

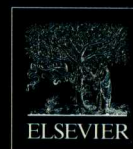


SECOND EDITION

RAPE INVESTIGATION HANDBOOK

JOHN O. SAVINO

AND BRENT E. TURVEY



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RAPE INVESTIGATION HANDBOOK

Preface

by John O. Savino

Few individuals can walk forward knowing that they have truly made a profound difference. Be one of those individuals; strive to be a determined professional, relentless in the pursuit of justice for both victim and criminal alike; be an individual with integrity and passion in pursuit of justice. John O. Savino

To know even one life has breathed easier because you have lived. This is to have succeeded.
Ralph Waldo Emerson

Each and every one of us will travel a different path to becoming an investigator. Our journey down that path influences our investigative abilities and helps determine the type of investigator we will become. It is hoped that sharing my path and my journey will help others resolve issues in their own and also shed some light on how this textbook came to be.

My particular journey as a sex crimes investigator with the New York City Police Department's Manhattan Special Victims Squad, where I spent 18½ years investigating sexual assaults and child abuse allegations, began innocently enough. In 1989, I was promoted to detective and transferred from the Manhattan North Narcotics Division to the quiet and peaceful Central Park Precinct—or so I thought. Central Park is 840 acres located in the middle of Manhattan, visited by approximately 35 million people a year. It is also a home to squirrels, birds, fish, and other animals.



FIGURE 1 In 1996, John O. Savino (second from the left, wearing a dark jacket and tie), then a detective with the NYPD's Manhattan Special Victims Squad, attends a crime scene with an evidence technician and other investigators in Central Park's Sheep Meadow. Courtesy of New York Daily News.



FIGURE 2 My first assignment outside of narcotics: Central Park is 840 acres located in the middle of Manhattan, visited by approximately 35 million people a year.

THE CENTRAL PARK JOGGER CASE

One of my first assignments was a sexual assault that occurred on a jogging path in Central Park only a few weeks after the now infamous “wolf pack” assault of a jogger, which occurred in April 1989. It was a case that shocked and enraged all of New York City. The NYPD quickly arrested five teenagers in connection with the brutal beating and rape of the young investment banker, who had been attacked while jogging. The five teens quickly confessed to the assault and rape and admitted to leaving her dying in a ravine next to the jogging path.

Needless to say the pressure was on to solve this new sexual assault. The victim in the new assault had been jogging when she was approached by several youths, who grabbed her and attempted to knock her to the ground before they attempted to sexually assault her. Because of the heightened state of alert after the “wolf pack” assault, other joggers had chased the youths away and prevented the assault. In 1989 when these assaults occurred, video surveillance equipment was not as prevalent as it is today, NYPD did not have databases available of known offenders or photo databases of everyone arrested in the city available for viewing by victims, and DNA testing was still in its infancy and not available in New York City at the time. The NYPD complaint system was not yet computerized and there were no manuals or booklets available on how to investigate a sexual assault. There certainly were no instructions provided on how to conduct an investigation with New York City watching on the TV news and in the newspapers.

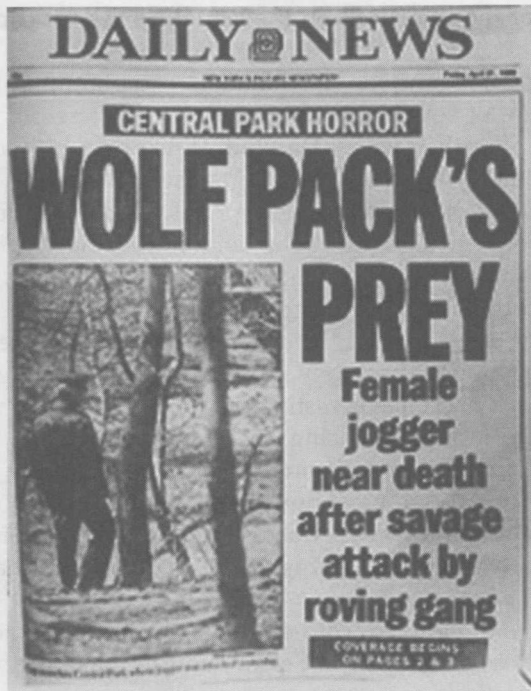


FIGURE 3 Headlines of the *New York Daily News* subsequent to the attack of the Central Park jogger in April 1989, referring to the gang of attackers as a “wolf pack.” Courtesy of New York Daily News.

