

Appendix H: MSU Police Sexual Assault Investigation Process

Police Receive Information Related to an Alleged Occurrence of Sexual Assault

MSU Police Department may receive information from the victim, witnesses, family, friend, suspect, OIE, a mandatory reporter, hospital, or another police department.

Police Contact Victim

If the incident just occurred (emergency response), or if a member of the SVU is not available (non-emergency response), a uniform officer will respond to conduct the initial investigation. The case is then assigned to SVU to complete the investigation.

If the incident is not emergent and a SVU investigator is available, a SVU investigator will contact the victim. If the victim initiates police contact, the police will respond in person. If the police receive information from someone else, the police will contact the victim by email. SVU will also attempt to conduct a joint interview with the Office of Institutional Equity.

Generally, at the time of the initial contact, the police inform the victim about available resources, give the victim police contact information, and determine whether the victim wants to proceed with police investigation.

If Victim Does Not Want to Proceed with Police

The victim has the option to talk to the police. Police inform the victim about available resources and provide contact information if the victim wishes to contact police later. If evidence from a SANE kit exists, it will still be submitted to the Crime Lab for processing.

If suspect name given:

Police will follow up with suspect and attempt to obtain the suspect's statement. Additionally, the police will follow up on any other information provided in order to ensure a thorough investigation is completed. The report will be forwarded to the prosecutor's office for review. However the victim's decision not to proceed forward with the process will generally be honored, unless a severe threat to the public requires action.

If no suspect name given:

Police investigation is closed unless the victim chooses to contact the police later for further investigation.

If Victim Wants to Proceed with Police

Interview with Victim

MSU Police will arrange to meet with the victim at his or her residence, the police station, OIE, or any other place where it is reasonably safe to meet.

Interview with Suspect

The police arrange to meet with and gather information from the suspect, including a statement. The suspect is not generally under arrest at this time and is advised of his or her right to leave. If the suspect refuses to cooperate with the police, then the results of the police investigation will be sent to the prosecutor without the suspect's statement.

Investigation

Police may gather evidence through witness interviews, crime scene evidence processing, digital forensics, review of surveillance cameras, polygraphs, DNA testing, and searches pursuant to search warrants, and

Prosecutor's Office

Once the police investigation is complete, the case is sent to the prosecutor's office for review.