



**300 Forest Avenue
Pacific Grove, California, 93950**

August 8, 2019

Honorable Stephanie E. Hulsey
Judge of the Superior Court
240 Church Street
Salinas, CA 93901

Re: 2018-2019 Monterey County Civil Grand Jury Final Report – “Rape Kit Processing in Monterey County”

Dear Judge Hulsey,

This correspondence is in reference to the 2018-2019 Monterey County Civil Grand Jury Final Report – “Rape Kit Processing in Monterey County”. The City of Pacific Grove reviewed the report and developed responses to the findings and recommendations below.

The City of Pacific Grove is invested in ensuring the Pacific Grove Police Department continues to uphold their values of Excellence, Community, Respect, Professionalism, and Integrity. The Pacific Grove Police Department ensures sexual assault cases are properly investigated, ensures the proper processing of rape kits, collaborates with our neighboring agencies and California Department of Justice, staffs an Investigative Unit and trains both sworn detectives and our professional staff assigned to property and evidence on sexual assaults.

Pursuant to the Grand Jury’s request, the Pacific Grove City Council reviewed the findings and recommendations of the Grand Jury report at its regular meeting on August 7, 2019 meeting.

Council authorized the following response to the Grand Jury’s Report.

Finding of the Civil Grand Jury Investigation:

F1. *LEAs in Monterey County lacked awareness and provided unclear and inconsistent information as to whether there are any backlogged Rape Kits.*

Response: As it relates to the City of Pacific Grove, the City disagrees with this finding. Pacific Grove Police Department (PGPD) tracks and is aware of the status of sexual assault rape kits that have been collected in relation to investigations

conducted by our agency, utilizing both the local records management system, evidence module, and state tracking.

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.*

Response: As it relates to the City of Pacific Grove, the City disagrees with this finding. PGPD is a part of the Sexual Assault Response Team (SART), which works with Sexual Assault Nurse Examiners (SANE), during an investigation. Any DNA evidence obtained is submitted to Rapid DNA Service (RADS). PGPD reports the status of sexual assault forensic evidence through the Sexual Assault Forensic Evidence Tracking (SAFE-T) through the California Department of Justice.

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.*

Response: As it relates to the City of Pacific Grove, the City disagrees with this finding. PGPD reported the Rape Kit status information to the California Department of Justice, 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."*

Response: As it relates to the City of Pacific Grove, the City disagrees with this finding. PGPD Detectives attended various investigative courses, specific to Sexual Assault Training (hosted by the Monterey County District Attorney's Office) and are scheduled for additional advanced sexual assault and sex offender training this year. In addition, we have one detective who has attended Forensic Interviewing of Child Victims. PGPD Property and Evidence Technicians also received Sexual Assault Cases & Evidence training last year. Annually, all officers are trained by the Monterey Rape Crisis Center on the SART protocol.

F5. *Training for advanced skills in the forensics of sexual assault investigations is not prioritized in the budgeting process.*

Response: As it relates to the City of Pacific Grove, the City disagrees with this finding. The City of Pacific Grove ensures there is funding for all PGPD detectives to attend sexual assault training. Public safety training is a priority.

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.*

Response: As it relates to the City of Pacific Grove, the City partially disagrees with this finding. In the not too distant past, PGPD struggled with staffing levels and resources making it difficult to train and staff special assignments. However,

today PGPD currently has three detectives, nearly full staffing in patrol, a new Chief of Police and is in the process of CALEA accreditation (The Commission on Accreditation for Law Enforcement Agencies). As mentioned above, specialized and advanced training, training through the Monterey Rape Crisis Center, training for our property technicians and appropriate investigative staffing

F7. *All jurisdictions can expedite the investigations of rape crimes through access to the RADS processing to facilitate timely resolution of rape cases.*

Response: The City agrees with this finding. PGPD has access to and utilizes the RADS processing system.

F8. *Most LEAs in Monterey County have implemented DNA testing protocols established by the CDOJ which have reduced the likelihood of unprocessed DNA evidence.*

Response: The City agrees with this finding. PGPD has implemented DNA testing protocols that are in compliance with the California Department of Justice.

F9. *There is no centralized authority coordinating all LEAs in Monterey County regarding collection, processing and reporting of sexual assaults.*

Response: The City agrees with this finding. PGPD agrees improvements can be made to better share information and coordinate any investigations that may be occurring in other jurisdictions.

RECOMMENDATIONS

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.*

Response: The City agrees with this recommendation.

R3. *By July 1, 2019, every Monterey County LEA should report to the CDOJ the required data outlined in PC 680.4.*

Response: The City is already in compliance. PGPD reported this data and will continue to report the required data to the California Department of Justice, as 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.*

Response: The City will work to determine what is releasable per the California Public Records Act. PGPD already reports required data to the California Department of Justice per California Penal Code 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.*

Response: The City is already in compliance. PGPD regularly applies for grant funding opportunities and takes advantage of other means to reduce training costs, such as hosting training locally and seeking out POST reimbursable training. In addition to receiving funding in the general operating budget for the City.

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.*

Response: As it relates to the City of Pacific Grove, the City disagrees with this finding. Due to occurrence rates in the City, this recommendation is not conducive to the needs of the community, the City, or department. As was previously described, PGPD detectives are trained in sexual assault investigations and will continue training and education on this topic. All PGPD detectives are assigned sexual assault investigations, in addition to other types of investigations, which is appropriate.

The City's response to the Grand Jury meets the requirements set out in law. If you have any further questions regarding the City's response or require additional information, please contact Chief of Police Cathy Madalone at (831) 648-3143.

Sincerely,



Bill Peake
Mayor of the City of Pacific Grove