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This is the third training bulletin in our series on alternative reporting methods. In this installment, we continue to introduce key concepts and components with a focus on third party reporting procedures for victims.

Third Party Reporting

A third concept often discussed in relation to alternative reporting methods is third party reporting. In general, the term refers to any information provided to law enforcement about a potential criminal offense *from someone other than the victim*.

Information about a potential sexual assault may be reported to law enforcement by a friend, family member, teacher, coach, clergy member, or any other third party. For example, third party reports are commonly made by parents, when they discover or suspect their adolescent has been the victim of statutory rape. Third party reports are also frequently made by health care providers and others with legal responsibilities for mandated reporting. They are often recorded as informational reports, because the elements of a criminal offense will need to be established by law enforcement on the basis of an interview with the victim and other evidence.

However, some law enforcement agencies also provide a procedure for *victims to file an anonymous report through a third party* such as a forensic examiner program, community-based advocacy organization (e.g., rape crisis center or dual service agency), or other entity. When this type of protocol is implemented, it requires establishing detailed policies and procedures in a Memorandum of Understanding between the law enforcement agency and the entity authorized to accept reports.

Clarifying Terminology and Concepts

Because there is a great deal of variation in how these terms are used, we want to re-state that we use the term third party reporting to refer to any report of a criminal offense made by someone other than the victim. This includes third party reports that are made at the request of the victim, following a procedure implemented collaboratively between a law enforcement agency and other entity (such as a forensic examiner program or victim advocacy organization). In many cases, such a third party report would also be *anonymous*. For example, some communities have implemented procedures where a victim can provide information to law enforcement anonymously through a health care provider, victim advocate, or other professional.

However, other third party reports are *not anonymous*. In California, for example, health care providers are legally obligated to provide specific information to law enforcement whenever they have reason to believe a patient has been sexually assaulted. Among the required information is the victim's name. In other words, just because a report of suspected sexual



assault is made by a third party does not necessarily mean it is anonymous. In fact, it is usually not anonymous at all.

Establishing Jurisdiction for Third Party Reports

When a third party (such as a forensic examiner or victim advocate) makes a report to law enforcement on behalf of a sexual assault victim this will typically require asking the victim where the sexual assault occurred and contacting the law enforcement agency with jurisdiction over that location. (The exception would be if a particular agency agreed to accept all third party reports as part of a community-wide protocol).

In such a situation, the third party professional can only be expected to do their best in determining the presumed jurisdiction for any report, based on the information received. Many victims have a hard time specifying exactly where their sexual assault took place, and third parties are not likely to know the exact boundaries of any law enforcement jurisdiction. In addition, victims often seek assistance in the community where they live and not necessarily the community where they were assaulted.

Therefore, protocols for third party reporting need to address the fact that the identification of a law enforcement jurisdiction will only constitute a best guess. If the victim later converts to a standard reporting procedure, the law enforcement agency contacted will need to determine the proper jurisdiction and may need to transfer the case to another jurisdiction when appropriate.

Up Next

Now that we have introduced some essential concepts and components involved with alternative reporting methods, we turn our attention in the next installment to showcasing two innovative examples. One excellent program was created in Cambria County, Pennsylvania and another in Ashland, Oregon.

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