



100971

DATE: May 28, 2020

TO: Children, Seniors, and Families Committee

FROM: David Campos, Deputy County Executive
Carla Drina Collins, Office of Gender-Based Violence Prevention

SUBJECT: Report Back on Sexual Assault Mapping Next Steps, Needs

RECOMMENDED ACTION

Receive report from the Office of Gender-Based Violence Prevention relating to next steps and needs assessment for sexual assault mapping.

FISCAL IMPLICATIONS

There are no fiscal implications with the acceptance of this report.

REASONS FOR RECOMMENDATION

At the January 9, 2020 Children, Seniors, and Families Committee Meeting (Item No. 4), the Office of Gender-Based Violence Prevention presented a report on behalf of the Sexual Assault Response Team (SART) Committee. The report detailed a process map and a time study of systems' response to victims of sexual assault. The report also included a summary of the next steps for the SART Committee. A request was made for a report back on possible costs to implement the next steps. At the March 26, 2020 Children, Seniors, and Families (CSFC) meeting, this item was deferred to May.

This report summarizes the potential costs and answers questions raised for the next steps.

CHILD IMPACT

The recommended action will have a positive impact on children and youth, particularly those whose families are impacted by sexual assault, through **Every Child Safe** indicator by supporting safe and stable families during times of crisis.

SENIOR IMPACT

The recommended action will have a positive impact on seniors, particularly those who are victims of sexual assault.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

BACKGROUND

During the April 15, 2019 (Item No. 2), Special Hearing on Sexual Assault, there was a request that the Administration return with a report that included a process map and time study of sexual assault forensic exams. The attempts to answer this request have revealed and prioritized work for the Office of Gender-Based Violence Prevention (OGBVP), including efforts with the Sexual Assault Response Team (SART) Committee that will continue through the next fiscal year.

Each year in Santa Clara County, there are hundreds of sexual assaults. Perpetrators prey on victims with no regard to their humanity, and victims of all ages and genders are harmed. Since 2016, a multidisciplinary group of government, community, and law enforcement agencies have met to work collaboratively as part of the Santa Clara County SART Committee. This Committee has no small task, as members have researched and analyzed protocols and best practices to be more trauma-informed in service delivery to some of the County's most vulnerable residents.

In the process of completing its first report on process mapping and a time study, several themes emerged for the next steps: Data Collection and Survivor Input on Barriers to Reporting.

Next Step: The Creation of a SART Database

The SART Committee has committed to a Data Collection & Analysis priority and seeks to create a database that collects critical information to track and evaluate response to survivors of gender-based violence in the County. To establish the Data Agenda, the committee will engage in a facilitated discussion and create a Memorandum of Understanding (MOU) within the committee regarding data. Additional contract services will be engaged to begin the actual data analysis. As the agenda proceeds, issues such as cross-agency tracking will be addressed as well.

The SART database is an expanded version of the software application for intimate partner violence recommended in the April 2019 Special Hearing on Sexual Assault. This expanded version will likely provide additional benefit to improve workflows at the Child Advocacy Center, which seeks to integrate agency response for pediatric victims better. It will also provide the Office of Gender-Based Violence with currently unavailable data, allowing for more robust data sharing within the County and community.

Information to Be Collected

This electronic platform would replace the current paper forms used to document the data collected during medical evidentiary exams for adult and adolescent sexual assault, child sexual abuse, and intimate partner violence. Additionally, it would incorporate the suspicious injury form for SART agencies to use as a means of documenting a survivor's disclosure of sexual violence. This would allow tracking of disclosures to determine if the survivor was seen for medical forensic care and connected to critical resources in an expedited time frame. Tracking this data more efficiently will measure how many disclosures occur, compared to the number of reports to law enforcement or medical evidentiary exams that occur.

Because the laws protecting medical and legal information are strict with regards to what can be shared and to whom, the exact data that can be legally shared, who can have access to it, and the mechanism for the sharing such data will be determined after consultation with County Counsel, the Public Safety and Justice Executive Committee, and the Office of Privacy. The vision is to have this database collect information from additional SART partners, including but not limited to the crime lab, law enforcement agencies, and the Office of the District Attorney (DAO), concerning the management of the sexual assault kit, actions by the DAO, and investigation or prosecution outcomes. A determination will be made during the development of the database regarding how SART partner data will be aggregated into a single platform.

Inclusivity of the Entire Response Continuum

The intent is to track how a survivor moves through the County system, from the time they make a disclosure of sexual violence or call 911, to the adjudication of their case. It will also help track wherein the system a survivor's progress stops, to identify system gaps or challenges that keep survivors from critical resources or cause them to suspend working with SART agencies.

Law enforcement reported that most cases of sexual assault end because survivors choose to stop working with the investigation. Determining where in the process this is most likely to occur will help SART agencies fix any issues and optimize their response at the points most critical for survivors to remain engaged.

