

Campus sexual assault

Practices & Challenges

Introductions

- ◉ Suffolk University; Chief Chip Coletta
- ◉ Boston Police Department;
Lieutenant Detective George Juliano
- ◉ Municipal Police Training Committee;
Maura Landry

Challenges?

- What are some barriers to officers on college campuses face? Challenges to investigating sexual assault cases?



Newsworthy

- ◉ Stanford University – Brock Turner
- ◉ St. Pauls prep school – Owen Labrie
- ◉ David Becker; East Longmeadow
- ◉ Dear Harvard letter/Wheaton/Amherst/WPI/
- ◉ Brown



BOSTON
Herald



Adult Sexual Assault Law Enforcement Guidelines 2009

*Executive Office of Public Safety &
Security (EOPSS)*

Foundation for Guidelines

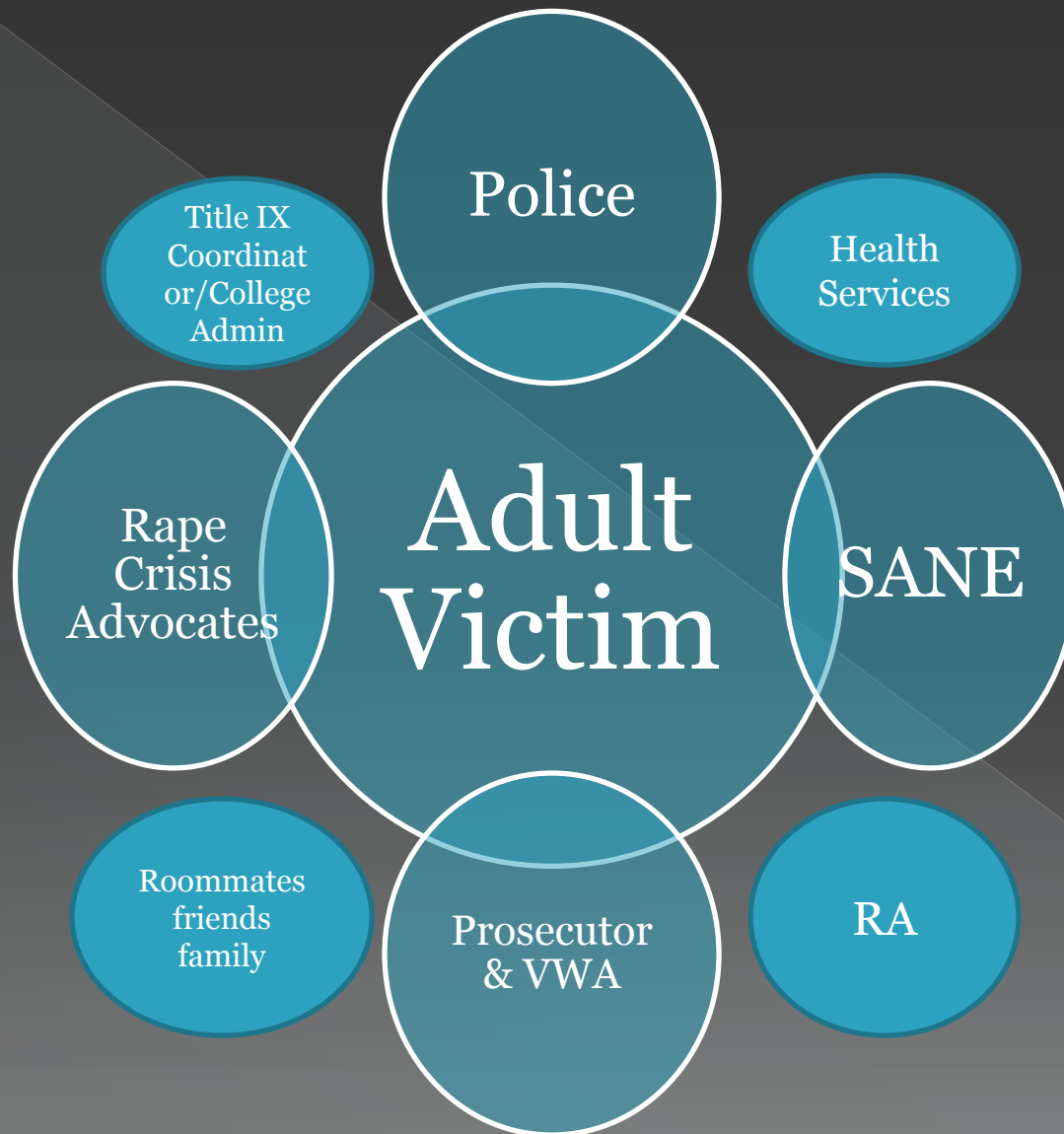
- ❖ Thorough & Sound Investigations
 - ❖ Trauma Informed Response
 - ❖ Interagency Cooperation

