CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO:	PUBLIC SAFETY, FINANCE & STRATEGIC SUPPORT COMMITTEE	**FROM:**	Anthony Mata
SUBJECT:	**GENDER-BASED VIOLENCE RESPONSE AND STRATEGY ANNUAL REPORT**	**DATE:**	March 16, 2023

Approved Date 3/16/2023

REPLACEMENT

REASON FOR REPLACEMENT

In the original version of this memorandum, there were slight errors in the percentages listed in Tables 2.A and 3.A. This replacement memorandum corrects those errors.

RECOMMENDATION

Accept the 2021-2022 annual report on the Police Department's Gender-Based Violence Response and Strategy, including detailed sexual assault crime statistics and trends, housing opportunities, and an update on the implementation of the Sexual Assault Bill of Rights.

BACKGROUND

The federal Centers for Disease Control and Prevention (CDC) defines sexual violence as "sexual activity when consent is not obtained or not freely given." The CDC notes more than one in three women and nearly one in four men experience sexual violence involving physical contact during their lifetimes.[1] Sexual Assault (SA) is divided by the CDC into many categories. Sexual Violence (SV), Intimate Partner Violence (IPV), and Child Sexual Abuse (CSA) are three categories which are commonly investigated by the San José Police Department (SJPD).

In the San José Police Department, the Sexual Assault Investigations Unit (SAIU) investigates incidences of sexual violence (referred to hereafter as "sexual assault," consistent with the terminology used by the Department). In this report, the Department will highlight efforts related to the prevention, intervention, and enforcement of sexual assault by SAIU. In addition, this report follows up on various data and informational requests from the Public Safety, Finance and Strategic Support Committee related to the work of SAIU.

[1] https://www.cdc.gov/violenceprevention/sexualviolence/fastfact.html

ANALYSIS

Sexual Assault Investigations Unit Overview

In San José, sexual assaults, intimate partner sexual assaults, and youth sexual assaults fall under the purview of SAIU. SAIU's responsibilities include a range of sexual assault law violations. The unit is housed at the San José Police Department's main facility located at 201 W. Mission Street in San José.

The unit's approach to sexual assault cases is to make an arrest in every situation where it is legally permissible and to ensure survivors have access to resources which may assist them through the legal and/or civil process. SAIU has an in-house YWCA Advocate, who assists survivors with services and provides the survivor with the resources and information needed to heal. Furthermore, SAIU works closely with the Santa Clara County Department of Family and Children Services (DFCS) in familial youth cases. The unit also works closely with the Santa Clara County District Attorney's Office (DAO) Sexual Assault Unit in referring cases for prosecution and supporting cases filed by the DAO's office.

Today, SAIU is authorized to have 32 sworn and 6 civilian personnel. SAIU is currently staffed by 22 sworn and 6 civilian personnel. The current staffing level reflects new vacancies of 4 detectives and 1 sergeant as compared to 2022 (the 4 additional detective vacancies have brought filled detective positions from 20 in 2022 to 16 currently). The current filled staffing consists of the following:

- Sworn
    - 1 Lieutenant
    - 5 Sergeants
    - 16 Detectives
- Civilian
    - 1 Senior Office Specialist
    - 1 Police Data Specialist II
    - 1 Senior Analyst
    - 1 Analyst I (Child Interview Center Coordinator)
    - 2 Child Forensic Interviewers (Temporary City Employee)

The make-up of SAIU is diverse: five (5) of the members are certified Spanish-language speakers, three (3) are certified Vietnamese-language speakers, and two (2) members speak Tagalog. Equally important to the languages spoken, SAIU has seven (7) female detectives, and two (2) female sergeants. Having a diverse workforce allows SAIU to communicate and build rapport with the survivors we serve.

