

Campus Safety CONFERENCE 2019

Making Campuses Safer — TOGETHER

Sexual Assault Investigations: The Impact of Community Policing and Public Outreach

Al Williams
Assistant Police Chief
Ball State University



CampusSafetyConference.com

Housekeeping

- Cellphones on vibrate or silent
- Access to the presentation
- Q&A at end
- Evaluations
- Social Media



@CampusSafetyMag

#CSC19

#MakingCampusesSaferTOGETHER

About Me

- Assistant Police Chief at Ball State University since 2015
- Retired Captain with the Muncie Police Department (25 years)
- Over 20 years experience in criminal investigations, drug task force and violent crimes units
- Graduate of Ball State University, Northwestern University School of Police, Staff and Command and various other law enforcement advanced training
- **Never too old to learn!**



About this Session

- **Identify** the key steps and develop best practices for a thorough trauma informed victim centered investigation
- **Learn** the benefits of a multi-disciplinary approach to sexual assault investigations within their school and community, along with critical aspects of teamwork
- **Recognize** the importance of having positive contacts and relationship building through community policing programs and public outreach

1990 vs 2019

New Way

- Interview immediately
- Neutral
- Chronological order
- Who, what, when, where, why
- Just the facts, one dimensional
- Rapid fire questions

Old Way

- Allow 1-2 sleep cycles
- Victim centered approach
- Tell me about your experience, remember in their own way
- 5 senses, avoid why questions,
- 3 dimensional, thoughts, feelings, sensory information
- Slow paced, patience

“Real Rape Myth”

- Victim and suspect are strangers- Do not know each other.
- A weapon was used.
- Signs of physical injury.
- Victim is hysterical and reports assault immediately.
- Suspect is viewed as sick, crazy, deranged.
- Great deal of physical evidence.
- Victim actively participates in investigation and prosecution
- Victim is absolutely certain of all details.

Sexual Assault Reported To Law Enforcement

- Reports to a:
 - Victim/Survivor contacts police directly by phone or in person
 - 3rd party (family/friend/coworker) contacts police
 - Mandatory reporter (Housing staff/coach etc) contacts police
 - ER staff contacts police
- Reporting Location:
 - Police station
 - Off campus house
 - Dorm
 - Hospital

Initial Law Enforcement Response

Four Initial Interview Priorities

- Establish elements of sexual assault are met.
- Evaluate need for forensic exam.
- Identify crime scene, evidence, witnesses, suspect.
- Establish identity and contact info for suspect, if known

(End Violence Against Women International)

Initial Officer/Victim Contact

- *First priority* Make sure victim is safe and check for medical needs
- Notify victim advocate as soon as possible
- Gather initial information
- Do not ask victim if they want to participate in a criminal prosecution
- Initial interview should be brief, not a detailed step by step statement
- Many times this initial contact “makes or breaks” the law enforcement relationship with the victim
- Immediate arrest normally discouraged unless a threat to community
 - Allows for more thorough investigation without rushing to arrest

(Trembley, T. 2015)

Forensic Examinations

- Conducted by a SANE Nurse (24/7 coverage)
- 72-120 hours after the assault
- Purpose
 - Obtain information about what sexual acts were committed to perform a comprehensive medical forensic exam and to collect biological evidence
 - Obtain info about physical injuries to document use of physical force
- Non Reporting Kits – SANE nurse contacts the jurisdiction of the assault *Do not send for lab testing* No victim consent, no crime report documented, consensual partners have not been excluded

Delayed Reports / Stops Participation

- Most victims of sexual assault do not report immediately, especially if it involves a non stranger assault
- Denial, shock, self blame, embarrassment, fear of not being believed, fear of criminal justice system
- Respect their decision
- Can re-activate the investigation within statute of limitations

Team Approach

- Sexual assaults are investigated as a team.
 - Two Investigators
 - Lt. Investigative Supervisor
 - Assistant Chief
- All observe interviews with victim and suspect.

