

Sexual Assault

NOPD agrees to train supervisors and investigators in the Sex Crimes unit in the proper definitions and application of “unfounded,” “false,” and “baseless” classifications in the context of sexual assault. The immediate supervisor in the Sex Crimes Unit and the Special Victims Section Commander shall closely review and approve in writing any decision to classify a report as “unfounded.” NOPD agrees to track each of these conclusions separately in NOPD’s CCMS and publicly report them on at least a semi-annual basis. [Consent Decree ¶207]

Key definitions

CCMS – Criminal Case Management System which is utilized by detectives to document investigations.

Sexual assault – For the purposes of this report, sexual assault encompasses the following NOPD signal codes:

- Aggravated rape;
- Oral sexual battery;
- Simple rape;
- Sexual battery;
- Carnal knowledge of a juvenile; and
- Indecent behavior.

Unfounded Case – When, through investigation, an agency determines that complaints of crimes are unfounded or false, the agency eliminates that offense from its crime tally.¹

Unfounded – False or baseless complaint.²

Findings

NOPD had 129 unfounded sexual assault cases in 2015.

NOPD improved its tracking of sexual assault cases in multiple ways in 2015. NOPD restricted the use of Signal Code 21 (miscellaneous incident) in compliance with Consent Decree ¶206 to ensure that sexual assault allegations are not downgraded into a miscellaneous category and therefore uncounted in statistical reporting. Sexual assault allegations that may have been changed to a Signal Code 21 in the past are now being marked unfounded under a sexual assault signal when appropriate. By doing so, NOPD is producing a more accurate count of sexual assault allegations that were determined to be unfounded.

¹ <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2011/crime-in-the-u.s.-2011/methodology>

² UCR Handbook 2004. http://www.fbi.gov/about-us/cjis/ucr/additional-ucr-publications/ucr_handbook.pdf/view

Additionally, NOPD began to mark calls that erroneously originated under a sexual assault signal as unfounded – as opposed to changing the classification to a non-sexual assault signal code – in order to track all calls that originate under a sexual assault signal more clearly. These changes, which have been codified in new sexual assault policies, will produce more transparent tracking of NOPD’s response to sexual assaults.

Lastly, Consent Decree ¶207 requires that NOPD track unfounded decisions in CCMS and report these decisions on a semi-annual basis. The 2014 annual report included all unfounded cases documented in the Department’s case management system (CCMS). The 2015 annual report includes unfounded dispositions documented in both the Department’s computer-aided dispatch database and a case tracking database for more comprehensive reporting of unfounded sexual assault cases.