



August 28, 2019

Honorable Stephanie E. Hulse
Judge of the Superior Court of California
County of Monterey
240 Church Street
Salinas, CA 93901

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

Dear Judge Hulse:

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 King City Council at their regular meeting of August 27, 2019.

Before responding to the specific findings and recommendations contained in the report, I would like to assure you that the City of King is very invested in ensuring the King City Police Department (KCPD) provides professional law enforcement services in a contemporary manner. The KCPD acknowledges the importance of investigating every sexual assault report and ensures that sexual assaults are investigated by trained sexual assault investigators. The KCPD recently started participating in ongoing monthly meetings with other law enforcement agencies and the District Attorney’s Office to discuss and coordinate 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.

The City of King partially agrees with this finding. The KCPD tracks and is aware of the status of sexual assault rape kits that have been collected in relation to investigations conducted by the KCPD.

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.

The City of King partially agrees with this finding. The KCPD is now participating in a monthly meeting with other law enforcement agencies and the District Attorney's Office to coordinate sexual assault investigations. The KCPD is part of the Sexual Assault Response Team (SART) which works with Sexual Assault Nurse Examiners (SANE), during the investigation. Any DNA evidence obtained is submitted to the Rapid DNA Service (RADS). The KCPD also reports the status of sexual assault forensic evidence through the Sexual Assault Forensic Evidence Tracking (SAFE-T) through 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.

The City of King partially agrees with this finding. The KCPD 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.”

The City of King partially agrees with this finding. The KCPD sends all detectives to a Sexual Assault Investigator Course when assigned to the KCPD Investigations Division. The one detective sergeant currently assigned to the KCPD Investigations Division has completed the California Commission on Peace Officer Standards and Training (POST) Police, Institute of Criminal Investigation (ICI) Sexual Assault Investigator Course. The detective assigned to the Major Crimes Unit (MCU), a joint collaboration of investigators with Greenfield PD, is currently scheduled to attend the ICI Sexual Assault Investigator Course in 2019. He is also currently a certified SART interviewer.

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

The City of King partially agrees with this finding. The City of King and KCPD ensures that there is funding for all KCPD detectives to attend sexual assault training. This is a priority.

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.

The City of King partially agrees with this finding. The KCPD places a priority on training detectives in sexual assault investigations as described previously. Currently, the KCPD detective sergeant has over 10 years of assignment in sexual assault investigations.

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

The City of King agrees with this finding. The KCPD 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.

The City of King agrees with this finding. The KCPD 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.

The City of King partially agrees with this finding. The KCPD complies with all state mandates and employs contemporary best practices to investigate sexual assaults. The KCPD now attends monthly meetings with other Monterey County Sexual Assault Investigators, including the District Attorney, to share information and coordinate any investigations that may be occurring in 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.

This recommendation has been partially implemented. As was previously described, the KCPD now participates in a monthly meeting with the District Attorney's office regarding sexual assaults. The KCPD will continue to participate with the District Attorney's Office and other law enforcement entities in ensuring crimes are properly investigated and coordinated. In addition, the City will assign a representative to participate in the DA-led centralized reporting initiative as soon as notification is received that it has been formed.

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

This recommendation has been implemented. The KCPD 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.

This recommendation has not yet been implemented, but it will be implemented in the future. The KCPD will work with the King City Attorney's Office to determine what can publicly be reported and will report items related to PC 680.4 on the KCPD webpage on an annual basis. This will be completed by December 31, 2019.

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.

This recommendation has been partially implemented. The KCPD consistently searches for grant opportunities and leverages any successful grant awards with the KCPD operating budget, which can be used for this expense. These efforts will continue and will be completed by July 15, 2020, but it will also depend on the availability of funding.

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.

This recommendation has been implemented. As previously noted, the KCPD detective sergeant and investigator assigned to the KCPD Investigations Division is California POST trained in sexual assault investigations. The detective assigned to MCU is scheduled to attend the California POST sexual assault investigations course in 2019.

We hope that this information addresses the Grand Jury's findings and recommendations. Please contact KCPD Chief Bob Masterson if you have any questions or require additional information.

Sincerely,



Mike LeBarre
Mayor