

City of Gonzales

P.O. BOX 647
PHONE: (831) 675-5000

147 FOURTH ST.
FAX: (831) 675-2644

GONZALES, CALIFORNIA 93926
www.gonzalesca.gov

August 19, 2019

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

Maria Orozco
Mayor

Scott Funk
Mayor Pro Tem

RE: *City of Gonzales' Response to the 2018-2019 Monterey County Civil Grand Jury Final Report "Rape Kit Processing In Monterey County"*

Dear Judge Hulsey:

Liz Silva
Councilmember

This letter will serve as the City Council of the City of Gonzales' response in regard to the Findings and Recommendations of the 2018-2019 Monterey County Civil Grand Jury Final Report- "Rape Kit Processing in Monterey County." As requested by the Grand Jury, the City of Gonzales respectfully submits the following responses to the Findings (1-9) and Recommendations (2-6) as identified for a response in the Report.

Lorraine Worthy
Councilmember

CIVIL GRAND JURY REPORT- FINDINGS

Paul Miller
Councilmember

F1) *LEAs in Monterey County lacked awareness and provided unclear and inconsistent information as to whether there are any backlogged Rape Kits.* The City Council partially disagrees with the finding. The Gonzales Police Department has been in compliance with the processing of Rape Kits and has no kits held in evidence that have not been processed.

René L. Mendez
City Manager

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.* The City Council agrees with the finding that there is no local centralized place to post information related to the status of Rape Kits. This can result in a lack of consistency in the managing and tracking of 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.* The City Council partially disagrees with the finding. Although some agencies may not have been prepared to report the status of Rape Kits as required by PC 680.4, the Gonzales Police Department was aware of the requirement and did submit its report before the July 1, 2019 deadline.

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."* The City Council agrees with the finding. Due to insufficient staffing, the City's police department has been unable to take advantage of the advanced training courses. Therefore, the Department relies upon Field Training Officers to provide the training for new recruits and less experienced officers.

F5) *Training for advanced skills in the forensics of sexual assault investigations is not prioritized in the budgeting process.* The City Council partially disagrees with the finding. Although adequate funds are set aside to provide training for sexual assault investigations, the City has other training priorities with which it must comply and inadequate staffing to send our personnel to the forensics of sexual assault investigations courses.

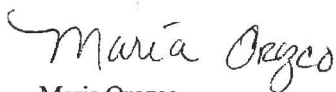
Gonzales will continue to be a safe, clean, family-friendly community, diverse in heritage, and committed to working collaboratively to preserve and retain its small town charm

- 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. The City Council agrees with this finding. Because of limited staffing, the Gonzales Police Department does not have a Department Detective or Investigator and our field officers are forced to conduct follow-up on sexual assault cases that they receive while working patrol.*
- F7)** *All jurisdictions can expedite the investigations of rape crimes through access to the RADS processing to facilitate timely resolution of rape cases. The City Council agrees with the finding. The Gonzales Police Department has been in compliance with the use of RADS since its inception in September of 2016.*
- F8)** *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 Council agrees with the finding.*
- F9)** *There is no centralized authority coordinating all LEAs in Monterey County regarding collection, processing and reporting of sexual assaults. The City Council agrees with the finding.*

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. The recommendation has not been implemented, but once the Monterey County District Attorney's Office develops a centralized interagency model, this can be accomplished.*
- R3)** *By July 1, 2019, every Monterey County LEA should report to the CDOJ the required data outlined in PC 680.4. That recommendation has been implemented and the Gonzales Police Department is in compliance with the law.*
- 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. The recommendation requires further analysis of PC 680.4 as to whether there are additional requirements to report this same information to the public. With respect to making annual reports to the governing body of the City of Gonzales, the recommendation will be implemented.*
- 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. The recommendation requires further analysis within the next six months. Although additional funding can be sought to pay for such training, inadequate staffing of a small agency will continue to make it difficult to send personnel to training without compromising the overall patrol strength of 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. The recommendation requires further analysis within the next six months. Although certain staff members may be dedicated as certified sexual assault investigators, the Department may not have the ability to add increased funding to pay for the necessary training or the ability to pay those designated investigators stand-by pay. The Department can only make a department budgeting request- the City Council is ultimately responsible for the allocation of funds for ongoing and new programs.*

Respectfully submitted,



Maria Orozco

Mayor, for and on behalf of the City Council of the City of Gonzales

cc: Rene Mendez, City Manager
Keith Wise, Chief of Police