

Course Outline

COURSE: JLE 112 **DIVISION:** 50 **ALSO LISTED AS:**

TERM EFFECTIVE: Spring 2021 **CURRICULUM APPROVAL DATE:** 11/10/2020

SHORT TITLE: SEXUAL ASSAULT

LONG TITLE: Sexual Assault Investigations

<u>Units</u>	<u>Number of Weeks</u>	<u>Type</u>	<u>Contact Hours/Week</u>	<u>Total Contact Hours</u>
1	18	Lecture:	.5	9
		Lab:	1.77	31.86
		Other:	0	0
		Total:	2.27	40.86
		Total Learning Hrs:	58.86	

COURSE DESCRIPTION:

The course is a balance between a police officer's duties in handling sexual assault cases and being sensitive and aware of the victim's needs. Attention is given to the psychological as well as physical trauma a rape victim encounters. The legal aspects of the case will also be emphasized. This is a pass/no pass course. **PREREQUISITES:** JLE 100

PREREQUISITES:

CAPP JLE 112 Requisite

COREQUISITES:

CREDIT STATUS: D - Credit - Degree Applicable

GRADING MODES

P - Pass/No Pass

REPEATABILITY: N - Course may not be repeated

SCHEDULE TYPES:

02 - Lecture and/or discussion

03 - Lecture/Laboratory

04 - Laboratory/Studio/Activity

STUDENT LEARNING OUTCOMES:

By the end of this course, a student should:

1. Compare and contrast the recognition, collection, and analysis of physical evidence associated with a sexual assault investigation.
2. Identify the Penal Codes associated with Sexual Assault on adults and sex with a minor.
3. Identify sexual offender typology and interrogation techniques.

CONTENT, STUDENT PERFORMANCE OBJECTIVES, OUT-OF-CLASS ASSIGNMENTS

Curriculum Approval Date: 11/10/2020

LECTURE CONTENT:

- I. Introduction (1 hour)
 - A. Instructor Introduction
 - B. Review Segment Goals and Objectives
 - C. Optional Learning Activity
- II. Adult Sex Abuse Law (4 hours)
 - A. 261(a) (1) Rape
 - B. 261(a) (2)
 - C. Important Definitions
 1. Consent = Positive Cooperation
 2. Force, Violence, Duress, Menace, Fear
 3. Optional Learning Activity
 4. Seven Ways to Violate Consent
 5. PC 261(a)(3) Rape by Intoxicant
 6. PC 261(a)(4) Rape of an Unconscious Person
 7. PC 261(a)(6) Rape by Threat
 8. PC 261(a)(7) Rape by Authority
 9. PC 262 Spousal Rape
 10. PC 220 Assault with Intent to Commit Rape
 11. PC 243.4 Sexual Battery
 12. PC 286 Sodomy
 13. PC 287 Oral Copulation
 14. PC 289 Sexual Penetration
 15. PC 314 Indecent Exposure
 16. PC 289 Sexual Penetration
 17. PC 314 Indecent Exposure
 18. PC 314 Indecent Exposure
 19. In Concert Offenses
 - a. PC 264.1
 - b. PC 287d (1) for Oral Copulation
 - c. PC 286(d) (1) for Sodomy
 - d. Defendant does not have to commit a sex act or be present
 - D. Code Sections for Unlawful Sex with a Minor
 1. PC 261.5 Unlawful sexual intercourse
 2. PC 286(b) (1) Unlawful sodomy
 3. PC 288a(b) Unlawful oral copulation
 4. PC 289(h)&(i) Unlawful sexual penetration
 5. Honest and reasonable mistake of age IS a defense. Consent is NOT a defense
 6. Sentencing Enhancements

7. Other Crimes to Consider

- a. PC 12022.8 Great Bodily Injury-Pregnancy counts as GBI
- b. PC 206 Torture
- c. PC 203 Mayhem
- d. PC 205 Aggravated Mayhem
- e. PC 207/209 Kidnapping/Aggravated Kidnapping
- f. PC 236 False Imprisonment ? with restraint: felony
- g. PC 237 (a) False Imprisonment - without restraint: misdemeanor 2
- h. PC 646.9 Stalking
- i. PC 601(a) Trespass with threat of GBI: misdemeanor
- j. PC 273.5 Spouse/cohabitant/fiance/former spouse: felony
- k. PC 243 (e) 1 - misdemeanor
- l. PC 422 Criminal Threats

