Successfully Investigating Acquaintance Sexual Assault:
A National Training Manual for Law Enforcement

The National Center for Women and Policing
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<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summary</td>
<td>1</td>
</tr>
<tr>
<td>Task 1</td>
<td></td>
</tr>
<tr>
<td>Subtask 1.1</td>
<td>1</td>
</tr>
<tr>
<td>Subtask 1.2</td>
<td>2</td>
</tr>
<tr>
<td>Task 2</td>
<td></td>
</tr>
<tr>
<td>Subtask 2.1</td>
<td>2</td>
</tr>
<tr>
<td>Subtask 2.2</td>
<td>2</td>
</tr>
<tr>
<td>Task 3</td>
<td></td>
</tr>
<tr>
<td>Subtask 3.1</td>
<td>2</td>
</tr>
<tr>
<td>Subtask 3.2</td>
<td>3</td>
</tr>
<tr>
<td>Task 4</td>
<td></td>
</tr>
<tr>
<td>Subtask 4.1</td>
<td>3</td>
</tr>
<tr>
<td>Subtask 4.2</td>
<td>3</td>
</tr>
<tr>
<td>Subtask 4.3</td>
<td>3</td>
</tr>
<tr>
<td>Subtask 4.4</td>
<td>3</td>
</tr>
<tr>
<td>Subtask 4.5</td>
<td>4</td>
</tr>
<tr>
<td>Subtask 4.6</td>
<td>4</td>
</tr>
<tr>
<td>Task 5</td>
<td></td>
</tr>
<tr>
<td>Subtask 5.1</td>
<td>5</td>
</tr>
<tr>
<td>Subtask 5.2</td>
<td>5</td>
</tr>
<tr>
<td>Subtask 5.3</td>
<td>5</td>
</tr>
<tr>
<td>Task 6</td>
<td></td>
</tr>
<tr>
<td>Task 7</td>
<td></td>
</tr>
<tr>
<td>Subtask 7.1</td>
<td>6</td>
</tr>
<tr>
<td>Subtask 7.2</td>
<td>6</td>
</tr>
<tr>
<td>Subtask 7.3</td>
<td>6</td>
</tr>
<tr>
<td>Subtask 7.4</td>
<td>7</td>
</tr>
<tr>
<td>Subtask 7.5</td>
<td>7</td>
</tr>
<tr>
<td>Subtask 7.6</td>
<td>7</td>
</tr>
<tr>
<td>Subtask 7.7</td>
<td>7</td>
</tr>
<tr>
<td>Subtask 7.8</td>
<td>7</td>
</tr>
<tr>
<td>Optional Exercise</td>
<td>7</td>
</tr>
</tbody>
</table>
Sex Offenders

Summary
Instructor: Law Enforcement Officer
Time needed: 7 hours for full investigations module. This time includes one hour for lunch and two 20-minute breaks.
Resources needed: Overhead projector
Handouts
Flip charts/pens
TV/VCR

Task 1
Discuss sex offender dynamics.

Subtask 1.1
Distinguish between the stereotypes and the truth about the sex offender.

Presentation method:
- Option 1. Video presentation of sex offender.
- Option 2. Transcript reading of interview with sex offender.

Time: 30 minutes
Materials: TV/VCR/Frank Transcript Handout

Option 1:
View the videotape production of Anna C. Salter, Ph.D. in an interview with a convicted sex offender referred to as, "Al". The purpose of this presentation is to highlight the stereotypes associated with the sex offender. The instructor should allow approximately 10 minutes for the video presentation.

After the vignette is complete, stop the tape and address the following questions in an open discussion format. Allow 10 minutes for discussion.

Sex offenders often play on societal myths about sexual assault to create a defense.
- What societal myths about the sex offender does Al use in his defense.
- What societal myths about "real rape" does Al use to discredit his victims?

Option 2
Instead of a video presentation the instructor has the option of using a written transcript of an interview with a sex offender in order to illustrate the stereotypes associated with the sex offender. It is recommended that the instructor use the "Frank Transcript" from the Drug-facilitated sexual assault module for this purpose.
Before class begins recruit two participants to read the transcript out loud to the class. Allow the readers to review a copy of the transcript, and assign them one of the two roles (interviewer vs. Frank).

Choose two participants who have actively participated throughout the training and who you feel can communicate well. Set-up two chairs for the readers in the front of the class and have them read their assigned parts. When the reading is complete, ask participants to address the following questions.