The search for the bad guys began with an interview of the victim, whom I was able to convince to visit a hospital to document any possible injuries she may have suffered after the assault. I visited the location of the assault the very next day at the same exact time of the assault in an effort to locate any possible witnesses, as they may have used the same path the day before. I then began visiting each of the nine police precincts that surrounded Central Park and located several youths who fit the general description of the assailants and who had been issued summonses for a minor infraction by a uniformed patrol officer on the day of the sexual assault. I also decided to visit several of the youths who confessed to the sexual assault of the female jogger. Several weeks after their arrest, I was transferred to the Manhattan Sex Crimes Squad and began my journey as a sex crimes investigator.

Obviously, this was not the end of that story, but more about that shortly.

THE MANHATTAN SPECIAL VICTIMS SQUAD

After being assigned to the sex crimes squad, I quickly realized that sexual assault was a very unique crime with an extremely high recidivism rate. On my own time, I began reading everything I could find about sex offenders, interviewing techniques, and books on homicide investigations. At the time, numerous books were available on how to run a good homicide

investigation, but none of these focused on the actual process of conducting sexual assault investigations.

I also began gathering intelligence on sex offenders and photographs of everyone arrested by the NYPD for any type of sex crime. The photographs were placed in photo albums to bring to victims to view after they were assaulted. When the unit received its first personal computer, I created a database that was used to assist with identifying similarities among assaults and offenders, which helped investigators link those with similarities more quickly. I learned the difference between signature behavior and MO behavior, and incorporated that as well. Complaint information was also entered into the database, which helped identify victims who had filed multiple sexual assault complaints.

Beyond the database issues, I studied the different typologies of sex offenders in an effort to help with my interrogations when they were caught. I also began meeting with rape advocates to explain what sex crimes investigators do. I, in turn, learned what they do and how to enlist their cooperation in advancing my investigations.

Around the same time, I made the decision to visit the police crime laboratory. I eventually made friends with the laboratory personnel, who taught me about the ABO/secretor–nonsecretor blood typing method, which was used prior to DNA. Since 1989, technological advances in DNA and advances in policing have helped solve many investigations and exonerated the wrongly accused.

All of these things were done to educate myself, to utilize every tool and resource at my disposal (and make them when they didn't exist), and to make the squad more effective at the task of sex crimes investigations.

DNA ADVANCES AND MATIAS REYES

In 2002, Matias Reyes confessed to being solely responsible for the “wolf pack” assault of the Central Park jogger back in 1989. The five teenagers originally arrested had their subsequent convictions vacated. As reported in Saulny (2002):

Thirteen years after an investment banker jogging in Central Park was savagely beaten, raped and left for dead, a Manhattan judge threw out the convictions yesterday of the five young men who had confessed to attacking the woman on a night of violence that stunned the city and the nation.

In one final, extraordinary ruling that took about five minutes, Justice Charles J. Tejada of State Supreme Court in Manhattan granted recent motions made by defense lawyers and Robert M. Morgenthau, the Manhattan district attorney, to vacate all convictions against the young men in connection with the jogger attack and a spree of robberies and assaults in the park that night.

The judge ruled based on new evidence pointing to another man, Matias Reyes, a convicted murderer-rape who stepped forward in January, as the probable sole attacker of the jogger. He was linked to the rape by DNA and other evidence, as the reliability of the earlier confessions and other trial evidence was cast in doubt.

Police Commissioner Raymond W. Kelly reacted yesterday to the judge's decision with a bluntly worded statement that underscored the breach that had opened in recent weeks between the Police Department and the district attorney's office over the case.

Mr. Kelly challenged the credibility of Mr. Reyes's claim that he had acted alone. He also complained that the district attorney's office had denied his detectives access to important evidence needed for the department's own investigation.

Technically, Justice Tejada's ruling made a new trial possible. But after the judge vacated the convictions, Peter Casolaro, an assistant district attorney, immediately responded with a motion dismissing the indictments and forgoing a new trial.

Justice Tejada replied, "The motion is granted. Have a very merry Christmas and a happy New Year."

Then the stuffy, crowded courtroom on the 15th floor of 100 Centre Street erupted in screams, cheers, applause, and weeping by family and supporters of the young men—Antron McCray, Kevin Richardson, Yusef Salaam, Kharey Wise and Raymond Santana.