In addition to tracking a survivor's path through the system, the notification capability of the application would drive other meaningful improvements. Some of these include simultaneous cross reporting to law enforcement and applicable county agencies, a mechanism to guarantee survivors received follow up and/or support services, and a feedback mechanism for healthcare providers who initiate the report.

Database Access and Type of Access

Currently, the information collected during the medical evidentiary exam is made available to law enforcement. A hard copy is provided to the Crime Lab and made available to the DAO. Unfortunately, this process is subject to several variables that can delay information getting to the end-users and impact the timing or progress of the case.

In the new format, the electronic data collected would be available to the end-users as soon as a SAFE examiner completes the electronic report. At that time, the electronic notification would be sent to the DAO and law enforcement agency, generating a timestamp to show the time of delivery. Law enforcement would respond to the notification and securely log into the system to view the report, which would also generate a timestamp. The same process would occur for the DAO, which could provide detail for the timing of the prosecution process, in addition to timely receipt of documentation needed for legal proceedings, including making filing decisions. The Crime Lab would have partial access to assist with evidence management and processing. Advocate agencies would not have access to the data but would be provided notification and patient contact or demographic information the survivor consented to share. Access will be structured to allow the users to view the data they are

entitled to see for their response to the survivor. Timestamps for the various distribution, viewing, or action on the information would improve identification of areas for success or concern, and support quality improvement efforts.

Deidentified data could be made available, as allowable, for the purpose of reporting, funding, and benchmarking. This will satisfy certain hospital requirements to the State and provide the Office of Gender-Based Violence Prevention increased opportunity to support County partners and share information with the community.

Enhancing our Ability to Understand Gaps in Services and Investments

The variance in the data currently collected by SART agencies limits what can be measured and benchmarked across the continuum. Uniform data collection is first needed to identify where service gaps exist and what data is missing to help drill down on the specifics needed to direct improvement and service targeting. The scoping process would aid in the alignment of agency data needs and improve integration of medical forensic data onto one centralized platform, instead of collecting it in separate documents, based on the type of assault. It would also enhance functionality to provide better data to end-user, thus reducing avoidable delays for things like time spent chasing down a SART partner for clarification or additional information.

The database would include several advanced data analysis and visualization features, including the ability to develop process evaluation tools. This will help evaluate current processes and leave the opportunity to add steps in the analysis tools to help define a service gap in greater detail or account for a service gap that develops at some point after the initial database build.

Database Ownership – Hosting Information

This data is both medical and legal in nature. A determination is pending regarding who will own the data or if it will be a shared responsibility, depending on requirements of applicable laws, such as HIPAA.

Database Costs and Funding Sources

In order to adequately address the next steps, the SART Committee, through the Office of Gender-Based Violence Prevention, will engage various contractors to best support their efforts. All initial costs will be covered by the Office of Gender-Based Violence Prevention budget.

The development of the platform will take an estimated 8-9 months, with an additional month to prepare for implementation. The initial build will include modules for reporting, informing, and analysis.

- Reporting allows for secure completion and submission of electronic forms and integrated workflows.
- Informing will track consent for referrals to Advocacy, Victim Services Unit, or any other victim service resource and tracks notification of recipients of medical forensic data.

- Analyzing performs data analysis, extracts data, generates data visualizations, and produces automated reports.

Some of the future system operation and maintenance costs may be shared by other counties, including San Diego, Riverside, and Alameda, as they come online with similar builds. This would be limited to sharing costs for redundant services but will not involve any sharing of data, apart from de-identified data, currently required by the State.

Expectations on Reporting from the Database

Since the analysis module is planned to be part of the initial build, the data should be ready to complete the process map and time study soon after it is completed. Once established and the staff is trained, reports will be provided at the earliest time measurable data is available. The SART Committee intends to use the data for its annual report to the Board of Supervisors, as noted in the County SART Protocol.