Victim Centered Approach

Victim Centered/Offender Focused

- ◉ Victim centered: giving time and consideration to the victims needs, wishes, and concerns throughout the medical, advocacy, and criminal justice response.
- ◉ Offender Focused: Focusing attention of the investigation on the actions and behaviors of the suspect. How and why did the offender target this victim?
- ◉ Victims **react** to the **actions** of the offender

Team Approach



Preliminary Interview by patrol; Minimal Facts

Goal: Establish whether a crime occurred

- Is the victim reporting a sexual assault?
- What are the elements of the crime
- Is a forensic exam needed
- *Where did the crime occur – on or off campus*
- Identify potential suspect(s), witnesses, evidence and crime scene (s)
- Locate the suspect
- Determine if an arrest should be made
- The safety of the victim, campus, & public

Medical Attention

Medical attention is highly recommended regardless of time

- ◎ SANE site: Forensic collection
- ◎ HIV/STI & Pregnancy testing
- ◎ Anonymous kits are held for 6 months
- ◎ Toxicology results are available to all victims; anonymous or reported
- ◎ 120 hours for adults; 72 hours for children



What are the key differences between a school's Title IX investigation & a criminal investigation?

A criminal investigation is intended to determine:

- whether an individual violated criminal law;
- and, if at the conclusion of the investigation, the individual is tried and found guilty,
- the individual may be imprisoned or subject to criminal penalties.

Title IX investigation will never result in incarceration of an individual and, therefore, the same procedural protections and legal standards are not required.

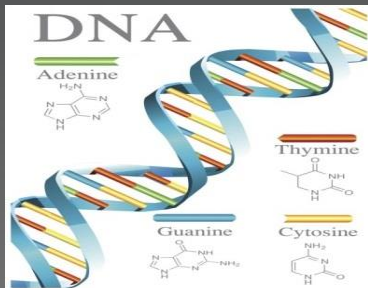
- Because the standards for pursuing and completing criminal investigations are different from those used for Title IX investigations, the termination of a criminal investigation without an arrest or conviction does not affect the school's Title IX obligations.

Identity vs

Consent

- Obtain a detailed description of offender
- Document exact words used by assailant
- Collect any forensic evidence
- Utilize available DNA samples to identify suspect (s)

- Any physical or verbal resistance from victim
- Any injury on victim; internal or external
 - Absence of physical injury does not mean consent
 - Victims thoughts prior & during assault
 - Alcohol or drug use by the victim
 - If the victim was unconscious or incapacitated



Consent



Some populations are unable to give consent under any circumstances:

- ⦿ Drunk or high/drugged
- ⦿ Mentally incompetent
- ⦿ Unconscious, coma, etc...
- ⦿ Under the age of 16... “consent” is not a factor

- ⦿ Complying with the rapists demands to avoid further harm does not constitute consent.

More on consent -



- ❖ Silence does not equal consent
- ❖ Resistance is not required
- ❖ Coercion, threats, or intimidation
- ❖ Incapacitation (vomiting, unconscious, sleeping)

⦿ [Tea and Consent](#)

⦿ <https://youtu.be/pZwvrxVavnQ>

First Complaint Witness

Victim has told someone



Responding officer
completes preliminary
report



Sexual assault investigator
investigates

Victim has not told anyone



Responding officer
documents all information
victim shares

College statistics

- The White House Task Force to Protect Students from Sexual Assault released their first report in April 2014, leading with a chilling statistic: ***one in five college students experiences sexual assault during their college career.***



- Female college freshmen are at the highest risk for sexual assault between the first day of school and Thanksgiving break.
- About 12% of student victims report the assault to law enforcement

