DRUG AND ALCOHOL FACILITATED SEXUAL ASSAULT

**INCAPACITATED SEXUAL ASSAULT**

*Checklist*

***Immediately***

* Photographs: scene, V and S In case of immediate report
* Clothing If allegation involves force/damage/body fluids
* Advocate Involve as early as possible, including interview
* Sexual Assault Exam If still within 5 days of assault
* Suspect Exam In case of immediate report (obtain SW)

***Investigation***

* Sexual Assault Kit (SAK)
* Toxicology (blood/urine from SAK)
* Medical Records Consult w/ Medical Professional
* Text/Social Media Communications Between S & V – before and after the assault

To anyone – before, during, after the assault

* Videos (restaurants/bars/clubs) Images of S and/or V – before, during, after the

assault

* Receipts (drink/food purchases) Images of S and/or V – before, during, after assault
* 911 call Establishes timelines, amounts purchased, quality of

signature, tip calculation

***Interviews***

*Victim – in person with advocate*

* Ask open-ended questions: “Tell me everything you are able to remember about…”
* Emphasize truthfulness, including alcohol/drug consumption
* Obtain names of potential collateral witnesses who can provide observations of victim prior to the assault
* If appropriate, inquire if V has any reason to believe she/he was drugged
* Inquire about and confirm text/e-mail/social media activity directly before, during, or after the assault

*Collaterals*

* Conduct interviews with witness(es) who saw V and S close in time or just prior to the assault
  + Observations of amount of alcohol/drugs consumed by both V and S, to include:
    - Demeanor
    - Behavior
  + Was V coherent?
    - Able to function?
    - Passed out?
    - Answering questions?
  + V and S relationship
* Interview first person to whom the V reported
* Interview all individuals the V reported to prior to reporting to police

*Suspect – in person*

* Full timeline of event, starting with first contact between S and V
* How familiar was the suspect with the victim (prior contacts or information learned at the time of the event)
* Any prior sexual contact/flirting/relationship
* Amount of alcohol/drugs consumed by both
* S’s observations of V behavior/level of intoxication/demeanor
* Other individuals present prior to/after the alleged assault (for collateral interviews)
* How did the event end
* V ever say no or resist
* If the S says it was “consensual,” ask “what made you think that it as consensual? (make him/her articulate why they thought it was okay)