- Does Frank believe he is a sex offender? Why or why not?
- If you were investigating Frank for the sexual assault discussed in the transcript, what challenges would you face during the suspect interview?

Note to Instructor: Feel free to use a video or transcript from your own resources that would successfully highlight the goals of this task.

**Subtask 1.2**
Discuss how stereotypes allow sex offenders to remain undetected.

Presentation method: Open discussion

Time: 15 minutes

**Task 2**
Compare the characteristics of the undetected vs. detected sex offender.

**Subtask 2.1**
Describe the characteristics of the undetected sex offender.

Presentation method: Lecture

Time: 10 minutes

**Subtask 2.2**
Describe the characteristics of the detected sex offender.

Presentation method: Lecture

Time: 10 minutes

**Task 3**
Discuss the preparation for the suspect interview.

**Subtask 3.1**
Choose an appropriate time and place for the interview.

Presentation method: Brief lecture

Time: 5 minutes
Subtask 3.2
Obtain all necessary background information.
Presentation method: Listing exercise
Time: 5 minutes
Materials: Flip Chart
Ask participants to take a brief moment and write down what they believe is the most crucial background information necessary to prepare for the suspect interview.
Give the participants approximately 30 seconds to write down their answers. After the participants appear to have completed their list, call on a participant to share three examples. Continue calling on participants, asking them to add ideas only if it has not already been mentioned. Use a blank overhead or flip chart to record the list the participants have developed. Allow an additional 2-3 minutes for this process.
After the allotted time, give a brief lecture to present any information that the participants may have missed.

Task 4
Generate ideas on techniques used to interview suspects with different personality disorders.

Subtask 4.1
Discuss the characteristics of a suspect with a psychopathic personality disorder and relevant interview techniques.
Presentation method: Brief lecture
Time: 10 minutes

Subtask 4.2
Discuss the characteristics of a suspect who is narcissistic.
Presentation method: Brief lecture
Time: 10 minute

Subtask 4.3
Discuss the characteristics of a suspect with paranoia.
Presentation method: Brief lecture
Time: 10 minutes

Subtask 4.4
Discuss the characteristics of a suspect with a paraphilic condition (i.e. fetishism, transvestitism, or voyeurism).
Presentation method: Brief lecture
Time: 10 minutes

**Subtask 4.5**

Recognize the importance of developing themes during the suspect interview.
Presentation method: Lecture

Time: 20 minutes

**Subtask 4.6**

Practice suspect interview.
Presentation method: Role-Play

Time: 60 minutes

Conduct a **sequential role-play** in order to give participants practical experience in conducting an interview with the suspect in a sexual assault case. The instructor should play the role of the suspect. Choose the first participant to begin the role-play.

Inform the class of the structure of this role-play and indicate that you will attempt to involve as many students as possible. Each investigator will interview for no longer than five minutes and will then turn the interview over to another investigator. At the end of each role-play allow the investigator to make comments and ask questions. The instructor should then briefly give feedback to the investigator and the class.

Set up two chairs in the front of the class. Briefly explain to the participants their instructions as the detective in this case.

The following are the instructions for this role-play scenario:

**The Suspect**

Your name is John Smith. You are the suspect in the acquaintance rape involving Donna Anderson. You are not sure why you have been called to the police station and are extremely nervous. You think that it probably has something to do with Donna Anderson, but the detective who called you would not be more specific.

You did have sex with Donna Anderson, but do not consider it "rape." She was asking for it anyway. You never thought she would call the police, and are very surprised that she did.

During the interview, you should deny raping her, but admit to having sex with her. You have rationalized your behavior in your mind, because she was asking for it by leading you on.

During the course of the interview you should display behaviors associated with a narcissistic personality disorder. In addition you should exhibit deceptive behaviors in both body language and verbal responses. Your response to questions is dependent upon the ability of the interviewer.

**Investigator**

You are the investigator in a reported acquaintance rape case. The victim's name is Donna Anderson. The suspect's name is John Smith. You have already reviewed the preliminary investigation report and have interviewed the victim. You find the victim's story very credible.
You have called John and requested to speak with him regarding "a case" you are working on. You invited him to come to the police station and he has agreed. This is a non-custodial interview.

**Task 5:**
Assess a suspect statement for use in prosecution.

**Subtask 5.1**
Distinguish between exoneration & confession.
Presentation method: Lecture
Time: 10 minutes

**Subtask 5.2**
Distinguish between an exculpatory vs. incriminating statement.
Presentation method: Self-test exercise
Time: 15 minutes

Use an overhead to display the following questions on the overhead.
- The suspect denies being with the victim when she claims she was sexually assaulted.
- The suspect admits to having sex with the victim and to hitting her.