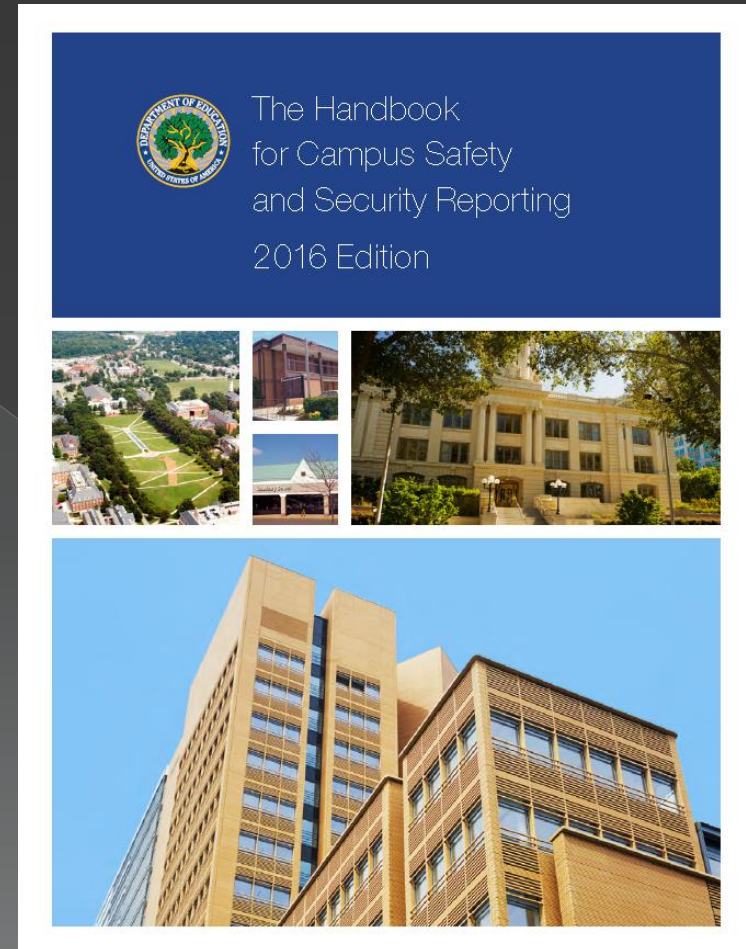
Reporting; Why should victims report this crime?

- Pro's

- Con's

Clery Act Considerations

- Location of incident (on-campus, off-campus, non-campus)
- Timely warnings
- Policy Statements
- Statistics



Victims

Most likely; Freshmen female

They are chosen because they are:

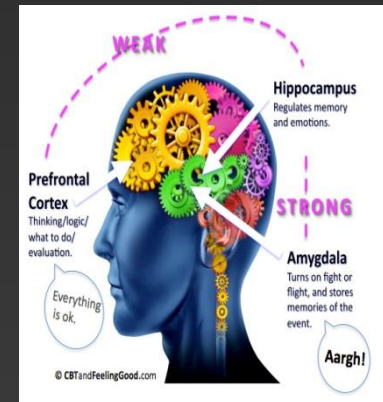
- *Vulnerable*
- *Accessible*
- *Inexperienced*
- *Looking to fit in*
- *Trusting*
- *Drink willingly*



Trauma

During Assault:

- Flight/Fight/Freeze
- Tonic Immobility



Trauma impacts the memory by how it is both:

- *Recorded*
- *Retrieved*

Therefore.. Your

- *Recall*
- *Recognition is altered*
- ***= order of events are not in chronological order***
 - ***= victim is perceived as inconsistent***

After the Assault:

- Victims may not respond/react as we expect
 - Stages of Trauma

Chessy Prout – St. Paul's

- ⦿ <http://www.today.com/video/chessy-prout-st-paul-s-school-assault-survivor-on-rape-case-verdict-and-future-754204739708>



Drug facilitated sexual assault; consent

Things to consider:

- ⦿ Offender does not need a weapon when alcohol is involved
 - ⦿ Level of Impairment – both parties
- ⦿ Drugs metabolize quickly and leave the body before victim thinks to get tested



Level of Impairment

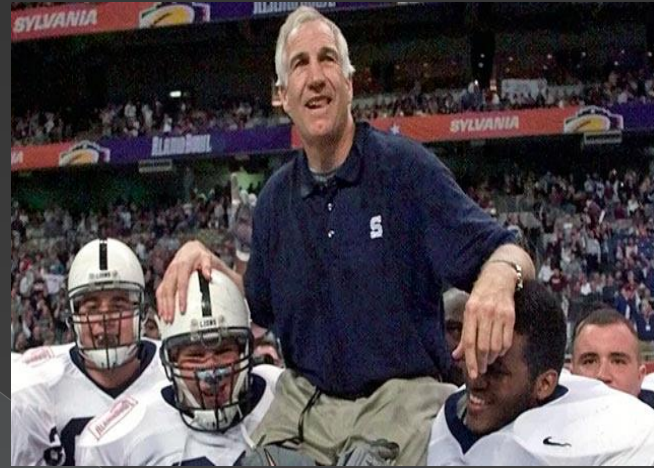
- Rate of absorption variables:
- Food
- Body size
- Amount & Type of Alcohol
- Duration of drinking
- Fatigue
- Tolerance
- Combination of alcohol with other drugs