Evidence Collection

- Sexual assault kit (DNA)
- Photograph victim injuries (injuries may develop more days later)
- Victim clothing, underwear (torn, untorn)
- Crime scene (secure and process thoroughly)
- Sheets
- Condoms, wrappers, gel
- Photograph scene
- Surveillance video
- Text messages
- Social media posts

Photographs

- Photograph entire scene before anything is collected or disturbed
- Depicts the crime scene, use for refreshing memory for and during testimony, shows proper perspective and relationship of evidence to scene
- Approaches to the crime scene and points of entry and exits
- Close up of wounds, bruises, bloodstains
- All potential evidence: clothing, bedding, disturbed furniture
- Can never have too many photo's

Trauma Informed Victim Centered Investigation

- Support victims from initial contact through entire process
- Help victim feel safe
- Do not judge
- Show empathy
- Acknowledge their pain/trauma
- Empowerment
- Patience

(Trembley, T. 2015)

Trauma Informed Victim Centered Investigation

- Understand that trauma impacts the brain and recognize those behaviors are caused from trauma, not from lying or being untruthful
- Understand that some decisions made during traumatic events do not make sense
- Understand there is no normal victim response to trauma

(Hopper, J. 2015)

Interview Rooms

Standard Interview Room

- More comfortable setting
- Soft, comfortable chairs
Victim, Investigator, Advocate
- Carpeted floors
- Colorful walls
- State of the art audio/video system

Soft Interview Room

- Suspect interview room
- Less comfortable
- Gray walls
- Tile floor

Interview Room



Soft Interview Room



Recording Interviews

PROS

- More reliable method of documentation with more details
- Investigator can listen better without writing everything down during the interview
- Documents immediate response and reactions
- Easier to locate the source of inconsistent information

CONS

- Actions do not fit “real rape” stereotypes

Victim Interview

- Be prepared!!
- Allow a victim advocate to be present
- Introduce yourself and explain the process
- Be patient and show compassion
- Acknowledge the difficult conversation

(You have been through something very difficult. Things may be jumbled up a bit right now, just do the best you can. You may remember more as time passes or as we go along. Just do the best you can)

Victim Interview

- Stress the importance of truth and if they don't remember something, that's OK
- Avoid leading questions
- Let the victim talk uninterrupted
- Document traumatic impact
Ex-How is their eating, drinking, sleeping, etc
- Changes in routine and appearance
Ex-Changing hair color and style
- Interview for clarification, do not interrogate

Victim Interview

- Avoid victim blaming “why” questions (Why did you...)
- What did “no” look like (no, stop, shook head no, removed hand, looking away)
“C’mom” or “You know you want it” (acknowledges they understood)
- Explain or clarify your questions
 - You ask “Are those the clothes you were wearing when this occurred”
They hear “They think its my fault because how I am dressed”
 - You ask “Did he physically hurt you or threaten you with a weapon”
They hear “It must not be a real rape. He didn’t hurt or threaten me”
- Discuss timeline and next steps, provide and obtain contact info and best way of keeping victim and VA informed

(evawi)

Forensic Experiential Trauma Interview (FETI) (Russell Strand)

- Victim does most of the talking
- Acknowledge their trauma/pain/difficult situation
- Demonstrate genuine empathy (less empathy = less cooperation)
- Reframe questions
 - What are you able to tell me about your experience
 - Tell me more about... How did you feel... Help me understand about
 - What was reaction before, during, and after

FETI

- What are you able to remember about (5 senses)
 - Ex-Smelled like dirty feet
 - Ex-Ceiling looked like the solar system
- How did the experience affect them physically and emotionally
- What was the most difficult part of the experience for you
Use open ended questions
- What can't they forget
- We still have to ask difficult questions and the who, what, when, where, how....just do it in a different way

FETI

- Give the victim the opportunity to understand and remember at their own pace
 - Ex-Time and space are a couple of the first things to go under stress
Police action shootings / sexual assault
- Asking leading questions can lead to false or mistaken details
- Puzzle Pieces of memory during stress
 - Ex-Dump a box of puzzle pieces out on the table. The pieces are out of order, upside down, etc

