



SANTA CRUZ
COUNTY
GRAND JURY

Grand Jury <grandjury@scgrandjury.org>

Civil Grand Jury Required Responses: (1) Housing for Whom & (2) Preventing Rape & Domestic Violence

Gina Liebig <gliebig@santacruzca.gov>

Mon, Oct 14, 2024 at 9:17 AM

To: Santa Cruz Grand Jury <grandjury@scgrandjury.org>, Matt Huffaker <mhuffaker@santacruzca.gov>

Hello Santa Cruz Grand Jury,

At the Santa Cruz City Council meeting on October 8, 2024, the attached two reports/responses were approved by the Council:

1. Housing for Whom
2. Preventing Rape and Domestic Violence

Thank you, Gina



Gina Liebig

Principal Management Analyst

City of Santa Cruz | City Manager's Office

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2 attachments



Housing for Whom.pdf

257K



Preventing Rape and Domestic Violence.pdf

333K



The 2023–2024 Santa Cruz County Civil Grand Jury
Requires the

Santa Cruz City Council

to Respond by September 25, 2024

to the Findings and Recommendations listed below
which were assigned to them in the report titled

City Of Santa Cruz: Preventing Rape and Domestic Violence

Where's The Priority?

Responses are **required** from elected officials, elected agency or department heads, and elected boards, councils, and committees which are investigated by the Grand Jury. The California Penal Code (PC) [§933\(c\)](#) requires you to respond as specified below and to keep your response on file.

Your response will be considered **compliant** under [PC §933.05](#) if it contains an appropriate comment on **all** findings and recommendations **which were assigned to you** in this report.

Please follow the instructions below when preparing your response.

Instructions for Respondents

Your assigned [Findings](#) and [Recommendations](#) are listed on the following pages with check boxes and an expandable space for summaries, timeframes, and explanations. Please follow these instructions, which paraphrase [PC §933.05](#):

1. **For the Findings, mark one of the following responses with an “X” and provide the required additional information:**
 - a. **AGREE with the Finding**, or
 - b. **PARTIALLY DISAGREE with the Finding** – specify the portion of the Finding that is disputed and include an explanation of the reasons why, or
 - c. **DISAGREE with the Finding** – provide an explanation of the reasons why.
2. **For the Recommendations, mark one of the following actions with an “X” and provide the required additional information:**
 - a. **HAS BEEN IMPLEMENTED** – provide a summary of the action taken, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – provide a timeframe or expected date for completion, or
 - c. **REQUIRES FURTHER ANALYSIS** – provide an explanation, scope, and parameters of an analysis to be completed within six months, or
 - d. **WILL NOT BE IMPLEMENTED** – provide an explanation of why it is not warranted or not reasonable.
3. **Please confirm the date on which you approved the assigned responses:**

We approved these responses in a regular public meeting as shown
in our minutes dated _____.

4. **When your responses are complete, please email your completed Response Request as a PDF file attachment to both**

The Honorable Katherine Hansen, Grand Jury Supervising Judge
Katherine.Hansen@santacruzcourt.org and

The Santa Cruz County Grand Jury grandjury@scgrandjury.org.

If you have questions about this request form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Findings

- F1.** Since 2016, the lack of comprehensive Annual Reports with detailed metrics on rape, including the tracking of stranger rape, leaves the community less informed, more vulnerable, and less safe.

- AGREE**
 PARTIALLY DISAGREE
 DISAGREE

Response explanation (required for a response other than **Agree**):

The Santa Cruz City Council (“the Council”) disagrees with the assertion that the community is less informed due to the Annual Report lacking detailed metrics. The Annual report includes both current and historical data on rape and domestic violence. Detailed metrics on rape such as stranger rape, age, gender, location, etc.. are not mandated, however, the CPVAW has voted to receive detailed metrics on the type of crimes committed which it has determined to be more useful to their efforts to prevent rape & domestic violence.

Up until 2016 the Annual Reports contained demographic information which included reporting on stranger versus acquaintance rape. From approximately 2017-2022 there was significant turnover in staff to the commission, the commission members, and a world-wide pandemic which impacted the commissions receipt of rape and domestic violence data. In addition, there was not an annual report prepared by the Commission during that time. The most recent Annual Report for 2023 includes details from the FBI Uniform Crime Report (UCR) for rape as well as data from 2010-2023 on the following California Penal Code Sections relating to rape: 220 Attempted Rape; 261/262 Rape; 286 Sodomy; 387/288 Oral Copulation and 289 Penetration with a foreign object. Additionally, the 2023 report also includes domestic violence statistics from 2015 to 2023.