The unit employs the best practices in sexual assault services and uses a multi-disciplinary approach to address sexual assault issues. In 2021-2022, in addition to the sworn and non-sworn personnel, SAIU continued to be staffed with an advocate from the YWCA and a representative from the Santa Clara County DFCS. The multi-disciplinary approach utilized by SAIU integrates effective investigation and support services to survivors of sexual assault in a safe and

friendly environment. The law enforcement component is committed, first and foremost, to the safety of the survivors of sexual assault. This is accomplished by enforcing appropriate criminal statutes, as well as the active referral of survivors to partner agencies within the unit for counseling services, safety planning, financial aid, shelter, and restraining order acquisition. Furthermore, survivors are provided Sexual Assault Forensic Exams (SAFEs) and/or medical exams by specialized medical care providers at no cost.
Training is foundational to SAIU's service model. SAIU detectives are required by the California Commission on Peace Officer Standards and Training (POST) to attend the Robert Presley Institute of Criminal Investigation (ICI) on Sexual Assault. The course is 40 hours long. The San José Police Department also requires SAIU detectives to attend a 40-hour Child Forensic Interview Training course and a 3-day interview and interrogation course. Additional courses are offered to detectives during their tenure; however, these additional courses are subject to budgetary constraints. Examples of these additional internal courses include Trauma-Informed Care, Santa Clara County District Attorney Sexual Assault updates, surveillance and apprehension training, and field tactical conduct training.

Due to a retirement, the San Jose Police Academy asked SAIU for instructors to teach the Learning Domains (LD) related to sexual assault investigations (LD 9 – Crimes Against Children and LD 10 – Sex Crimes) to all new recruits. SAIU and SVU personnel assumed the responsibility of LDs 9 and 10, respectively, believing they can provide the requirements mandated by POST while incorporating best practices and emerging trends within the community. Having detectives assigned to SAIU and SVU teach the two LDs is viewed as a "win/win" scenario for both the community and the department, alike. New officers will be armed with the ability to conduct better interviews, write better reports, make appropriate advocacy referrals, and have a professional connection with the detectives who investigate these cases daily.

Crime Statistics and Trends

This section discusses key trends in case data.

TABLE 1
TABLE 1: COUNT OF PRIMARY OFFENSE
PERIOD: JANUARY 1, 2017 - DECEMBER 31, 2022

PRIMARY OFFENSE	2017	2018	17-18 % CHG	2019	18-19 % CHG	2020	19-20 % CHG	2021	20-21 % CHG	2022	21-22 % CHG	TOTAL	% CHG 17 VS 22
288(A) PC L&L W/ UNDER 14YRS	410	384	-6.3%	540	40.6%	375	-30.6%	468	24.8%	396	-15.4%	2573	-3.4%
261 PC RAPE	270	298	10.4%	357	19.8%	287	-19.6%	286	-0.3%	365	27.6%	1863	35.2%
243.4 PC BATTERY SEXUAL	194	205	5.7%	210	2.4%	148	-29.5%	164	10.8%	239	45.7%	1160	23.2%
647.6A1 PC ANNOY/MOLEST MINOR	96	102	6.3%	107	4.9%	78	-27.1%	91	16.7%	193	112.1%	667	101.0%
220PC RAPE ASLT TO COMMIT/ATT	97	99	2.1%	89	-10.1%	69	-22.5%	94	36.2%	99	5.3%	547	2.1%
314.1 PC INDECENT EXPOSURE	76	81	6.6%	75	-7.4%	77	2.7%	66	-14.3%	67	1.5%	442	-11.8%
261.5PC UNLAW INTERCRSE MINOR	76	79	3.9%	59	-25.3%	57	-3.4%	41	-28.1%	54	31.7%	366	-28.9%
289PC FOREIGN OBJ PENETRATION	52	38	-26.9%	50	31.6%	32	-36.0%	49	53.1%	62	26.5%	283	19.2%
288A(A) PC ORAL COPULATION	34	43	26.5%	32	-25.6%	34	6.3%	57	67.6%	70	22.8%	270	105.9%
286 SODOMY	32	43	34.4%	46	7.0%	43	-6.5%	38	-11.6%	46	21.1%	248	43.8%
DOMESTIC - 261 PC RAPE	29	6	-79.3%	12	100.0%	33	175.0%	54	63.6%	69	27.8%	203	137.9%
262(A)(1) PC RAPE SPOUSE	12	16	33.3%	9	-43.8%	12	33.3%	25	108.3%	20	-20.0%	94	66.7%
261 PC RAPE - NIR			NC		NC		NC	16	NC	42	162.5%	58	NC
647(A) PC LEWD CONDUCT	7	8	14.3%	15	87.5%	9	-40.0%	5	-44.4%	10	100.0%	54	42.9%
DOMESTIC-220 PC ASLTTOCMMT/ATT	2	1	-50.0%	3	200.0%	14	366.7%	14	0.0%	11	-21.4%	45	450.0%
288(C)(2) PC L&L W/ DEP ADULT	1	3	200.0%		-100.0%	1	NC	3	200.0%	1	-66.7%	9	0.0%
285 PC INCEST	2		-100.0%	1	NC		-100.0%		NC	1	NC	4	-50.0%
TOTAL	**1390**	**1406**	**1.2%**	**1605**	**14.2%**	**1269**	**-20.9%**	**1471**	**15.9%**	**1745**	**18.6%**	**8886**	**25.5%**