Drug and Alcohol related Sexual Assaults

- Alcohol is the most common, along with Rohypnol, ecstasy, GHB
- Victim may be reluctant to share info about alcohol or drug usage
 - Encourage victim honesty and reassure no criminal consequence
- Full drug screen
 - Blood sample within 24 hours may reveal alcohol or drugs
 - Urine sample within 96 hours may reveal drugs
- Corroborate through witness state statements, surveillance video
 - 4 witnesses at party, text messages, dorm video

(evawi)

Pre textual Phone Calls

- Investigative Tool-recorded phone call between the victim and suspect
- Purpose is to solicit incriminating statements
- Must be careful not to re-victimize the victim
- Undercover acts as victim caller
- 39 states allow pre textual call
- Text messaging

Suspect Interview

- Factors that may determine when suspect interview is done
 - is suspect still at crime scene
 - is suspect a danger to others
 - is housing moving suspect
- Initial contact and interview before suspect knows case has been reported to LE
- Non custodial interview vs custodial (Miranda Rights)
“We want to hear your side of the story”
- Any interview is better than none. (Locked into a story)

Suspect Interview

- Focus on suspect behavior, not victim
- Look at pre and post assault behavior
- Does it make sense
- Suspect shifting blame / minimizing
- Confront inconsistencies with known evidence, witness statements
- Confront about lack of consent / explain difference between consent and submission
- Multiple investigators observing interview (2nd interviewer)

Suspect Interview

- Suspect version, admissions or denials
 - It was not me, wrong person
 - Denial, I did not do that
- DNA evidence, injuries to victim, trauma to vaginal area, transfer evidence
- Consent- totally consensual
- Try to impeach victim or investigation

Search Warrants / Consent

- Present information and facts on a probable cause affidavit for a judge to review
- If probable cause exists, the judge will sign and issue the warrant
- Search warrants for:
 - Residence
 - Individuals room
 - Vehicles
 - Cell phone
 - Computers
 - Suspects DNA

Search Warrants/Consent

- Consent to search
 - Warrantless search
 - Must be voluntary
 - Must be given by someone with proper authority
 - Consent can be revoked
- Plain View
- Exigent Circumstances
 - Ex-destruction of evidence

DNA

- Molecule found in cells throughout the body that carries our genetic information
- Can establish that sexual contact occurred between two people
- Can identify a donor to include or exclude a suspect
- Can link suspects to other crimes-both past and future
- Can corroborate statements made by both the victim or suspect
- **Send kits for testing!!!!**

DNA

Can help to prosecute, exclude, or exonerate a suspect

- Semen: Can be located in or on a victim/suspect's body, clothing, etc
- Saliva: Can be a result of kissing, licking, biting, as well as oral copulation by either party. Can be located on body, or objects such as cigarette butts, cups, soda cans, and partially eaten foods.
Ex-DNA from victims neck
- Blood: Can be located on body, clothing, etc. Can be the result of an injury which may corroborate participation in certain acts.
- Fingernail scrapings or swabbing: Especially useful in sexual assault cases where digital penetration may have occurred.
- Other biological evidence: sweat, vaginal excretions, mucus, ear wax.

Touch DNA

- Scenarios where a person comes into contact with another person or object for a period of time
 - Examples: Handguns, knives, cell phones, tools, flashlights, waistbands of underwear, bra clips, buttons on pants, etc.
- The ability to develop a DNA profile from touch evidence depends on:
 - The length of time the subject was in contact with the object
 - The amount of force applied when touching the object
 - The number of other individuals that potentially touched the object

Digital Evidence

- Computer related searches: Websites, search history, email
- Social media: Facebook, Snapchat, Twitter
- Most crimes involve the use of a cellphone
 - Contacts, photos, videos, calls sent and received, texts messages, apps utilized, websites visited, tower information on locations.
Cellular data from newer vehicles
- Get the passwords (codes)
- Place in airplane mode