They were all teenagers at the time of the attack on April 19, 1989. Now they are 28 to 30 years old and have all completed prison terms of 7 to 13 years for the park offenses.

Despite their initial confessions, which were later recanted as coerced, no physical evidence associating the original group of teens with the crime scene had been found. Reyes's DNA was the only DNA recovered from the crime scene.

As advancements are made in DNA and other evidence technology, this will undoubtedly provide new tools available to the sex crimes investigator. But technology can sometimes make an investigator lazy. I am not sure where technology will take us in the future. Currently we have investigators running around with cotton swabs taking DNA samples from suspects, and we can test keyboards, cell phones, and even eyeglasses for the DNA of the individuals who used them. We may even have portable DNA testing machines in the future. But technology alone cannot solve a case.

The investigator cannot rely on technology or prewritten checklists to solve a case. For example, in the current era of policing, the word "COMPSTAT" is tossed around by supervisors. "COMPSTAT" is short for "computer statistics" and is an accountability and management process for police departments. The "COMPSTAT" process has created lists of "investigative steps" to be followed during investigations, and too many bosses are more concerned with making sure these checklists are completed rather than with actually catching the right bad guy. This kind of political concern protects careers but keeps the real bad guys on the street.

My journey with the Manhattan Special Victims Squad ended in May 2007, when I retired from the NYPD. My decision to leave the special victims squad was difficult but necessary as my wife, Elaine, and children, Brittney and Anthony, had also become casualties of the investigations I conducted. My dedication to the victims and my desire and drive to solve the case and lock up the bad guys required more than a 40-hour work week and included missing many family birthdays and holidays. After 25½ years, the decision was made to end my career with NYPD and dedicate more time to my family.

MY LAST CASE

In April 2007, I worked my last sexual assault investigation with a detective newly assigned to the Manhattan Special Victims Squad. I was assigned to help guide him on his first high-profile rape investigation. He had the distinction of being assigned to investigate the most heinous crime reported to the unit during my 18-year career in the sex crimes squad, and possibly the history of the Manhattan Special Victims Squad.

My journey was about to come full circle; I was now going to walk the path with a new detective as he began his journey and help him avoid any pitfalls he might encounter. This would also be done under the microscope. The New York City press and the "brass" of the New York City Police Department would be watching every move we made. The brutality of this case had, once again, shocked New York City and brought all the political pressure a major investigation can bring.

An offender had forced the victim, a 23-year-old Columbia University student, into her apartment. She was held captive there for 19 hours while he both sexually assaulted and tortured her, repeatedly. This offender was keenly aware of forensic technology, as he poured bleach on the victim's genitalia in an effort to destroy his semen. He also used scissors to slash the victim's eyes so that she could not identify him and tried to kill her by forcing the ingestion of different medications. He then poured scalding water on her body in an effort to wash away any evidence he may have left. The offender even went so far as to glue the victim's mouth shut before he bound her to a futon bed, leaving her for dead. As reported in Newman (2007):

The woman was returning to her apartment on Hamilton Terrace near West 141st Street on April 13 at 9:30 p.m. when a man who had gotten into the lobby entered the elevator with her and forced his way into her apartment, [Police Commissioner Raymond] Kelly said.

Over the next 19 hours, Mr. Kelly said, the man tied the woman to her bed with computer cables and taped her mouth closed, raped and sodomized her repeatedly, burned her with hot water and bleach, slit her eyelids with scissors, and force-fed her an overdose of ibuprofen or a similar pain reliever.

At one point last Saturday afternoon, Mr. Kelly said, the assailant took the woman's A.T.M. card, withdrew \$200 at a bodega on West 141st Street and returned to her apartment. A few hours later, he set fire to the woman's futon and left her, unconscious, to die, Mr. Kelly said. She woke up to the smell of smoke, used the flames to melt the cable that bound her to the bed frame, and escaped, Mr. Kelly said.

The offender had set the apartment on fire in an all-out effort to destroy any physical evidence, including the victim herself. He wanted nothing left to chance.

The victim regained consciousness before the apartment was completely engulfed. She was able to direct her bindings into a flame, releasing her from the futon. Partially blinded, she escaped the burning apartment and sought refuge with a neighbor.

Technology played an important role in this investigation. In 2007, the New York City Police Department had a specialty unit called the "Real Time Crime Center," which had access to a multitude of databases and police surveillance cameras positioned throughout the city. Also, investigators spread out in the neighborhood and located surveillance footage of the assailant using the victim's ATM card. Using surveillance footage and the victim's description as a guide, we were able to get a flyer with a sketch all over the New York television news reports.