Men								Women														
		Approximate Blood Alcohol Percentage										Approximate Blood Alcohol Percentage										
Drinks		Body Weight in Pounds								Drinks		Body Weight in Pounds										
		100	120	140	160	180	200	220	240			90	100	120	140	160	180	200	220	240		
0	.00	.00	.00	.00	.00	.00	.00	.00	.00	Only Safe Driving Limit		0	.00	.00	.00	.00	.00	.00	.00	.00	.00	Only Safe Driving Limit
1	.04	.03	.03	.02	.02	.02	.02	.02	.02	Impairment Begins		1	.05	.05	.04	.03	.03	.03	.02	.02	.02	Impairment Begins
2	.08	.06	.05	.05	.04	.04	.03	.03	.03	Driving Skills Affected		2	.10	.09	.08	.07	.06	.05	.05	.04	.04	Driving Skills Affected
3	.11	.09	.08	.07	.06	.06	.05	.05	.05	Possible Criminal Penalties		3	.15	.14	.11	.10	.09	.08	.07	.06	.06	Possible Criminal Penalties
4	.15	.12	.11	.09	.08	.08	.07	.06	.06	Legally Intoxicated		4	.20	.18	.15	.13	.11	.10	.09	.08	.08	Legally Intoxicated
5	.19	.16	.13	.12	.11	.09	.09	.08	.08	Criminal Penalties		5	.25	.23	.19	.16	.14	.13	.11	.10	.09	Criminal Penalties
6	.23	.19	.16	.14	.13	.11	.10	.09	.09			6	.30	.27	.23	.19	.17	.15	.14	.12	.11	
7	.26	.22	.19	.16	.15	.13	.12	.11	.11			7	.35	.32	.27	.23	.20	.18	.16	.14	.13	
8	.30	.25	.21	.19	.17	.15	.14	.13	.13			8	.40	.36	.30	.26	.23	.20	.18	.17	.15	
9	.34	.28	.24	.21	.19	.17	.15	.14	.14			9	.45	.41	.34	.29	.26	.23	.20	.19	.17	
10	.38	.31	.27	.23	.21	.19	.17	.16	.16			10	.51	.45	.38	.32	.28	.25	.23	.21	.19	

Your body can get rid of one drink per hour.
One drink is 1.5 oz. of 80 proof liquor, 12 oz. of beer, or 5 oz. of table wine.

Your body can get rid of one drink per hour.
One drink is 1.25 oz. of 80 proof liquor, 12 oz. of beer, or 5 oz. of table wine.

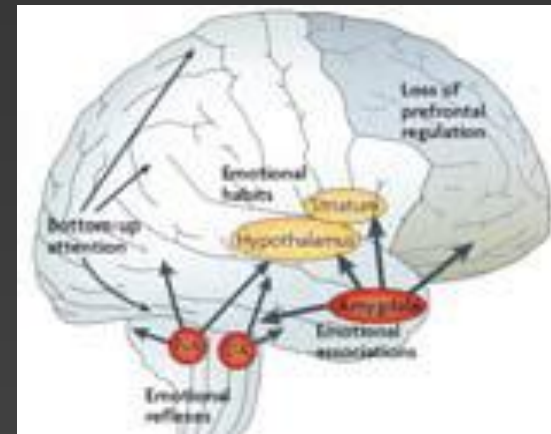
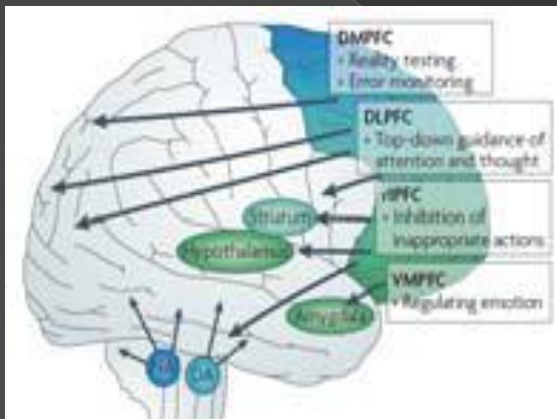
What do we know about offenders:



Perpetrator

vs

Victim



Not stressed

- **Prefrontal cortex in control**
- Thinking and behavior:
- Planned
- Practiced
- Habitual

Afraid, overwhelmed

- **Fear circuitry in control**
- Attention and thoughts driven by perpetrator actions
- Behavior controlled by habits and reflexes

Case Example –

- Chief Coletta
- Lt. Det. Juliano

Conclusion/Best Practices

I should be over it,
but I'm not,
it still haunts me every day.

◎ Start By Believing

- › Go into investigation with the right mindset
- › Builds rapport with victims = gathering information to determine what really happened
- › Lead to more successful investigations

◎ Sexual Assault Guidelines:

<http://www.mass.gov/eopss/docs/eops/publications/2009-sa-final-6-9-09.pdf>

◎ End Violence Against Women International:

<http://www.evawintl.org/PAGEID3/Best-Practices/FAQs/>