the sexual assault kit, contact the SANE Coordinator to arrange for the retrieval of the kit and related paperwork.

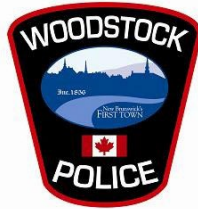
Violent Crime Linkage Analysis System (ViCLAS)

When appropriate, complete a Violent Crime Linkage Analysis System (ViCLAS).

File Conclusion

Regardless of if the outcome of the file, victims of sexual violence have described that a thorough and complete investigation have provided them with the justice and closure they sought upon reporting. The conclusion of the file can be an important step in ensuring the victim feels listened to and will continue to engage in the criminal justice system in the future.

1. Upon conclusion of the file, all appropriate avenues should be considered to notify the victim, regardless of how the file is ultimately coded.



2. Ensure to document all elements of the investigation within the file.

Reviewing Sexual Assault Files

1. Adequate supervision is a best practice throughout the investigation and after the conclusion of the file. Supervisors review and monitor sexual violence complaints throughout the investigative process, and ensure direction and comments are well documented in the investigation file. This includes ensuring that the correct clearance code has been applied to the Uniform Crime Reporting (UCR).
2. In the event of a sexual assault file not being cleared by charge, file may also be reviewed by an external team of community based sexual violence subject matter experts whose primary mandate consists of supporting victims of sexual assault such as in the case of the *Violence Against Women Advocate Review (VACR)* Model in municipal police forces, or the *Sexual Assault Investigation Review Committee (SAIRC)* within the RCMP.

Referrals

Referrals for medical and emotional services should be made and/or recommended to the following organizations:

1. Provincial Victim Services
2. SANE
3. Community Based Sexual Violence Services.

7. AUTHORS:

The Sexual Assault Investigations Provincial Policy Template was created by Sexual Violence New Brunswick (SVNB) in the context of the *Leading Systemic Change in Policy for Survivors of Sexual Violence in New Brunswick* (LSCP) project funded by the Department of Women and Gender Equality (WAGE). This policy document was built in consultation with the LSCP Working Group consisting of representatives from SVNB, the Department of Justice and Public Safety (Policing Standards and Crime Prevention), the New Brunswick Association of Chiefs of Police (NBACP), the Fredericton Police Force, the Royal Canadian Mounted Police (RCMP), l'Éclipse: Centre d'aide et de soutien pour les victimes de violence sexuelle and Family Plus Life Solutions.