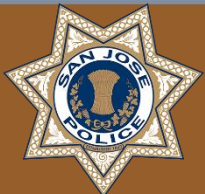


SAN JOSÉ CITY COUNCIL SPECIAL MEETING

SEXUAL ASSAULT RESPONSE AND STRATEGY REPORT

NOVEMBER 12, 2019
Item: 8.1



SPECIAL MEETING AGENDA

1. Introduction
2. Sexual Assault Patterns and Statistics (Police Department)
3. Sexual Assault Current Work Items (Police Department)
4. San José Sexual Assault Analysis (University of Texas at San Antonio)
5. Questions

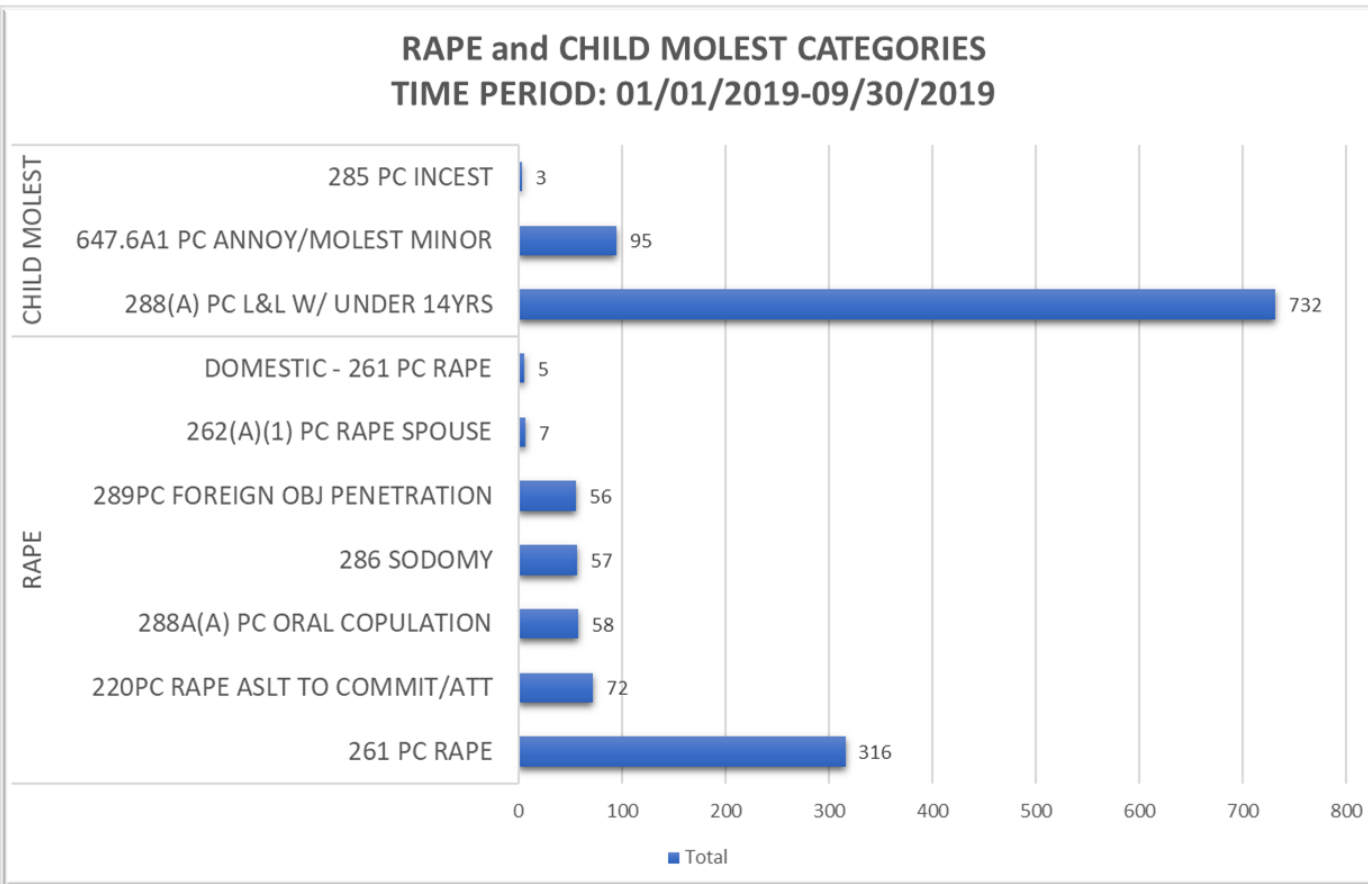


UPDATE: SEXUAL ASSAULT PATTERNS AND STATISTICS (YEAR-TO-DATE)