NC - not calculable | please note that comparing small numbers may result in large percentage changes

** As of January 1, 2015 the SJPD began adhering to the new UCR definition of Rape to align with the FBI's UCR Program. Please exercise caution when comparing data from 2015 onwards to prior years*

THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVER) PER INCIDENT.
These statistics are source from the San José Police Department's records management system. They are **not** used to report to the FBI's Uniform Crime Reporting (UCR) Program and therefore should not be compared to the UCR submitted statistics. This report is run by the dates the crimes are reported and statistics may be subject to change due to the reclassification or unfounding of crimes.

Table 1 Count of Primary Offense reflecting the period from January 1, 2017, to December 31, 2022, provides a breakdown of 8,886 reported primary offenses reported Calendar Year (CY) 2017 to 2022 by the various types of sex-related primary offenses listed. Overall, there was a 25.5% increase in sex offenses that were reported in San José from 2017 to 2022.

Many of the sex offenses show a sharp decline in CY 2020 – the year Shelter in Place orders were put into place due to the COVID-19 Pandemic. However, most crime categories saw a rebound in CY 2021. The total average year-to-year increase from 2017 to 2022 was 5.78% per year. Resultingly, the overall 25.5% increase from 2017 to 2022 may be due to a combination of factors that drive the increase

TABLE 1.A: COUNT OF INTERNAL CASE STATUS
PERIOD: JANUARY 1, 2017 - DECEMBER 31, 2022

INTERNAL STATUS	2017	2018	2019	2020	2021	2022	TOTAL	% CHG 17 VS 22
DA SUBMISSIONS	532	563	682	798	958	1092	4625	105.3%
K - LACK OF INVESTIGATIVE RESOURCES	583	637	535	4			1759	-100.0%
E - ALL LEADS EXHAUSTED	61	59	64	163	436	451	1234	639.3%
X - TRANSFERRED TO OTHER AGENCY	93	116	100	104	193	241	847	159.1%
L - LAW ENFORCEMENT REJECT (INCLUDES CIVIL)	142	104	210	63	14	16	549	-88.7%
N - NON-WORKER (NO LEADS)	58	24	5	41	16	40	184	-31.0%
H - VICTIM REQUESTED CLOSURE		2	40	110	11	1	164	NC
G - LACK OF VIC COOPERATION (ATTEMPTS MADE/NO CONTACT)		1	51	86	10	8	156	NC
O - OPEN					6	122	128	NC
Q - ADMINISTRATIVE ACTION	11	14	14	1	3	4	47	-63.6%
P - PENDING LAB RESULTS			1		12	5	18	NC
W - JUVENILE NON-CRIMINAL REFERRAL	2	1	3	3	3		12	-100.0%
B - RE-OPEN	1				2	5	8	400.0%
M - MISSING PERSON LOCATED (MP ONLY)		1				1	2	NC
TOTAL	**1483**	**1522**	**1705**	**1373**	**1664**	**1986**	**9733**	**33.9%**

*NOTE: DA Submissions is inclusive of: DA REJECT, COMPLAINT FILED, SUBMITTED FOR REVIEW, JUV CRIM REF, CLOSED JUDICIAL

NC - not calculable | please note that comparing small numbers may result in large percentage changes

Table 1.A Count of Internal Case Status shows the Internal Status of the 9,733 cases reported from 2017 to 2022. SAIU submitted more cases to the District Attorney's (DA) Office in 2022. From 2017 to 2022, SAIU increased its submissions to the DA's office by 105.3%. E-All Leads Exhausted increased by 639.3% in the same time frame, demonstrating that the new direction in case management, along with the audit and realignment of status K – Lack of Investigative Resources, initiated in 2019, was extremely beneficial.