Ask the participant to write down which of these statements is exculpatory and which is incriminating. Give the participants approximately 30 seconds to write down their answers. Inform the participants that they will not be asked to read their answer out loud. This will encourage the participants to answer the question because they can keep their answers confidential.

After the allotted time, give a brief lecture in which you discuss how no statement "stands alone" and must be viewed in the context of all the evidence. The bottom line is for participants to realize that they did not have enough information to determine whether the statements above are exculpatory or incriminating.

Use the remaining time to answer any questions regarding the results of this exercise.

**Subtask 5.3**
Distinguish between provable lies, implausible accounts of an incident, and partial admissions.
Presentation method: Class evaluation exercise
Time: 10 minutes

In order to highlight the difference between lies, implausible accounts of an incident and partial admissions take a few moments to ask the participants if the following statements are examples of provable lies, implausible accounts of an incident, or partial admissions.

Ask the participants to hold up one finger if they believe the statement is a provable lie, two fingers if it is an implausible account of an incident, and three fingers if it is a partial admission.
This will allow the instructor to gage the knowledge level of the participants. Use overheads to display the following statements.

- The suspect states, "I never had sex with that woman," and then this is shown to be untrue with a DNA test
- The suspect states that he could not have sexually assaulted the victim because he was visiting his family on the planet Neptune
- The suspect states that the victim said "no" and struggled to get away when he initially requested sex, but then explains that she later changed her mind and consented to have sex

The instructor can thus gauge how well the participants understand this material and therefore how much time to spend lecturing.

**Task 6**
Discuss techniques to encourage additional details from the suspect (i.e. using the suspect's own rationalizations etc.)

Presentation method: Lecture

Time: 15 minutes

**Task 7**
Discuss strategies for using pretext phone calls in sexual assault investigation.

Note to Instructor: The discussion on the use of pretext phone calls will be different according to each jurisdiction. For example, it is illegal in many states to conduct a pretext phone call and this evidence is therefore not admissible in court. Policies and procedures will also vary between region and agency.

**Subtask 7.1**
Define what a pretext phone call is.

Presentation method: Brief introduction

Time: 5 minutes

**Subtask 7.2**
Discuss jurisdictional issues/policies and procedures regarding the pretext phone call.

Presentation method: Lecture

Time: 10 minutes

**Subtask 7.3**
Discuss how to determine when it is appropriate to use a pretext phone call (e.g. victim concerns.)

Presentation method: Lecture

Time: 10 minutes
Subtask 7.4
List all necessary equipment.
Presentation method: Listing exercise
Time: 5 minutes
To introduce the equipment necessary to conduct a pretext phone call, ask participants to take a moment and write down at least 3 pieces of equipment that they believe is necessary to complete this investigative technique. Make sure to give participants at least 30 seconds in which to write down their answers.
After participants appear to have completed their lists, call on individuals to share one of their responses. Give positive feedback on correct answers and gently correct any that are not quite on the mark.
Continue calling on individuals, asking them to add anything only if it has not already been mentioned. When the group list appears to be complete, use the overhead to generate additional responses.

Subtask 7.5
Decide what is the best time and place to make the pretext phone call.
Presentation method: Lecture
Time: 5 minutes

Subtask 7.6
Preparing for the pretext phone call.
Presentation method: Lecture
Time: 10 minutes

Subtask 7.7
Discuss how to make the pretext phone call.
Presentation method: Lecture
Time: 10 minutes

Subtask 7.8
Discuss how a pretext phone call can further the investigation process.
Presentation method: Transcript review (or Lecture)
Time: 20 minutes

Optional Exercise
Provide participants with transcripts from two separate pretext phone calls. (Trainers are encouraged to use transcripts from cases they have personally investigated. Note: All transcripts
should be changed so that all personal identification information of those involved in the case remains confidential.)

Briefly explain to the participants the content of each of the transcripts. Direct them to take a few minutes and read Transcript #1. When participants appear to be finished ask them to discuss the following question:

• Will this transcript further your investigation? Why or why not?

Provide the participants with feedback on their analysis and then ask them to read Transcript #2 and address the same question. Use the remaining time to discuss with the participants how to successfully frame a pretext phone call to support the investigation.

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