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TAB 1

Open Letter from Plaintiffs

The Austin Police Department recently released the results of a DPS audit that found that APD was incorrectly clearing sexual assault cases in most situations. APD previously represented to the community that the majority of those cases involved victims who did not cooperate or wish to go forward. As victims who **did** wish to go forward, some of whose cases were "exceptionally cleared" by APD, we feel it is important to speak up so that the community can hear from survivors themselves.

Chief Manley spoke directly to victims in his press conference this past Wednesday, emphasizing the importance of survivors reporting the crimes committed against them and working closely with police to help see offenders brought to justice. **We all did that.**

Every one of us (and many of our loved ones) repeatedly offered to provide information and evidence, to help with the investigation in any way, and we followed up when it seemed the investigations had gone silent. Each of us called APD after being sexually assaulted, six of us submitted to rape kits, each of us provided statements or submitted to interviews by APD staff (often multiple times), and several of us offered – even pleaded – to provide testimony to the grand jury and in court.

Most of our attackers are known to APD and the Travis County District Attorney's Office. None of them have been prosecuted for their sexual assaults against us, some of our cases were never fully investigated, and the majority of our cases were not even presented to a grand jury for potential indictment.

The crimes committed against us were not casual. Two of us were kidnapped. Two of us were strangled. Most of us had physical injuries and pain, and all of us have endured emotional pain and scars we couldn't begin to explain in a letter like this. Each of us was violated in the most personal way possible, and each of us sought the help of those who are supposed to protect us. We came forward after our attacks seeking justice, which never came. We have come forward again in our lawsuit in the hopes that justice will look different for the survivors who follow.

We are encouraged to hear that APD welcomes an outside audit by independent experts regarding how sexual assault cases are handled by the department, from start to finish. We believe the issues raised in our case should be addressed in such an audit, and hope we can be a productive part of changing the department in a way that is responsive to victims. This is a good first step.

But the police worked hand-in-hand with prosecutors at the Travis County District Attorney's Office in most of our cases, and real solutions for victims and our community must involve both. The best law enforcement investigation in the world means nothing if the DA still prosecutes only a tiny fraction of our cases.

In our lawsuit, we noted that in a one year period in 2017, only one rape case was tried to a verdict, while roughly 1,000 sexual assaults were reported in Austin and Travis County. District

Attorney Moore's Office recently suggested this statistic is misleading, arguing in a hearing last month that in 2018, ten cases were tried. That's still only 10 out of 1,000, or 0.1%

DA Moore also recently told the press that in 2017, 81 cases of sexual assault were brought to court in Travis County. But the official Travis County District Court data indicates that only 76 cases of sexual assault against an adult were filed by indictment or information in 2017. And during the same time period, 68 cases of sexual assault against an adult were "disposed." Of those 68 case disposals, more than half – 36 – were simply dismissed, leaving 32 cases of adult sexual assault in 2017 that were "fully" processed through the criminal justice system by DA Moore's Office. Of course, we still don't know what happened in those 32 cases or how many involved plea deals for lesser offenses.

During 2017, the APD reported 834 rapes. Even assuming APD was the only jurisdiction reporting rapes in Travis County, and that none of the other 10 jurisdictions within Travis County reported even a single rape, only 32 of 834 rapes reported in 2017 proceeded to finality under DA Moore. That's roughly 3.8%.

Whether the prosecution rate in Travis County under DA Moore is 0.1% or 3.8%, or somewhere in between, it is far, far too low. And for the eight of us, the prosecution rate was zero.

For us, the circumstances of the violent assaults against us did not seem to matter. The DA's Office decided that our testimony wasn't enough, our physical injuries weren't enough, the level of violence perpetrated against us wasn't enough, the presence of DNA wasn't enough, and our efforts to cooperate and participate throughout the criminal justice process weren't enough. It didn't matter if we were assaulted by people we knew, or whether we were abducted and attacked by strangers. It didn't matter if toxicology screenings at the hospital proved we were not under the influence of alcohol. It didn't matter if our rape kit exams confirmed multiple instances of physical trauma. It didn't matter if our attackers had violent criminal histories. Our stories are all different, but our experiences with the system required to protect us are clearly not unique.

We are encouraged that the APD is willing to reconsider and audit its processes for handling sexual assaults and to ensure that best practices are being followed by APD in the future. But Chief Manley's continued focus on the technical issues regarding coding of sexual assault cases does not address the larger systemic problems within both the APD and DA's Office. Our own experiences confirm that there is significantly more work to do than merely retraining APD staff on coding procedures.