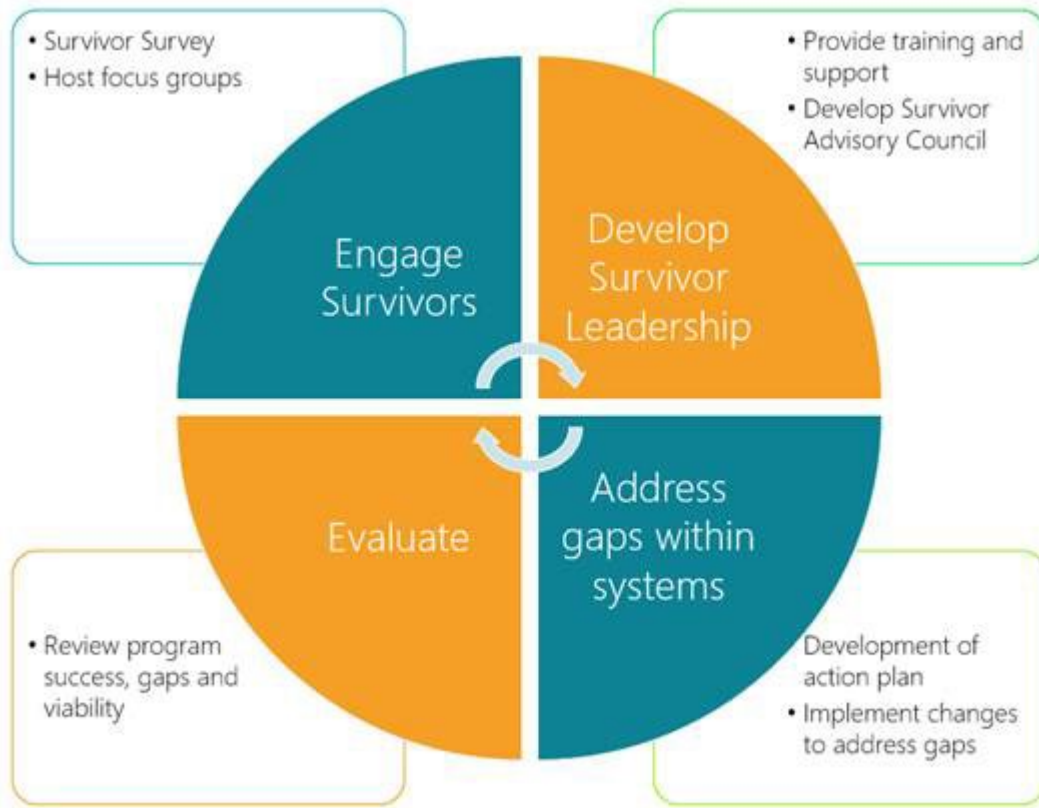
Estimated Costs

| Item | Anticipated Cost |
|--|-------------------------|
| Contract Services – <ul style="list-style-type: none"> • Project Management • Data Analysis • Survivor Survey Support | \$200,000 |
| Database <ul style="list-style-type: none"> • Development & Launch | \$500,000 |
| Total Expenses | \$700,000 |

Next Step: Increasing Survivor Input on Barriers to Reporting

The other major theme that emerged for the next steps from the initial report is the need for better survivor input on barriers to reporting. Law enforcement reported that most cases of sexual assault end because survivors do not cooperate with the investigation. These cases are labeled “refusal to cooperate.” Thus, work must be done to explore in trauma-informed ways to better support cooperation. While numbers are much lower, victim advocate agencies also report survivors who do not want to engage in services. All denials by survivors at any point of entry to services must be better understood.

The SART Committee is committed to increasing survivors’ engagement in identifying challenges and gaps in Santa Clara County’s response to sexual assault. The SART Committee will also develop and implement an action plan to address challenges and gaps identified through survivor feedback.



Online Survey

The SART Committee has been working on a potential online survey for self-identified survivors. The next steps include engaging a contractor(s) from a neutral agency to develop an online survey, collecting and analyzing the survey data, interviewing system partners and stakeholders to review complaints and oral feedback, facilitating focus groups with survivors, and develop a report on the preliminary findings. The OGBVP is currently working with Learning & Employee Development (LED) to procure a vendor(s) with the required survey and focus group expertise.

The SART Committee believes the approach to include survivor input to improve the county's response to sexual assault is feasible and effective. The process will also engage survivors who interacted with the various county systems, including but not limited to the criminal justice system, the hospital system, and social services.

The goals of this project are to (1) increase survivor engagement so that they may provide anonymous feedback on their experiences; (2) identify systemic challenges and gaps in response to sexual assault cases; (3) and understand barriers that survivors face when reporting their assault.

Survivors' engagement will be documented via online surveys and in-person focus groups. The plan will include long-term development of survivor leadership and the development of an action plan to implement changes to enhance Santa Clara County's response to sexual assault cases with constant evaluation of the pilot's success, gaps, and viability.

These contractor(s) will first survey SART partners on the issues and gaps they see for survivors within systems and then survey self-identified survivors to allow a safe space to provide anonymous feedback on their experience. The time period is to be determined, ideally over a six-month period. Proposals should include incentives for survivors to encourage participation, including compensation in the form of cash stipends, childcare options and food during the activity.

Types of Information Will the Survey Collect

The survey should be (1) available in all threshold languages, (2) easy to read, understand, and access, (3) inclusive of all gender identities, sexual orientations, ethnicities, (4) include questions regarding whether survivors were previously involved in the criminal justice system, the family court system, school-based system or never reported.

Survey Questions

The SART Committee has compiled potential questions for consideration by the vendor selected to administer the survey and focus groups. Data obtained will hopefully provide critical information on barriers to reporting, challenges after reporting, as well as gaps and successes within the systems in our County.

