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Course Description

Although penal code definitions of criminal sex offenses vary, most are conceptually similar and can be understood by analyzing their elements. This type of analysis is represented in the charts provided with this module. By following the charts and making a series of decisions, law enforcement investigators can determine not only which specific crime was committed but also frame the entire investigative strategy based on the defense that is most likely to be raised. Criminal sex offenses will thus be discussed conceptually in this module; this discussion must be supplemented with information from relevant penal code sections in your own jurisdiction.

Estimated time for completion: 5 hours

OVW Grant Funding

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Expert Contributions

OLTI training content is created and updated with input from professionals in a variety of disciplines, including law enforcement, prosecution, health care, victim advocacy, and related fields. Please see the acknowledgements page of each module, for a list of the individuals who served as contributing authors or expert reviewers.

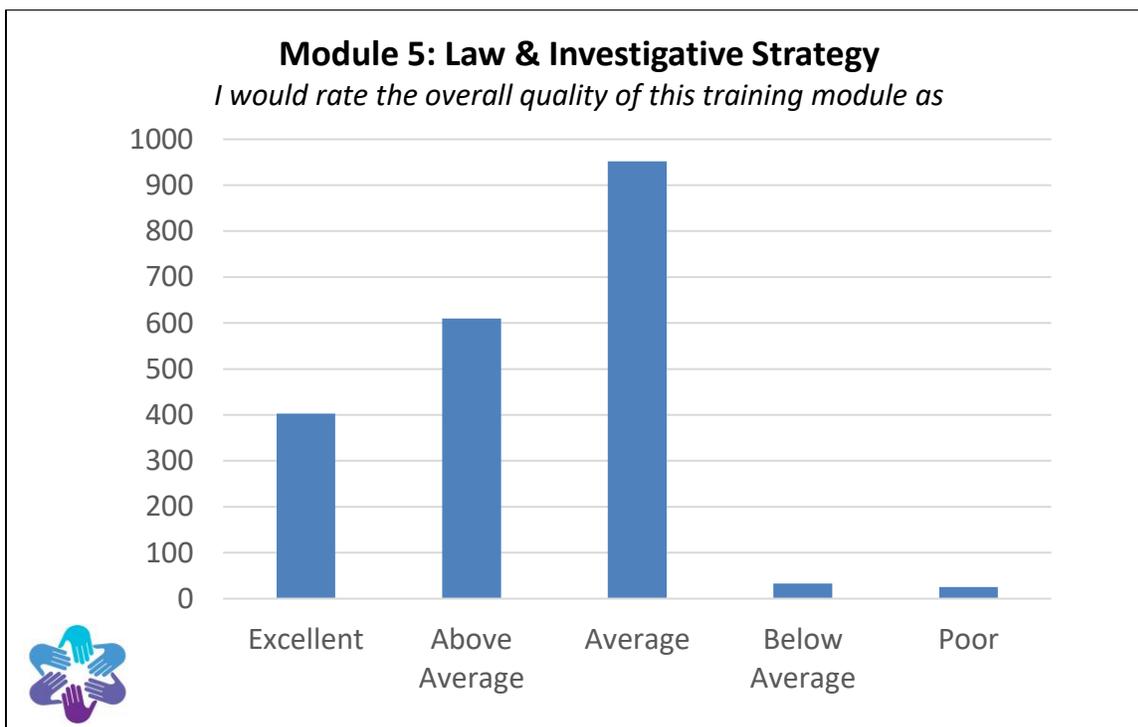
Course Evaluations

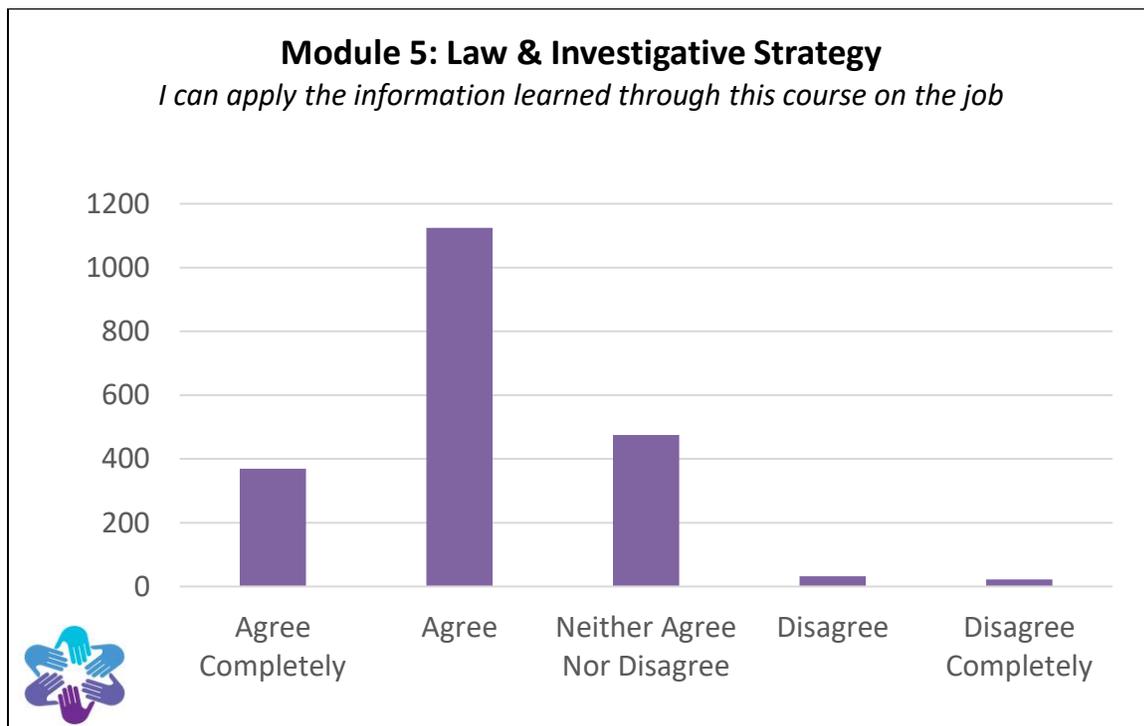
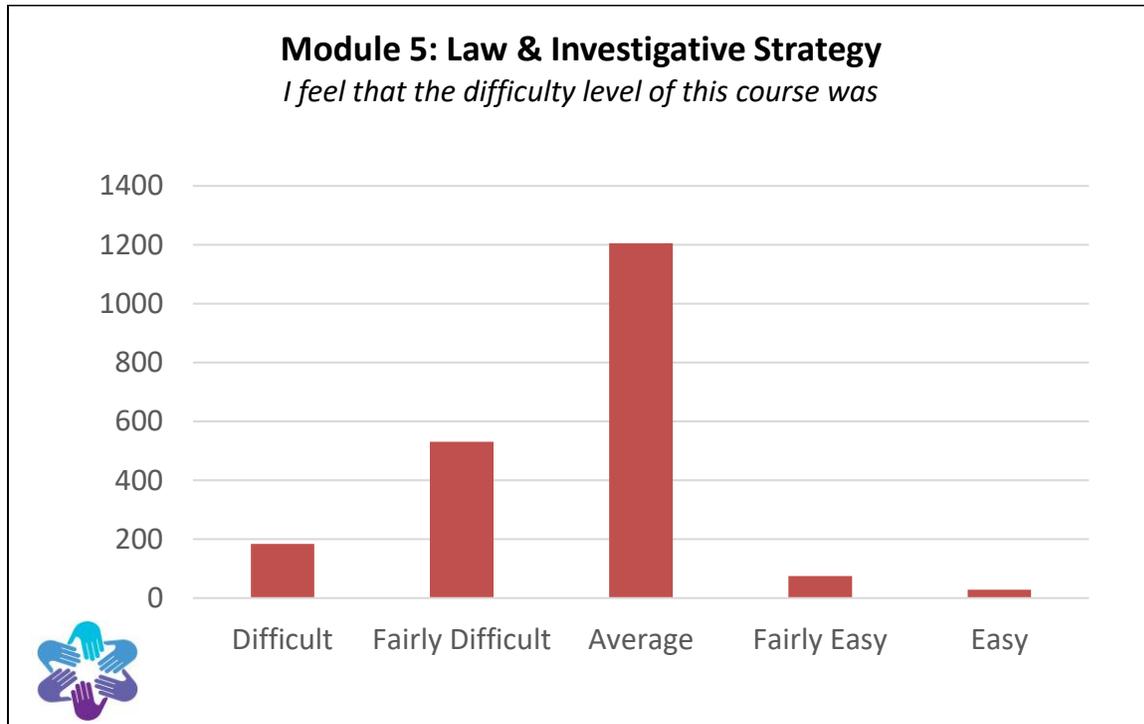
At the end of each module participants are asked a number of questions, including the overall quality of the module, as well as its difficulty. They are also asked to indicate how likely they are to apply the information they learned on the job. Their responses are summarized in the following charts, and illustrated with the quotes.

What did you find most helpful in this module?

The scenarios gave me an idea on what type of offenses they fall under. This is very valuable information.

The aspects of the module that were the most valuable to me was the questions at the end of the module where you applied what you learned to "real world" scenarios.





74% “agree completely” or “agree” that they can apply what they learned on the job.

Course Objectives

At the end of this training module, the learner will be able to:

- Determine the category of sexual assault case being handled.
 - Determine whether sexual penetration or sexual contact has been committed by the suspect.