We hope that the APD will consider not just our experiences, but the experiences of the thousands of other survivors in Austin as it moves forward with its external audit. And we look forward to the day DA Moore commits to the same type of independent and transparent external audit, and ultimately, to a law enforcement and criminal justice system that prioritizes survivors, justice, and public safety – ensuring that fewer of us must endure the trauma associated with sexual assault.

TAB 2

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

AMY SMITH, JULIE ANN NITSCH, MARINA CONNER, EMILY BORCHARDT, SARAH JONES, ANGELA FIELDING, ANISHA ITUAH (By and Through her Legal Guardian, ANGELA McKAY), and HEATHER SIN, each individually and as representatives of all others similarly situated	§	**CASE NO. 1:18-cv-505-LY**
v.	§	
CITY OF AUSTIN, TRAVIS COUNTY DISTRICT ATTORNEY MARGARET MOORE, FORMER TRAVIS COUNTY DISTRICT ATTORNEY ROSEMARY LEHMBERG, AUSTIN POLICE CHIEF BRIAN MANLEY, FORMER AUSTIN POLICE CHIEF ART ACEVEDO, and TRAVIS COUNTY, TEXAS	§	

FIRST AMENDED CLASS ACTION COMPLAINT

TO THE HONORABLE LEE YEAKEL, UNITED STATES DISTRICT JUDGE:

NOW COME, Plaintiffs Amy Smith, Julie Ann Nitsch, Marina Conner, Emily Borchardt, Sarah Jones, Angela Fielding, Anisha Ituah (by and through her legal guarding, Angel McKay),[1] and Heather Sin, collectively the "**Named Plaintiffs**"), who on their own behalf and on behalf of others similarly situated (the "**Class**"), and pursuant to Federal Rule of Civil Procedure 15(a)(1)(B), file this First Amended Class Action Complaint against the City of Austin, Travis County District Attorney Margaret Moore, former Travis County District Attorney Rosemary

[1] Ms. Ituah is an adult, female resident of Texas, who has been found legally incapacitated by a duly authorized Texas Court. Her mother, Angela McKay is the legal guardian of both Ms. Ituah's person and estate, and is authorized to file this suit on Ms. Ituah's behalf.

Lehmberg, Austin Police Chief Brian Manley, former Austin Police Chief Art Acevedo, and Travis County, Texas (collectively, "**Defendants**") and respectfully show the Court the following:

I. INTRODUCTION

For years, female victims of sexual assault in Austin and Travis County have been denied equal access to justice and equal protection of the law. At the Austin Police Department, the Travis County District Attorney's Office, and many steps in between, women who have survived these violent crimes have been subjected to policies, customs, and practices that discriminate against them based on their gender. In short, the women of Travis County have been failed by the people sworn to protect them—the government officials and actors who have instead disbelieved, dismissed, and denigrated female victims of sexual assault, failed to collect and/or have evidence tested for years at a time, and refused to investigate or proceed with cases of sexual assault against female survivors because Travis County juries purportedly do not like "he said, she said" cases.

Women who survive sexual assault in Travis County therefore endure multiple traumas; first, the criminal assault itself; second, an investigation—assuming one even occurs—that puts the victims under a microscope and subjects them to invasive physical exams with little to no urgency for justice; and finally, the additional trauma of watching their cases and hopes for justice languish and ultimately vanish, due to the inaction and refusal to act by the law enforcement personnel charged with obtaining justice for them.

The result of Defendants' unconstitutional and discriminatory policies, customs, and practices is that while over 1,000 women in Travis County report sexual crimes to law enforcement each year, fewer than 10 cases of sexual assault are prosecuted in Travis County each year. And according to public reports, in the year-long period between the summer of 2016 and the summer of 2017, only a single case of sexual assault—against a male victim—was prosecuted through trial.

For female victims of sexual assault in Travis County, there is overwhelmingly no justice at all, and their offenders therefore walk freely to rape again, subjecting even more women—who are disproportionately the victims of sexual assault—to these heinous, traumatic, and violent crimes.

