



**MINUTES OF THE
CITY OF SAN JOSE JOINT MEETING OF THE PUBLIC SAFETY, FINANCE AND
STRATEGIC SUPPORT COMMITTEE AND COMMITTEE OF THE WHOLE, AND SANTA
CLARA COUNTY CHILDREN, SENIORS, AND FAMILIES COMMITTEE AND FINANCE
AND GOVERNMENT OPERATIONS COMMITTEE SPECIAL JOINT MEETING**

SAN JOSE, CALIFORNIA

THURSDAY, APRIL 15, 2019

The City of San Jose Joint Meeting of the Public Safety, Finance and Strategic Support Committee and Committee of the Whole, and Santa Clara County Children, Seniors, and Families Committee and Finance and Government Operations Committee Special Joint Meeting convened at 6:02 p.m. in Santa Clara County Board of Supervisors Chambers.

PRESENT: Councilmember Raul Peralez, Public Safety, Finance, and Strategic Support Committee Chair; Vice Mayor Chappie Jones, Councilmember Sergio Jimenez, Councilmember Sylvia Arenas, Councilmember Maya Esparza, and Councilmember Dev Davis. Supervisor Cindy Chavez, Supervisor David Cortese, County Health Officer and Public Health Director, Dr. Sara Cody; Behavioral Health Services Director, Toni Tullys; Santa Clara Valley Medical Center Chief Executive Officer, Paul Lorenz; District Attorney Office' Victim Services Unit Program Director, Kasey Halcón; Santa Clara County Sheriff, Laurie Smith; District Attorney, Jeff Rosen; County Executive Officer, Jeffrey V. Smith

ABSENT: Councilmember Magdalena Carrasco, (Excused)

STAFF: Assistant City Manager, Jennifer Maguire; Peter Hamilton, City Manager's Office; Police Chief, Eddie Garcia; County Schools Superintendent, Mary Ann Dewan; Danielle Kenealey, City Attorney's Office; and Louis Osemwegie, City Clerk's Office.

OPENING

(1) Call to Order/Roll Call

County Supervisor Cindy Chavez, and Councilmember Raul Peralez called the Meeting to order at 6:02 p.m.

Orders of the Day

The Orders of the Day and Agenda were approved. Supervisor Chavez noted that there are three Panels. Three minutes will be allotted to each speaker. Questions will be allowed only after all the speakers are heard. Panel discussions will follow, and public comments afterward. Timer will be used for all Panelists, speakers, and public commenters.

SPECIAL JOINT MEETING - ITEMS FOR DISCUSSION

(2) Special hearing on sexual assault, domestic violence, and human trafficking.

a. Panel discussion relating to recommendations regarding the County's multidisciplinary Sexual Assault Response Team (SART) and services provided to survivors.

Supervisor Cindy Chavez invited the scheduled panelists forward to present their findings.

Scheduled panelists:

Representative of the First Voice Perspective noted that she was a survivor of sexual assault whose assault went unreported. She experienced devastating trauma as survivor.

Former SJPd Sexual Assault Investigations Unit Commander, Lt. Jason Ta gave a presentation and offered some recommendations. He presented a five-step SAIU perspective of sexual offenses, beginning with case assignment and ending with the suspect's booking.

SAIU Crime and Intelligence Analyst, Angelie Montesa gave a presentation and offered some recommendations. She presented a trauma-informed approach that is responsive to the impact of trauma. It emphasizes physical, psychological and the emotional safety for both the responders and the victims.

Santa Clara County Adult/Adolescent Sexual Assault Forensic Exam (SAFE) Program Coordinator, and SART Committee Co-Chairperson, Kim Walker observed that the role of the forensic examiner is to provide medical evaluation and care. We have seen a steady 20 percent yearly increase in the last three years.

YWCA Crisis Intervention Coordinator, and SART Committee Co-Chairperson, Linh Tran Phuong clarified YWCA's services, which are designed to support survivors toward healing. Nationwide, only about 37 percent of rape are reported to the police. Many people who experience sexual assault will chose not to go through the criminal justice system.

Santa Clara County Assistant District Attorney, Terry Harman delivered a presentation and offered some recommendations. She provided an overview of the DA's role in the prosecution of sexual assault. Every prosecution originates in a police report. Law Enforcement agencies conducts the investigation and the D.A.'s Office reviews it. The D.A. has three options: file the case. send it back for follow-up investigation or decline to file.