The Council disagrees with the Grand Jury's claim that a lack of detailed metrics on rape leaves the community more vulnerable and less safe. The absence of specific metrics in the Annual Report, or its contents, does not correlate to increased vulnerability or decreased safety. In fact, the FBI Uniformed Crime Report shows a 26% reduction in rape from 2022 to 2023, along with a 34% decrease in Domestic Violence cases by from 2020 to 2021 and a decline of 14% between 2022 and 2023. The Commission voted in November 2023 to accept a revised reporting format for rape and domestic violence statistics to include all FBI UCR Data, and various California Penal Code Sections on rape and domestic violence. In August of 2024, the Commission began receiving rape data from the National Incident-Based Reporting System (NIBRS). If the Commission chooses to reassess the metrics it requests from SCPD, including stranger rape data, the SCPD is prepared to provide the requested information. However, the Commission must decide what metrics it needs to review and how the Commission will utilize the information in relation to prevention and education. When the Commissioners request various information and try to compare it to UCR data and/or National Incident-Based Reporting System/California Incident-Based Reporting System (NIBRS/CIBRS) the information may not be consistent because the methodology for collecting the data sets are not the same, which causes confusion and leads to the perception of deception which is not accurate.

In 2024, in an effort to better inform the community, and keep people safe, the Commission enhanced their outreach and education to the community by collaborating with other Community Based Organizations to raise awareness about prevention and available services to victims of rape and domestic violence. This includes co-sponsoring the "Stronger Together" Fun Run/5K Race with Monarch Services in September 2023 & 2024, participating in both the Dyke and Pride Parades, the 2024 March to End Homelessness and the "She is Beautiful" race. Additionally, the Commission partnered with Monarch Services by providing \$6,000 to support their efforts to end domestic violence and provide assistance to victims of rape.

F2. By highlighting a generic national statistic on stranger rape, rather than assessing local metrics in the CPVAW 2023 Report, the City is minimizing stranger rape and misleading the public into a possible false sense of security.

AGREE

PARTIALLY DISAGREE

DISAGREE

Response explanation (required for a response other than **Agree**):

The CPVAW 2023 Annual Report includes, as approved by the Commission on November 1, 2023, data from the US Department of Justice, Federal Bureau of Investigations, Uniform Crime Report on Rape, which is data specific to the City of Santa Cruz. The Annual Report also includes specific data on 5 types of Sexual Assault violations committed in the City of Santa Cruz. It is correct that this data does not distinguish between a stranger and an acquaintance. While this type of distinction may be useful, there is no data supporting that this is misleading the public into a false sense of security. The data cited in the Annual Report is from a nationally recognized association; Rape, Abuse, Incest National Network (RAINN) and is consistent with previous data analysis as reported in the 2005-07 Annual Report.

The data shows that the City is safer in 2023 than in previous years. The Uniformed Crime Report shows a decrease in rape by 26% from 2022 to 2023, and a decrease in Domestic Violence cases by 34% from 2020 to 2021 and a decrease of 14% between 2022 and 2023.

If the Commission chooses to reconsider its previous decision on which metrics SCPD should provide to the Commission, including stranger rape, SCPD will provide that information. SCPD supports the collection of this information but would prefer the Commission decide on all the metrics they are interested in and show how it will be useful towards the prevention and education mission of CPVAW. SCPD feels both national statistics on stranger rape and local metrics are important to provide the public with a local view as well as a broader perspective.

F3. The lack of attention to long-time Commission programs such as the Safe Place Network and the Bar Coaster program leaves residents and visitors without important resources for their personal safety.

- AGREE**
- PARTIALLY DISAGREE**
- DISAGREE**

Response explanation (required for a response other than **Agree**):

The Commission believes in leveraging their funds to partner with community-based organizations who specialize in providing victims of domestic violence and rape with much needed financial support to continue their successful programs and services. These organizations provide tangible resources that the Commission could not provide nor have the expertise to provide. In 2024, the Commission provided the following with sponsorships to support local non-profit organizations: \$2,000 to Walnut Ave Women’s Center, a non-profit organization based in Santa Cruz that provides direct services to survivors of domestic violence including prevention and education and \$6,000 to Monarch Services, another local non-profit that offers immediate crisis response to survivors of domestic violence, sexual assault and human trafficking.

The Commission has created new programs to promote personal safety. In 2023, the Commission partnered with the Santa Cruz City School district to provide high school students with an on-line course through Vector Solutions. This program offered targeted courses for grades 6-8 and 9-12, which reached approximately 2,000 students. This mandatory program enabled the school to extend its reach, empowering more students to make informed choices, resist peer pressure, and foster healthy relationships. Topics included: Dealing with Stress and Anxiety; Self-Harm Awareness and Resolving Disagreements. Additional content included Mental Health and Wellbeing, Healthy Relationships & Inclusion, Personal & Community Safety and Student Safety and Wellness.

The City is the only local agency to have a Victim Advocate on staff in the Police Department. This important resource keep victims informed of their rights in the legal system and makes referrals to local agencies. The Advocate works with victims to ensure they are treated with fairness and respect.

With regards to the Bar Coaster Program, the Commission agrees with continuing this program. As of July 1st, State Law requires all bars that do not provide food to provide drug testing kits to customers. The Commission supports this new law. In June of 2024, the Commission purchased an additional 500 drug testing coasters to distribute to bars located in the City of Santa Cruz.

