

Appendix C – Memos



CITY COUNCIL AGENDA REPORT

DATE: April 13, 2006

AGENDA OF: April 25, 2006
DEPARTMENT: Commission for the Prevention of Violence Against Women
SUBJECT: Commission's Report on Rape and Sexual Assault

RECOMMENDATION: That the Santa Cruz City Council review the Rape and Sexual Assault Report and, by motion, create the Rape and Sexual Assault Task Force, with the charge and membership as proposed; and direct that the Task Force provide its findings to Council in six months.

BACKGROUND:

The Commission for the Prevention of Violence Against Women (CPVAW) was established by Ordinance 81-29 which states, "it shall be the policy of the City of Santa Cruz that the prevention of rape and domestic violence shall be one of its highest priorities." The ordinance states that an annual report will be submitted to City Council. The 2004 Annual Report of the Commission for the Prevention of Violence Against Women (CPVAW) was presented to the City Council in January 2005.

The Commission's 2004 annual report included a request that, when the Commission had completed its data analysis, the City Council agendaize the issue of increased reported rapes in the City of Santa Cruz.

DISCUSSION:

The Commission has been working with Applied Survey Research (ASR) to analyze data on reported rape and sexual assaults in three areas:

1. Long term data regarding the increase in reported rapes in the City of Santa Cruz over a 10 and 20 year period.
2. A comparison of the rate of rape in the city of Santa Cruz with the State of California and 5 cities of similar character (Huntington Beach; San Diego; San Luis Obispo; Santa Barbara and Berkeley)
3. The demographics (age, location, ethnicity, stranger, non-stranger, brief encounter etc.) of reported sexual assaults in Santa Cruz for a focused two year period of 2003 and 2004.

ASR has developed a power point presentation using data compiled from various sources, including SCPD and the State of California Criminal Justice Department.

Commission Chair Martinez-Greenleaf will be introducing the agenda item to Council. Commission Vice-Chair Greensite will be making a presentation on the context of the findings. ASR will be presenting the data report.

FINDINGS:

- Rate of reported rape is higher in the City of Santa Cruz than comparative cities, counties, surrounding regions and the State of California. The 2004 rate in Santa Cruz is 2.10 per 1,000 females. The California rate is .53 per 1,000 females.
- Reported rapes in the City of Santa Cruz increased by 96% from 1984 to 2004. Reported rapes in California decreased by 18% during the same period.
- Rate of sexual assaults by strangers is higher in the City of Santa Cruz (36% in 2003 and 45% in 2004) and especially in the Downtown Beat (75%) than the national average of 17% (National Institute of Justice 2006).
- Arrest rate for rape in Santa Cruz in 2004 was 18%. Nationally, 42% of reported rapes were cleared by arrest in 2004 (FBI data).
- Report data is consistent with national statistics which show that the majority of rape victims are under the age of 25 while suspects are older.
- Report data is not consistent with national statistics which show that the race or ethnicity of the suspect and the victim are the same in the vast majority of cases. In Santa Cruz for 2003 and 2004, when the victim and suspect were of different races or ethnicities, it was predominantly in situations of rapes by strangers in the external environment.
- Report data revealed that most victims were local residents. For suspects, the unknown category was too large to draw a conclusion.
- Report data revealed that alcohol and other drugs were noted in approximately 40% of cases although the unknown category was significant for suspects.
- Report data revealed that 62% of victims who reported the rape to law enforcement did so immediately and 80% within one day.

FISCAL IMPACT: Existing staff will need to prioritize the current workload to staff the proposed Task Force or additional staffing resources will need to be allocated.

Submitted by:

Katherine Martinez-Greenleaf
Commission Chair

Attachments: Task Force Charge and Membership
Commission Report



MEMORANDUM
POLICE DEPARTMENT
"Your Police, Our Community"

DATE: April 24, 2006
TO: City Council
FROM: Chief of Police
SUBJECT: CPVAW Presentation

Department Overview:

Providing an immediate and compassionate response with the highest quality investigative skill to the victims of sexual assault is a top priority for the Santa Cruz Police Department and has been for many years. All officers of the Santa Cruz Police Department are trained to ensure the safety of and take a report from any victim of sexual assault as well as provide support services referral information upon first contact.