The SART Committee Co-Chairpersons, Linh Tran Phuong, and Kim Walker jointly shared some of SART's achievements. SART's core objective is to foster collaborative responses to sexual assault and set Countywide standards for effective trauma informed intervention.

Prior to SART's advent, the County had no sexual assault protocol; consequently, agencies operated randomly in their own bubble, and with no communications strategy on best practice whatsoever.

YWCA and Santa Clara Valley Medical Center identified this need. Since our 2016 convening, we have achieved the following: created the police quick reference guide for patrol, a uniform card, and the Santa Clara County sexual assault protocol. These serve currently as an MOU as well as an informational guide amongst all partner responding agencies.

(b) Panel Discussion relating to recommendations regarding the intersectionality of sexual assault, domestic violence, and human trafficking.

Supervisor Cindy Chavez invited the scheduled panelists forward, and urged them to stay throughout the evening. She noted that the Committee would field questions and panel discussions pertaining to the recommendations regarding intersectionality of sexual assault, domestic violence, and human trafficking.

Scheduled panelists:

Santa Clara County Adult/Adolescent Sexual Assault Forensic Exam (SAFE) Program Coordinator, Kim Walker delivered a presentation and offered some recommendations. She gave a definition of “Partner violence” and observed that, per the Center for Disease Control, (CDC), Partner violence affects one in four women, one in nine men and one in ten High School students.

Santa Clara County Assistant District Attorney, James Gibbons-Shapiro gave a presentation and offered some recommendations. He presented data that showed the general decline of the incidence of reported partner violence nationwide over the last 25 years.

This trend was attributed to the following: the availability of really good policies in our County, and in the City of San José governments, as well as in governments across the country in the early 1990s; the passage of Violence Against Women's Act, the founding of the Family Violence unit at the D.A.'s Office, as well as the founding of the Domestic Violence unit at the San José Police Department.

Santa Clara County Sheriff Officer, Sgt. Shawn Flores gave a presentation and offered some recommendations. He described domestic violence as a gateway crime because it can initiate other crimes such as child abuse, physical, mental as well as emotional distress. Evidently, kids who are witnesses of this event have emotional and physical problems, acting out in school as well as cognitive disabilities throughout life and may even become perpetrators themselves.

Community Solutions' Director, Perla Flores shared a case study in which a boyfriend basically tricked a would-be female victim to move California from Mexico for the promise of marriage and of her ability to pursue her career and other professional goals. When she got here, he became very physically and sexually abusive; beating her as well as forcing her to work in his janitorial business for no pay.

(c) Panel discussion relating to recommendations regarding sexual assault prevention and joint efforts by the County and the City of San Jose to increase awareness and reporting.

Scheduled panelists:

Community Solutions Sexual Assault and Prevention Program Manager, Erica Elliott gave a presentation and offered some recommendations. She focused on prevention, ending sexual violence and the imperative to change society's message.

We teach this idea that, “don't get raped”; not “don't rape”; hence, in the United States, only 46 percent of sexual assaults are reported to law enforcement. Some the obstacles that keep community members from reporting are: distress and disconnect from the criminal justice system. Often, people may have internalized blame and blame themselves in some way for the assault that occurred.

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(c) Panel discussion relating to recommendations regarding sexual assault prevention (Cont'd)

YWCA Violence Prevention Worker and Social Justice Senior Director, Naomi Nakano-Matsumoto, gave a presentation and offered some recommendations. Most of YWCA's prevention work is done with youth in our schools. YWCA's programs dispel myths about sexual and domestic violence, promote healthy relationships, examine gender roles and how they relate to violence, as well as explore how each of us can become empowered to end violence in Santa Clara County.

Santa Clara University Title IX Coordinator and University Representative, Belinda Guthrie gave a presentation and offered some recommendations. She addressed the importance of campus community coordinated response. Campuses across Santa Clara County have made significant strides in improvements with respect to reporting and investigation, (at the administrative levels) in the adjudication of incidence of sexual violence incidence.

The implementation of D.A. Rosen's groundbreaking understanding unified Colleges and Universities in Santa Clara County with local law enforcement to the D.A.'s Office and Victim Services to create a coordinated response. This has improved our communication, championed campus community safety and is upholding victim survivors' rates as well as due process.

Santa Clara University Women's and Gender Studies Department Adjunct Lecturer, Dr. Mukta Sharangpani gave a presentation and offered some recommendations. She approached the topic of domestic violence as gender justice advocate and Anthropologist. All cultures contain a spectrum of contradictions. On one hand there may be perceived acceptance of sexual violence. On the other, a long-standing tradition of resistance.