The Commission had a program entitled Safe Place Network which is no longer active. The program began over 25 years ago by providing a window sticker to

businesses stating they were a “Safe Place”; however, there was very little to no training provided for businesses and their staff. The program also lacked a comprehensive marketing and outreach plan to inform visitors and the community of its existence. There are no metrics or data to substantiate the claim that not having this program has left residents and visitors without important resources for their personal safety. However, the Commission could consider re-establishing the program if it chooses to do so in the future.

F4. The loss of the in-person self-defense program for boys and girls in Santa Cruz City Schools lessens students' ability to prevent sexual assault and interpersonal violence, inconsistent with the mandate of Ordinance 81-29.

AGREE

PARTIALLY DISAGREE

DISAGREE

Response explanation (required for a response other than **Agree**):

The Commission has offered self-defense classes either through City Schools and/or the Parks and Recreation Department. Over the years, participation in the Parks & Recreation program significantly declined, leading to the cancellation of classes.

In FY2023, the City Council approved a budget of \$15,000 for self-defense classes to be administered by the Commission. In November of 2023, the Commission considered how best to use the funds at a regularly scheduled public meeting. The Commission considered two options: 1) Self Defense program through the City Parks & Recreation Department, or 2) A proposal by City Schools for an on-line course through a private contractor, Vector Solutions. The Commission chose the City Schools proposal.

This program offered targeted courses for grades 6-8 and 9-12, which reached approximately 2,000 students. This mandatory program enabled schools to extend their reach significantly, empowering more students to make informed choices, resist peer pressure, and foster healthy relationships. Topics included: Dealing with Stress and Anxiety; Self-Harm Awareness and Resolving Disagreements. Additional content included Mental Health and Well-being, Healthy Relationships & Inclusion, Personal & Community Safety and Student Safety and Wellness.

Vector Solutions is already being used in other school districts across the country to reduce violence against women. This valuable program will help prevent violence against women by providing students with the knowledge and skills they need to make healthy choices and build positive relationships.

In addition, the Commission authorized an additional \$5,000 to enable one Commissioner to work with the Parks and Recreation department to offer a self-defense course. Unfortunately, the program never came to fruition, and the funds were not spent.

In the FY25 Budget, the City Council approved re-authorization of \$15,000 to continue offering these types of programs. The Commission will consider how to utilize those funds at their meeting on September 4, 2024.

F5. The City’s replacement of a dedicated 20-hour per week Commission staff position with rotating staff with minimal hours has resulted in a loss of visibility for the prevention of rape and domestic violence, a loss of community connections, a lack of programs, inadequate resource distribution and less public awareness.

- AGREE**
- PARTIALLY DISAGREE**
- DISAGREE**

Response explanation (required for a response other than **Agree**):

The part-time Events Coordinator position was eliminated in 2016/2017 and replaced with a more senior staff member to provide enhanced support to the Commission. From 2017 to 2020, there were three staffing changes involving personnel from both the City Manager’s Office and the Police Department. The Commission also saw turnover among its members during this same period. Additionally, the COVID-19 pandemic severely limited the Commission’s ability to organize and participate in public events, as well as to support local non-profits and schools until 2022.

In 2023, as the community began to recover from the pandemic, the Commission resumed its participation in and organization of events.

As part of the Fiscal Year 2024, the City Council also approved funding for an Administrative Assistant III staff position that will dedicate half of their work week (20 hours per week) to supporting the Commission’s work. With the addition of this new position, the Commission will have more staff support than it has had for the last several years.

Notably, crime data indicates that the city is safer in 2023 than in previous years. The Uniformed Crime Report reveals a 26% decrease in rape incidents from 2022 to 2023, as well as a 34% drop in domestic violence cases from 2020 to 2021, and a further decline of 14% between 2022 and 2023.

F6. The City’s refusal to allow the Commission continued access to redacted police reports prevents the Commission from making recommendations for police training and evaluating community complaints as required by Ordinance.

AGREE

PARTIALLY DISAGREE

DISAGREE

Response explanation (required for a response other than **Agree**):

The Commission received redacted police reports from approximately 1984 to 2010. However, around 2010-2017 the Commission began to receive summary demographic data from SCPD. From approximately 2017-2022 there was significant turnover in staff to the commission and a world-wide pandemic which impacted the commissions receipt of rape and domestic violence data. In 2023, a request was made by the Commission for the City Attorney to attend a CPVAW meeting to discuss and provide a recommendation to them regarding the ability to receive redacted police reports. Given the extremely sensitive nature of these police reports, even when redacted, the City Attorney’s Office recommended not to provide redacted police reports to the Commission for the following reasons:

- (1) Under the Brown Act, there is no legal basis for the Commission (or the Commission’s Police Subcommittee) to review the redacted police reports in a confidential or closed session (see Gov’t Code § 54962).
- (2) While the Commission is not permitted to meet in closed session, the Commission could hypothetically meet in open session to review the reports. However, review of police reports in open session would waive any applicable exemption under the Public Records Act (Gov’t Code § 7921.505), and the City would be required to release those redacted reports to any member of the public that requests them. In other words, if the Commission were to review the redacted police reports in open session, the City would be waiving the future confidentiality of those reports, without the consent of the individuals who are referenced in that report, and without input as to how that lack of confidentiality might impact their lives.
- (3) The City is legally prohibited from releasing some reports, even in redacted form. For example, state law prohibits the release of a police report where a juvenile is the subject of the report (Wel & Inst Code § 827.95), or reports involving mandated reports of suspected child abuse and neglect (Penal Code § 11167.5). Various Constitutional provisions, such as The Victims’ Bill of Rights Act of 2008: Marsy’s Law, Section 28 of Article I of the California Constitution, or the right to privacy afforded by Section 1 of Article I of the California Constitution may also be considered when determining whether to release a police report. Even for reports that the City is not legally prohibited from releasing, all of the referenced police reports are generally exempt from disclosure to the public pursuant to Government Code section 7923.600.