The State of California through the Penal Code mandates that all police officers receive sexual assault investigation training in the basic police academy. The Penal Code also mandates that officers primarily assigned to investigate sexual assaults (usually detectives) must attend additional certified training. Santa Cruz Police Department prides itself on its ongoing training in sexual assault investigation for all of its officers and has exceeded the state mandated training for many years. Since January 2006, the officers received an additional 8 hours of sexual assault training with a nationally recognized trainer suggested by CPVAW.

The Santa Cruz Police Department has had an in-house advocate for the victims of child and adult sexual assault for over 20 years. We are still the only agency in Santa Cruz County that provides this level of response. In addition, the department recently became the only agency in the county to offer a bilingual domestic violence and sexual assault resource page on our website.

Report Comment:

Our department believes the City has a great responsibility to the community to provide accurate information on crimes. To achieve this goal we worked extensively with CPVAW and ASR on correcting data and assumptions within their report to provide an accurate reflection of crime in our community. Unfortunately, the staff report mischaracterizes some of the crime information. The following outlines some specific examples of inaccurate data or mischaracterized statistical analysis:

- Reported rapes in the City of Santa Cruz increased by 96% from 1984 to 2004. Reported rapes in California decreased by 18% during the same period.

Re: Item 23

It is statistically inaccurate to take two years of data (1984 and 2004) and represent it as a twenty-year trend. Under this logic, the following would be considered valid statistical analysis: If we experienced ten reported sexual assaults every year from 1984-2003 and then had no reported sexual assaults in 2004 the analysis would read we had a 100 percent decrease in sexual assaults over the twenty-year period (since 1984 would have ten and 2004 would have zero). Clearly this is not statistically sound and does not represent true crime trends in our community. These facts were presented to the Commission and ASR and the decision was made to leave this information in the report.

- Arrest rate for rape in Santa Cruz in 2004 was 18%. Nationally, 42% of reported rapes were cleared by arrest in 2004 (FBI data).

The Commission mischaracterized our arrest data as clearance data. At 49 percent the Santa Cruz Police Department clearance rate exceeds the average national sexual assault arrest rate of 42 percent. Comparing the Santa Cruz arrest rate to the national arrest rate shows an even greater discrepancy. The Santa Cruz Police Department arrest rate is 19 percent (listed as 18 percent in the report) compared to FBI national average arrest rate of 8.8 and an average regional rate of 7.6.

- Rate of sexual assaults by strangers is higher in the City of Santa Cruz (36% in 2003 and 45% in 2004), especially in the Downtown Beat (75%), than the national average of 17% (National Institute of Justice 2006).

It is important to note that the Relationship of Suspect to Victim was determined by members of the Commission, not by the investigating officers. The percentages also do not reflect raw numbers (the Downtown percentage is a reflection of eight reported cases) even though they erroneously lead the reader to believe a pervasive stranger sexual assault ratio in the Downtown corridor. In addition, the determination as to whether alcohol and/or drugs were involved in the 2003/2004 cases was made by members of the Commission. The detectives and victim advocate assigned to the sexual assault caseload believe that alcohol and/or drugs were involved in many of the cases listed as "unknown".

These are a few examples of the complexity of the data presented and the difficulty in correctly interpreting state and federal crime data.

Closing Statement:

Given the available resources in the City and current staffing levels in the Police Department, our primary objective is directing our limited resources towards victim assistance and investigation of these crimes. We will continue to actively work with our partners, (CPVAW, Women's Crisis Support/Defense de Mujeres, District Attorney's Office, county law enforcement agencies and Probation) to directly address the needs of the victims and advocate on their behalf. Sexual assault and domestic violence are, and always will be, top priorities for this department.

Re: Item 23



MEMORANDUM
Commission for the Prevention of Violence Against Women

DATE: June 15, 2006
TO: City Council
FROM: The Commission for the Prevention of Violence Against Women
SUBJECT: Response to Memorandum of April 24, 2006 from Chief Skerry to City Council
Re: CPVAW Presentation

The Commission for the Prevention of Violence Against Women values its good working relationship with the SCPD and shares with the Chief a belief in the responsibility to provide accurate information on crimes. The Commission worked with a professional research team to present a document that would serve as a useful guide for all parties in our common pursuit of preventing sexual assaults in the city of Santa Cruz. In that spirit, the Commission would like to respond to the Chief's memorandum to Council which claimed that the Findings contain "inaccurate data or mischaracterized statistical analysis". Below are the three Commission Findings from the **research data (bold)**; *the Chief's comments (italics)* and the Commission's response.