Bosses were carrying the "COMPSTAT" checklist around, making sure all of the boxes were checked off, but technology and checklists did not solve this case. We spent several sleepless days processing the crime scene; we wanted to make sure the criminalist assigned did not miss anything. We actually made the crime scene unit come back several times to gather more evidence we thought might help identify the offender.

We also gathered the victim's personal belongings after the scene was completely processed—ones that had not been damaged or destroyed by the fire. We did this because she and her family told us they would never be able to return to the apartment again.

Eventually we were ordered to go home and get some sleep, but we did not leave. We were running on adrenaline and did not want to go home until we caught this guy. We spent our time reviewing the hundreds of tips that came pouring into the NYPD's tip line from our flyers.

One tip stood out, which eventually led us to Robert A. Williams, a homeless career criminal whose father lived only a short distance from the victim's building. As reported in Newman (2007):

The attack set off a citywide manhunt, and the police released a sketch of the attacker based on the bodega security video and descriptions by the victim and by people who had seen the man in the lobby....

On Thursday around 5:40 p.m., the police were called to 190-25 Woodhull Avenue in Queens on a report of a burglary, Mr. Kelly said. A woman there told officers that she had seen a man leaving a vacant apartment next door to hers as she returned home, then noticed that her own apartment had been burglarized.

Officers saw Mr. Williams leaving the building, questioned him and found his story wanting, Mr. Kelly said, noting that the man was carrying a screwdriver and a hammer. He was arrested without incident, Mr. Kelly said.

At the 103rd Precinct station house, Mr. Kelly said, officers checked Mr. Williams to see if he had scars on his abdomen like those of the rapist. "The scars matched the description," Mr. Kelly said.

Mr. Williams, who is homeless, has a lengthy police record dating to his childhood, the authorities said. He was charged in a murder as a juvenile, though the outcome of that case is sealed, a law enforcement official said.

In 1996, Mr. Williams was convicted of attempted murder and served the maximum eight-year sentence, in part because he was found guilty of 28 disciplinary violations in prison, said Linda Foglia, a spokeswoman for the state's Department of Correctional Services. The infractions included assaulting prisoners and staff members, harassment, lewd conduct and throwing bodily secretions.

With a strong suspect identified, we brought a photo array to the victim while she was still recovering in the burn unit. We all had to wear hospital scrubs and surgical masks so we did not contaminate her. We also used larger sized photographs in the array so that she could see them, even with the injuries in her eyes.

When the victim positively identified Robert A. Williams in the array, we could see the relief on her face; we had identified the monster responsible for her suffering and he was not going to remain on the streets. Robert A. Williams was identified and apprehended only 7 days after this brutal sexual assault, but not by technology, lists, or luck. This case was solved because of the dedication of the investigators assigned and their need to bring closure to this victim, who at one point while being tortured during the attack had begged to be killed to end her pain.

Eventually, DNA also linked Williams to the crime and confirmed what the victim had already told us. But as I explained, DNA, technology, and computers were not the reason he was identified and captured—they were the tools of dedicated and tireless investigators. Robert A. Williams was convicted on July 24, 2008, with 44 counts, including attempted murder, arson, rape, and sodomy, and is currently serving life in prison.

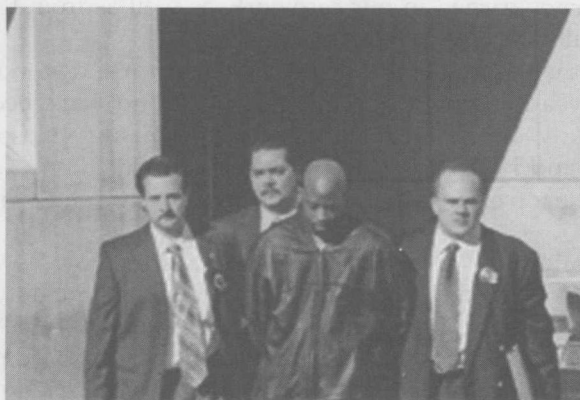


FIGURE 4 Det. John O. Savino (far left), Det. Fiore, and Sgt. Crespo, Manhattan Special Victims Squad, with Robert A. Williams (center; cuffed). Courtesy Michael Swartz.