Based on the foregoing, including the advice of the City Attorney’s Office, the Commission voted to *not* require the SCPD provide redacted police reports to the Commission or the Commission’s Police Sub-Committee. However, the Commission did vote to include additional California Penal Code Sections, all Domestic Violence cases, and the FBI Uniform Crime

Reporting data in the monthly data SCPD reports to the Commission.

The Commission still retains the ability to hear citizen complaints regarding the SCPD's service to women who have been raped or battered. With improvements in technology and changes in state law and City Council requirements, citizen complaints go directly to the SCPD Professional Standards Unit, the Chief of Police, and the Independent Police Auditor. Any concerns about a Police Department employee's conduct, actions or service are investigated by the Police Department's Professional Standards Unit. All completed investigations are reviewed by the Independent Police Auditor to provide an independent review of the citizen complaint process. The Independent Police Auditor provides an annual report to the City Council in a public meeting on the level of thoroughness and objectivity of these investigations. The process to file a complaint can either be started in person at the Police Department, online on the SCPD website, or directly through the Independent Police Auditor.

The City also employs a Victim Advocate and is the only one in the county that does so. The Advocate provides information to victims about their rights and the criminal legal system and makes referrals to local agencies when appropriate. The Advocate works alongside SCPD personnel to ensure all victims of domestic violence and sexual assault are treated with fairness and respect. The Victim Advocate also provides training to officers and detectives to provide the highest level of professional service to the victims.

With regards to Police Training, the CPVAW Police Subcommittee received a presentation on November 1, 2023, from SCPD on their training standards. This provided an opportunity for the Commission to review and provide input on SCPD's training program. The Police Subcommittee intends to conduct an annual review of the SCPD training program. All SCPD training records are kept up to date and in accordance with State law and Peace Officer Standards and Training (POST) standards.

F7. The SCPD's decision to drop stranger rape alerts and case-by-case updates leaves the community unaware about this serious crime and therefore less safe.

- AGREE**
- PARTIALLY DISAGREE**
- DISAGREE**

Response explanation (required for a response other than **Agree**):

SCPD has not made the decision to drop stranger rape alerts and case-by-case updates. If there was a stranger rape case and an alert to the community was appropriate, SCPD would not hesitate to make the community aware. SCPD is very active on social media, and transparently shares valuable information with the community.

F8. The inconsistencies the Grand Jury found in SCPD’s rape numbers means the public, the CPVAW and the City have no accurate metrics about reported rape, leaving the community ill-informed and Annual Commission Reports unreliable.

AGREE

PARTIALLY DISAGREE

DISAGREE

Response explanation (required for a response other than **Agree**):

City of Santa Cruz Ordinance No. 81-29 establishes specific responsibilities and cooperation between SCPD and CPVAW:

- **Section 5(e):** The Commission for the Prevention of Violence Against Women, in carrying out its duties shall have the authority to call upon members of the Police Department to present information which is not defined as confidential by State law. The Santa Cruz Police Department shall offer full and open cooperation to the Commission.
- **Section 6(b):** The Police Department shall create a separate statistical report form to document and consolidate all domestic violence and women beating calls. This shall be compiled monthly.

The SCPD has adhered to these requirements, explicitly providing data as the Commission requested. Before the February 7, 2024, CPVAW meeting, where the SCPD’s statistical report (Appendix A – Figure 8 Full Table) was first presented, the SCPD had been producing a simplified statistical monthly report. This report included data on domestic violence calls, domestic violence cases, rape cases, sexual assaults, stalking cases, and intimate partner homicide cases.

At the November 1, 2023, CPVAW meeting, upon a specific commissioner’s request and approved by the Commission, sodomy and forcible sexual penetration with a foreign object were separated from the generalized rape column, and assault to commit rape was added. In the following two meetings (February 1, 2024, and May 1, 2024), SCPD complied and continued to make improvements to provide an accurate and comprehensive statistical report. Improvements included updating all the monthly summary values to reflect the addition of any cold cases when they occurred, not when reported, and footnotes were added to provide clarifying language. This was to try and explain why the old numbers had changed from previous reports.

Discrepancies in Appendix A – Figure 8 Full Table were due to the removal of cases involving minors during the development of the new table format and improper communication of this omission. The oversight was corrected in the following report (Appendix B – Figure 9 Full Table), presented to CPVAW on May 1, 2024, and included up-to-date data encompassing all genders, adults, and minors.