TABLE 2
COUNT OF PRIMARY OFFENSE - CHILD MOLEST CATEGORY ONLY

MONTH	2017	2018	2019	2020	2021	2022	TOTAL	MO AVG
Jan	43	36	51	71	42	52	295	49
Feb	47	37	30	51	43	51	259	43
Mar	51	58	54	38	61	63	325	54
Apr	40	56	48	26	50	45	265	44
May	50	35	80	22	52	56	295	49
Jun	36	32	78	23	41	38	248	41
Jul	30	29	58	43	54	39	253	42
Aug	39	27	61	29	25	50	231	39
Sep	33	80	70	48	40	45	316	53
Oct	63	36	37	36	48	62	282	47
Nov	38	22	47	34	61	44	246	41
Dec	38	38	34	32	42	45	229	38
TOTAL	**508**	**486**	**648**	**453**	**559**	**590**	**3244**	**AVG**
YR AVG	42	41	54	38	47	49	--	541

On average, more incidents are reported during the school year than summer and winter break months

TABLE 2.A
TIME BETWEEN OCCURRENCE AND REPORT DATE

	2017	2018	2019	2020	2021	2022	TOTAL
0-10 DAYS	248	239	331	191	265	367	1641
% OF TOTAL (<10)	*48.8%*	*49.2%*	*51.1%*	*42.2%*	*47.4%*	*62.2%*	*50.6%*
11+ DAYS	260	247	317	262	294	223	1603
% OF TOTAL (11+)	*51.2%*	*50.8%*	*48.9%*	*57.8%*	*52.6%*	*37.8%*	*49.4%*

More incidents of Child Molest in 2022 were reported within 0-10 days after the incident occurred

Table 2 Count of Primary Offense – Child Molest Category Only and Table 2.A Time Between Occurrence and Report Date provides a deeper analysis for cases where the Primary Offense is categorized as a Child Molest. The 3 offenses categorized as a Child Molest are:

1. 288(A) PC Lewd and Lascivious (L&L) with a minor under 14yrs
2. 647.6A1 PC Annoy/Molest Minor
3. 285 PC Incest

The monthly average in **Table 2** shows that there are more incidents of child molest reported during months within the school year (September-May, except December) than summer and winter break months (June-Aug and December). **Table 2.A** shows that cases involving Child Molest are reported equally 0-10 days and 11 days or more after the incident occurred. In SAIU's 2022 annual report, it was reported that more incidents of Child Molest were reported 11 days or more after the incident occurred from 2017-2021. Positive changes in 2022 indicate that more children are reporting within 0-10 days of incident occurrence.

TABLE 3
COUNT OF PRIMARY OFFENSE - RAPE CATEGORY ONLY
PERIOD: JANUARY 1, 2017 - DECEMBER 31, 2022

MONTH	2017	2018	2019	2020	2021	2022	TOTAL	MO AVG
Jan	47	28	56	41	26	47	245	41
Feb	43	42	32	45	47	64	273	46
Mar	45	52	52	48	43	74	314	52
Apr	47	33	39	26	55	61	261	44
May	50	45	51	27	60	57	290	48
Jun	45	45	44	44	65	71	314	52
Jul	45	54	56	62	70	63	350	58
Aug	36	38	55	60	57	77	323	54
Sep	43	63	46	43	58	84	337	56
Oct	52	56	53	46	57	67	331	55
Nov	49	39	56	47	50	53	294	49
Dec	26	49	58	35	45	66	279	47
TOTAL	**528**	**544**	**598**	**524**	**633**	**784**	**3611**	**AVG**
YR AVG	44	45	50	44	53	65	–	602

