

Review of Sexual Assault Investigations



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Objectives of the Review

In February of 2017 the Ministry of Community Safety and Correctional Services made a request of all Police Services in Ontario to consider conducting a review of sexual assault investigations. This review will focus on incidents of sexual assault, domestic sexual assault and sexual offences against children, reported to the St. Thomas Police Service from 2014-2016. The following objectives have been identified.

- Review the current policies governing the investigations of sexual assaults, domestic related sexual assaults and sexual offences against children
- Recognize the mechanisms used to track these offences
- Identify those incidents that have been cleared as “unfounded”
- Review “unfounded” investigations to determine what factors facilitated the outcome

Method

A review of sexual assault investigations conducted by the St. Thomas Police Service was commenced in March of 2017 in response to a request from the Ministry of Community Safety and Correctional Services on February 22, 2017. These statistics are garnered from the Uniform Crime Reporting (UCR) within the Niche Records Management System (RMS).

- In 2014 the St. Thomas Police recorded 37 complaints of sexual assault. These incidents include Sexual Assault, Sexual Interference, Invitation to Sexual Touching, Sexual Exploitation, Incest, Luring via computer and Voyeurism. **9 of these incidents were unfounded.**
- In 2015 the St. Thomas Police recorded 29 complaints of Sexual Assault. These incidents included Sexual Assault, Sexual Assault with a Weapon, Sexual Interference, Invitation to Sexual Touching, Luring via computer and Non-consensual sharing of intimate images. **10 of these incidents were unfounded.**
- In 2016 the St. Thomas Police recorded 36 complaints of sexual assault. These incidents included Sexual Assault, Sexual Assault with a Weapon, Sexual Interference, Invitation to Sexual Touching, Incest, Luring via computer and Non-consensual sharing of intimate images. **4 of these incidents were unfounded.**

Current Policies and Procedures Relating to Sexual Assault Investigations

The following policies and procedures have been implemented by the St. Thomas Police Service for reports of sexual assault, domestic sexual assaults and sexual offences against children.

- LE-034 Sexual Assault Investigations
- LE-046 Sexual Offender Registry
- LE-024 Domestic Violence Occurrences
- LE-027 Child Abuse and Neglect
- LE-006 Criminal Investigation Management Plan
- LE-020 Collection of Evidence
- LE-021 Elder and Vulnerable Adult Abuse
- LE-036 Child Pornography
- PR-11 DNA
- PR-48 Victim's Rights
- PR-49 Viclas
- VA-001 Witness Assistance

Objective Findings and Recommendations

Objective

To review the related policies and procedures

Findings

The policies and procedures relating to sexual assault investigations remain relevant and are consistently adhered to by all members of the Service.

The Service continues to work closely with community partners involved in victim's rights and resources.

Recommendations

It is recommended that LE-034 be amended to designate the NCO of the Criminal Investigations Branch oversee all sexual assault incidents.

Objective Findings and Recommendations

Objective

Tracking Mechanisms

Findings

Reported Sexual Assaults are tracked through the Uniform Crime Reporting (UCR) within the Niche Records Management System (RMS). Several incidents are incorrectly categorized.

Due to the extended period of time required to investigate these offences, some of these calls for service are being cleared incorrectly.

Recommendations

Currently, there are 19 categories within the records management system designated for sexual assaults. These statistics are gathered and maintained by a civilian member with no training in sexual assault investigations. This could be rectified by implementing a practice whereby an NCO from the Criminal Investigations Unit works with the civilian member responsible for this task to categorize these offences consistently to assist with submissions to Statistics Canada

The investigating officer's NCO could monitor these investigations and ensure that the initial call for service is updated to reflect the nature of the investigation.

It is also recommended that an inquiry be made into the records management system's ability to add other new clearing code options such as "unsubstantiated".

Objective Findings and Recommendations

Objective

Review all “unfounded” incidents

Findings

- From 2014-2016 members of the St .Thomas Police investigated 102 reports of sexual assault.
- A total of 23 of these reports were cleared as “unfounded”.
- All of the alleged adult victims were female.
- 13 of the alleged victims were children.

Recommendations

A review of the “unfounded” incidents identified several that were cleared or categorized inconsistently. In conducting the review the UCR definitions for “unfounded” and “unsubstantiated” were used as guidelines to determine if incidents were cleared accurately. One incident was found to be incomplete with no reports. This incident was reviewed by the NCO of Criminal Investigations and sent back to the investigating officer to rectify. This one incident was actually investigated completely at the time remaining unfounded, however reports to reflect the investigation were not submitted at the time but as a result of the review, have now been so.

A review of all reported sexual assaults by an NCO in the Criminal Investigations Unit would result in more accurate and consistent categorization.

A review of the 23 “unfounded” incidents, 6 were found to be cleared incorrectly. This brings the total number of “unfounded” sexual assaults from 2014 -2016 to 17.

- 2014 - out of 37 reported sexual assaults, 5 were unfounded
- 2015 - out of 29 reported sexual assaults, 8 were unfounded
- 2016 – out of 36 reported sexual assaults, 4 were unfounded (no change)

It is recommended that those incidents found to be incorrectly cleared be amended on the Record Management System (RMS)

Training

Sexual assault investigation training is incorporated at the recruit level. Adequacy levels are tracked by coach officers and approved by the recruit's direct supervisor. A stand-alone component of a recruit's training is designated for sexual assault investigations.

All threshold offences are reassigned to the Criminal Investigations Unit. All members of the unit have been trained in Sexual Assault Investigations and Sexual Assault Investigations Involving Children at The Ontario Police College.

These officers are members of the Sexual Assault Investigators Association of Ontario (SAIAO).

All members of the unit are provided with additional training provided by local and regional Crown Attorneys who specialize in sexual assault prosecutions.

Designated members of the unit participate in "community partner" committees created and designed to address the sensitive nature and issues confronting victims of sexual assault.

Conclusion

In summary, the investigations of sexual assaults have been handled diligently and professionally. There is no concern regarding the service provided by the St. Thomas Police Service. The underlying issue tends to be with the clearing code options and a lack of consistency with how incidents are cleared by respective supervisors.

Victims of sexual assault are faced with unique and trying circumstances. The St. Thomas Police prides itself in working with victims of sexual assault to provide them with the care, compassion and resources they need to navigate through the judicial process. Officers have provided safety planning for those victims in need and support through several agencies such as the Sexual Assault Centre and Victim Services. St. Thomas Police Service has a strong working relationship with these agencies to assist the vulnerable needs of victims of sexual assault.