UPDATE

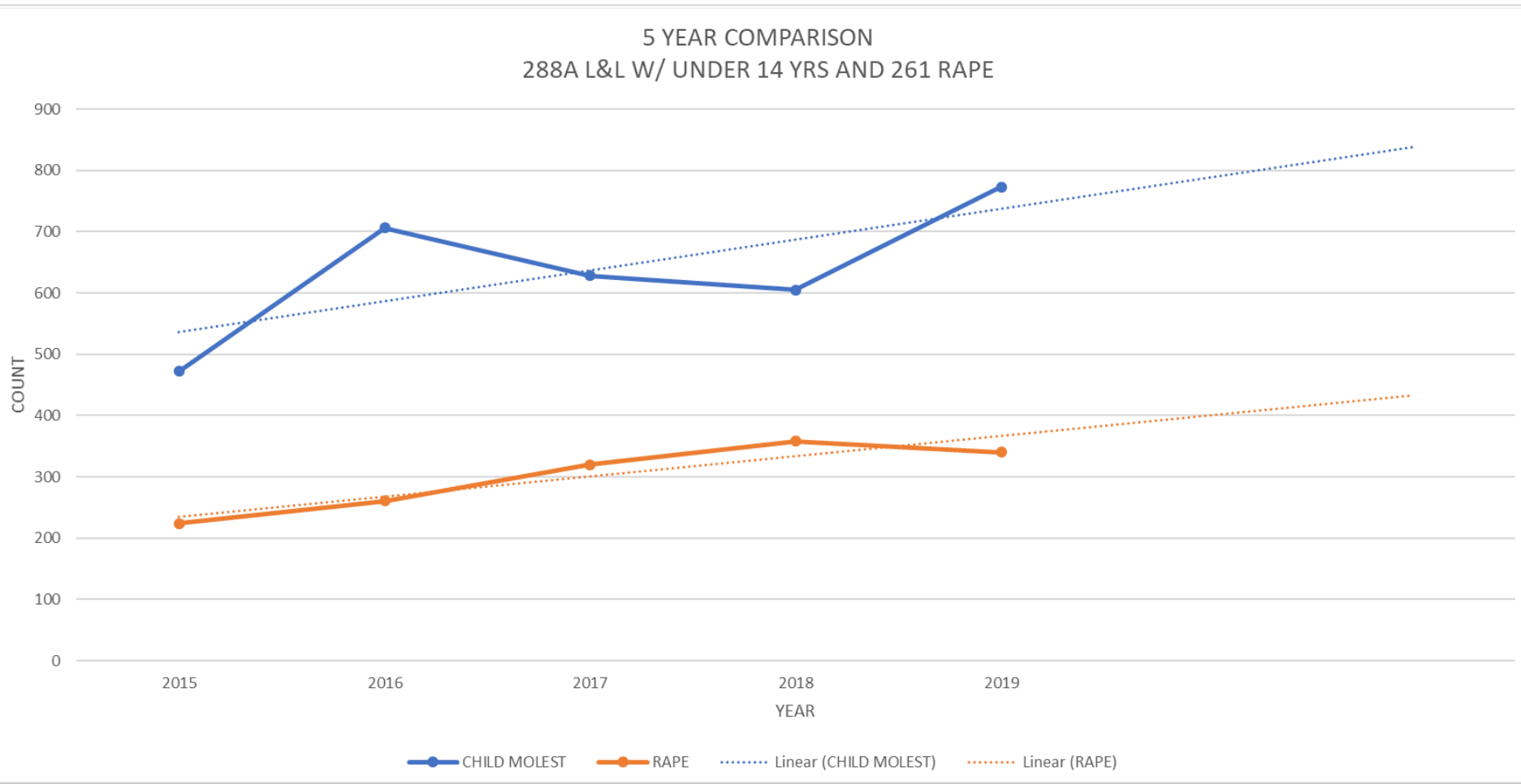
RE: Rape and Child Molest Categories



- From January 01, 2019 to September 30, 2019, there were 1,301 Unique Cases involving Rape or Child Molest
- 100 Cases involved more than one (1) Rape/Child Molest Offense
- Making a total of 1,401 Rape or Child Molest Offenses committed