Administering the Survey

Outreach will be important, and to help the community know about the survey, OGBVP is exploring advertisements and marketing materials in multiple languages.

To encourage participation in focus groups, allowances will be set aside for essential incentives for survivors, including compensation in the form of cash stipends, childcare options, and food during the activity.

Cost and Source Funding

Initial costs for survey and focus group support and administration of these efforts is estimated to be at \$75,000. All costs for survivor input up to \$200,000 are included in the OGBVP FY21 budget and will be covered through the \$5m budget committed to gender-based violence prevention.

Ensuring Ongoing Investigations Will Not Be Compromised

The Santa Clara County District Attorney's Office has recommended that the survey exclude survivors with open criminal justice cases in order to mitigate any potential damage to their case. They anticipate minimal criminal justice impact from any other respondents.

SART Response – Setting Reasonable Expectations

A person reports a sexual assault, and then what happens? How long is this process? Where can we shorten some of the wait times, and what is a reasonable expectation for the survivor, the community, and decision-makers? As follow up to the first study, SART members reflected on the complex work and variables that can make a person's experience from a few hours to a long day to process. As the process continues through the criminal justice system, time is measured in years, not hours.

The attached file summarizes current reasonable expectations to complete various parts of the process. Changes will be made to the time study as improved data collection and survivor input is collected and analyzed. (Attachment A)

CONSEQUENCES OF NEGATIVE ACTION

The Children, Seniors, and Families Committee will not receive the requested information

LINKS:

- Replaces: 100373 : Receive report from the Office of Gender-Based Violence Prevention relating to next steps and needs assessment for sexual assault mapping.
- Linked To: 98862 : Receive report from the Office of Gender-Based Violence Prevention relating to sexual assault process mapping and time study. (Referral from April 15, 2019, Item No. 2)
- Linked To: 98520 : Receive report from the Office of the County Executive relating to completion of a Sexual Assault Response Process Map.
- Created: 98162 : Receive report from Santa Clara Valley Medical Center relating to the Sexual Assault Response Process.
- Linked From: 102230 : Receive report from the joint meeting of the Children, Seniors and Families Committee and the Finance and Government Operations Committee relating to the meeting of May 28, 2020. (Chavez/Cortese)
- Linked From: 102977 : Receive report from the Office of Gender-Based Violence Prevention relating to the status of initiatives to support better data as a result of the Sexual Assault Response Time Study and Process Mapping.
- Linked From: 105001 : Receive report from the Office of Gender-Based Violence Prevention, Division of Equity and Social Justice, relating to the status of initiatives to support better data as a result of the Sexual Assault Response Time Study and Process Mapping.
- Linked From: 106814 : Receive report from Santa Clara Valley Medical Center relating to Sexual Assault Forensic Exam (SAFE) services at all SAFE response sites.
- Linked From: 107202 : Receive report from the Office of Gender-Based Violence Prevention, Division of Equity and Social Justice, relating to the status of initiatives to support better data as a result of the Sexual Assault Response Time Study and Process Mapping efforts.
- Linked From: 107293 : Receive report from Santa Clara Valley Medical Center relating to Sexual Assault Forensic Exam (SAFE) services at all SAFE response sites.
- Linked From: 107681 : Receive report from Santa Clara Valley Medical Center relating to status updates for the Sexual Assault Forensic Exam Program.
- Linked From: 108044 : Receive report from Santa Clara Valley Medical Center (SCVMC) relating to status updates for the Sexual Assault Forensic Exam (SAFE) Program.
- Linked From: 108388 : Receive report from Santa Clara Valley Medical Center relating to status updates for the Sexual Assault Forensic Exam Program.
- Linked From: 108798 : Receive report from Santa Clara Valley Medical Center relating to status updates for the SAFE Program.

- Linked From: 109981 : Receive report from the Office of Gender-Based Violence Prevention relating to the status of the Sexual Assault Response Team Committee initiatives to support better data and include survivors' voices as a result of the Sexual Assault Response Time Study and Process Mapping efforts.
- Linked From: 111065 : Receive report from the Office of Gender-Based Violence Prevention relating to the status of the Sexual Assault Response Team Committee efforts to support better data and include survivors' voices as a result of the Sexual Assault Response Time Study and process mapping efforts.
- Referenced By: 116673 : Receive report from Santa Clara Valley Healthcare relating to the Adult/Adolescent Sexual Assault Forensic Exam (SAFE) Program.
- Linked From: 118794 : Receive report from Santa Clara Valley Medical Center relating to the Adult/Adolescent Sexual Assault Forensic Exam Program.

ATTACHMENTS:

- Attachment A. Reasonable Expectations for Each SART Partner. CSFC 5.28.20.SA time study.LF100971 (PDF)
- SART PPT LF100971 (PDF)