



# Tulsa Police Department

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**Policy #** 112F

**Effective Date** 07/01/2025

**Policy Name** Major Crime Scene/Sexual Assaults

**Approved Date** 07/01/2025

**Approved by** Dennis Larsen, Chief of Police

**Previous Date** 08/22/2023

## PURPOSE OF CHANGE:

Remove the SANE location.

## POLICY:

A sexual assault crime scene will be treated as a major crime scene and the original investigation, and all follow-up investigations will be conducted accordingly.

State law provides for certain rights and protection for victims of rape, forcible sodomy, and domestic abuse through the Domestic Abuse Reporting Act and the Protection from Domestic Abuse Act. Officers interviewing victims of sexual assault or domestic abuse are required to inform the victim in writing of certain rights and information. Officers satisfy their legal requirement by providing the Victim's Rights Card to each victim. The victim's rights, 24-hour telephone numbers, and protective order information are printed on this card. When the court is not open for business, the victim of domestic abuse may request a petition for an emergency temporary order of protection. A victim protection order for any victim of rape or forcible sodomy shall be substantially similar to a protective order in domestic abuse cases. See also 120A, *Domestic Violence*, and 120B, *Protective Orders, Violation of Protective Orders*.

Routinely, sexual assault examinations for adults and post-pubescent adolescents are performed only if the sexual assault occurred within the past 120 hours. An exam may still be useful even if the victim has bathed or douched. An exception to the time restriction is given for assault victims who have been abducted or where other exceptional circumstances exist.

The Sexual Assault Nurse Examiner (SANE) facility will serve as the site for sexual assault examinations when no medical emergency exists. In the event a medical emergency does exist, the victim should seek treatment at the nearest hospital. When a victim is admitted to a hospital other than where the SANE facility is located, the SANE nurse may travel to the facility to perform the sexual assault exam following treatment of the victim's medical needs.

For pre-pubescent child victims, sexual assault exams will be performed at the same location. If the investigation reveals genital to genital contact, genital to anal contact, oral contact on victim by suspect, and/or ejaculation within the past 72 hours, the victim should be transported to the SANE facility to have the sexual assault exam performed as soon as possible. If there is a likelihood of DNA evidence existing, then a child victim may still have the exam past 72 hours.

State law allows victims that are over 18 years of age and mentally competent to have the right to a free forensic medical examination. While a police report is not required for the exam, the victim should be aware that failure to report the crime to law enforcement may impede the investigation and prosecution of the assailant.

**SUMMARY:** Procedures for investigating sexual assaults.

**APPLIES TO:** All police personnel

## DEFINITIONS:

**FORCIBLE SODOMY** – The act of forcing another person to engage in the detestable and abominable crime against

nature.

**RAPE** – An act of sexual intercourse involving vaginal or anal penetration accomplished with a male or female who is not the spouse of the perpetrator and who may be of the same or the opposite sex as the perpetrator under any of the following circumstances:

1. Where the victim is under sixteen years of age.
2. Where the victim is incapable through mental illness or any other unsoundness of mind, whether temporary or permanent, of giving legal consent.
3. Where force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person.
4. Where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privity of the accused as a means of forcing the victim to submit.
5. Where the victim is at the time unconscious of the nature of the act and this fact is known to the accused.
6. Where the victim submits to sexual intercourse under the belief that the person committing the act is a spouse, and this belief is induced by artifice, pretense, or concealment practiced by the accused or by the accused in collusion with the spouse with intent to induce that belief. In all cases of collusion between the accused and the spouse to accomplish such act, both the spouse and the accused, upon conviction, shall be deemed guilty of rape.
7. Where the victim is under the legal custody or supervision of a state agency, a federal agency, a county, a municipality, or a political subdivision and engages in sexual intercourse with a state, federal, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality, or a political subdivision that exercises authority over the victim; or
8. Where the victim is at least sixteen years of age and is less than eighteen years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in sexual intercourse with a person who is eighteen years of age or older and is an employee of the same school system.
9. Where an act of sexual intercourse accomplished with a male or female who is the spouse of the perpetrator if force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person.

**SEXUAL ASSAULT EVIDENCE COLLECTION KIT** – A large white envelope containing items used in the collection, preservation and packaging of evidence collected during the sexual assault exam.

**SEXUAL ASSAULT INFORMATION FORMS** – The forms used to record the findings and evidence recovered during a sexual assault exam. The forms are completed by the Sexual Assault Nurse Examiner or the physician during the exam. These forms are available at the SANE facility.

## **PROCEDURES:**

1. The initial responding officer shall make contact with the reporting victim as soon as possible, address any safety concerns that are present, and determine if the victim is in need of immediate medical attention. If there is no medical emergency, transport the victim to the SANE facility for police investigation if the sexual assault occurred within the previous 120 hours and the victim consents to a SANE exam. Victims requesting a SANE examination without a police investigation will be provided with a Victims Rights Card and advised to call DVIS. No police report is required at this time however, the victim should be advised that failure to report the crime to law enforcement may impede the investigation and prosecution of the assailant. Officers shall not discourage

victims from requesting a police investigation and report.