COMPARISON AND LINEAR FORECAST 288A L&L W/ UNDER 14 YRS AND 261 RAPE

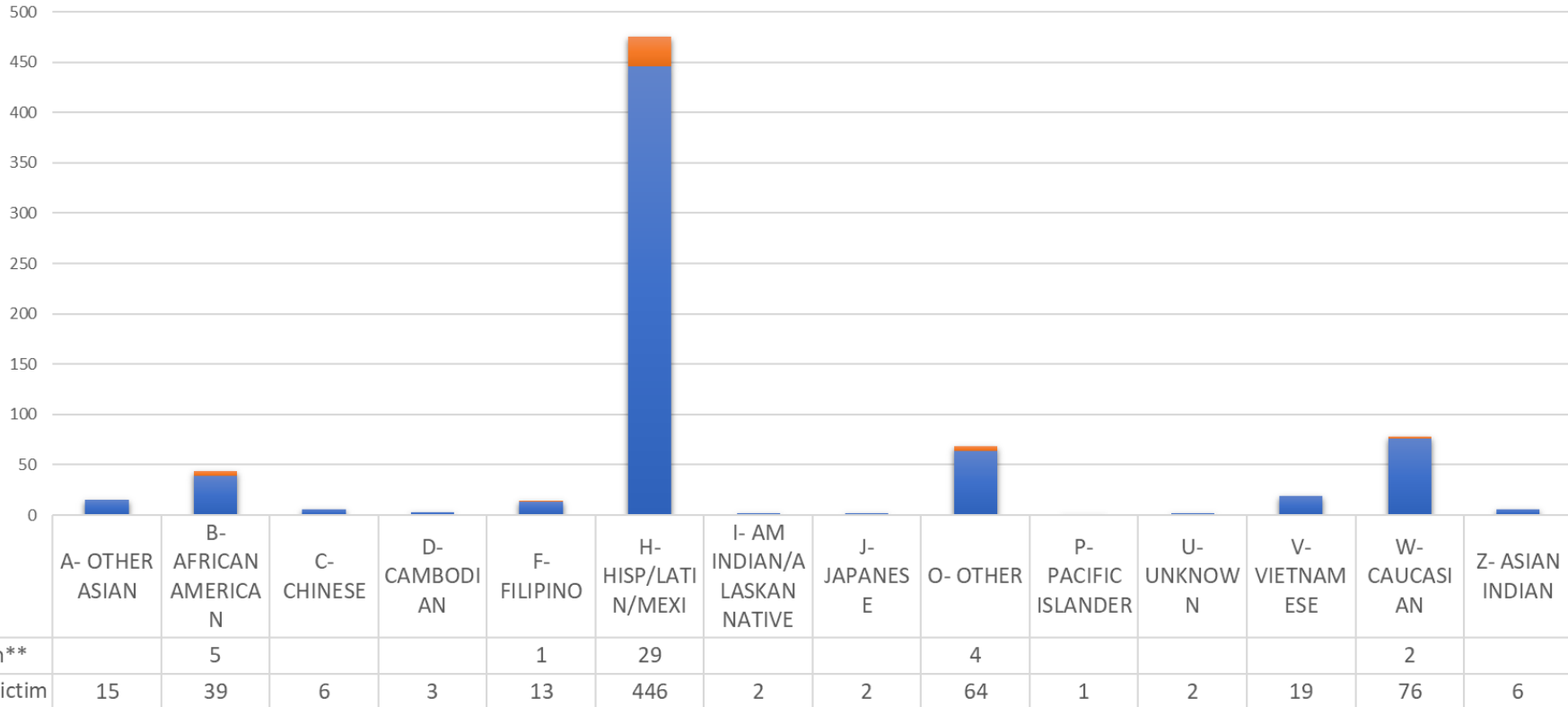


UPDATE

RE: VICTIM DEMOGRAPHICS- RACE AND ROLE

288A L&L W/ UNDER 14 YRS

288A L&L W/ UNDER 14 YRS: RACE AND ROLE
TIME PERIOD: 01/01/2019-09/30/2019



****ADULT VICTIMS reporting 288A L&L w/ Under 14Yrs was classified as an Adult Victim in SJPD's Records Management System due to the time that the report was made, but were under the age of 14 yrs when the incident occurred**