The SCPD would like to respond to the Grand Jury’s assessment of the SCPD’s statistical report (Appendix A – Figure 8 Full Table). The Grand Jury compared the year 2021 Case Totals to SCPD’s website UCR figure of reported rape totals for the same year and

questioned why the two values - 34 vs. 26 did not match and therefore concluded the statistical report was inaccurate. As defined in the SCPD response to the Grand Jury's R4 question, UCR data reports out monthly victim counts, while NIBRS reports on the total number of rape-related offenses.

In effect, the SCPD's monthly statistical report does both, but special consideration is needed when summing values. Rape cases can involve multiple offenses, and a case typically involves only one victim. The SCPD statistical report breaks out rape-related offenses but places an asterisk next to any offense that is already associated with another offense listed in the same case. By excluding any value with an asterisk while summing values, the SCPD statistical report will provide a rape case count similar to UCR Summary data. If all rape-related values are summed, ignoring the presence of asterisks, the SCPD statistical report will generate a rape offense count similar to NIBRS data.

Due to the confusion reported in the grand jury report, the SCPD has reservations regarding the effectiveness of the current format of the monthly statistical report in keeping the community well-informed. The SCPD requests that the Commission review what data is needed to better understand the nature and extent of rape-related crimes in the community and asks the Commission to provide details on how it intends to use the data to tailor prevention and intervention strategies. A better understanding of the Commission's work plan will help improve the collaborative work between the Commission and the SCPD.

To add to the confusion, one member of the Commission has requested certain metrics not consistent with the other members of the Commission. The SCPD, trying to be collaborative and responsive, provided this information but it has been taken out of context, creating confusion and the perception the SCPD is changing the data. The SCPD recommends, prior to producing any future data or metrics, the Commission decides exactly what information they are looking for and what they will do with the information in the world of prevention and education. There are many different means to produce the data, but it will be clearer to the Commission and the public if we can agree on one methodology and then understand the nuisances of that data.

The SCPD remains committed to providing accurate and comprehensive statistical reports, ensuring transparency and continuous improvement in response to the Commission's needs.

F9. The SCPD and the Commission's lack of a consistent definition of rape leads to public confusion and potential undercounting of rape crimes in the City.

- AGREE**
- PARTIALLY DISAGREE**
- DISAGREE**

Response explanation (required for a response other than **Agree**):

When the Federal Government changed the definition of rape in 2013, SCPD immediately included the additional penal codes that now fall under the new definition and have been reporting these numbers since this change. The lack of consistency is more related to the different data collected and methodologies between UCR data, NIBRS/CIBRS, and specific metrics requested by the Commission.

F10. The Five Year Strategic Plan’s failure to include the prevention of rape and domestic violence leaves the community less aware and less safe.

AGREE

PARTIALLY DISAGREE

DISAGREE

Response explanation (required for a response other than **Agree**):

The absence of rape and domestic violence prevention from the Public Safety focus area of the Five-Year Strategic Plan does not lessen its significance as a priority for the City. The recently adopted strategic plan serves as a framework that balances community needs with the City's resource capacity. It reflects the policy priorities set by the City Council and acts as a high-level roadmap for future actions. The plan includes a vision to guide future focus, seven focus areas to direct organizational efforts, goal statements, strategies for achieving these goals, and a workplan for implementation.

The lack of specific mention of the Commission in the Five-Year Strategic Plan does not imply that the community is less informed or safe regarding the prevention of rape and domestic violence. Moreover, it does not undermine the Council's commitment to these issues. Notably, the Commission is the only advisory body that receives a dedicated budget and staffing from the City Council. The Council has demonstrated its commitment by increasing the Commission's budget by over 150% for FY25, enabling additional staff support and resources to further the Commission’s goals in preventing rape and domestic violence in Santa Cruz.

F11. The City Manager’s Weekly Update to the community has not highlighted the work of the CPVAW for the past two years, effectively relegating the prevention of rape and domestic violence to a low priority, leaving the public uninformed.

- AGREE**
- PARTIALLY DISAGREE**
- DISAGREE**

Response explanation (required for a response other than **Agree**):

There is no evidence to suggest that the absence of the Commission’s activities in the City Manager’s Weekly Updates has left the public uninformed or perceived as a low priority. The Weekly Update is a communication tool that shares relevant city activities and projects, drawing information from City Departments and highlighting key city council actions and significant projects. The Commission is encouraged to submit updates about its work to the City Manager’s office for inclusion.

The Commission focuses on partnering with community-based organizations that specialize in supporting victims of domestic violence and sexual assault. In 2024, the Commission provided funding to local non-profits, including \$2,000 to the Walnut Avenue Women’s Center, which offers direct services to survivors, and \$8,000 to Monarch Services, which provides crisis response for survivors of domestic violence, sexual assault, and human trafficking. These organizations have a broader reach than the City Manager’s Weekly Update, effectively disseminating more information to the public.