Other Investigative Resources

- RMS systems (UPD, City/County RMS, jail booking records)
- ISP labs, Cybercrimes Unit
- University resources, Banner, parking services, university camera system
- Database systems, Doxpop, Etrace, Telmate, CsGold
- Evidence.com
- Fusion Center (facial recognition)
- Polygraph
Ex-Rape and voyeurism case

Arrest Procedures

- Arrest on probable cause after suspect interview or when case is complete
- Obtain an arrest warrant for suspect
- Suspect can receive a summons to appear in court

Unfounded / Baseless / False Reports

- False reports (2 to 8 percent) Multiple resources
- False report-reported crime of sexual assault to law enforcement that an investigation factually proves never occurred.
- Baseless-include those that do not meet the elements of the offense and those improperly coded as a sexual assault in the first place.
- Unfounded-UCR guidelines-A reported case that is investigated and found to be baseless or false.

(Lisak 2015)

Victim Advocate

- 24/7 Crisis response serving university students
- Assist with developing safety plans/protective and no contact orders
- Helps investigators establish rapport with victims
- Great working relationship
- Serve on several information and safety panels with UPD and Title IX
- Train together!!
 - Yearly training with officers in reference to services provided
- Role play and scenario training with investigators and rookie officers

Prosecutor

- All sexual assault cases with a known suspect are forwarded to the prosecutors office for review
- Argue your case, if need be!

Title IX

- Schools are legally obligated to respond and remedy hostile educational environments
- Separate investigation from criminal investigation
- Usually 60 days to complete
- Can be a Title IX violation with out an arrest or evidence of a crime
- Preponderance of evidence vs beyond a reasonable doubt
- Cooperation!!! Allow Title IX investigators to view interviews
 - Ex- Child advocate centers
- Keep updated on process

SART Team

- County or area wide team
- Prosecutor, Ball State (PD, VA, Title IX), MPD, MPD VA, A Better Way advocates, IU Health SANE nurse
- Quarterly meetings

Documentation / Report Writing

- Thorough and detailed!!!
- List all the elements of the crime
- Document victims experience
Ex- What did no look like, and what did their fear feel like
- Document victims emotions and state of mind before, during and after the assault
- Use direct quotes and victims language, do not paraphrase
 - Ex- “put his penis in my vagina” vs “had sex with me”
- Detailed description of injuries
- Do not include opinions, assumptions or police jargon (evawi)

Supervision

- Plays a critical role in assuring a competent and thorough investigation has been completed.
- Review all sexual assault case files.
- Ensure investigators keep the victims and advocates apprised of case status
- Ensure follow-up requests have been completed.
- Creates an environment that exhibits sensitivity to victims.
- Provides training opportunities for the officers and investigators.
- Encourages partnerships between local agencies on and off campus.

Training

- EVAWI regional and national conference
- FETI
- Trauma Informed Victim Centered
- Crime Scene and Evidence Collection
- Photography
- Digital Evidence or Forensics (ISP)
- Interview and Interrogation
- Train with Victim Advocates (Investigators and Patrol)

Community Policing

2016/2017- 144 Events 6,858 Attendance

2017/2018- 141 Events 10,021 Attendance

2018/2019- 177 Events 11,221 Attendance
(Feb)



Lunch with a Cop

More than 1000 student interactions!

BALL STATE UNIVERSITY POLICE

LUNCH WITH UPD

Sign up for lunch with University Police Officers. Students can bring a group of up to 3 people.

Best part? Meal is FREE for all students.

Sign up at: bit.ly/updlunch
EMAIL: BSUPD@BSU.EDU

 @BALLSTATEPD



Community Policing

- Residence Hall Officer Liaison Program
- Citizens Police Academy
- Too Good For Drugs Program
- CRASE Civilian Response to Active Shooter Events



Crime Prevention

- RAD (Rape Aggression Defense)
- Sexual Assault Panels
- Bike Registration



UPD Bicycle Registration

Requestor

Name:

BSU ID:

Contact Information

These are the phone numbers we have on file for you, and will be used to contact you should something happen to your bike without your knowledge. If these numbers are incorrect, please use **Self-Service Banner** (under Personal Information -> Update Addresses and Phones) to update your contact information before submitting this form.