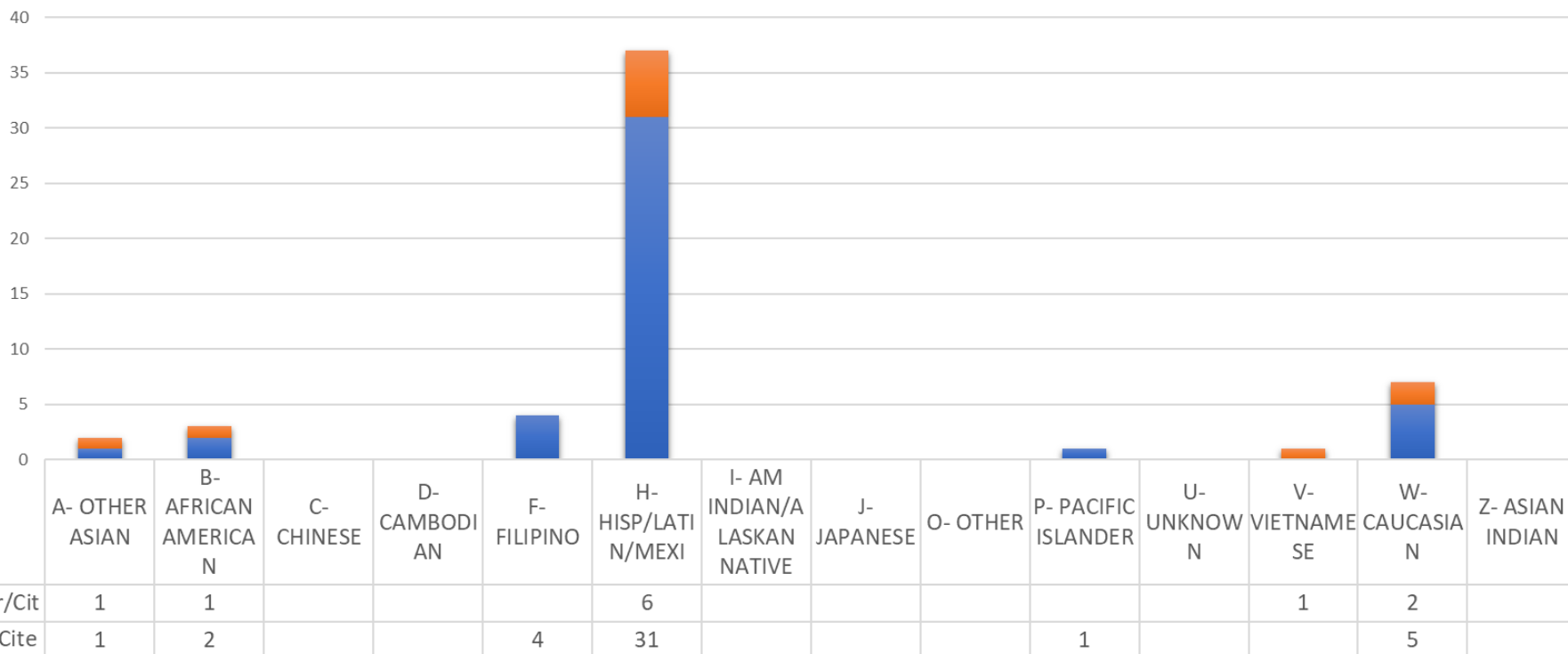


UPDATE

RE: ARREST DEMOGRAPHICS- RACE AND ROLE

288A L&L W/ UNDER 14 YRS

288A L&L W/ UNDER 14 YRS: RACE AND ROLE
TIME PERIOD: 01/01/2019-09/30/2019

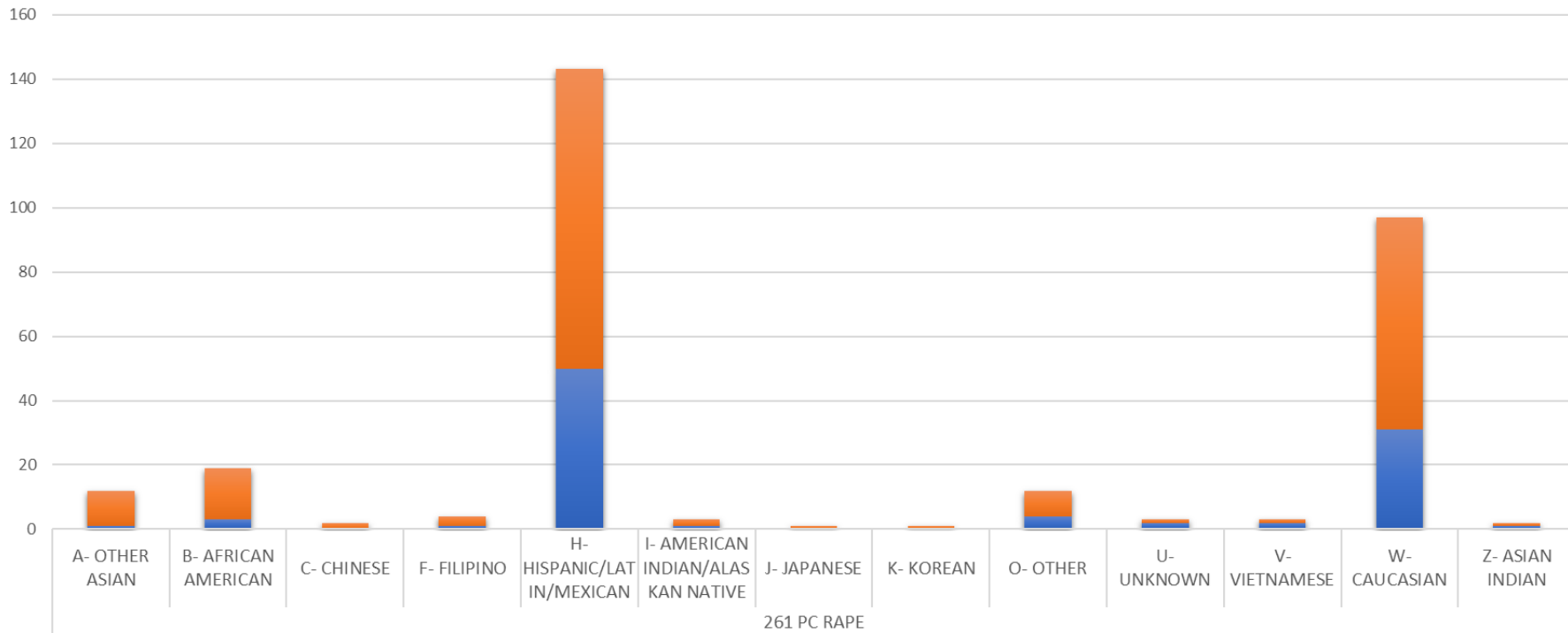


UPDATE

RE: VICTIM DEMOGRAPHICS RACE AND ROLE

261PC RAPE

261PC RAPE: RACE AND ROLE
TIME PERIOD: 01/01/2019-09/30/2019



Victim	11	16	2	3	93	2	1	1	8	1	1	66	1
JUV-Victim	1	3		1	50	1			4	2	2	31	1

■ JUV-Victim ■ Victim

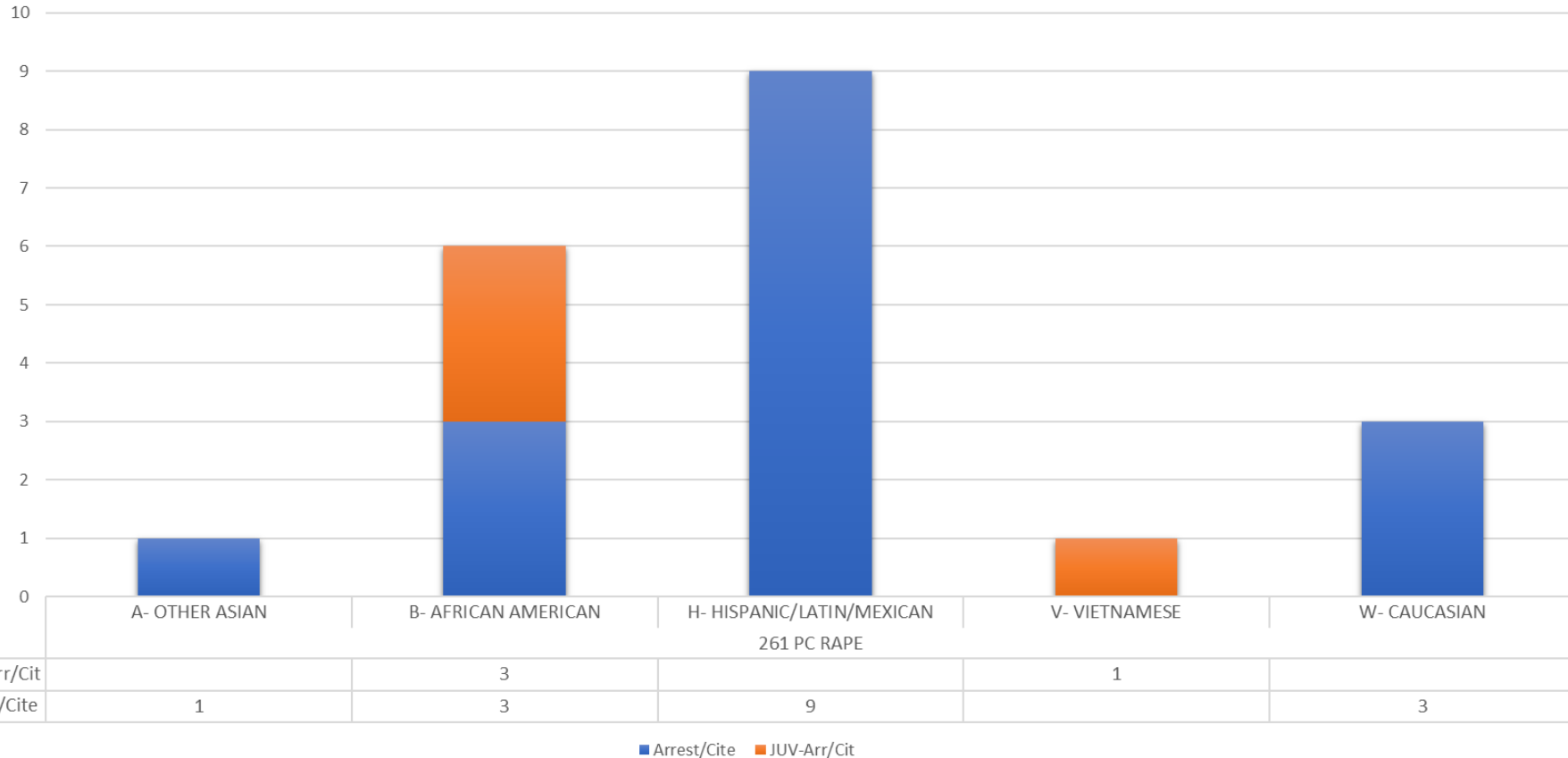


UPDATE

RE: ARREST DEMOGRAPHICS RACE AND ROLE

261PC RAPE

261PC RAPE: RACE AND ROLE
TIME PERIOD: 01/01/2019-09/30/2019



0-14 YEARS-OLD AGE COMPARISON

261 AND 288A

261 RAPE AGES 0-14 YEAR-OLD						
	2015	2016	2017	2018	2019	TOTAL
0	1			2	1	4
1	1				1	2
2	1		1	2	1	5
3			1			1
4		1		1	1	3
5	2	4	4	2	1	13
6	1		2	3		6
7	1	1	2	1	2	7
8		1	2	3	1	7
9	2	3	1	1	1	8
10	3	2	3	4	1	13
11	1		5	2	5	13
12	2	1	5	9	8	25
13	7	2	9	9	5	32
14	13	11	16	26	11	77
TOTAL	35	26	51	65	39	216

288A L&L W/ UNDER14 YRS AGES 0-14 YEAR-OLD						
	2015	2016	2017	2018	2019	TOTAL
0	6	9	4	7	2	28
1	7	13	11	13	8	52
2	10	17	16	14	22	79
3	24	41	21	28	31	145
4	26	39	35	32	46	178
5	21	37	36	33	31	158
6	30	34	32	29	57	182
7	41	51	29	46	45	212
8	20	60	46	41	46	213
9	24	46	43	39	27	179
10	32	63	46	64	66	271
11	42	66	53	71	51	283
12	42	76	59	90	126	393
