

The Methodics of Investigation of the Sexual Crime Acts (chosen issues)

Key words:

rape, sexual abuse, investigation

Summary

This submitted diploma thesis deals with procedures of investigation of crimes rape and sexual abuse, which are two most serious offences within sexual criminal acts. In this work I analyze only some of the most essential moments of investigation, because the theme as a whole exceeds the required extent of the diploma thesis. Most attention is paid to contacts of the prosecuting and adjudicating bodies with the victim and to the acts in which the victim is involved.

The introductory part analyzes basic contemporary and prospective legal regulation of all sexual criminal acts given in the present and new criminal codes. Offences of rape and sexual abuse are explicated in more detail.

Then the work brings a criminalistic characteristics of these offences with basic statistical data. It points out the decreasing detection rate of these crimes over the last few years. Within the criminalistic characteristics, the thesis shows typical ways of committing these crimes, typical offenders, victims and typical traces. It points out that most offenders committing rape and sexual abuse come from the backgrounds close to the victim. When discussing typical traces, special attention is paid attention to the modern analysis of DNA, to taking samples of DNA and also to the National Database of DNA, where DNA profiles of offenders and samples taken at scenes of undetected crimes are deposited.

The second part of the diploma thesis deals with procedures and methods of investigation of rape and sexual abuse. It focuses especially on inducements to begin the investigation, initiatory acts, the investigation versions and acts of subsequent phase of investigation. The explanation of subsequent phases of investigation is accompanied by

explanation of using of psychological support in investigation, namely the use of psychological profiling and the lie detector (polygraph).

The third part of the thesis discusses the approach to the victims of rape and sexual abuse. It analyzes the reasons that lead to secondary victimization and also shows how to prevent victimization. Furthermore, it describes the procedure of questioning the victim, including the questioning victims under 15 years of age. The concluding part of this chapter deals with the issue of false accusations, which uselessly hamper the work of the police.

The last part gives examples from practice, most of the chapter dealing with an analysis of the “Rat” case, which I got acquainted with in investigation files kept with the criminal police. It refers to the case of a young Romanian man who in the 1st half of 2004 brutally attacked single women in Prague, robbed and raped some of them. The analysis shows the work of the police in search for an unknown serial offender.