



SEASIDE CITY COUNCIL

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The Honorable Lydia M. Villarreal
Presiding Judge of the Superior Court of California
County of Monterey
240 Church Street
Salinas, CA 93901

February 20, 2020

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

Dear Judge Villarreal,

This letter is written in response to the Monterey Civil Grand Jury Final Report - “Rape Kit Processing in Monterey County.” As per the report dated June 24, 2019, this letter shall serve as the response to that report pursuant to Penal Code section 933 and 933.05. The responses contained in this correspondence were approved by the City of Seaside City Council at their regular meeting on February 20, 2020.

Before responding to the specific findings and recommendations contained in the report, I would like to assure you that the City of Seaside is committed to ensuring the Seaside Police Department (SSPD) provides professional law enforcement services in a contemporary manner. The SSPD recognizes the importance of employing well-trained sexual assault investigators to thoroughly investigate every sexual assault report. Each month, the SSPD visits with regional law enforcement agencies, and the Monterey County District Attorney’s Office, to discuss a myriad issues, including the coordination of sexual assault cases.

Our comments follow in the order that they were presented in the report. The actual report language is displayed in **bold** type for readability.

FINDINGS

Finding 1 – LEAs in Monterey County lacked awareness and provided unclear and inconsistent information as to whether there are any backlogged rape kits.

As it relates to the City of Seaside, the City disagrees wholly with this finding. The SSPD meticulously tracks and is fully aware of the status of sexual assault rape kits that have been collected in connection with investigations led by the SSPD.

Finding 2 – 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.

As it relates to the City of Seaside, the City disagrees wholly with this finding. The SSPD participates in a monthly meeting with other law enforcement agencies, and the District Attorney's Office, to coordinate sexual assault investigations. The SSPD is part of the Sexual Assault Response Team (SART), which works with Sexual Assault Nurse Examiners (SANE) during the investigation. DNA evidence obtained is submitted to the Rapid DNA Service (RADS). Additionally, the SSPD reports the status of sexual assault forensic evidence through the Sexual Assault Forensic Evidence Tracking (SAFE-T) to the California Department of Justice, as is required by PC 680.4.

Finding 3 – 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.

As it relates to the City of Seaside, the City disagrees wholly to this finding. The SSPD has reported the Rape Kit status information to the CDOJ as required by PC 680.4.

Finding 4 – 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.”

As it relates to the City of Seaside, the City disagrees wholly with this finding. The SSPD sends all detectives to a Sexual Assault Investigator Course when assigned to the SSPD Investigations Division. The three detectives assigned to the SSPD Investigations Division have all completed the California Commission on Peace Officer Standards and Training (POST) Police, Institute of Criminal Investigation (ICI) Sexual Assault Investigator Course.

Finding 5 – Training for advanced skills in the forensics of sexual assault investigations is not prioritized in the budgeting process.

As it relates to the City of Seaside, the City disagrees wholly with this finding. The City of Seaside and SSPD place a significant emphasis on professional development and specialized training, as reflected in our budget (\$117,950). We ensure our detectives have the most relevant training available and our budget supports it.

Finding 6 – 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.

As it relates to the City of Seaside, the City disagrees wholly with this finding. The SSPD prioritizes sexual assault investigation training for our detectives. Moreover, the SSPD has officers that were previously assigned as detectives and attended the sexual assault investigation training who are currently assigned to patrol.

Finding 7 – All jurisdictions can expedite the investigations of rape crimes through access to the RADS processing to facilitate timely resolution of rape cases.

As it relates to the City of Seaside, the City agrees with this finding. The SSPD has access to and utilizes the RADS processing system.

Finding 8 – Most LEAs in Monterey County have implemented DNA testing protocols established by the CDOJ which have reduced the likelihood of unprocessed DNA evidence.

As it relates to the City of Seaside, the City agrees with this finding. The SSPD has implemented DNA testing protocols that are in compliance with CDOJ.

Finding 9 – There is no centralized authority coordinating all LEAs in Monterey County regarding collection, processing and reporting of sexual assaults.

As it relates to the City of Seaside, the City disagrees wholly with this finding. The SSPD complies with all state mandates and employs contemporary best practices to investigate sexual assaults. The SSPD attends monthly meetings with other Monterey County Sexual Assault Investigators, including the District Attorney, to share information and coordinate any investigations which might involve other jurisdictions.

RECOMMENDATIONS

Recommendation 2 – 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.

As aforementioned above, the SSPD participates in a monthly meeting with the District Attorney's office regarding sexual assaults. The SSPD will continue to participate with the District Attorney's Office, and other law enforcement entities, to ensure crimes are properly investigated and coordinated.

Recommendation 3 – By July 1, 2019, every Monterey County LEA should report to the CDOJ the required data outlined in PC 680.4.

The SSPD reported by July 1, 2019, and will continue to report the required data to the CDOJ outlined in PC 680.4.

Recommendation 4 – 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.

The SSPD will work with the Seaside City Attorney to determine what can publicly be reported and will annually report items related to PC 680.4 on the SSPD webpage.

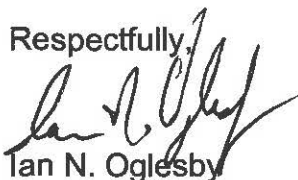
Recommendation 5 – By July 15, 2020, every Monterey County LEA should develop a funding source, such as grants, for additional expertise training and recertification within the Sexual Assault and Forensic Division.

The SSPD consistently searches for grant opportunities and leverages any successful grant awards with the SSPD operating budget.

Recommendation 6 – 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.

As was previously described, all SSPD detectives are California POST trained in sexual assault investigations. All of the SSPD detectives are assigned sexual assault investigations.

We hope that this information addresses the Grand Jury's findings and recommendations. Please contact SSPD Chief Abdul D. Pridgen if you have any questions or require additional information.

Respectfully,

Ian N. Oglesby
Mayor