8. Statute of Limitations ? Consult District Attorney in applicable jurisdiction

E. Optional Learning Activity

F. Key Evidence Code Sections

- 1. Evidence Code 1108
- 2. Evidence Code 1240 ? Spontaneous Statement
- 3. Basic Case Law
- 4. Defenses
- 5. Defenses
- 6. Courtroom Presentation
- 7. Testifying Tips for Investigators
- 8. Cross Examination
- 9. Cross Examination key points

III. Child Exploitation Law (2 hours)

A. Definition of Sexual Conduct

B. PC 311.4(d) (1)

C. 311.11(a) Possession of Child Porn ? Felony or Misdemeanor (wobbler); If defendant has prior 290 offense it is a straight felony

D. 311.1(a) Distribution of Child Porn ? No commercial purpose, Felony or Misdemeanor (wobbler)

E. 311.2(b) Distribution with Commercial Purpose, Felony

F. 311.2(c) Transports child porn for the purpose of gratification, Felony

G. 311.4(c) Pose Child for Porn, Felony

H. 311.4(b) Pose Child for Porn with Commercial purposes, Felony

I. 311.2(d) Import or Possess with Intent to Distribute to Children, Felony 3

IV. Building a Robust and Comprehensive Investigation (2 hours)

A. Case components

1. Evidence of intent
2. SART ? Positive/Negative SART exams
3. Photographing victim
4. Recording victim
5. Clothing
6. Social Media
7. Interview potential defense witnesses
8. Are there any other accusations
9. Photograph/diagram the residence or crime scene
10. Ensure that all relevant evidence has been turned over.

B. Ethical detractors

1. Inappropriate conduct outside of court (Social media)
2. Inappropriate behavior in court

C. Optional Learning Activity

LAB CONTENT:

Because of the integrated nature of the lab/lecture method of instruction, the content for both lecture and lab are infused in all subjects.

Module 3: Medical & Forensic Exam

I. The Forensic Medical Examination (4 hours)

A. State Requirements

1. Legislated protocol

B. Local Medical Examinations sites

1. SART Centers
2. Emergency Department Screening Exams

C. Initiating local SART Protocol

D. Consent Issues (participation in exam regardless of pursuit of legal remedies)

E. Complications with Exams in a hospital

F. Obtaining Medical Reports

G. Examination Sequence

H. Common Medical Findings in Sexual Assault

I. Suspect Examinations

J. Examination Forms

1. CAL OES 2-502 ? Domestic Violence Examination (Rev. 2001)
2. CAL OES 2-900 ? Suspected Child Physical Abuse and Neglect Exam (Rev. 2001)
3. CAL OES 2-920 ? Mandated Suspicious Injury Report (Rev. 2001)
4. CAL OES 2-923 ? Acute (<120 Hours) Adult/Adolescent Sexual Assault Examination (Rev. 2018)
5. CAL OES 2-924 ? Abbreviated Adult/Adolescent Sexual Assault exam (Rev. 2013)
6. Invoice for CAL OES 2-924 (Rev. 2014)
7. CalEMA 2-925 ? Non-Acute (>72 Hours) Child/Adolescent Sexual Abuse Exam (Rev. July 2001)
8. CalEMA 2-950 ? Sexual Assault Suspect Exam (Rev. July 2001)

Module 4: Victim Dynamics and Advocacy

I. Introduction and Overview (.5 hour)

II. SART Model (2 hours)

A. Collaborative Model - Teamwork

B. SART Definition ? coordinated interdisciplinary intervention model between law enforcement, crime lab, prosecution, medical

and advocacy experts to meet the forensic needs of the criminal justice system and the medical and emotional needs of the

SA victim

C. Members of SART

1. Law enforcement

2. Advocate ? law enforcement & Sexual Assault Victim sponsor

3. Forensic examiner

4. District attorney

5. Primary vs. Secondary members

a. MDIC (minors)

b. CPS

c. College Campuses

d. Social Worker (680.2A) ?can have their own advocate?