Furthermore, the Commission has significantly increased its community presence by participating in events such as co-sponsoring the "Stronger Together" Fun Run/5K with Monarch Services in September 2023 and 2024, marching in the Dyke March and the 2024 Pride Parade, and taking part in the 2024 March to End Homelessness and the “She is Beautiful” race. These events enhance awareness and provide crucial information on preventing rape and domestic violence.

Additionally, the Commission has launched a dedicated newsletter to highlight its events and activities, allocating funds for two publications in FY25. It also uses social media platforms to promote and inform the community about the initiatives of the Commission.

Recommendations

- R1.** The Grand Jury recommends that the City Council fund a dedicated staff person for the Commission with skills commensurate to the need for program and resource development, community outreach and visibility, data research and report writing and have such position advertised by December 31, 2024. (F5, F3)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain the scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Required response explanation, summary, and timeframe:

As part of the FY25 Budget, the City Council has approved a part-time (20 hours per week) Administrative Assistant III to support the work of the Commission. The recruitment is scheduled to begin in late August or early September 2024.

R2. The Grand Jury recommends that the City Council reevaluate the legal ability of CPVAW commissioners to access redacted police reports of rape as described in this investigation, and present the results of that research by December 31, 2024. (F6)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain the scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Required response explanation, summary, and timeframe:

Police reports documenting instances of rape, sexual assault, or domestic violence are extremely sensitive. These reports provide intimate details about horrific crimes. Even if heavily redacted, it is likely the reports would still include details that would enable some to identify the victim or parties involved.

Given the extremely sensitive nature of these police reports, even when redacted, the City Attorney’s Office recommends not to provide redacted police reports to the Commission for the following reasons:

- (1) Under the Brown Act, there is no legal basis for the Commission (or the Commission’s Police Subcommittee) to review the redacted police reports in a confidential or closed session (see Gov’t Code § 54962).
- (2) While the Commission is not permitted to meet in closed session, the Commission could hypothetically meet in open session to review the reports. However, review of police reports in open session would waive any applicable exemption under the Public Records Act (Gov’t Code § 7921.505), and the City would be required to release those redacted reports to any member of the public that requests them. In other words, if the Commission were to review the redacted police reports in open session, the City would be waiving the future confidentiality of those reports, without the consent of the individuals who are referenced in that report, and without input as to how that lack of confidentiality might impact their lives.
- (3) The City is legally prohibited from releasing some reports, even in redacted form. For example, state law prohibits the release of a police report where a juvenile is the subject of the report (Wel & Inst Code § 827.95), or reports involving mandated reports of suspected child abuse and neglect (Penal Code § 11167.5). Various Constitutional provisions, such as The Victims’ Bill of Rights Act of 2008: Marsy’s Law, Section 28 of Article I of the California Constitution, or the right to privacy afforded by Section 1 of Article I of the

California Constitution may also be considered when determining whether to release a police report. Even for reports that the City is not legally prohibited from releasing, all of the referenced police reports are generally exempt from disclosure to the public pursuant to Government Code section 7923.600.

Based on the foregoing, including the advice of the City Attorney's Office, the Commission voted to *not* require the SCPD to provide redacted police reports to the Commission or the Commission's Police Sub-Committee.

R3. The Grand Jury recommends that the City Council begin evaluating options with the Santa Cruz City School District to reinstate the in-person self-defense program for middle and high school students of all genders by January 31, 2025. (F4)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain the scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Required response explanation, summary, and timeframe:

The Commission has previously offered self-defense classes either through City Schools and/or the Parks and Recreation Department. Over the years, participation in the Parks & Recreation program significantly declined, leading to the cancellation of classes. Based on the lack of participation, free classes sponsored by the Commission are no longer offered through Parks and Recreation.

In FY2023, the City Council approved a budget of \$15,000 for self-defense classes to be administered by the Commission. In November of 2023, the Commission considered how best to use the funds at a regularly scheduled public meeting. The Commission considered two options: 1) Self Defense program through the City Parks & Recreation Department or 2) A proposal by Santa Cruz City Schools for an on-line course through a private contractor, Vector Solutions. The Commission chose the City Schools proposal.

This program offered targeted courses for grades 6-8 and 9-12, which would reach approximately 2,000 students. This mandatory program would enable the school to extend its reach, empowering more students to make informed choices, resist peer pressure, and foster health relationships. Topics included: Dealing with Stress and Anxiety; Self-Harm Awareness and Resolving Disagreements. Additional content included Mental Health and Wellbeing, Healthy Relationships & Inclusion, Personal & Community Safety and Student Safety and Wellness.

Vector Solutions is already being used in other school districts across the country to reduce violence against women. This valuable program will help prevent violence against women by providing students with the knowledge and skills they need to make healthy choices and build positive relationships.

In addition, the Commission authorized an additional \$5,000 to enable one Commissioner to work with the Parks and Recreation department to offer a self-defense course. Unfortunately, the program never came to fruition, and the funds were not spent.

In the FY25 Budget, the City Council approved re-authorization of \$15,000 to continue offering these types of programs. Consideration of how to utilize these funds will be considered by the Commission at its meeting on November 6, 2024.

