

PBP FORM 290  PITTSBURGH BUREAU OF POLICE <i>"...honor, integrity, courage, respect, and compassion."</i>		SUBJECT: "SEXUAL ASSAULT INVESTIGATIONS"	ORDER NUMBER: 43-03
		PLEAC STANDARD: 4.13.1	PAGE 1 OF 4
RE-ISSUE DATE: 05/26/2026	EFFECTIVE DATE: 5/19/2015	REVIEW MONTH: AUGUST	RESCINDS: ALL PREVIOUS
		REVIEW DATE: 6/15/2022	

1.0 POLICY/PURPOSE

- 1.1 In all cases of sexual assault allegations, Major Crimes shall be notified immediately. Major Crimes personnel shall respond to the scene and assume complete command of the investigation according to Major Crimes standard operating procedures.
- 1.2 Ensure that sexual assault cases are properly and ethically investigated in an unbiased and truth-seeking manner that will support a fair and accurate decision in the criminal justice system.
- 1.3 Reduce the physical and psychological trauma to the victim of sexual violence by responding in a compassionate, sensitive, and non-judgmental manner.
- 1.4 Incorporate comprehensive investigation practices that focus on the actions and choices of the offender, not the actions or inactions of the victim.
- 1.5 Encourage a coordinated community response to sexual assault through coordination of the criminal justice response with medical and supportive services for victims of sexual assault.

2.0 OPERATIONS PERSONNEL - DUTIES AND RESPONSIBILITIES

- 2.1 Whenever a sexual assault occurs, the Officer(s) receiving the initial call shall respond and shall:
 - 2.1.1 Provide immediate medical assistance if needed.
 - 2.1.2 Ask if there is anyone that the victim would like to contact.
 - 2.1.3 Convey your understanding of the seriousness of the crime. Often a victim may view reporting a sexual assault as a risk. They do not know how they will be treated or if they will be believed. It is critical that responding officers communicate appreciation to the victim for reporting, regardless of the officer's initial impression of the case.
 - 2.1.3.1 Individuals respond to trauma in a variety of ways. Victims may display a range of demeanor and emotions from crying and distress, to extremely calm and/ or seemingly cheerful.
 - 2.1.3.2 Trauma can affect a victim's ability to give a detailed or chronological statement. A person experiencing trauma often will recall and/ or disclose information over a period of time as memories are triggered and as trust is established with responders.
 - 2.1.3.3 Do not make judgments about credibility based on a victim's demeanor or inability to articulate a chronological narrative.
 - 2.1.4 Secure the crime scene and preserve evidence.
 - 2.1.5 Convey the victim to the hospital (of the victim's choice if practical) for the collection of physical evidence from the victim's body, i.e., sexual assault evidence kit. Special Victims Unit (SVU) personnel will collect this evidence from the hospital.
 - 2.1.6 Detain and separate all witnesses, if possible.
 - 2.1.7 Prevent unnecessary police personnel and civilians from contaminating or entering the crimescene by assigning a scribe to secure and document the scene
 - 2.1.8 Notify the Zone supervisor.
 - 2.1.9 Contact and notify SVU Detectives at Police Headquarters immediately.

SUBJECT: "SEXUAL ASSAULT INVESTIGATIONS"	ORDER NUMBER: 43-03	PAGE 2 OF 4
---	--------------------------------	--------------------

- 2.1.10 Write the initial report. Initial responding officers will not conduct an extensive interview with the victim but will ensure that the information contained within the initial report indicates a sexual assault has occurred to include specific elements of a crime.
- 2.1.11 Officer(s) shall comply with Section 6311 of the *Pennsylvania Child Protective Services Law* (23 Pa.C.S.A. §6301, et seq.) regarding persons required to report suspected child abuse per section 6313(a), either
 - 2.1.11.1 Immediately via oral report to the Department of Human Services of the Commonwealth via the established Statewide, toll-free number (Childline), AND a written report, which may be submitted electronically, within 48 hours to the department or county agency assigned to the case OR
 - 2.1.11.2 Immediately via the electronic reporting procedure (PA Child Welfare Portal) as established in accordance with section 6305 in satisfaction of all notification requirements.
(<https://www.compass.dhs.pa.gov/cwis>)
- 2.2 The Zone supervisor will ensure Major Crimes personnel are notified immediately about the sexual assault.
- 2.3 Upon the arrival of Major Crimes personnel, the initial responding officers shall turn the investigation over to them.
- 2.4 The initial responding officer(s) will relay any information that may have been obtained and will transfer the custody of any evidence that may have been discovered to Major Crimes Personnel as well.
- 2.5 If a person of interest is detained or an on-view arrest is made, Major Crimes personnel shall be notified immediately.
- 2.6 If a person of interest is detained or an on-view arrest is made, the officer(s) will not question the actor or advise them of their rights. However, if this individual should freely make any statements, these statements shall be documented on the initial report.
- 2.7 Officers making an on-view arrest should not make an immediate transport to the Allegheny County Jail. All actors shall be transported to Police Headquarters unless immediate medical attention is necessary or unless otherwise directed by Major Crimes Personnel.
- 2.8 Zone Personnel will render assistance to Major Crimes personnel as requested.
- 3.0 MAJOR CRIMES PERSONNEL - DUTIES AND RESPONSIBILITIES**
- 3.1 Upon receipt of notification of a sexual assault, the Special Victims Unit (SVU) Sergeant or Major Crimes Supervisor shall determine who shall be assigned to the Investigation.
- 3.2 Sexual Assault Testing and Collection Act (SATEC) 35 P.S. ss 10172.1-10172.4, ACT 27 OF 2015)
 - 3.2.1 Major Crimes personnel shall take possession of Sexual Assault Kits within 72 hours of being notified of its existence.
 - 3.2.2 For those cases in which the victim or a victim advocate acting at the victim's direction has provided written notice of consent to the forensic testing, the PBP must submit evidence awaiting testing to the Allegheny County Crime Lab within fifteen (15) days.
 - 3.2.3 For those cases in which a victim has not provided consent to testing, the evidence must be preserved and stored for a period of no less than two (2) years, unless consent is provided before that period.
 - 3.2.4 The sexual assault kit shall be stored in compliance with policy developed as per the Act. (*Pennsylvania State Police Storage and Preservation Policy for Sexual Assault* 46 Pa.B. 7927 12-17-2016)
 - 3.2.5 Annual reports must be filed each year as per requirements of the Pennsylvania Department of Health (DOH) via a DOH survey. This function will be completed by the Major Crimes Commander or their designee.
- 3.3 Major Crimes personnel will collect all evidence from the body of the actor, i.e., saliva sample, blood samples, and the actor's underwear or other clothing, if necessary.
- 3.4 If SVU or Crime Scene Unit (CSU) Detectives are not available, a Major Crimes Supervisor will be notified to