13	63	96	107	107	115	488
14	66	103	85	95	89	438
TOTAL	454	751	623	709	762	3299



UPDATE: SEXUAL ASSAULT CURRENT WORK ITEMS



SEXUAL ASSAULT CURRENT WORK ITEMS

PROGRAMS AND TRAINING

- **Trauma Informed Care Training for Investigators AND Department-wide**
- **Vigilant Parent Initiative**
- **Sexual Assault Education and Training Program**
- Trauma Informed Care Training will address Cultural Responsiveness/ Competency role in the investigation of cases

TOOLS & EVIDENCE COLLECTION

- **Intersection Screening Tool**
- Domestic Violence - lethality Assessment (Including Strangulation)
- Sexual Assaults- Sexual Assault and Human Trafficking Assessment
- Strangulation evidence collection



SEXUAL ASSAULT CURRENT WORK ITEMS

NEW IMPLEMENTATIONS

- Creation of an Ethnic Based Agencies workgroup
- Domestic Violence – High Risk Response Team
- Report John Program – Human Trafficking
- Child Advocacy Center Implementation (regional effort)
- Additional Staffing/Special Victims Unit Creation (as budget allows)

MEETINGS

- Joint meeting with PSFSS & SCC BOS Children, Seniors & Families Committee
- County Sexual Assault Working Group
- Study to assess Internal Status K
- **Internal Status K dissection**
- Ethnic Based Agency build out with Community Based Organizations and Regional Partners