R4. The Grand Jury recommends that the SCPD update its website to include the detailed metrics on Rape Incidents submitted to NIBRS and CIBRS, ensuring all data entries are accurate and available at each meeting of the CPVAW, and have this in place by January 31, 2025. (F8, F9)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain the scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Required response explanation, summary, and timeframe:

The publication of metrics on rape incidents from the National Incident-Based Reporting System (NIBRS) and California Incident-Based Reporting System (CIBRS) would introduce an additional data set to the two preexisting data sets regularly published by the Santa Cruz Police Department (SCPD) – Uniform Crime Reporting (UCR) data and its own monthly statistical data report provided to the Commission. SCPD believes this would increase public confusion regarding rape incidents within the City of Santa Cruz. All three data sets report on rape occurrence, but variations in methodology, scope, and level of detail make direct comparisons unsound.

Uniform Crime Reporting System (UCR)

The UCR Summary system reports are based on when a crime is reported, not when the crime occurs. For example, in many rape-related cases, individuals come forward weeks, months, or even years after being victimized. This limitation can distort monthly victim counts and create erroneous trends within a community. Another constraint lies in how the data is prioritized. UCR Summary data reflects the hierarchy rule, which states that only the most severe crime contributes to an agency’s monthly crime totals when more than one offense occurs within an incident. For example, an incident involving a murder, robbery, and rape, the stats only reflect the homicide for the monthly totals, as homicide is the highest offense on the hierarchy.

UCR data is calculated by the number of victims and does not account for multiple offenses committed against one victim during one incident. For example, a victim of rape (261 pc) could also be a victim of oral copulation (288a pc) and sodomy (286 pc). All of these offenses fall under the definition of rape per the new definition in 2013 but there are different penal code sections and charges. UCR data will calculate this example as one incident because it only includes one victim. However, in other reporting methodologies like NIBRS or metric collecting like CPVAW has requested, the one incident can be counted multiple times depending on the number of penal code sections or charges brought forward on the perpetrator.

National Incident-Based Reporting System (NIBRS)

NIBRS collects detailed data on each reported crime incident, including information on the victim, offender, location, weapon used, and circumstances surrounding an incident. Unlike UCR Summary, NIBRS captures all offenses reported in a single incident, providing a more complete picture of criminal activity. NIBRS' labile data set allows for constant updates to monthly summaries as cold cases are reported.

Publishing static monthly NIBRS/CIBRS data on SCPD's website or through the Commission's meetings immortalizes data designed to change over time, offering little added benefit to the public. NIBRS/CIBRS data is not updated until several weeks after the end of each month, producing the data monthly would cause more confusion and provide inaccurate data to the public.

The level of detailed data provided by NIBRS allows law enforcement agencies, policymakers, and researchers to better understand the nature and extent of crime in their communities, identify emerging trends, and tailor prevention and intervention strategies accordingly, but may not be suitable for public consumption without proper analysis and a simplified synopsis.

Additionally, unlike UCR data, NIBRS/CIBRS data will change based on when a crime occurred versus when the crime was reported. Therefore NIBRS/CIBRS data is fluid and could constantly change. However, UCR data is locked once each month is complete. This adds to the confusion and perception of the inaccuracies to the data.

R5. The Grand Jury recommends that the SCPD reinstate community alerts for incidents of stranger rape, with case-by-case updates, by December 31, 2024. (F7)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain the scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Required response explanation, summary, and timeframe:

SCPD never stopped executing community alerts for incidents of stranger rape when the circumstances were necessary to keep the community safe and well-informed.

R6. The Grand Jury recommends that the Commission and the SCPD submit comprehensive annual reports as called for in Ordinance 81-29, using the 2005-07 reports as a model, with the 2024 Annual Report placed on the Commission's agenda by December 31, 2024 and future reports submitted on a consistent, annual basis. (F1)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain the scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Required response explanation, summary, and timeframe:

The Annual Report as required by Ordinance No. 81-29, Section 5.(d), requires the Commission to "...submit annually, and the City Council review and act upon a report documenting, in detail, City, community, and police efforts to carry out the purposes of this ordinance." The Ordinance does not require the Annual Report to provide detailed metrics on rape. However, various Annual Reports over the years have included data on rape and domestic violence, including the most recent Annual Report for 2023. The 2023 Report includes details the FBI Uniform Crime Report for Rape and Domestic Violence from 2015 to 2023, and data from 2010-2023 on the following California Penal Code Sections relating to Rape: 220 Attempted Rape; 261/262 Rape; 286 Sodomy; 387/288 Oral Copulation and 289 Penetration with a foreign object. The Commission will continue to provide comprehensive reports as required by the Ordinance.

The 2023 Annual Report is modeled after the 2005-2007 and the 2008-2010 Annual Report. Both of those reports were a Joint Report by the Commission and the Santa Cruz Police Department, same as the 2023 Report. Both reports contain data on sexual assault including incidents by Penal Code Violations. However, the previous reports did not contain information on Domestic Violence which the 2023 report contains. The previous reports include an analysis of demographics within each rape case which has not been conducted since 2017. The Commission, not individual commissioners, must decide what information or metrics they would like to see and how the information will be used towards prevention and education. There needs to be an agreement of what set of data and metrics will be evaluated because the combination of different sets of data causes confusion and the perception of deception.

