

## CSOM Questions

### Investigative Processes Guided by Specialized Knowledge

Responses from Patti Toth, JD, at the Criminal Justice Training Center

1. Do law enforcement agencies have policies or procedures in place to guide the investigation process for cases of alleged child sexual abuse?

RCW 26.44.180 requires all LE agencies involved in child sexual abuse investigations in WA to have a protocol that spells out how child sexual abuse cases will be handled and how they will coordinate with other involved agencies. It also requires LE agencies to participate in/sign on to their county's child abuse investigation protocol developed by the county prosecuting attorney. See language below.

#### RCW 26.44.180

##### *Investigation of child sexual abuse -- Protocols -- Documentation of agencies' roles.*

*(1) Each agency involved in investigating child sexual abuse shall document its role in handling cases and how it will coordinate with other local agencies or systems and shall adopt a local protocol based on the state guidelines. The department and local law enforcement agencies may include other agencies and systems that are involved with child sexual abuse victims in the multidisciplinary coordination.*

*(2) Each county shall develop a written protocol for handling criminal child sexual abuse investigations. The protocol shall address the coordination of child sexual abuse investigations between the prosecutor's office, law enforcement, the department, local advocacy groups, and any other local agency involved in the criminal investigation of child sexual abuse, including those investigations involving multiple victims and multiple offenders. The protocol shall be developed by the prosecuting attorney with the assistance of the agencies referenced in this subsection.*

*(3) Local protocols under this section shall be adopted and in place by July 1, 2000, and shall be submitted to the legislature prior to that date.*

2. Do law enforcement agencies have policies or procedures in place to guide the investigation process for cases involving alleged cases of adult sexual assault?

I'm not sure about policies & procedures related to investigation of adult sexual assaults

3. Do law enforcement agencies have specialized sexual assault or sex crime investigation units?

Some LE agencies in WA do have specialized units for investigation of sexual assaults and/or sex crimes. Sometimes such specialized units may be dedicated to child abuse crimes only, or they may combine responsibility for adult sexual assault with responsibility for other crimes such as child sexual & physical abuse & fatalities, and/or domestic violence cases, though this varies from place to place. Specialized units are generally found only in larger jurisdictions/larger departments. Examples of some of these special units include:

- a. Seattle P.D.'s "Sexual Assault and Child Abuse Unit"
- b. King County Sheriff's Office "Special Assault Unit" - investigates sexual assaults and neglect or abuse cases and also monitors sex offenders and investigates serious crimes against juveniles
- c. Spokane P.D.'s "Special Victims Unit" - responsible for adult and child sex crimes investigations
- d. Tacoma P.D.'s "Special Assaults Unit" - investigates physical and sexual abuse of children, sexual assaults of adults, and elder abuse
- e. Snohomish County Sheriff's Office "Special Investigations Unit" - investigates allegations of child neglect, physical abuse, and sexual abuse

4. If so, do they include specialized units for investigating computer/internet-related crimes?

I believe some of these special units also include specialized units for investigating computer/internet related crimes. For example, there is a "High Tech Computer Crime Unit" in Tacoma P.D.'s Special Assaults Unit. The Seattle Police Department is the lead Agency for Washington State's Internet Crimes Against Children (ICAC) Task Force, and a number of other WA State LE agencies participate in this task force.

5. Do law enforcement investigators receive specialized training regarding the following:
- Victimization trends, including the dynamics that impact the disclosure process for victims?
  - Victims' rights and the needs of victims and their families?
  - The heterogeneity of individuals who commit sex offenses, including the key differences between sexually abusive adults and juveniles?
  - Differential and developmentally appropriate forensic interview strategies for victims?
  - Child development, particularly as it relates to verbal abilities, memory, and suggestibility?
  - Interviewing techniques and strategies for alleged perpetrators and non-offending family members?
  - Trends pertaining to internet-related sex crimes, and the use of computer forensics for investigative purposes?
  - Potential relationships between sexual victimization and other maltreatment within the home (e.g. child abuse, domestic violence)?
  - Sexual assault forensic examinations conducted by medical professionals?
  - Effective multi-disciplinary collaboration and critical information-sharing?

Since 1999, LE investigators in WA who investigate child sexual abuse cases have received specialized training as mandated by

**RCW 43.101.224:**

***Training for persons investigating child sexual abuse.***

*(1) On-going specialized training shall be provided for persons responsible for investigating child sexual abuse. Training participants shall have the opportunity to practice interview skills and receive feedback from instructors.*

*(2) The commission, the department of social and health services, the Washington association of sheriffs and police chiefs, and the Washington association of prosecuting attorneys shall design and implement statewide training that contains consistent elements for persons engaged in the*

*interviewing of children for child sexual abuse cases, including law enforcement, prosecution, and child protective services.*

*(3) The training shall: (a) Be based on research-based practices and standards; (b) minimize the trauma of all persons who are interviewed during abuse investigations; (c) provide methods of reducing the number of investigative interviews necessary whenever possible; (d) assure, to the extent possible, that investigative interviews are thorough, objective, and complete; (e) recognize needs of special populations, such as persons with developmental disabilities; (f) recognize the nature and consequences of victimization; (g) require investigative interviews to be conducted in a manner most likely to permit the interviewed persons the maximum emotional comfort under the circumstances; (h) address record retention and retrieval; and (i) documentation of investigative interviews.*

With regard to the specific topics listed in this question, this training (our course # 5357) includes information regarding dynamics that impact the disclosure process, victims' rights & the needs of families and victims, developmentally appropriate forensic interview strategies, child development as it relates to verbal abilities, memory and suggestibility, interviewing techniques for suspects and other family members, and effective multidisciplinary collaboration & information-sharing. It does not normally include information about the differences between adult & juvenile sex offenders, or the use of computer forensics (the ICAC Task Force does routinely offer special trainings on this though). Sex assault medical forensic exams and relationships between different types of maltreatment are often referred to, but these are not specific subjects that are covered in-depth.

6. Do law enforcement investigators receive information or training to promote their understanding of the range of statutory definitions that explicate specific sex crimes?

We don't spend lots of time in our class on the statutory definitions of sex crimes, though I believe BLEA spends time on this.

7. Do investigative protocols within law enforcement agencies differ when *juveniles* are the alleged perpetrators? If yes, please describe...

I don't know how protocols involving alleged juvenile perpetrators differ, though I would expect them to be different.

8. Are parent/guardians notified and allowed to be present during the interviewing process when *juveniles* are the alleged perpetrators (or is informed consent provided by the parents/guardians)?

I'm not certain about current requirements related to interviewing of juvenile suspects though I'm pretty sure investigators must be more careful doing so. Lisa Johnson, head of the King County Prosecutor's Special Assault Unit should know the specifics of this and/or be able to refer you to a juvenile prosecutor who does: (206) 296-9504, [Lisa.Johnson@kingcounty.gov](mailto:Lisa.Johnson@kingcounty.gov).

9. Do law enforcement investigators receive specialized training about *juveniles* who have committed sex offenses, including the differences between adult and juvenile offenders?

We don't provide any special training related to juvenile sex offenders that I'm aware of.

10. Do law enforcement investigators receive specialized guidance about discerning sexually problematic from developmentally normative behaviors among juveniles?

Our training doesn't include info about the difference between sexually problematic and developmentally normative juvenile behavior, though there may sometimes be references to this.