

RESPONSE TO GRAND JURY REPORT FINDINGS AND RECOMMENDATIONS

REPORT TITLE: "Sexual Assault in Marin: Evidence Collection, Processing and Backlog"
REPORT DATE: April 25, 2018
RESPONSE BY: County of Marin Board of Supervisors

GRAND JURY RECOMMENDATIONS

- Recommendations numbered **R3-R4** have been implemented.
- Recommendation numbered **R1** has not yet been implemented but will be for FY 2018-19.
- Recommendation numbered **R2** requires further analysis.
- Recommendations numbered **R5-R6** will not be implemented because they are not warranted or reasonable.

Date: July 17, 2018

Signed: 

President, Board of Supervisors



County of Marin Response to Grand Jury Report Findings and Recommendations
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April 25, 2018

RESPONSE TO GRAND JURY RECOMMENDATIONS

The Marin County Civil Grand Jury recommends the following:

R1. The County's contract with the Napa Solano SANE SART should be renewed.

This recommendation has not yet been implemented but will be in FY 2018-19.

The Marin County District Attorney has advised that Napa Solano SANE SART is not requesting any funding modification for next fiscal year. Pending Board approval, the contract will be renewed.

R2. The County should investigate alternative financing in collaboration with Napa Solano SANE SART to address funding variations resulting from the number of rapes per capita and large geography serviced, as directed in California Penal Code Section 13898.2 (c).

This recommendation requires further analysis.

Per advice of the Marin County District Attorney, consideration of R2 will involve a discussion with Marin County's Sexual Assault Response Team, as well as Napa Solano SANE SART personnel, with the goal of providing the best forensic sexual assault examination protocol.

We are pleased that the Grand Jury overall finds Marin's current Sexual Assault Examination protocol is effective; that the Napa Solano SANE SART team conducting the forensic examinations is well-qualified; and that the Kaiser Permanente Vallejo Medical Center is an appropriate central location with good access for the counties it serves.

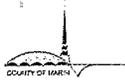
R3. Each law enforcement agency should complete an inventory of rape kits in their evidence lockers, and identify kits that have not been submitted to the California Department of Justice Crime Laboratory for DNA analysis.

This recommendation has been implemented.

The Marin County Sheriff indicates that all rape kits collected by his office have already been submitted to the California Department of Justice Crime Laboratory for DNA analysis. There are no untested kits to inventory.

R4. Kits that have not been DNA tested should be sent to the California Department of Justice Crime Laboratory for processing, regardless of statute of limitations or prosecutorial value.

This recommendation has been implemented.



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Prior to the Grand Jury's publication of this report, we understand that all untested sexual assault evidence kits were sent by the Marin County Sheriff's Office to the California Department of Justice Crime Laboratory for testing.

R5. Law enforcement agencies should have a clearly defined policy regarding retention of kits.

This recommendation will not be implemented because it is not warranted or reasonable.

The Marin County Sheriff's Office reports that it follows the recommendations of evidence retention established by the California Property and Evidence Association (CAPE), which compel indefinite retention of sexual assault evidence kits. The Sheriff's Office complies with this requirement and believes that it need not separately restate policies with which it already must comply.

R6. Each law enforcement agency should have a clear, publicly available policy for keeping victims updated on the status of their rape kit processing and results.

This recommendation will not be implemented because it is not warranted or reasonable.

The Marin County Sheriff's Office sexual assault investigators keep victims apprised of the status of their cases and maintain availability to those victims throughout any investigation. In addition, the Sheriff's Office provides sexual assault victims with access to the California Attorney General's Victims' Services Unit and the SAFE-T database.

The Sheriff indicates that requiring a separate written policy to direct sexual assault investigators to behave in a manner that is fundamental to his office's culture as a law enforcement agency would be redundant and unnecessary.