- **Reported rapes in the City of Santa Cruz increased by 96% from 1984 to 2004. Reported rapes in California decreased by 18% during the same period.**

"It is statistically inaccurate to take two years of data (1984 and 2004) and represent it as a twenty-year trend." Chief Skerry, memo to Council 4/24/06

There are references in both the UCR (Uniform Crime Report) and the NCVS (National Crime Victimization Survey) to the percentage decline in rape from 1994 to 2004. It would be misleading if the two years in question were anomalous years and no reference made to the data for the intervening years, but that was not the case here. The data for each of the 20 years was clearly displayed in the presentation.

- **Arrest rate for rape in Santa Cruz in 2004 was 18%. Nationally, 42% of reported rapes were cleared by arrest in 2004 (FBI data).**

"The Commission mischaracterized our arrest data as clearance data. At 49% the Santa Cruz Police Department clearance rate exceeds the average national sexual assault arrest rate of 42 percent." Chief Skerry, memo 4/24/06

"Cleared by Arrest" is a term explicitly defined by UCR. It is different from # of arrests. As of writing the Report, the Commission did not have the "Clearance by Arrest" data for SCPD. We had only the total number of arrests from the actual police reports, upon which we based the

figure 18% for 2004. SCPD now lists its "Clearance by Arrest and Exceptional Means" data online. For 2004, the number of rapes or attempted rapes Cleared by Arrest or Exceptional Means by SCPD was 8 out of a total of 59. This is 13.5% and well below the UCR figure of 42% which is the national (or more explicitly, west coast) figure for Cleared by Arrest or Exceptional Means. The origin of the Chief's reference to 49% is unclear but it is certainly not the accurate Cleared by Arrest figure.

"Comparing the Santa Cruz arrest rate to the national arrest rate shows an even greater discrepancy. The Santa Cruz Police Department arrest rate is 19 percent (listed as 18 percent in the report) compared to FBI national average arrest rate of 8.8 and an average regional rate of 7.6." Chief Skerry, memo 4/24/06

The FBI figure of 8.8 refers to the arrest rate per 100,000 people. The local arrest rate of 18% (or 19%) refers to the percentage of arrests made in one year out of the total incidents of rape or attempted rape reported, not rate of arrest per 100,000 people.

- **Rate of sexual assaults by strangers is higher in the City of Santa Cruz (36% in 2003 and 45% in 2004), especially in the Downtown Beat (75%), than the national average of 17% (National Institute of Justice 2006).**

"It is important to note that the Relationship of Suspect to Victim was determined by members of the Commission, not by the investigating officers. The percentages also do not reflect raw numbers (the Downtown percentage is a reflection of eight reported cases) even though they erroneously lead the reader to believe a pervasive stranger sexual assault ratio in the Downtown corridor." Chief Skerry, memo 4/24/06

It is not difficult to extract this information from the police reports. Commission members who did this work include two who participated in the 8 hour police training from Sgt. Joanne Archambault and two who have 26 and 33 years experience respectively in the field of sexual assault response. While it is true that percentages are not the same as raw numbers, 8 cases of reported rapes or attempted rapes on women by complete strangers in one Police Beat in one year is a highly significant occurrence that warrants serious attention. Our goal is zero tolerance to rape.

"In addition, the determination as to whether alcohol and/or drugs were involved in the 2003/2004 cases was made by members of the Commission. The detectives and victim advocate assigned to the sexual assault caseload believe that alcohol and/or drugs were involved in many of the cases listed as "unknown". Chief Skerry, memo 4/24/06

This may be true. However, the "Unknown" category meant that there was no reference to alcohol and/or drugs either in the Police Report or Supplemental Report for victim or suspect. Were drugs and/or alcohol involved, one would expect reference to that in the Report since such information would be relevant, if not definitive to any case.

Thank you for this opportunity to respond to Chief Skerry's memo to Council. We hope this is sufficient reassurance that the Commission presented accurate data and sound statistical analysis to the City Council in April 2006. We look forward to continued good working relationships with Chief Skerry and the SCPD.