Since leaving the NYPD in 2007, I relocated to Florida with my family where I have been working as a detective with a large state agency. I am currently conducting financial and fraud investigations and have been able to successfully apply the techniques described in this text in my new career. I've always said that if you can work sex crimes, you can work anything, and it proves truer every day.

RAPE INVESTIGATION HANDBOOK, SECOND EDITION

Investigators have tremendous influence over the outcome of sexual assault investigations, and even the healing process of the victims. The victim, it must be remembered, is the most important person in the investigation; without them we do not have a case. Once the investigator has determined that a crime has occurred, they must obtain the victim's trust and confidence. The investigator must also help the victim overcome any feelings of guilt, embarrassment, or shame in order to have a successful prosecution. This takes time, sincerity, and continued follow-up. The investigator's job and responsibilities do not end with an arrest; they require much more.

These are among the main goals of the sex crimes detective: the determination of criminal activity, the exoneration of the innocent, the identification and arrest of legitimate suspects, and their successful prosecution. This is justice, and it helps to heal both victims and communities.

This book was created in an effort to provide the fledgling investigator, novice investigator, seasoned investigator, and even students of criminal justice with the fundamentals of conducting an investigation in the service of justice. During my career as a sex crime investigator, I discovered there was a need for this type of text, which makes available techniques and procedures discovered during many years spent conducting thousands of sexual assault investigations. These techniques can be used successfully during any investigation: from the initial report, to the collection and examination of physical evidence, and toward a successful prosecution. However, this text also details the dynamics of a sexual assault, from both victim and offender perspectives. It is a comprehensive case approach to sexual assaults; it draws from the lessons we have learned in our casework, as well as from the experiences of our distinguished contributors.

I acknowledge and thank Brent Turvey, whom I've known and worked with now over the course of the past 18 years. Without him this text would not have been possible. His faith and patience are greatly appreciated along with our many philosophical cross-country telephone calls. Brent and I are excited to present this updated text, and have enlisted the assistance of some of the top experts in their fields to contribute and provide their knowledge and expertise.

It also needs to be said that I have been personally inspired by the victims that I came to know during my career with the Manhattan Special Victims Squad. They have exhibited extraordinary strength, courage, determination, and patience during the investigative process. The victims I have worked for have placed their utmost trust in me during their investigations, and it is for them that I participate in writing this text.

It is my professional belief that sex crimes investigators should always put forth their best effort, because their actions, or lack thereof, have lasting effects on the lives of those they

touch. The investigators, after all, have the ability to leave the trauma in the office or the case folder in the desk drawer. And they must, in order to meet the new challenges that they face every day. The victims, however, do not have this luxury; they are uniquely burdened with their own injuries, every minute of every day for the rest of their life. Some learn to survive well and with dignity; some do not; and many others fall in between. The best chance they have at justice, and survival with dignity, is to be treated professionally and with respect by the investigator. This is shown only by the efforts that are made to follow up on evidence, investigate all leads, and ensure that any arrests made can result in a clean and certain prosecution.

It is my hope that the readers of this text are attempting to become better investigators. If so, I am certain that if they follow the information and guidelines provided here that they are on their way to becoming better investigators. There is no doubt about this, and about the fact that it will make a difference in someone's life.

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Foreword to the First Edition

by John Timoney

Three months after I became Police Commissioner of the City of Philadelphia in March 1998, a young female graduate student was sexually assaulted and murdered by an unknown intruder. I suspected that this was not the first time that this perpetrator had struck and so I directed our detectives to go back over old cases to see whether they could find any evidence of previous attacks by the same person. After spending months searching through old files and sending large numbers of DNA samples to the laboratory for analysis, our investigators reported to me that they believed that he had struck almost exactly one year earlier. In fact, they were now pretty sure that during the summer of 1997 he had sexually assaulted four women under similar circumstances: undetected intrusion into the victims' apartments during the early morning hours while the victims were asleep in their beds.

There were two reasons why the Philadelphia Police Department had failed to detect a serial rapist while he was on the rampage. First, the investigators in our Sexual Battery Unit did not have a case management system that looked for emerging serial patterns. Similar assaults in the same geographic area could be assigned to different investigators depending on when these crimes had occurred and which detective was "catching." There was no system in place to ensure that investigators talked to each other or compared notes about the incidents on which they were working. For this reason, patterns of crime could easily go unnoticed.