make the determination on how to proceed with the on-view arrest for sexual assault.

- 3.5 If a sexual assault occurs between PM and AM shift, Night Turn CSU Supervisor or Acting Supervisor will direct the Real Time Crime Center to call out SVU personnel on a voluntary basis. If there is no response the initial investigation and/ or arrest will be handled by the reporting officer under the guidance of Night Turn CSU Detective personnel.
- 3.6 The Night Turn CSU Supervisor will ensure that all reports are completed before the end of the Detectives' tour of duty and will notify the SVU Sergeant.
- 3.7 If necessary, the Night Turn CSU Supervisor will notify the SVU Sergeant for assistance. The SVU Sergeant will assist in any way deemed appropriate.
- 3.8 The Investigation shall then proceed according to internal Major Crimes procedures.

4.0 PROTECTION OF VICTIMS OF SEXUAL VIOLENCE OR INTIMIDATION (Title 42 Chapter 62A)

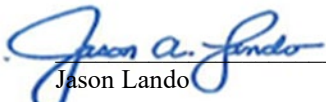
- 4.1 The Protection of Victims of Sexual Violence or Intimidation Act allows for the issuance of orders or protection for victims of sexual violence or intimidation. This is very similar to the PFA Statute. The following conditions apply to this act:
 - 4.1.1 Victims and perpetrators cannot be related or household members.
 - 4.1.2 Intimidation only applies to cases where the conduct is committed by a person 18 years of age or older against a person under 18 years of age.
 - 4.1.3 A parent, household member or guardian of a minor child can apply for an order.
 - 4.1.4 A guardian or person of an adult who has been declared incapacitated under 20 Pa.C.S Chapter 55, can also apply for an order.
 - 4.1.5 A victim of intimidation must be under 18 years of age in order to seek relief and the perpetrator must be 18 years of age or older.
- 4.2 The PBP will provide initial training to all officers to make them familiar with this Act.
- 4.3 Officers are responsible to make a reasonable effort to notify, as soon as possible, any person protected by an order issued under Title 42 Chapter 62 A of the arrest of the defendant for violating the subject protection order.
- 4.4 Officers will provide notice of the violator's arrest to the protectee(s) if the protectee(s) location is known, not more than 24 hours after the defendant's preliminary arraignment.
- 4.5 The PSP will be responsible for establishing a statewide registry for all temporary and final orders issued.

5.0 Domestic Violence Sexual Assaults

- 5.1 In the event the patrol officer has probable cause to make an on-view arrest for an assault under Title 18 Section 2711 and the victim is also alleging a sexual assault as part of the same incident occurring, the above policy regarding patrol responsibilities for sexual assaults will apply.
- 5.2 The actor shall be detained if located and transported to PBP Headquarters by the reporting officer and not transported to Allegheny County Jail.
- 5.3 Detectives will proceed with necessary investigative steps. The report officer(s) will remain at HQ to complete their reports.
- 5.4 After the initial investigation, Detectives will consult with the on-call District Attorney.
 - 5.4.1 In the event an on-view for the sexual assault is approved, the report officer(s) will be released, and the Detectives will file all charges on a single complaint.

- 5.4.2. In the event an on-view for the sexual assault is not approved, the report officer(s) will complete the arrest for offenses under Title 18 Section 2711, and additional investigation for the sexual assault will be continued by an SVU Detective.
- 5.5 The protocol of consulting the on-call District Attorney should also be followed when an actor is a known intimate partner who is not on scene and there is probable cause for a warrant to be issued. In the event a warrant is not approved for the sexual assault after the Detective's immediate investigation, the reporting officer will file a warrant for pertinent 2711 related offenses pending the completion of the sexual assault investigation.
- 5.6 When a domestic violence and sexual assault investigation results in no prosecution for the sexual assault, the case will be referred back to the initial officer for review with the Domestic Violence District Attorney.
- 5.7 If a call for domestic violence/sexual assault occurs between PM and AM shift, the same protocol as under section 3.5 of this order applies.

Approved by:



Jason Lando
Chief of Police