On average, more incidents are reported July-October

TABLE 3.A
TIME BETWEEN OCCURRENCE AND REPORT DATE

	2017	2018	2019	2020	2021	2022	TOTAL
0-10 DAYS	353	345	387	314	384	519	2302
% OF TOTAL (<10)	*66.9%*	*63.4%*	*64.7%*	*59.9%*	*60.7%*	*66.2%*	*63.7%*
11+ DAYS	175	199	211	210	249	265	1309
% OF TOTAL (11+)	*33.1%*	*36.6%*	*35.3%*	*40.1%*	*39.3%*	*33.8%*	*36.3%*

More incidents of Rape are reported within 10 days or less after the incident occurred

Table 3 Count of Primary Offense – Rape Category Only and Table 3.A Time Between Occurrence and Report Date provides a deeper analysis for cases where the Primary Offense is categorized as a Rape. The 8 offenses categorized as a Rape are:

1. 261 PC Rape and Non-Investigative Reports (NIR)
2. 220 PC Rape Assault to Commit/Attempt
3. Domestic - 220 PC Rape Assault to Commit/Attempt
4. 289 PC Foreign Object Penetration
5. 288A(A) PC Oral Copulation
6. 286 PC Sodomy
7. Domestic – 261 PC Rape
8. 262(A)(1) PC Rape Spouse

The monthly average in Table 3 shows that there are more incidents of Rape reported during the months July – October. Table 3.A shows that almost 62.6% of cases involving Rape are reported within 10 days of the occurrence, with 35.6% being reported 11 days or after of the occurrence.

TABLE 4.A COUNT AND HEATMAP OF AGE OF JUV SURVIVORS AT TIME OF REPORT
PERIOD: JANUARY 1, 2017 - DECEMBER 31, 2022

AGE	2017	2018	2019	2020	2021	2022	TOTAL
0		3			2	1	6
1	2	3	2		1	5	13
2	5	5	9	6	4	3	32
3	5	12	17	12	6	12	64
4	11	13	26	14	15	13	92
5	16	15	21	11	13	17	93
6	14	15	32	16	12	15	104
7	16	25	16	16	16	13	102
8	18	14	16	20	13	26	107
9	23	23	15	24	27	34	146
10	27	38	44	24	25	38	196
11	47	43	40	25	48	47	250
12	48	69	88	46	53	76	380
13	113	85	96	69	75	80	518
14	101	110	90	79	105	104	589
15	128	106	126	71	111	119	661
16	145	123	126	83	94	124	695
17	110	126	132	103	116	109	696
TOTAL	**829**	**828**	**896**	**619**	**736**	**836**	**4744**

**Note that there was no data (DOB) to calculate age for 77 Adult and Juv- Survivors*

TABLE 4.B COUNT AND HEATMAP OF AGE OF ADULT SURVIVORS AT TIME OF REPORT
PERIOD: JANUARY 1, 2017 - DECEMBER 31, 2022

AGE	2017	2018	2019	2020	2021	2022	TOTAL
18-29	289	263	332	273	329	379	1865
30-39	138	132	146	175	185	235	1011
40-49	118	104	96	112	116	162	708
50-59	45	63	66	54	58	76	362
60+	34	42	43	36	27	42	224
TOTAL	**624**	**604**	**683**	**650**	**715**	**894**	**4170**

**Note that there was no data (DOB) to calculate age for 77 Adult and Juv- Survivors*

As demonstrated by ***Table 4.A Count and Heatmap of Age of Juvenile Survivors at Time of Report*** and ***Table 4.B Count and Heatmap of Age of Adult Survivors at Time of Report***, Survivors aged 12-17 (Adolescents) continue to be overrepresented. SAIU is continuing to work with the San José Police Department's Crime Prevention Unit (CPU) to provide training to increase reporting and to raise awareness in the impacted communities. This is done by providing timely data (Age Range and Zip Code of Residence of survivors). Armed with the information, CPU Specialists can provide presentations in local schools, places of worship, businesses, and community forums in the languages preferred by the audience.