Second, and more important, was the department's procedure for DNA testing of crime scene material. The policy in Philadelphia, as in other police departments across the country, was that DNA tests were conducted in only very limited circumstances: for example, when the local Assistant District Attorney had a person under arrest and facing trial or when a sharp investigator suspected he had a serial rapist on the loose and could persuade his bosses that DNA might be able to prove his hunch. As a result, the vast majority of DNA samples remained untested in our police lab and property locker just as they did in police departments all across the United States. The problem was a lack of personnel, money, training, and imagination. In addition, there is the tendency of police departments to become overwhelmed by the sheer size of the problem; thousands of cases to be tested and very limited resources leads to almost nothing getting done while everyone sits around complaining about the situation.

But as far as rapes are concerned, the problem is not as large as many believe. The immediate purpose of DNA testing is to identify an offender. But we know that 75 percent of rapes are committed by "known doers": for example, date rapes, incest, neighbors, etc. The question that is usually at issue in these cases is whether the sex was consensual. This is a matter to be determined by a judge and jury. There is no need for DNA testing in these cases. DNA analysis, which is expensive, should be reserved for those rapes committed by "strangers." These are the ones that may include the activities of a serial offender. But these stranger rapes account for only 22 to 25 percent of all rapes reported each year.

For this reason, I directed the Philadelphia Police Department laboratory to do a DNA test on all "stranger" rape kits collected during the Past 5 years, the longest that we could go back and still make an arrest. I also instructed them to do a DNA test on all stranger rapes reported to the department from now on. Interestingly, while conducting the DNA tests on the old cases, the scientists discovered another serial rapist who had struck three times in another part of the city. Without DNA tests, this person would never have been identified because of the size of the geographic area in which he had struck and the conflicting identifications provided by the victims; one described him as black while another said, correctly, that he was white.

Five months after I had become Chief of the Miami Police Department in January 2003, a serial rapist attacked three young girls over a period of two weeks. While our sexual battery detectives knew that they had a serial rapist on their hands and our DNA tests of material taken from the victims confirmed this, I was not convinced that this was the first time that this particular rapist had been active in our city. I therefore directed our detectives to review all our old cases and focus on "stranger" rapes, just as I had done in Philadelphia. As I suspected, the rapist had struck before, almost a year earlier. But he had struck numerous times and his pattern was not typical. Over the course of a year, he had committed ten sexual assaults. These had involved girls as young as 11 and women as old as their late 70s. Without DNA testing, most of these cases would not have been connected.

Both the Philadelphia and Miami serial rapist were caught because of a combination of modern DNA analysis and old-fashioned detective work. The main lesson for me, however, was the importance of giving detectives much better training in case management and the use of science and technology. It is not an exaggeration to say that science has outpaced training in most police agencies—but it would be unfair to blame police officers and detectives for this situation. It is the responsibility of top management to provide appropriate training for all officers. While the lack of money and resources are real issues, they can never be offered as an excuse. Police departments must do better!

I can think of no better place to start this improvement in training than with this handbook. It is a comprehensive review of the best policies and practices from the moment the first officer arrives on the scene of a crime right up to the trial of the offender. Science and case law are interwoven easily so that even a rookie right out of the police academy will find it comprehensible and useful. I suspect that defense counsel will also use it to brush up their knowledge of science and best practices. Police officers, detectives, laboratory technicians, and state attorneys will all find it invaluable. At a minimum, this book should be available in every precinct, district, and detective squad room for ready reference. Ideally, it should be used by police training academies and colleges to teach students how these investigations should be conducted.

Preface to the First Edition

The Role of the Sex Crimes Investigator

by Brent E. Turvey

From 1981 to 1999, the Sex Crimes Unit in the Philadelphia, Pennsylvania, Police Department dismissed $\frac{1}{3}$ of victim complaints without investigation, deliberately mislabeled $\frac{1}{4}$ of victim complaints to manipulate crime data and make the city appear safer, and managed to maintain one of the worst solve rates in the country (McCoy, 2003). In one record-breaking three-year period, the number of sex crimes that went uninvestigated exceeded two thousand. According to *Fazlollah, McCoy & Moran* (2000):

The sex-crimes unit, founded in 1981, buried nearly a third of its caseload over the next 17 years. Rapes, attempted rapes and other reported acts were given administrative labels such as "investigation of person" or were rejected as unfounded. Either way, they did not show up in crime statistics. The victims were never told their complaints had been shelved.

