

EXPANDED COURSE OUTLINE  
REGULAR BASIC COURSE  
**LEARNING DOMAIN 10**  
SEX CRIMES

I. LEARNING NEED

Arrest and successful prosecution depend on the development of probable cause. Peace officers must know the elements required to arrest for sex crimes, and to correctly categorize these crimes as misdemeanors and felonies.

LEARNING OBJECTIVES

- A. Recognize the crime elements required to arrest for:
  - 1. Rape
  - 2. Assault with intent to commit rape and other crimes specified in Penal Code Section 220
  - 3. Indecent exposure
  - 4. Oral copulation
  - 5. Penetration with a foreign object
  - 6. Sodomy
  - 7. Sexual battery
  
- B. Recognize the crime classification as a misdemeanor or felony
  - 1. Rape-Felony
  - 2. Assault with intent to commit rape and other crimes specified in Penal Section 220-Felony
  - 3. Indecent exposure-Misdemeanor unless certain conditions exist or specific prior convictions, then it is a felony
  - 4. Oral copulation -Felony
  - 5. Penetration with a foreign object-Felony
  - 6. Sodomy -felony
  - 7. Sexual battery-certain conditions for Misdemeanor, other conditions make the crime a felony.

II. LEARNING NEED

The manner in which peace officers interact with the victim of a sex crime may influence the quality of information the victim is willing to provide. A positive contact will affect the victim beneficially; a negative contact will adversely impact the victim.

LEARNING OBJECTIVES

- A. Give examples of assessing a victim's physical state in order to make them as comfortable as possible, and secure the necessary medical attention.
  - 1. Unconscious or injured
  - 2. No injuries or complaint of pain but crime committed within 72 hours
  - 3. Have special needs (age, physical, or developmental)
  
- B. Describe common emotional and physical reactions victims experience and the pressures associated with reporting a sex crime
  - 1. Fear
  - 2. Shame
  - 3. Embarrassment
  - 4. Guilt
  - 5. Depression
  - 6. Shock
  - 7. Anger/betrayal
  - 8. Feeling of being dirty
  - 9. Self-blame
  
- C. Describe a peace officer's own emotional and attitudinal reactions to sex crimes
  - 1. Remain objective
  - 2. Don't be subjective
  - 3. Show empathy
  - 4. Think of the crime as an act of violence/aggression rather than sexual

### III. LEARNING NEED

To complete a thorough investigation, peace officers must be sensitive to the fact that sexual assaults pose unique problems because of the emotional state of the victim, and the complexity of the investigative procedures.

#### LEARNING OBJECTIVES

- A. Discuss factors that set a positive tone for the victim interview
  - 1. Establish rapport
  - 2. Reassure victim
  - 3. Make victim physically comfortable
  - 4. Offer to contact someone to be present during the interview
  - 5. Let the victim know that everything possible will be done
  
- B. Select questions to be asked during the victim interview
  - 1. Details of the assault, suspect's description, threats made, weapons/objects used, erection, ejaculation, condom used
  - 2. Can they identify the suspect

3. Past relationship with the suspect (if applicable)
- C. Identify the purpose of a medical/legal exam
1. Collect
  2. Preserve
  3. Document evidence
- D. Explain victim's rights
1. PC section 293(a) states the officer must inform the victim that unless they request confidentiality, their name can become public record.
  2. PC section 637.4 (a) prohibits the officer from requesting the victim submit to a polygraph examination
  3. Right to have victim advocates
- E. Discuss the types of evidence to be collected from the crime scene, victim and suspect
1. Crime scene
  2. Victim
  3. Suspect
- F. Describe the services available to sexual assault victims
1. Rape crisis center
  2. State victim/witness services
  3. 264.2 PC-Victims of Domestic Violence brochure

#### IV. LEARNING NEED

Penal Code Section 290 is intended to allow law enforcement agencies to track the whereabouts of known sex offenders.

#### LEARNING OBJECTIVES

- A. Identify the requirements for sex offender registration under Penal Code Section 290
1. Convicted sex offender
  2. For the rest of their life residing in California
  3. Or while attending school or working
  4. Shall be required to register with the Chief of Police or Sheriff of the particular city or county where they live

- B. Recognize violations of Penal Code Section 290
  - 1. Failure to report within 60 days
  - 2. Address, employer, employers name/address
  - 3. Including where they will temporarily stay more than 5 working days

V. REQUIRED TESTS

- A. The POST-Constructed Comprehensive RBC Test 2.
- B. The POST-Constructed Comprehensive RBC Test 3.

VI. REQUIRED LEARNING ACTIVITIES

- A. A learning activity, which requires the student to perform the tasks while conducting a preliminary investigation of a sexual assault. At a minimum, the learning activity must address the student’s ability to:
  - 1. Apply laws related to sex crimes
  - 2. Maintain an objective attitude toward the investigation of sex crimes
  - 3. Understand the behavioral, emotional or physical reaction of the sex crime victim
  - 4. Prioritize and perform investigative tasks
  - 5. Conduct a comprehensive interview with the victim
  - 6. Interrogate the suspect and obtain a confession
  - 7. Collect evidence from the suspect

Description	Hours
POST Minimum Required Hours	<u>4</u>
Agency Specific Hours	<u>3</u>
Total Instructional Hours	<u>7</u>