D. Mission of SART: The SART vision is to seek justice, to protect the community, and to work on behalf of victims to restore

their

dignity, to prevent sexual assault from becoming a life-defining event, and to counter one of the darkest of human

experiences with

a response of goodness and caring,

E. Importance of Relationship Building

III. Dynamics of Sexual Assault (1 hour)

A. Common Myths and Facts

B. Disclaimer

C. General Statistics

1. Female Sexual assault victims

2. The Rape Paradox

D. Optional Learning Activity

IV. Biases in Law Enforcement (1 hour)

A. Background

B. Optional Learning Activity

C. Alcohol and Sexual Assault

D. False Allegations ? Provide formal definitions

E. Unfounded/Unsubstantiated Cases

F. False Allegation

G. Common ?red flags?

1. Assailant is a stranger

2. Narrow in construction ? other sexual acts reported less frequently

3. Include face saving elements ? victim physical resisted or resistance was impossible

H. Inadvertently creating a ?false? report

I. How to recover from a bad first impression

J. Other Biases in law enforcement

K. Delayed reporting

V. The Impact of Sexual Assault (1 hour)

- A. Unique Factors to Sexual Assault
- B. Working with sexual assault victims
- C. Empathy as an Investigative Tool
- D. Optional Learning Activity

VI. Victim Advocacy (1 hour)

- A. Historical Background and Challenges
- B. What is a Victim Advocate?
- C. Optional Learning Activity
- D. What law enforcement must know about advocacy
- E. Privileged Communications

VII. Victim Interview Practicum (1 hour)

A. Case Scenarios

- 1. Based on real cases
- 2. Include practicums in the Evidence and Suspect Dynamics and Interviewing modules

Module 5: Computer Forensics

I. Introduction/Overview (.5 hour)

II. Technology as it relates to sexual assaults (3 hours)

- A. Categories of digital evidence
- B. Contemporary/Evolving areas of digital evidence
- C. Best practices in search/seizure of physical digital evidence
- D. Desktop computers
- E. Laptop computers
- F. Gaming systems
- G. Cellular/Mobile Devices
- H. Other storage devices
- I. Forensic examinations of physical devices
- J. Search / Seizure of cloud evidence items
- K. Geofence warrants
- L. No requirement for service providers to maintain any data
- M. Resources for ICAC investigations
- N. Internet Service Providers outside of US
- O. Cryptocurrency
- P. Consent
- Q. Preservation orders

R. Search warrants on cars (Tesla)/Vehicle forensics (Berla)

S. Online Investigative Techniques

Module 6: Sexual Offender Typology & Interrogation Techniques

I. Introduction (.5 hour)

II. Offenders (1 hour)

- A. Stereotypes of Sexual Offenders
- B. Offender Motivations
- C. Profiling Sexual Offenders

III. Rapist Typology (1 hour)

- A. Power Reassurances/Pseudo-Unselfish
- B. Power Assertive/Selfish
- C. Pseudo-Assertive/Pseudo-Unselfish/Selfish
- D. Anger Retaliatory/Selfish/Oppportunistic

- E. Anger Excitation/Selfish
- IV. Multiple Offender/Gang Rape (1 hour)
 - A. Optional Learning Activity
 - B. Definition
 - C. Parties to a crime
 - D. Active vs. Passive participants ? recognizing potential suspects
 - E. Obstacles
- V. Preparation for Interrogation Practical (1 hour)
 - A. Overview
 - B. Recommendations
- VI. Interrogation Practical (1 hour)
- Module 7: Investigator Wellness
 - I. Introduction (.5 hour)
 - II. Role of the Investigator (1 hour)
 - A. Personal Impacts
 - B. The Challenge
 - C. Defense Mechanisms
 - D. Optional Learning Activity
 - III. Stress and Burnout (1 hour)
 - A. Definitions
 - B. Managing Stress
 - C. Disruption of Family Activities
 - IV. Overprotection (1 hour)
 - A. Hypervigilance
 - B. Restrictiveness
 - C. Suspiciousness
 - D. Family Safety Issues
 - E. Optional Learning Activity
 - V. Strategies for Healthy Coping (1 hour)
 - A. Current Techniques used to manage stress
 - B. New stress management techniques
 - C. Other Resources
 - D. Optional Learning Activity

