



CITY OF SALINAS COUNCIL STAFF REPORT

DATE: AUGUST 27, 2019

DEPARTMENT: OFFICE OF THE CITY ATTORNEY AND POLICE DEPARTMENT

FROM: JOE GUNTER, MAYOR

BY: ADELE H. FRESÉ, CHIEF OF POLICE
JOHN C. MURRAY, COMMANDER

SUBJECT: RESPONSE TO 2018-2019 MONTEREY COUNTY CIVIL GRAND JURY FINAL REPORT

RECOMMENDED MOTION:

A motion to authorize the Mayor to sign the attached letter responding to the findings and the recommendations in the 2018-2019 Monterey County Civil Grand Jury Final Report regarding "Rape Kit Processing in Monterey County."

RECOMMENDATION:

It is recommended that the City Council authorize the Mayor to sign the attached letter responding to the findings and the recommendations in the 2018-2019 Monterey County Civil Grand Jury Final Report regarding "Rape Kit Processing in Monterey County."

EXECUTIVE SUMMARY:

On June 2019, the Grand Jury issued its Final Report titled "Rape Kit Processing in Monterey County." The Report makes several recommendations and findings, to which the City is required to respond.

DISCUSSION:

Final Report: "Rape Kit Processing in Monterey County"

On June 2019, the Grand Jury issued its Final Report titled "Rape Kit Processing in Monterey County". As a result of their investigation, the Grand Jury made nine Findings and six Recommendations. The Grand Jury has requested a response from the City Council on nine of the findings (F1 – F9) and five of the recommendations (R2 – R6).

The nine Findings to which the City was requested to provide a response are, as follows:

- F1. LEAs in Monterey County lacked awareness and provided unclear and inconsistent information as to whether there are any backlogged Rape Kits.
- F2. The lack of a centralized place to post information has resulted in a lack of consistency in the way that LEAs manage and track sexual assaults.
- F3. At the beginning of this investigation, not all the LEAs were prepared to report the Rape Kit status information to the CDOJ as required by PC 680.4.
- F4. There is advanced training available for sexual assault investigators, but LEAs are instead relying upon senior investigators to provide “on the job training to other investigators within their respective departments.”
- F5. Training for advanced skills in the forensics of sexual assault investigations is not prioritized in the budgeting process.
- F6. Some LEAs rely on cross-training less experienced patrol officers to supplement understaffed investigative teams rather than prioritizing the strategic increase of well-trained investigators.
- F7. All jurisdictions can expedite the investigations of rape crimes through access to the RADS processing to facilitate timely resolution of rape cases.
- F8. Most LEAs in Monterey County have implemented DNA testing protocols established by the CDOJ which have reduced the likelihood of unprocessed DNA evidence.
- F9. There is no centralized authority coordinating all LEAs in Monterey County regarding collection, processing and reporting of sexual assaults.

The five Recommendations to which the City was requested to provide a response are, as follows:

- R2. By January 15, 2020, the governing bodies of all Monterey County LEAs should assign a representative to participate in the DA-led centralized reporting initiative.
- R3. By July 1, 2019, every Monterey County LEA should report to the CDOJ the required data outlined in PC 680.4.
- R4. By July 1, 2019, and annually thereafter, every Monterey County LEA should report to their governing body and the public the required data outlined in PC 680.4.
- R5. By January 15, 2020, every Monterey County LEA should develop a funding source, such as grants, for additional expertise training and recertification within the Sexual Assault and Forensic Division.

R6. By fiscal year 2020-2021, every Monterey County LEA should add or dedicate certified staff for Sexual Assault Investigations and include that increased cost in their budgets.

Responses to each of these Findings and each of these Recommendations are provided in the attached, proposed letter.

Required Responses to the Findings and the Recommendations

California Penal Code section 933(c) requires the City Council to respond to the Grand Jury's Final Reports within ninety days from submittal of the Final Reports. A draft letter responding to each of the findings and the recommendations identified by the Grand Jury as requiring a response is attached to this Staff Report.

CEQA CONSIDERATION:

The City of Salinas has determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378).

STRATEGIC PLAN INITIATIVE:

This item is not among those on the City Council's current Strategic Plan; however, a response is required by California law.

DEPARTMENTAL COORDINATION:

The Police Department did not coordinate with any other City departments with respect to preparation of the responses to the Grand Jury's Findings and Recommendations.

FISCAL AND SUSTAINABILITY IMPACT:

There is no impact on the City's General Fund with the City Council's consideration of this item.

ATTACHMENTS:

2018-2019 Civil Grand Jury Final Report
Draft Response Letter to the Presiding Judge