TABLE 5.A TOP 20 COUNT AND HEAT MAP OF ZIP CODE OF JUV AND ADULT SURVIVORS
PERIOD: JANUARY 1, 2017 - DECEMBER 31, 2022

#	ZIP CODE	2017	2018	2019	2020	2021	2022	TOTAL
1	95112	29	88	87	90	87	171	552
2	95122	29	69	90	70	75	114	447
3	95116	23	63	88	65	78	107	424
4	95127	25	68	79	66	68	108	414
5	95111	25	58	67	46	64	109	369
6	95123	21	57	65	61	57	83	344
7	95125	17	41	45	34	31	84	252
8	95126	14	32	42	28	43	64	223
9	95110	9	29	41	35	38	61	213
10	95118	23	31	39	30	30	52	205
11	95136	8	30	42	31	31	53	195
12	95148	3	33	23	27	40	46	172
13	95124	11	43	24	26	26	35	165
14	95117	10	24	18	25	37	49	163
15	95121	5	29	32	23	26	44	159
16	95128	8	30	30	24	23	44	159
17	95133	4	17	14	23	22	24	104
18	95120	7	16	26	14	18	18	99
19	95132	4	15	25	12	14	29	99
20	95008	5	15	13	13	23	19	88

Table 5.A Top 20 Count and Heat Map of Zip Code of Juvenile and Adult Survivors, shows geographical areas impacted by pediatric and adolescent sexual assault. Juvenile survivors who reside in 95112 or 95122 appear to be the top two (2) zip codes in Table 5.A.

TABLE 6.A COUNT OF SURVIVOR (JUV AND ADULT) ETHNICITY
PERIOD: JANUARY 1, 2017 - DECEMBER 31, 2022

ETHNICITY	2017	2018	2019	2020	2021	2022	TOTAL	%
H-HISPANIC/LATIN/MEXICAN	319	772	938	727	846	1002	4604	54.3%
W-CAUCASIAN	102	291	357	269	294	341	1654	19.5%
ASIAN*	46	167	166	169	190	206	944	11.1%
O-OTHER	56	113	132	147	149	207	804	9.5%
B-AFRICAN AMERICAN	21	54	88	66	84	98	411	4.8%
X-UNKNOWN	2	2	1	5	13	13	36	0.4%
I-AMERICAN INDIAN/ALASKAN NATIVE		3	8	2	7	11	31	0.4%
TOTAL	**546**	**1402**	**1690**	**1385**	**1583**	**1878**	**8484**	**100.0%**

**Asian is inclusive of: V-Vietnamese, F-Filipino, A-Other Asian, Z-Asian Indian, C-Chinese, P-Pacific Islander, S-Samoan, U-Hawaiian, J-Japanese, D-Cambodian, K-Korean, L-Laotian, G-Guamanian*

Table 6.A Count of Juvenile and Adult Survivor Ethnicity shows the total count and percentage breakdown of ethnicity as identified by survivors.

The Asian American/Pacific Islander (AAPI) community continues to be, seemingly, underrepresented (11.1% of Survivors) in the count of survivor ethnicity based on their census majority in the city of San José.

Housing Opportunities

The Housing Department with the County Office of Supportive Housing (OSH) in partnership with the Office of Gender-based Violence Prevention (OGBVP), continues to work together on addressing the housing and childcare needs of survivors in collaboration with victim service providers (VSPs). This area of work includes coordination with the Domestic Violence Advocacy Consortium (DVAC) and is focused on three areas. First, better integration of those who are placed on the confidential housing queue and the community housing queue. Second, helping VSPs navigate the housing development field to increase housing and childcare options for survivors. The Housing Department and OSH are also identifying immediate funding opportunities to expand housing and childcare. Last, developing a set of recommendations with DVAC that will enhance and expand housing programs to better serve survivors.