Module 8: Evidence and Crime Scene Activity

- I. Introduction (.5 hour)
- II. Key Components (3 hours)
 - A. Physical Evidence in Sex Crimes
 - B. Physical Evidence - General
 - C. Building the investigation using all available evidence
 - D. What physical evidence can provide
 - E. Prioritizing evidence for submission to lab
 - F. Crime Lab Services
 - G. Optional Learning Activity
 - H. Evidentiary Considerations with respect to the Victim, Suspect and Crime Scene
 - I. Scene
 - J. Suspect
 - K. Drug Facilitated Sexual Assaults
 - L. Collection and Packaging of Physical Evidence
 - M. Evidence Conclusion
 - N. Sexual assault crimes are predatory crimes
 - O. Linking crimes thru Forensic links and M.O. links

Module 9: Investigative Techniques

- I. Investigator Qualifications (.5 hour)
 - A. Attributes
 - B. Ability to deal with difficult victims
 - C. Ability to deal effectively with suspect
 - D. Other qualifications
- II. Ethical behavior in Investigations (.5 hour)
 - A. Optional Learning Activity

Module 10: Computer Forensics

- I. Introduction (.5 hour)
- II. Digital Evidence (1 hour)
 - A. Recognizing potential digital evidence
 - B. Search and Seizure of digital evidence
 - C. Identify international issues and remedies
 - D. Cyber-child Exploitation: Computer forensic response and child rescue
 - E. Computer Forensic Analysis Procedures to recover artifacts
 - F. Rescuing children from on-going contact offenses
 - G. Project Safe Childhood introduction ? Federal DOJ initiative currently supported by all U.S. Attorney Offices
 - H. Prosecution routes
 - I. Sexual Predators Online
 - J. Networking with other law enforcement

METHODS OF INSTRUCTION:

Lecture, film, video-tapes, slides, discussion, simulated situations, role-play. Students will be evaluated on a POST (California Commission on Peace Officers Standards and Training) approved rating form during role-playing situations.

OUT OF CLASS ASSIGNMENTS:

Required Outside Hours: 18

Assignment Description:

Reading assignments from Textbook and instructor handouts.

METHODS OF EVALUATION:

Writing assignments

Percent of total grade: 25.00 %

Written Reports

Skill demonstrations

Percent of total grade: 50.00 %

Class Performance/s, Scenarios

Objective examinations

Percent of total grade: 25.00 %

Multiple Choice; True/False

REPRESENTATIVE TEXTBOOKS:

Robert R. Hazelwood, Ann Wolbert Burges. . Practical Aspects of Rape Investigation.. Boca Raton FL : CRC Press ,2018.

ISBN: 1098754321

Reading Level of Text, Grade: 12

Instructor Handout Sexual Assault Investigations Lab Manual

ARTICULATION and CERTIFICATE INFORMATION

Associate Degree:

CSU GE:

IGETC:

CSU TRANSFER:

Transferable CSU, effective 199750

UC TRANSFER:

Not Transferable

SUPPLEMENTAL DATA:

Basic Skills: N

Classification: Y

Noncredit Category: Y

Cooperative Education:

Program Status: 1 Program Applicable

Special Class Status: N

CAN:

CAN Sequence:

CSU Crosswalk Course Department:

CSU Crosswalk Course Number:

Prior to College Level: Y

Non Credit Enhanced Funding: N

Funding Agency Code: Y

In-Service: N

Occupational Course: B

Maximum Hours:

Minimum Hours:

Course Control Number: CCC000562981

Sports/Physical Education Course: N

Taxonomy of Program: 210500