

Montana Department of Justice

Sexual Assault Kit Initiative

Course “Case Submission”

Intro

Slide 2: Welcome to the course, Case Submission.

Slide 3: Content Warning: We will be talking about sexual violence which may trigger personal feelings. Please remember to take care of yourself and do what you need to help yourself.

Slide 4: Disclaimer: This project was supported by Grant No. 2017-AK-BX-0022 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice."

Slide 5: In this course, you will learn how to submit your completed investigation.

Slide 6: Congratulations! You have reached the end of your investigation. As we have demonstrated throughout the SAKI eLearning series, your role as the investigator has been to conduct a thorough trauma-informed investigation by practicing a phased approach, gather evidence, and to document what you learned. The importance of a coordinated response to the crime of sexual assault continues throughout the investigation. This holds true as well for the final step – submitting the case to a prosecutor for review.

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Submission Letter

Slide 8: Many agencies have a directive or procedure for submitting cases to a prosecutor for consideration. Follow those agency directives and procedures if your agency has them. If not, you should write up a prosecution letter with the following information:

- Date of the letter
- Name of the prosecutor and their official address
- Case number
- Greeting
- Brief explanation of the case and a request for prosecution review. For example:

"Good day Mr./Ms. Prosecutor. I am submitting case #19-01 for your review. The investigation began after I received a phone call from ACME Medical Center, reporting that a female sought treatment after an alleged sexual assault. The investigation revealed the survivor was injured, there was evidence of sexual assault, a suspect was identified, and evidence indicated the sexual contact may have been non-consensual. At this time, the case requires follow-up; mainly I am awaiting lab results to see if the suspect's DNA was present on the survivor. Please provide your thoughts on this matter."

Initially Completed Case

Slide 9: Provide a copy of the original offense report, with copies of any original documents attached to the case report, and the cover letter.

Delivery Method

Slide 10: Use a delivery method approved by your agency's procedures:

- Interagency mail
- Paid delivery service
- Hand delivery
- Supervisor submission
- Other delivery methods

Complete Your Submission

Supplemental Report

Slide 11: Submit a brief supplemental report about the delivery of the completed initial investigation.

"On January 20, 2019, I copied the original case and submitted the case for prosecution consideration by delivering the case to the prosecutor's secretary as by department procedure."

Case Action

Slide 12: You also need to document what the prosecutor's decision is by writing a supplemental report, for example:

"On February 2, 2019, I received an email from Mr./Ms. Prosecutor indicating declination of prosecution due to [insert reason given by County Attorney's Office]. This case is closed. I will contact the survivor and advise of the prosecutor's decision."

"On February 2, 2019, I was contacted by Mr./Ms. Prosecutor advising a complaint and warrant had been sought for Mr./Ms. Suspect and that an arrest was to be made."

"On February 2, 2019, I received an email from Mr./Ms. Prosecutor advising that further follow-up needed to be conducted and providing me with a list of those steps."

Slide 13: In this course, you have learned how to submit your completed investigation.

Slide 14: Thank you for completing this course. Select "Close" to exit.