Culture cannot and should not be used as an excuse for sexual violence. Understanding what guides people ideas of acceptable behavior, criminal behavior, what can and cannot be discussed in public spaces, be they support groups, police stations or court house is critical and can make or break the system. Culture is not just about norms and values of a community; it is also about how these norms and values are expressed.

Santa Clara County Office of LGBTQ Affairs Manager, Maribel Martinez gave a presentation and offered some recommendations. She presented models for the Committee to continue to explore, including statistics and guiding data around children, youth, adults, and seniors of the LGBTQ community who experience intimate partner violence, sexual assault, and human trafficking. There are lots of barriers to seeking assistance in the LGBTQ community.

Public Comments: Offering comments were Barbara Wakefield, Catherine Campbell, Jennifer Kelleher, (representing Law Foundation of Silicon Valley); Ann Natasha Birch, (a survivor); Simone Chien, (representing Assemblymember Kansen Chu Office); Female, un-named youth commenter and survivor, Scott Largent, Susan Besik, Rick Balsley, (cofounder, The Alexander Foundation Advocacy Group); Marilyn Randolph, (Santa Clara County Human Rights Commissioner); Sunny Anand, (Professor of Pediatrics, Stanford University School of Medicine); Amanda Valenzuela, Vanessa Russell, (childhood rape, and adult domestic violence survivor, as well as Love Never Fails, or LNF, Executive Director); Shawn Cartwright and Female, un-named adult commenter and survivor.

(d) Committee discussion relating to possible recommendations to Administration.

Supervisor Cindy Chavez closed the public comment part and together with Councilmember Peralez, welcomed clarifying questions from the audience and members of the public who wish to make statements. Panelists were asked to give of their best recommendations about what should be done, moving forward.

Supervisor Dave Cortese commented on the culture and the fundamentals of attitude change pertaining to gender issues and gender discrimination in the County. For some time now, and being informed by many people who work daily in this field, it is apparent that this is probably one of, if not the most severely underfunded parts of our County mission.

It is of enormous concern, whatever way its looked at; even in terms of the per capita number of complaints, and hotline calls, this is a cause worthy of investment because there's no change in culture without changes to the law.

Councilmember Raul Peralez expressed gratitude to Supervisor Chavez for rendering a conducive forum to convene, collaborate and make decisions at the elected official level. When people feel victimized by the system that is put in place, whether by a Police Officer arriving on the scene, medical practitioner, or a service provider, if the system is deemed to victimize somebody that has been through potentially the most traumatic incidents of their life, then, we have failed.

Vice Mayor Chappie Jones echoed the feelings of today's presenters. Domestic violence touches all our lives; as a husband, a father, and a son, it has affected my family and it hits home per the stories and the suffering that folks are going through. Moving forward, Vice Mayor Jones is committed to working with colleagues to do whatever it takes to end this scourge in our society.

Action: Upon motion by Supervisor Cindy Chavez, seconded by Supervisor Dave Cortese, and carried unanimously, the Committee accepted the Reports and recommendations that were made, including approval of the motion to work through the budget process to set aside \$5 million to establish a gender based violence reserve. This will facilitate the analysis of the different recommendations and proffer resources to address the identified needs.

3. Public Comment relating to any matter not on this agenda.

1. Susan Besik commented that \$5M is insulting to the people that came out here today; thousands more who couldn't come. We must start talking about it in our schools, starting in preschool.
2. Male, un-named adult commenter observed that tonight's presentation was somewhat underrepresented in our panel discussion. Children are a voiceless population in terms of sexual crimes against them.
3. Male, un-named adult commenter noted that domestic violence prevention program already exists in Elementary Schools, High Schools, and Colleges. We don't need to reinvent the wheel or create new programs. He encouraged the Committee to join in or get teachers and volunteers involved to pull the business community together to inject funding into this.
4. Female, un-named adult commenter observed that the Committee is sincere about what it does, she acknowledged that the Committee has a heart for this County and urged the Committee members to do what's best for our County/City.
5. Scott Largent offered comments on the need to provide escort to help survivors out to the parking lot. We have many sexual survivors here tonight that probably could have used an escort out to the dark parking lot out there.

4. ADJOURN:

Supervisor Cindy Chavez and Councilmember Raul Perez adjourned the meeting at 9:30 p.m.



Councilmember Raul Perez, Co-Chair

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