DEPARTMENT TRAINING

TRAUMA INFORMED CARE TRAINING

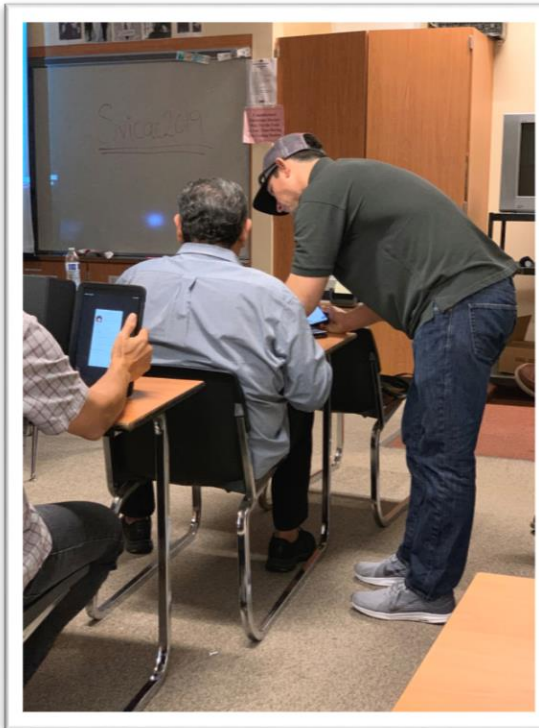
- Trauma Informed Team (Developed)
 - Development of curriculum (In-Process)
- Primary Goals
 - Improve criminal investigations, policing skills, and the leveraging of community resources through the recognition of trauma in victims
 - Develop cultural competency skills
 - Increase emotional wellness
 - Prevent negative impact upon mental health
- Training will be rolled out in two (2) phases:
 - Phase 1: Bureau of Investigations Personnel
 - Phase 2: Expansion Department-wide to Patrol
- Implementation early 2020



COMMUNITY TRAINING

VIGILANT PARENT INITIATIVE

- Vigilant Parent Initiative Program's pilot class launched September for the ESUHSD at Andrew Hill High School
- Outreach efforts have been made to school administrators and staff
- 2020 sessions in progress



COMMUNITY TRAINING

YWCA: SEXUAL ASSAULT EDUCATION AND TRAINING

- “TEA Club” - Evidence-based program
- Funded (\$160k) by San Jose and spearheaded by YWCA
- Implemented within schools in San Jose with six (6) sessions held to date
- Objective:
 - Learn and identify the differences between healthy and unhealthy/abusive relationships
 - Develop the essentials to having a healthy relationship
- Working partnerships have been developed with:
 - San Jose Unified School District
 - Gunderson High School
 - Broadway High School
 - East Side Union High School District
 - Apollo High School
- Additional updates to come March 2020



INTERNAL IMPROVEMENTS

INTERSECTION SCREENING TOOL

- Two (2) new assessments developed and added to DV Field Report
- Domestic Violence (DV) Field Report
 - Lethality Assessment (Current)
 - Strangulation-Suffocation Assessment (Current)
 - Sexual Assault Assessment (New)
 - Human Trafficking Assessment (New)
- All four (4) assessments will provide the metrics necessary to assess intersectionality
- Implementation January 2020



INTERNAL IMPROVEMENTS

INTERNAL STATUS K: LACK OF INVESTIGATIVE RESOURCES

- Tentative two (2) new statuses:
 1. Lack of Victim Cooperation
 - Definition: Victim was unable to be contacted after numerous efforts made by investigator
 2. Victim Requested to Close Case
 - Definition: Victim stated to the investigator that they wished to close the case with the possibility to re-open it in the future
- Implementation January 2020
- Lack of Investigative Resources will be truly defined as lack of resources