 - Determine whether any reported sexual acts (whether penetration or contact) were committed using force, threat or fear – or whether the situation was one in which no force is required for sexual acts to constitute a criminal offense.
 - If the situation was one in which no force is required, determine why no force was required, such as:
 - The victim was unconscious.
 - The victim was incapacitated.
 - The victim has a severe disability affecting cognition.
 - Statutory rape based on the victim's age.
- Given the category of sexual case being handled, predict the defense most likely to be raised, including:
 - Denial
 - Identity
 - Consent
- Given the category of sexual assault case being handled and the defense most likely to be raised, develop an investigative strategy designed to overcome a particular defense.
 - Recognize the types of evidence that support the particular elements of the sexual assault case.
 - Recognize the types of evidence that effectively counter common defense strategies.
- Recognize the purposes of associative and reconstructive/corroborative evidence.
- Apply a conceptual analysis of the legal elements of a sexual assault offense to individual state law.

Course Outline

- I. Sexual penetration vs. sexual contact
 - a. Determine whether sexual penetration or sexual contact has been committed by the suspect
 - b. Investigative strategy: overcoming a denial defense
- II. Force, threat, or fear
 - a. Determine whether any reported sexual acts (whether penetration or contact) were committed using force, threat or fear – or whether the situation was one in which no force is required for sexual acts to constitute a criminal offense
 - b. Victim non-consent issues

- c. Investigative strategy: consent versus identity defense
 - i. Identity defense: “you’ve got the wrong guy”
 - ii. Consent defense: “she wanted it”
- III. No force required
 - a. Unconscious victim
 - b. Incapacitated victim
 - c. Victims with a disability affecting cognition
 - d. Sexual assault based on age and/or position of the suspect
 - e. Other situations in which no force is required
- IV. Other Types of Evidence
 - a. Associative evidence
 - b. Reconstructive/corroborative evidence
- V. A note regarding repeat offenses