Phone (Local Living):

Phone (Mailing):

Owner Details

Providing your driver's license information is helpful when completing a police report for a stolen bicycle. This information is optional, but all registrants are encouraged to provide this information.

Driver's License Number:

Driver's License State of Registration:

Bicycle Details

Make:

Model:

Serial/VIN:

The serial number will be engraved into the metal of the bike. Serial numbers are never printed on a sticker. If you require help locating the serial number contact our department (765) 285-1111.

Color(s):

Speed:

Wheel Size:

Unique Features:

Common Serial Number Locations



Serial Number Example



Monthly Data Sheet

Community Policing 2018-2019

Date	Presenter	Topic	Location	Attendance
July 6 2018	Upchurch, J. Smith, Workman	Autism Camp	Burris	30
July 31 2018	Duckham	Community Policing	Kinghorn	30
2	2			
August 1 2018	Lucas, Hurst	Active Shooter/General Satety	Alumni Center	30
August 3 2018	Jennings	Safety Talk	Bursar Office	10
August 7 2018	Al Williams	Active Shooter	Alumni Center	40
August 7 2018	Kurtz, Pohorny	R.A. Training	Student Center 301	100
August 8 2018	Whiles, Bevans, Lucas	Dinning with R.A.	Woodworth	50
August 13 2018	Kurtz, Pokorny	Intro to Campus Police	NQ 239	32
August 13 2018	Duckham	Current Events	Pruis Hall	155
August 15 2018	Duckham, Kurtz, T Smith	Why do the police police	Schumann Stadium	110
August 17 2018	Al Williams	CRASE	Student Center	64
August 17 2018	Duckham, Stephens	CRASE	Emens	2167
August 19 2018	Duckham, Myer, Whiles, Hurst, Lucas	Welcome Back Bash	Schiedler Apts.	130
August 21 2018	T. Smith	General Safety Talk	Wellness/Rec Center	20
August 23 2018	Stephens	Dunk a cop Bike registration	Scramble light	35
August 26 2018	Lucas/Whiles	Staff Meeting	Elliot Halls	6
August 28 2018	Stephens	Bike Registration	Campus	19
August 29 2018	Duckham, Bevans	Super Party	Letterman Building	400
August 29 2018	Lucas	Staff Meeting	Schiedler Appartment Ofc	2
August 29 2018	Lucas	Condoments	Shievly	40
August 31 2018	Myer, Hurst	OWI Trikes	Park Hall	60
19	21			
September 4 2018	Stephens	Bike Registration	Johnson Complex	18
September 4 2018	Duckham, Kurtz, Lucas, Hunt, Whiles	Police and The Press	AJ/Daily News	30

Sources

- *End Violence Against Women International Archambault, J., Lonsway, K. (2017). Interviewing the Victim: Techniques Based on the Realistic Dynamics of Sexual Assault.*
- *EVAWI Archambault, J., Lonsway, K., (2016). Preliminary Investigation: Guidelines for First Responders.*
- *Hopper, J., (2016). The Impact of Trauma on Brain, Experience, Behavior and Memory.*
- *Lisak, D., (2015). Sexual Assault Training.*
- *Strand, R., (2017). Forensic Experiential Trauma Interviews: A Trauma Informed Experience.*
- *Tremblay, T., (2015). Trauma Informed Sexual Assault Investigations Training.*
- *Tremblay, T., (2016). Trauma Informed Training.*

Reminders

- Access to the presentation
- Evaluations
- Social Media

Contact Info

Speaker Name

Assistant Chief Al Williams Ball State University
(765) 285-1210

agwilliams3@bsu.edu

www.bsu.edu/police

Ball State University Police on Facebook



@CampusSafetyMag

#CSC19

#MakingCampusesSaferTOGETHER