

Scope of Work

Comprehensive evaluation of how the report sexual assault cases are investigated and processed by the Austin Police Department (APD)

Council Resolution 20190131-077

March 2019

The selected vendor will conduct a comprehensive evaluation of how reported sexual assaults are investigated and processed according to the following direction.

The evaluation shall examine:

- At least 200 Austin Police Department cases (or 50% of cases) for each of the last seven years, 2012-2018 only include cases that involve adult victims. In addition, the vendor may use discretion to examine cases beyond minimum threshold.
- Cases examined should be diverse as to:
 - Cross section of investigators investigating cases
 - Type of victim
 - Include cases that did and did not move forward to prosecution
- The vendor may add to above criteria

The evaluation should include the following elements.

- 1) The evaluation should examine following data:
 - a. Interviews with survivors of a sexual assault who filed an APD report about the investigative process
 - b. Interviews with current and former sworn officers and civilian staff involved in cases
 - d. Interviews from staff from other agencies involved with cases
 - e. Interviews with local subject matter experts
 - f. Interviews with entities that work directly with sexual assault survivors and stakeholders
- 2) The degree to which APD is adhering to state and federal law with regard to investigation and reporting, including but not limited to:
 - a. Evidence collection, prioritization, storage, testing, and handling
 - b. Victim notification
 - c. Confidentiality/privacy
 - d. Interagency communications and cooperation
 - e. Case triage and prioritization
- 3) A review of police and practices with respect to sexual assault cases to ensure that these:
 - a. Do not promote bias based on gender, race, disability, or LGBTQ status of the victim
 - b. Include the use of victim-centered practices in regards to investigations, interviews practices, record-keeping, nature and frequency of victim contact
- 4) Whether and how APD is adhering to national best practices in investigations with regards to:
 - a. Timing and process for interviews
 - b. The use of soft rooms to interview victims
 - c. Trauma-informed interview techniques
 - d. Contacting and interviewing suspects
 - e. Suspect exams for evidence collection

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- 5) The thoroughness, consistency, and completeness of record-keeping across the staff in the APD Sex Crimes Unit currently and over time consistent with national best practices, such as those from the International Association of Chiefs of Police
- 6) A review of treatment given to victims in drug and alcohol involved or facilitated cases in order to ascertain that these cases and victims do not receive inappropriate differential treatment
- 7) Whether and how the ADP consistently applies policies and practices with respect to stranger and non-stranger sexual assault
- 8) The accuracy of case clearance decisions and long-term data regarding the ways in which cases are cleared
- 9) The appropriateness of current staffing, resources, and training provided and budgets regarding adult sexual assault cases in relation to caseload, staffing formulas and other units with the department
- 10) Documentation of current policies regarding issuing warrants and filing cases including , but not limited to:
 - a. How the cases was communication by the APD to the prosecutor's office and how the case was staffed by the APD
 - b. Whether the APD has appropriate requirements in place regarding follow-up investigation or interviews to address any concerns or need for further evidence that prosecutors may have about a case, including the number of attempts required and the extent to which these interactions are victim-centered and trauma informed and how/if victim services is involved in the these interactions
 - c. Whether the APD appropriately obtains and effectively implements specialized training for investigators and their chain of command on
 - i. sexual assault
 - ii. victim interviewing techniques
 - iii. interpersonal violence and trauma, and
 - iv. whether known best practices are being employed and to what extent they are being implemented effectively
 - d. Whether the APD has appropriate practices or policies in place regarding documentation of written and verbal communication with the District Attorney's Office about decisions made on sexual assault cases

Vendor Requirements

- Vendor shall be a nationally recognized, non-governmental entity or multidisciplinary team with demonstrated knowledge and expertise in the investigation and prosecution of adult sexual assault in the United States
- Allowable exceptions include universities who may be governmental.
- No chosen entity, individual or multidisciplinary team, regardless of type, shall have a conflict of interest
- The selected entity:

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- shall have demonstrated knowledge and expertise to provide a comprehensive and multidisciplinary evaluation of and comprehensive report
- must demonstrate previous successful experience evaluating similarly sized organizations and/or communities on their handling of report sexual assaults
- shall have a demonstrated commitment to engage with the public. Governmental stakeholders, and non-governmental stakeholders in the process of evaluating a governmental agency's response to public health and public safety issues

A written report shall:

- Be completed by the selected third-party entity
- Be posted in a prominent place on the City website
- Not be redacted prior to its publication except for redactions needed to comply with the law to maintain anonymity and privacy of individuals otherwise identified in the report
- Be delivered and presented by the vendor conducting the evaluation to the Public Safety Commission and the Commission on Women. Any other commission may receive a formal presentation by the City Manager's Office as mutually scheduled
- Include findings of the information reviewed accompanied by corresponding data sets.

The report shall include recommendations relevant to the entire life-cycle of the sexual assault cases with the APD, such that the City may implement these recommendations in order to improve system response for survivors of sexual assaults. These include, but are not limited to, recommendations on:

- How the City of Austin could make the process of reporting and cooperating with a case more accessible and responsive to public needs;
- Opportunities to address issues or shortcomings, including opportunities to test ideas to help the City to deliver a more accessible and responsive service to sexual assault survivors;
- Possible changes to internal policies;
- Possible changes to current practices;
- Possible changes to current training or the implementation of new training;
- An action plan for how the APD should implement recommended policies, practices, and training;
- Possible changes or enhancements to organizational staffing practices and policy (for both sworn and civilian staffing);
- Opportunities for better working conditions, facilities, tools and resources for both civilian and sworn staff in working sexual assault cases or with sexual assault victims at the APD;
- The necessary frequency of case reviews and audits, including recommended content of case reviews and audits (led internally by the APD or external to the Department), and the sharing of data and findings from these reviews and audits to the Council and the public;
- The establishment of a collaborative community process with inclusion of the City of Austin Commission for Women and Public Safety Commissions (and other City of Austin commissions as recommended), and local subject matter experts and entities that work directly with sexual assault survivors to provide periodic and ongoing policy recommendations for policy makers and

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the City Manager that could be used to guide efforts to improve system responses for survivors of sexual assault;

- The integration of best policies and practices already in place in other APD units, such as those used in working youth sexual assault cases, into the Sex Crimes Unit;
- Any further comprehensive institutional and/or community analysis and or assessments to be taken on by the City and necessary collaborators/facilitators;
- Recommendations to improve transparency and the ongoing sharing of data and findings to the Council and the public; and
- Affirmation of what is going well and should be continued.

If a response is not provided to any of the above, the evaluator should clearly state why in the report.

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