2. Officers responding to reports of sexual assault will show understanding, patience, and respect for the victim's dignity and attempt to establish trust and rapport. An officer of the same sex of the reporting victim shall be dispatched only if requested by the victim and one is available.
3. If a SANE exam will be conducted during the patrol response, contact Public Safety Communications (PSC) to page the on-call SANE nurse. Vaginal or anal penetration is not necessary for a SANE exam to yield viable evidence in a sexual assault investigation. SANE exams are also conducted in instances of oral sexual assault and attempted sexual assaults. Page the on-call SVU detective if you have questions about whether a SANE exam is applicable for any particular set of circumstances.
4. Advise the victim their clothing may be collected as evidence. If the victim does not bring a change of clothing to the hospital, DVIS advocates will provide clothing at the SANE facility. If the victim has already changed clothing, officers shall make every effort to collect the clothing that was worn at the time of the assault.
5. If possible, do not allow the victim to bathe, smoke, drink, or use the restroom prior to the exam and explain to the victim that this is to preserve potential evidence. Even if the victim has done any of these activities prior to the exam, they should still be encouraged to have a SANE exam, as the exam can still yield valuable evidence and is also designed to meet the medical needs of sexual assault victims.
6. If an adult victim is treated and released from another hospital and a sexual assault exam is required, transport the victim to the SANE facility. If the victim is admitted to a hospital other than where the SANE facility is located, the SANE nurse may conduct the examination on-site.
7. Understand that sexual assault investigations will typically include a preliminary interview by the initial responding officer and subsequent in-depth interviews with a SANE nurse and detectives. Repeated questioning, especially directly after an assault, can re-traumatize the victim and may distort memories. Therefore, the initial interview should be limited to documenting the basic elements of the crime, identifying the suspect and any potential witnesses, identifying the crime scene, and any other relevant information. Similarly, initial responding officers should not ask the victim about the willingness to participate in prosecution efforts during an initial interview. The decision to press charges rarely needs to be made at this point and pressuring a victim about prosecution may discourage them from pursuing a complaint, receiving medical assistance, or moving forward with the investigation. Victims should never be asked to complete a written witness statement during the initial response and investigation unless directed by a detective.
8. If the victim of rape or forcible sodomy requests a petition for an emergency temporary order of protection, the officer making the preliminary investigation will provide the petition and, if necessary, assist the victim in completing the petition form. Immediately notify a district court judge of the request and describe the circumstances. Inform the victim whether the judge has approved or disapproved the emergency temporary order. Upon approval, provide the victim with a copy of the petition and the written statement.
9. Officers will secure and preserve the crime scene and contact a Crime Scene Detective to process the scene. Ensure each individual who collects evidence marks it and includes the date, time, and location of recovery.
10. Receive the *Sexual Assault Information Forms* from the SANE nurse (or from emergency room personnel). Ensure the victim (the parent or the guardian if the victim is a juvenile), the SANE nurse (or the physician completing the exam), and the officer have all signed the AUTHORIZATION FOR EXAM portion of the *Sexual Assault Information Form*. Ensure that the incident number is documented on the *Sexual Assault Information Form* and turn it in to the Records Section prior to the end of your shift.
11. Receive the Sexual Assault Evidence Collection Kit and any other evidence from hospital personnel. If the victim's clothing was recovered, each piece of clothing must be packaged separately. The SANE nurse will seal the panties/briefs separately in the kit.

12. Do not place clothing in the evidence collection kit. Clothing should be collected in individual paper sacks and sealed with tape. Never use plastic bags to collect evidence of sexual assault. Sign and date the sealed Sexual Assault Evidence Collection Kit and any additional packages.
13. When blood and/or urine is collected as a part of the sexual assault examination, the SANE nurse will package and seal the specimens in a Blood and Urine Specimen Collection Kit. The victim information that comes in the kit will be completed and placed inside the kit along with the labeled specimens. The SANE nurse will seal the kit with an evidence seal. The victim, examiner, and location of the collection will be documented on the outside of the box. Blood and urine are perishable, and the collecting officer shall refrigerate the Blood/Urine Kit when securing the evidence in a property room.
14. If an arrest is made for a sexual assault, request that PSC contact the appropriate on-call detective. The Child Crisis Unit will conduct investigations involving victims from birth to 13 years of age. The Special Victims Unit will conduct investigations involving victims who are 14 years of age and older.
15. Turn in the Sexual Assault Evidence Collection Kit and any other evidence to the property room as soon as possible. DO NOT submit a lab request when turning in evidence from a sexual assault. The Forensic Laboratory has a tiered priority system for sexual assault evidence. The assigned detective will review the case and assign the appropriate priority level to the evidence.
16. Officers called to pick up a non-report SANE exam shall turn in the Sexual Assault Evidence Collection Kit to the Property Room. On the *Property Receipt* mark the kit "Hold for OWNER" and enter the SANE exam number as the 'OWNER' last name.

## **REGULATIONS:**

1. An officer shall remain at the SANE facility during the duration of the SANE exam. Sexual Assault Evidence Collection Kits will not be left unattended at the SANE facility to be picked up by another officer when the exam is completed.
2. If an officer is assigned the call late in the shift, a supervisor may assign another officer to relieve the originally assigned officer.
3. Officers shall not examine victims of any age for evidence of sexual assault or sexual abuse.

## **REFERENCES:**

19 O.S. 215.33  
21 O.S. 886-8, 1111  
22 O.S. 40.1, 40.2, 40.3  
43A O.S. 3-314  
112A, *Recovered Evidence/Found Property*  
112E, *Major Crime Scene Processing*  
120A, *Domestic Violence & Attachment*  
120B, *Protective Orders, Violation of Protective Orders*  
TOG 2003, *Collection, Preservation, and Packaging of Evidence*