OSH and members of the DVAC have met monthly to discuss changes and improvements to the confidential queue for survivors who are seeking housing services. A smaller confidential queue workgroup is exploring legal and technological possibilities to improve the confidential queue process, with the goal of improving access for survivors while keeping them safe and protecting their confidential data. Issues under exploration include how to eliminate duplication of clients and services, what information can be shared among VSPs with a time-limited release of information, and exploring technological options for a shared database among VSPs that would comply with state and federal laws requiring the protection of survivor data. The workgroup is consulting with County legal counsel and technical assistance providers, as well as researching best practices and model programs in other jurisdictions to formulate recommendations and next steps.

While working on longer-term fixes to the confidential queue, OSH is also working with VSPs to address immediate challenges, including a process for reviewing the status of older assessments and ensuring that VSPs have a direct line to OSH staff for any questions about assessments, housing placements, or other issues that may arise. Staff from OSH and the Housing Department are also attending DVAC meetings on a quarterly basis to provide updates, discuss challenges, and brainstorm around housing opportunities for survivors.

The Housing Department and OSH have identified the State of California's Homekey Program as an opportunity for VSP's to work with local cities and/or the County to identify a suitable site to develop housing for survivors. The State budget provides $1.45 billion in 2022-2023 for Homekey. It is estimated that $1.3 billion will go towards Homekey Round 3 projects. The Housing Department and OSH have initiated conversations with partners to develop a strategy for Homekey Round 3, which is expected in early spring 2023. These discussions include new city partners as well as new service providers that are interested in applying. OSH is continuing conversations with VSPs to answer questions and help identify eligible properties that could be competitive for Homekey Round 3.

The workgroup has also discussed the inclusion of childcare in the development of new affordable and supportive housing. There are several factors that impact the feasibility of including childcare in new housing developments. Licensed childcare facilities must have sufficient dedicated indoor and outdoor space, designated parking and drop-off areas, and other requirements. Additional features of high-quality childcare are not required by Community Care Licensing, such as separate spaces for different ages, but are recognized as promoting a more positive environment. Including space for licensed childcare in new affordable and supportive housing would be most feasible in developments that include commercial and/or non-residential space.

The Housing Department provided a bonus scoring point to projects that include childcare in its 2021 Notice of Funding Availability (NOFA) for affordable housing and awarded funding for two projects that include space for on-site childcare, as well as the Hub project, which includes space for child supervision while Hub participants attend classes or other activities. The NOFA also incentivized family housing by allocating points for developments that provided one or more bedrooms, and several developments for families were awarded funding.

The County is exploring a few options related to childcare. For example, OSH could promote the inclusion of childcare by modifying the County's Notice of Funding Availability (NOFA) guidelines to encourage the development of community-supporting facilities, including childcare, within housing developments to the extent that non-residential space is available and allowed. The County could also prioritize the consideration of childcare specifically as part of affordable and supportive housing developments located on County-owned land. Another option for promoting the expansion of childcare throughout the community is through affordable and supportive housing development that includes units that are set aside and designed for eligible participants who operate in-home licensed childcare. This approach may present challenges in matching participants who have an interest and/or established childcare business with specific affordable or supportive housing developments. As a next step, OSH could explore the feasibility of this option in future housing developments.

Finally, the Housing Department and OSH are coordinating with OGBVP and DVAC to reestablish the larger Housing Workgroup. This workgroup will focus on enhancing housing programs to better serve survivors and expanding housing options. The Housing Workgroup is expected to begin 2023 by defining its scope and setting a work plan for the calendar year with clear milestones and goals. The work will build upon the gaps analysis prepared by DVAC and presented to the County's Children, Seniors, and Families Committee on August 25, 2022.

Sexual Assault Bill of Rights

On April 9, 2021, the City Council approved a memorandum authored by Councilmembers Sylvia Arenas, Magdalena Carrasco, Dev Davis, Maya Esparza, and Pam Foley that included the following direction:

> Direct the City Manager to return to the PSFSS Committee with a report evaluating the City's implementation of the Sexual Assault Bill of Rights as part of the Sexual Assault Response and Strategy Workplan and include community

advocate agency feedback including but not limited to Asian Americans for Community Involvement, Next Door Solutions to Domestic Violence, and YWCA of Silicon Valley.