Current and former investigators said they dumped cases to cope with an overwhelming workload and pressure from commanders to generate favorable statistics.

The supervisors and detectives of that unit betrayed their victims for political gain with apathy, allowed an untold number of offenders to stay on the streets, and ultimately failed to protect the community they were sworn to serve. In short, it was one of the most publicly documented examples of how not to run a major sex crimes unit in the United States.

After being confronted with these problems in the press, the Philadelphia Police Department came clean and admitted their wrongdoing. Then Police Commissioner John Timoney ordered a review of thousands of unsolved, dead-end cases. To relieve the pressure, he added dozens of new detectives to the unit and assigned some of them solely to that task. And, finally, he invited a handful of legal experts and victim advocates to examine some of those cases and make recommendations about how they might be brought back to life. More than dramatic, this combination of reforms was unprecedented.

Four years later, with the benefit of those reforms, the Philadelphia Police Department Sex Crimes Unit experienced marked improvement (McCoy, 2003):

A squad that was once among the nation's worst now makes more rape arrests than such larger cities as Los Angeles and Houston. Its rate of solving rapes is the best among America's largest cities.

As the squad prepares to move into its new \$2 million headquarters next month, it is a third larger; its investigators are better-trained and more motivated.

At the heart of this Unit's success was openly admitting the problem, asking for outside advice, and providing the resources to ensure that cases were appropriately investigated. A commitment to integrity, tenacity and innovation defines the successful sex crimes investigator.

Success in the East is blunted by findings up North, however. In 2001, the state of Alaska had the highest rape rate in the United States; from 1982 to 2001, the rate of rape per 100,000

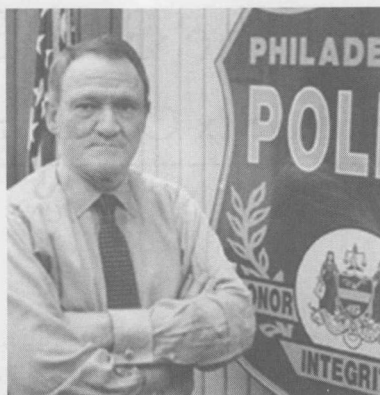


FIGURE 1 John Timoney, former Commissioner of the Philadelphia Police Department.

people in Anchorage, for example, was on average 122 percent higher than the overall U.S. rate; it ranked fifth when compared to other U.S. metropolitan cities. Between 1999 and 2001, the rape rate increased by 27 percent in Anchorage; it decreased by 3 percent nationwide during that same time period (*Langworthy & Rosay, 2003*)

But the real tragedy in Alaska hasn't been the numbers. It has been the law enforcement response, or rather, lack of response, to the problem of rape and sexual assault. Unbelievably, almost a quarter of the sexual assaults reported are not assigned to a detective. According to published reports, which confirm the experiences of this author (*Brant, 2003*):

An internal report released in late October showed that 23 percent of sexual assaults reported to APD are not assigned to a detective, primarily because of staffing shortages.

Police Chief Walt Monegan could not be reached Friday, but he said in a recent interview that the "solvability" of a case is a major factor when deciding whether to assign it to a detective.

Any case that looks like it can be solved is assigned, Monegan said. "It is the policy of the department, that if we can make an arrest on the case, either with a warrant or an arrest, we will do so," he said.

The difficulty comes when you've got a case that is missing key elements—evidence, a suspect's name, a cooperative victim—and you think maybe you could solve it, but it's going to be very time-consuming, Monegan said. Sometimes those cases have to be set on the back burner so detectives can work the more promising ones.

"Those few cases in the gray area can stockpile," Monegan said. "If we had additional people, we might be able to work those gray areas."

What is happening in Anchorage, and elsewhere in Alaska, is that cases are not being responded to. There isn't even the pretense of an investigation. A patrol officer responds, takes a statement, writes a report, and if a suspect is not named and apprehended by the end of the officer's shift the case typically goes no further. According to official reports in Anchorage, the problem is one of poor leadership and poor communication (*Coyne, 2003*):

A mayoral transition team report released July 8 found all sorts of problems with the department: low morale, low diversity, a lack of communication between police Chief Walt Monegan and his staff. But a major problem is staffing, and an undefined recruiting policy.

As of this writing, these problems with sexual assault in Alaska remain.

Sex crimes must be investigated. Otherwise, the sworn protectors are essentially abandoning the citizenry—a citizenry that by law cannot police itself against these dangers. For any