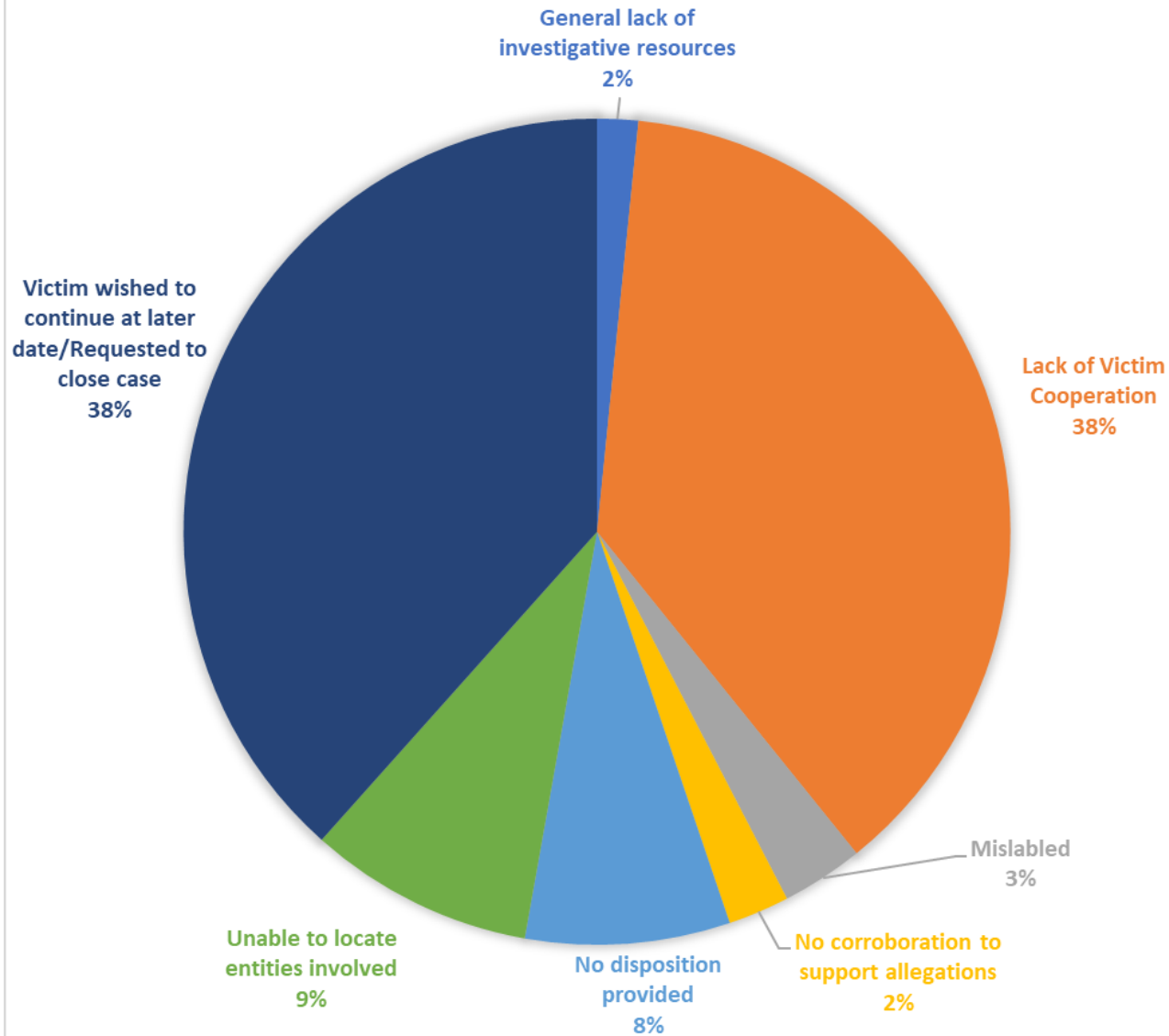


LACK OF INVESTIGATIVE RESOURCES

- **Definition:** Despite Leads, a Case is Closed and Not Cleared Due to a Lack of Investigative Resources
- **Lack of Resources** Can Mean Any of the Following:
 - Seriousness of Crime
 - Lack of Staffing
 - Lack of Victim/Witness Cooperation
 - Lack of Strong Leads
 - Lack of Evidence, etc.




K-STATUS: LACK OF INVESTIGATIVE RESOURCES



UPDATE

CLEARANCE: RAPE AND CHILD MOLEST CATEGORIES

CLEARANCE STATUS	TOTAL
C- CLEARED BY ARREST OR CITATION	87
O- CLEARED EXCEPTIONALLY	8
N- NOT APPLICABLE	1080
OPEN CASE	126
TOTAL	1301



CODE	INTERNAL STATUS	TOTAL	%
K	LACK OF INVESTIGATIVE RESOURCES	366	34%
T	DUPLICATE CASE (EVENT ONLY)	156	14%
L	LAW ENFORCEMENT REJECT (INCLUDES CIVIL)	123	11%
R	DA REJECT	107	10%
U	UNFOUNDED	82	8%
X	TRANSFERRED TO OTHER AGENCY	68	6%
F	COMPLAINT FILED	64	6%
V	JUVENILE CRIMINAL REFERRAL	43	4%
D	COMPLAINT SUBMITTED TO DA	25	2%
E	ALL LEADS EXHAUSTED	17	2%
O	OPEN	9	1%
P	PENDING LAB RESULTS	8	1%
Q	ADMINISTRATIVE ACTION	6	1%
B	RE-OPEN	3	0%
W	JUVENILE NON-CRIMINAL REFERRAL	2	0%
N	NON-WORKER (NO LEADS)	1	0%
TOTAL		1080	100%

- Total Clearance is reflective of the number Unique Cases involving Offenses categorized as Rape and/or Child Molest
- Note: some cases involved more than one (1) offenses



REPORTING “CLEARED” CASES TO FBI – UCR PROGRAM

Numbers Reported to FBI-UCR are Meant to Answer One Question:

Was a Suspect Arrested or Cited?

- If the Answer is No, the Remaining Choices are “N for Not Cleared” or “O for Exceptional Means”

What do the UCR Codes Mean?

N – The Case Was Not Cleared

C – The Case Was Cleared by Arrest or Citation

O – The Case Was Cleared by an Exceptional Circumstance Other than an Arrest or Citation (this is intended to be used sparingly)

For an Offense to be “Cleared” Within UCR (-C- or -O-), the Case Resolution Must Meet Certain Criteria (next slide):



The Criteria

Cleared by Arrest or Citation (C)

An offense is cleared by arrest, or solved for crime reporting purposes, when **three specific conditions** have been met. The three conditions are that at least one person has been:

1. Arrested.
2. Charged with the commission of the offense.
3. Turned over to the court for prosecution (whether following arrest, court summons, or police notice).

Cleared by Exceptional Means (O)

Elements beyond law enforcement's control prevent the agency from arresting and formally charging the offender. The following **four conditions** must be met in order to clear an offense by exceptional means.

1. Identified the offender
2. Gathered enough evidence to support an arrest, make a charge, and turn over the offender to the court for prosecution.
3. Identified the offender's exact location so that the suspect could be taken into custody immediately.
4. Encountered a circumstance outside the control of law enforcement that prohibits the agency from arresting, charging, and prosecuting the offender.



Examples of Exceptional Clearance

- Death of the offender
- Victim refuses to cooperate in the prosecution
- Offender is prosecuted by state or local authorities in another city for a different offense or is prosecuted in another city or state by the federal government for an offense which may be the same
- Extradition denied/In Custody of Other Jurisdiction. The suspect is in the custody of another jurisdiction, usually for a more serious offense, and the extradition was either denied or not pursued