The Annual Report should include a full years' worth of data, therefore presenting an annual report in December would not include a full years' worth of data. In order to provide the community with a comprehensive report, with a full year's worth of data, the report will be presented at the February meeting of the following year.

R7. The Grand Jury recommends that the 2023 Report be amended to remove the national entry on stranger rape, replacing it with accurate data for the City of Santa Cruz by December 31, 2024. (F2)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain the scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Required response explanation, summary, and timeframe:

The 2023 Annual Report provides a comprehensive data analysis over a 14-year period on rape and 16 years' worth of data on domestic violence cases in the City of Santa Cruz. While the Annual Report does not distinguish between acquaintance and stranger rape, the data is accurate. The Ordinance does not require the Annual Report to provide crime data, however, because the data on the number of cases is readily available and is compiled by the SCPD it is included in the Annual Report. Ordinance No. 81-29, Section 5.(d), requires the Commission to "...submit annually, and the City Council review and act upon a report documenting, in detail, City, community, and police efforts to carry out the purposes of this ordinance."

SCPD supports the collection of this information if the Commission decides on all the metrics they are interested in and shows how it will be useful towards the prevention and education mission. SCPD feels both national statistics on stranger rape and local metrics are important to provide the public with a local view as well as a broader perspective. The data SCPD has presented is accurate, but some confusion has arisen based on the different methodologies of UCR data, NIBRS/CIBRS, and specific requests from the Commission.

R8. The Grand Jury recommends that the CPVAW update the status of the Safe Place Network and the Bar Coasters program. If the programs are to be discontinued, a public CPVAW meeting is advised for that decision. If the programs are to be continued, the date of January 31, 2025 is recommended for the full reinstatement of these programs. (F3)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain the scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Required response explanation, summary, and timeframe:

The Commission will agendaize the Safe Place Network at their February 5, 2025 meeting to consider whether or not to continue the program.

The Bar Coaster program is in place. As of June 2024, an additional 500 coasters were purchased to be distributed to local bars.

R9. The Grand Jury recommends that Focus Area 5, Public Safety of the 2023-28 Five Year Strategic Plan include an entry prioritizing the prevention of rape and domestic violence, as mandated by Ordinance 81-29, and published by February 28, 2025. (F10)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain the scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Required response explanation, summary, and timeframe:

The absence of rape and domestic violence prevention from the Public Safety focus area of the Five-Year Strategic Plan does not lessen its significance as a priority for the City. The recently adopted strategic plan serves as a framework that balances community needs with the City's resource capacity. It reflects the policy priorities set by the City Council and acts as a high-level roadmap for future actions. The plan includes a vision to guide future focus, seven focus areas to direct organizational efforts, goal statements, strategies for achieving these goals, and a workplan for implementation.

The lack of specific mention of the Commission in the Five-Year Strategic Plan does not imply that the community is less informed or safe regarding the prevention of rape and domestic violence. Moreover, it does not undermine the Council's commitment to these issues. Notably, the Commission is the only advisory body that receives a dedicated budget and staffing from the City Council. The Council has demonstrated its commitment by increasing the Commission's budget by over 150% for FY25, enabling additional staff support and resources to further the Commission's goals in preventing rape and domestic violence in Santa Cruz.

R10. The Grand Jury recommends that the City Manager increase the visibility of the CPVAW programs and events by publishing relevant information, at least quarterly, in the City Manager’s Weekly Update and that the first article be published by December 31, 2024. (F11)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain the scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Required response explanation, summary, and timeframe:

There is no evidence to suggest that the absence of the Commission’s activities in the City Manager’s Weekly Updates has left the public uninformed or perceived as a low priority. The Weekly Update is a communication tool that shares relevant city activities and projects, drawing information from City Departments and highlighting key city council actions and significant projects. *The Commission is encouraged to submit updates about its work to the City Manager’s office for inclusion when appropriate.*

The Commission focuses on partnering with community-based organizations that specialize in supporting victims of domestic violence and sexual assault. In 2024, the Commission provided funding to local non-profits, including \$2,000 to the Walnut Avenue Women’s Center, which offers direct services to survivors, and \$8,000 to Monarch Services, which provides crisis response for survivors of domestic violence, sexual assault, and human trafficking. These organizations have a broader reach than the City Manager’s Weekly Update, effectively disseminating more information to the public.

Furthermore, the Commission has significantly increased its community presence by participating in events such as co-sponsoring the "Stronger Together" Fun Run/5K with Monarch Services in September 2023 and 2024, marching in the Dyke March and the 2024 Pride Parade, and taking part in the 2024 March to End Homelessness and the “She is Beautiful” race. These events enhance awareness and provide crucial information on preventing rape and domestic violence.

Additionally, the Commission has launched a dedicated newsletter to highlight its events and activities, allocating funds for two publications in FY25. It also uses social media platforms to promote and inform the community about the initiatives of the Commission.