As described in more detail below, Defendants' (a) actions, (b) patterns of behavior, (c) history of decision-making, and (d) departures from normal procedures in the treatment of female victims of sexual assault, demonstrate ongoing, intentional discrimination against the Named Plaintiffs and members of the Class on the basis of their gender. Specifically, Defendants have committed constitutional violations by implementing, promoting, or maintaining policies, practices, and/or customs that:

a. Refuse to implement and/or ignore proper training and supervision of government employees handling sexual assault cases;

b. Allocate more resources to other violent crimes than to sexual assaults against female victims;

c. Fail to submit and/or timely test Sexual Assault Kits ("**SAKs**");

d. Prioritize the submission or testing of DNA evidence from other violent crimes over SAKs;

e. Purposely and/or knowingly use or contract with labs that do not have the capacity to timely and accurately test and/or analyze SAKs;

f. Purposely and/or knowingly use labs with known contamination and competency problems for the testing and/or analyzing of SAKs;

g. Ignore or refuse to use SAKs results to prevent additional rapes and sexual assaults;

h. Knowingly omit from communications with victims of sexual assault that it is unlikely their SAKs will be timely tested and that an investigation will not be completed in the absence of those results;

i. Fail to arrest and charge known perpetrators of sexual assault against female victims;

j. Disproportionately dismiss cases or refuse to investigate or proceed with sexual assault cases when the victim is female;

k. Traumatize female victims of sexual assault in the course of their interactions with Defendants by, among other things, refusing to treat their testimony as adequate evidence regarding lack of consent;

l. Over-emphasize or focus on unfounded professed concerns about lack of DNA or credibility, when such concerns are not applied to: (i) other violent crimes, like robbery, non-sexual assault, and homicide; or (ii) sexual assaults committed against male victims;

m. Intentionally and/or knowingly subject women to invasive collection of bodily tissues and/or DNA with actual or constructive knowledge that such evidence will not be used to apprehend or potentially prosecute their attackers;

n. Subject female victims and other women to future assaults by known perpetrators by failing to act on, investigate, or prosecute prior sexual assaults against women;

o. Disproportionately refuse to investigate, process, or prosecute in cases involving sexual assault against female victims without DNA evidence;

p. Treat sexual assault cases involving female victims with less urgency and importance than is afforded to other types of violent crimes;

q. Inadequately staff the investigation, processing, and prosecutions of sexual assault cases involving female victims; and

r. Treat female victims of sexual assault with less respect and devote less attention to their cases than to cases involving male victims, as applied to both sexual assaults and other crimes (collectively referred to herein as the "**Policies**").[2]

Defendants' unconstitutional and discriminatory conduct subjects female victims of sexual assault in Travis County and all women of Travis County to continued risk at the hands of perpetrators who are never held accountable. Accordingly, Plaintiffs now bring this action seeking damages for violations of civil rights under color of law, injunctive relief requiring Defendants to change the methods, policies, customs, and practices used to investigate sexual assault, and an award of attorneys' fees and costs.

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[2] The Policies are not the only discriminatory customs, policies, and practices implemented by the Defendants.

II. PARTIES

1. Named Plaintiff (and Putative Class Representative) Amy Smith (pseudonym)[3] is an adult female, resident of Texas, and may be served with pleadings and process in this proceeding through the undersigned counsel.

2. Named Plaintiff (and Putative Class Representative) Julie Ann Nitsch is an adult female, resident of Texas, and may be served with pleadings and process in this proceeding through the undersigned counsel.

3. Named Plaintiff (and Putative Class Representative) Marina Conner is an adult female, resident of Texas, and may be served with pleadings and process in this proceeding through the undersigned counsel.

4. Named Plaintiff (and Putative Class Representative) Emily Borchardt is an adult female, resident of Texas, and may be served with pleadings and process in this proceeding through the undersigned counsel.

5. Named Plaintiff (and Putative Class Representative) Sarah Jones (pseudonym)[4] is an adult female, resident of Texas, and may be served with pleadings and process in this proceeding through the undersigned counsel.

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[3] Ms. Smith must use a pseudonym in this suit because her attacker, while known to Defendants and apprehended, was never tried for the sexual assaults he committed in Travis County and was ultimately released. Ms. Smith fears for her safety and the safety of her family. Additionally, the details of Ms. Smith's assault are intimate and sensitive, and Ms. Smith wishes to avoid unnecessary public scrutiny after her ten-year struggle.

[4] Ms. Jones must use a pseudonym in this suit because her attacker, while known to Defendants, has not been and will never be tried for the sexual assault and strangulation attacks he committed against her. Ms. Jones fears for her safety and the safety of her family. Additionally, the details of Ms. Jones' assault are intimate and sensitive, and Ms. Jones wishes to avoid unnecessary public scrutiny.

6. Named Plaintiff (and Putative Class Representative) Angela Fielding is an adult female, resident of Texas, and may be served with pleadings and process in this proceeding through the undersigned counsel.

7. Named Plaintiff (and Putative Class Representative) Anisha Ituah is an adult female, resident of Texas, who has been found legally incapacitated by a duly authorized Texas Court. Her mother, Angela McKay is the legal guardian of both Ms. Ituah's person and estate, and is authorized to file this suit on Ms. Ituah's behalf. Ms. Ituah may be served with pleadings and process in this proceeding through the undersigned counsel.