In response to this direction, SAIU personnel began a three-prong approach to respond to the listed request. The following three areas were addressed:

1. Create Applicable Duty Manual Sections – Status: Accomplished
    a. The following Duty Manual Sections were added to respond, specifically, to the councilmembers' direction:
        i. L 6001.5 - Mandatory Reporting for Sexual Assault
        ii. L 6009.7 - Notification of Sexual Assault Bill of Rights
        iii. L 6009.8 – Notification of Right to Have a Survivor Advocate and Support Person
2. Evaluate and Reformat Department Resource Cards – Status: Accomplished
    a. The Sexual Assault resource card was evaluated and suggestions from council, the mayor, and community partners were incorporated.
    b. The English card was approved by ADA T. Harman.
    c. The cards were translated into Spanish, Vietnamese, and Mandarin.
    d. The cards are printed.
3. Collaborate with Advocate and Community Partners – Status: Accomplished/On-Going
    a. SAIU personnel collaborated with Asian Americans for Community Involvement, Next Door Solutions to Domestic Violence, and YWCA Golden Gate Silicon Valley to update the Sexual Assault resource card. In addition, YWCA personnel were included in the conversation to create the applicable Duty Manual sections. It should be noted that the YWCA meets with SAIU leadership on a monthly basis and, continuously, provides the department with insight, suggestions, and support to further improve our ability to provide quality services to survivors of Sexual Assault. Lastly, SAIU personnel are members of the Santa Clara County SART Committee and the Children's Advocacy Center of Santa Clara County where many of the listed community partners participate in collaboration.

Grant Awards

From March to October 2020, the SAIU conducted a Sexual Assault Evidence Kit Audit of kits obtained prior to October 1, 2018, as part of the California Department of Justice's nationwide Untested Sexual Assault Evidence Kits Report to the Legislature. SAIU found 713 kits in the Department's possession were untested and sixteen (16) SART Kits were not tested due to being Non-Investigative Reports (NIR).

In May 2021, the SAIU Commander, the SAIU Crime & Intelligence Analyst, and the SJPD Fiscal Unit applied for two grants to test the untested kits. The Department has been awarded the following grants:

1. On October 6, 2021, the Department was notified of the $22,516 award United States Department of Justice. This grant is a "matching grant" therefore the total amount received is $45,032.
2. On December 16, 2021, the Department was notified of the $1,425,000 award, also from the Department of Justice.

SAIU personnel is utilizing the $1,470,032 to test the Department's entire backlog of untested SAFE Kits.

Challenges and Moving Forward

The San Jose Police Department was not awarded the Office of Violence Against Women grant, which funds SAIU's In-House YWCA Advocate. A Budget Proposal was submitted requesting ongoing funding for the In-House Advocate, the proposal will be considered as part of the budget process for the 2023-2024 Fiscal Year, in the context of the City's overall fiscal condition and other departmental program priorities. Not having a full-time advocate assigned to SAIU would have an impact on our service model and the goal of providing timely advocacy to all survivors of Sexual Assault who choose advocacy.

In addition, SAIU and the Special Victims Unit (SVU) submitted a Budget Proposal to fund additional analysts specially assigned to the two units. As with the proposal above, it will be considered as part of the budget process for the 2023-2024 Fiscal Year, in the context of the City's overall fiscal condition and other departmental program priorities. Currently, lieutenants rely on one analyst to supply data to make data-informed decisions. Increasing the capacity will benefit survivors of Gender-Based Violence and increase our capacity to provide prevention and intervention.

SAIU will continue to partner with Crime Prevention Unit Specialists to provide Prevention and Intervention services to communities experiencing higher levels of abuse. It is always the goal of SAIU to increase reporting and to provide services to survivors of Sexual Assault.

SAIU personnel is continuing to work closely with all ethnic-based agencies (with an emphasis on the Asian service providers) to ensure that we have a more equitable approach to education and to intervention in those communities. We recognize that the reporting of sexual assault is, seemingly, underreported in Asian communities.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office, the City Manager's Budget Office, and the Housing Department.

/s/
ANTHONY MATA
Chief of Police

For questions regarding the Sexual Assault Investigations Unit, please contact Lieutenant Ken Tran, at kenh.tran@sanjoseca.gov or (408) 277-4102.