HYPOTHETICAL VIEW LOOKING FORWARD

CLEARANCE: RAPE AND CHILD MOLEST CATEGORIES

CODE	INTERNAL_STATUS	TOTAL	%
T	DUPLICATE CASE (EVENT ONLY)	156	14%
N/A	LACK OF VICTIM COOPERATION	139	13%
N/A	VICTIM REQUESTED TO CLOSE CASE	139	13%
L	LAW ENFORCEMENT REJECT (INCLUDES CIVIL)	123	11%
R	DA REJECT	107	10%
U	UNFOUNDED	82	8%
X	TRANSFERRED TO OTHER AGENCY	68	6%
F	COMPLAINT FILED	64	6%
V	JUVENILE CRIMINAL REFERRAL	43	4%
D	COMPLAINT SUBMITTED TO DA	25	2%
E	ALL LEADS EXHAUSTED	17	2%
O	OPEN	9	1%
P	PENDING LAB RESULTS	8	1%
K	LACK OF INVESTIGATIVE RESOURCES	7	1%
Q	ADMINISTRATIVE ACTION	6	1%
B	RE-OPEN	3	0%
W	JUVENILE NON-CRIMINAL REFERRAL	2	0%
N	NON-WORKER (NO LEADS)	1	0%
TOTAL		1080	100%



Factors to Take into Consideration

- Population Growth Peaked in 2013
 - Between Jan 2014 & Jan 2015, Santa Clara County Grew Faster Than the State Average

Comparison: City and Agencies

General Information	SJPD	OPD	SDPD	LAPD	SFPD
City Population	1,035,353	425,204	1,419,488	3,999,742	884,363
Square Miles	177.5	55.9	324.8	468	46.9
Population per Sq. Mi.	5,832	7,607	4,371	8,534	18,854
Sworn Staff (filled positions)	915	747	1,797	10,045	2,280



Uniform Crime Reporting Statistics: Their Proper Use

Since 1930, participating local, county, state, tribal, and federal law enforcement agencies have voluntarily provided the nation with a reliable set of crime statistics through the Uniform Crime Reporting (UCR) Program. The FBI, which administers the program, periodically releases the crime statistics to the public.

Usefulness of UCR Data

UCR crime statistics are used in many ways and serve many purposes. They provide law enforcement with data for use in budget formulation, planning, resource allocation, assessment of police operations, etc., to help address the crime problem at various levels. Chambers of commerce and tourism agencies examine these data to see how they impact the particular geographic jurisdictions they represent. Criminal justice researchers study the nature, cause, and movement of crime over time. Legislators draft anti-crime measures using the research findings and recommendations of law enforcement administrators, planners, as well as public and private entities concerned with crime problems. The news media use the crime statistics provided by the UCR Program to inform the public about the state of crime as it compares to the national level.

Pitfalls of Ranking

UCR data are sometimes used to compile rankings of individual jurisdictions and institutions of higher learning. These incomplete analyses have often created misleading perceptions which adversely affect geographic entities and their residents. For this reason, the FBI has a long-standing policy against ranking participating law enforcement agencies on the basis of crime data alone. Despite repeated warnings against these practices, some data users continue to challenge and misunderstand this position.

Data users should not rank locales because there are many factors that cause the nature and type of crime to vary from place to place. UCR statistics include only jurisdictional population figures along with reported crime, clearance, or arrest data. Rankings ignore the uniqueness of each locale. Some factors that are known to affect the volume and type of crime occurring from place to place are:

- Population density and degree of urbanization.
- Variations in composition of the population, particularly age concentration.
- Stability of the population with respect to residence, mobility, commuting patterns, and transient factors.
- Economic conditions, including median income, poverty level, and job availability.
- Modes of transportation and highway systems.
- Cultural factors, including educational, recreational, and religious characteristics.
- Family conditions with respect to divorce and family cohesiveness.

- Climate.
- Effective strength of law enforcement agencies.
- Administrative and investigative emphases on law enforcement.
- Policies of other components of the criminal justice system (i.e., prosecutorial, judicial, correctional, and probational).
- Citizens' attitudes toward crime.
- Crime reporting practices of the citizenry.

Ranking agencies based solely on UCR data has serious implications. For example, if a user wants to measure the effectiveness of a law enforcement agency, these measurements are not available. As a substitute, a user might list UCR clearance rates, rank them by agency, and attempt to infer the effectiveness of individual law enforcement agencies. This inference is flawed because all the other measures of police effectiveness were ignored. The nature of the offenses that were cleared must be considered as those cleared may not have been the most serious, like murder or rape. The agency's clearances may or may not result in conviction, the ultimate goal. The agency may make many arrests for Part II offenses, like drug abuse violations, which demonstrate police activity but are not considered in the clearance rate. The agency's available resources are also critical to successful operation, so its rate of officers to population and budget should be considered. The UCR clearance rate was simply not designed to provide a complete assessment of law enforcement effectiveness. In order to obtain a valid picture of an agency's effectiveness, data users must consider an agency's emphases and resources; and its crime, clearance, and arrest rates; along with other appropriate factors.

Because of concern regarding the proper use of UCR data, the FBI has the following policies:

- The FBI does not analyze, interpret, or publish crime statistics based solely on a single-dimension interagency ranking.
- The FBI does not provide agency-based crime statistics to data users in a ranked format.
- When providing/using agency-oriented statistics, the FBI cautions and, in fact, strongly discourages, data users against using rankings to evaluate locales or the effectiveness of their law enforcement agencies.

Promoting Responsible Crime Analysis

For more information about the UCR Program, visit <https://ucr.fbi.gov>. For web assistance, please contact the FBI's Crime Statistics Management Unit at (304) 625-4830.

May 2017

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NEXT STEPS



NEXT STEPS

- Continued Implementation of Sexual Assault Work Items
- Spending Plan for the \$690,000 Sexual Assaults Law Enforcement Training and Supportive Services Reserve
- Expansion of the Sexual Assault Education and Training Program
- Additional Staffing/Creation of Special Victims Unit (as budget allows)



THANK YOU

