

NIAGARA FALLS POLICE DEPARTMENT
GENERAL ORDER

EFFECTIVE DATE: 09/11/2013	SUBJECT: SEX OFFENSE VICTIMS	Number 128.00 (NYSLEAP A-29-5)
RESCINDS: 04/15/2003		Number of pages 2

I. Purpose:

- A. The State of New York has set forth by law three requirements that must be addressed whenever police personnel come in contact with a victim of a sex crime. Specifically, the Niagara Falls Police Department must provide the following, pursuant to New York State Executive Law Section 642, subdivision 2-a:
 - 1. An enclosed room for interviewing victims of a sex offense from which the occupants are not visible and their conversation cannot be heard.
 - 2. Only those persons necessary for the interviewing of the victim should be allowed access to the victim and only with the victim's expressed authorization.
 - 3. The name, address and telephone number of the nearest rape crisis center in writing.

II. Policy:

- A. Effective immediately, any member of the Niagara Falls Police Department who has made contact with a victim of a sex crime will notify the police dispatcher of the nature of the call and request the desk lieutenant be advised of the incident.
- B. Effective immediately, an officer assigned to a sex offense investigation will secure the crime scene for processing by evidence personnel and either transport or have medical personnel transport the victim to the hospital for treatment of any injuries and an examination to collect evidence. An officer will, if not transporting the victim, follow the ambulance or private vehicle to the hospital and ensure that the examination is made by the proper hospital authorities maintaining the chain of evidence. Evidence Collection Kits shall be used and the completed kits along with the victim's clothing will be returned to the Criminal Investigation Division for processing and property control.
- C. When an officer suspects that he/she has made contact with a victim of a sex crime, CID Captain or Lieutenant will be notified and shall authorize a detective to respond to the scene. If the victim is under the age of sixteen, a specially trained detective

should respond when possible. A Standard Incident Report will be filed by the officer initially investigating the case and turned over to the responding detective(s) for follow-up.

- D. The victim's interview will be conducted in a room compliant with the Executive Law. The victim may request and have present any of the following: a social worker, rape crisis counselor, psychologist or other professional providing emotional support to the victim. Additionally, only those police personnel directly involved in the case that would need to be present will be allowed to be present during the interview.
- E. Where appropriate, the parent(s) of the victim, if requested by the victim, shall be present during the interview.
- F. In every case, the victim of any sex crime will be given a card with the name, address and telephone number of the nearest rape crisis center.