8. Named Plaintiff (and Putative Class Representative) Heather Sin is an adult female, resident of Texas, and may be served with pleadings and process in this proceeding through the undersigned counsel.

9. Defendant City of Austin is a municipal entity located in Travis County, Texas, and is recognized by the State of Texas as a properly organized and legal municipal entity. Defendant City of Austin operates and is responsible for all the actions of the Austin Police Department (the "**Police**" or "**APD**"), the Current and Former Chiefs of the APD, and the Austin Police Department Forensic Science Division's DNA Section ("**APD DNA Lab**"). The City may be served through its counsel of record.

10. Defendant Travis County District Attorney Margaret Moore (the "**DA**" or "**DA Moore**") may be served through her counsel of record.

11. Defendant former Travis County District Attorney Rosemary Lehmberg (the "**Former DA**" or "**DA Lehmberg**") may be served through her counsel of record.

12. Defendant Austin Police Chief Brian Manley (the "**Police Chief**" or "**Chief Manley**") may be served through his counsel of record.

13. Defendant former Austin Police Chief Art Acevedo (the "**Former Police Chief**" or "**Chief Acevedo**") may be served through his counsel of record.

14. Defendant Travis County is a political subdivision of the State of Texas, and is responsible for the actions of the Travis County District Attorney. Defendant Travis County can be served through its counsel of record.

15. Named Plaintiffs bring this class action on behalf of all women who have been subjected to sexual assault in Travis County, Texas, reported their assault and/or underwent invasive testing in the preparation of a SAK, and were adversely affected by the Defendants' Policies (collectively, the "**Class**" and each a "**Class Member**"). The Class may be divided into the following subclasses (collectively, the "**Subclasses**"):

a. All adult women who were sexually assaulted in Travis County, Texas, reported their assault, and were adversely impacted by the Policies (the "**Reported Assault Subclass**").

b. All adult women who were sexually assaulted in Travis County, Texas, underwent invasive testing in the preparation of a SAK, and were adversely impacted by the Policies (the "**Invasive Testing Subclass**").

c. All adult women who were sexually assaulted in Travis County, Texas, were legally disabled at the time of their assault, reported their assault, and were adversely impacted by the Policies (the "**Disabled Reported Assault Subclass**").

d. All adult women who were sexually assaulted in Travis County, Texas, were legally disabled at the time of their assault, underwent invasive testing

in the preparation of a SAK, and were adversely impacted by the Policies (the "**Disabled Invasive Testing Subclass**").

III. JURISDICTION AND VENUE

16. The jurisdiction of this lawsuit is proper in the United States District Court for the Western District of Texas—Austin Division pursuant to 28 U.S.C. §§ 1331 and 1343. Supplemental jurisdiction is also proper pursuant to 28 U.S.C. § 1367.

17. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 because the events giving rise to the causes of action in this lawsuit occurred within the Western District of Texas within the parameters of the Austin Division. Venue is also proper pursuant to 28 U.S.C. § 1391 because Defendants' violations under color of law, acts, and/or omissions occurred in this district.

18. This action is brought pursuant to 42 U.S.C. §§ 1983, 1985, and 1988, 42 U.S.C. § 12132, 29 U.S.C. § 794, and Texas law.

IV. FACTS OF THE CASE

A. Each of the Named Plaintiffs was Personally Subjected to Unconstitutional, Discriminatory, and Unfair Treatment by Defendants

(1) Named Plaintiff Amy Smith

19. On October 8, 2008, Named Plaintiff Amy Smith (pseudonym) was a college student at the University of Texas at Austin. Following an evening out with friends on Sixth Street, she walked toward Fourth Street to hail a cab. In that short distance, before she found a cab, a man in a white car began harassing her from his vehicle. She ignored him and continued walking, but before she was able to get away, he jumped out of his car, grabbed her, and threw her in the backseat.

20. Once in the backseat of this stranger's vehicle, Ms. Smith had no way to escape. The driver had engaged the child lock feature on the backseat doors. With no other options, she

began screaming, in an effort to grab the attention of a bystander or police in the area, but the man turned the radio up loud enough to drown out her screams.

21. The stranger drove to a hotel with a red sign, while Ms. Smith feared for her life. Once there, he pulled her out of the backseat and carried her into a room where he raped her repeatedly and humiliated her in other ways. Afterwards, the attacker put Ms. Smith in the front seat of the white car and said he was going to drive her somewhere. At the red light at St. John's Avenue—and because the front seat was not equipped with child locks—Ms. Smith threw herself out of the car before her attacker could stop her, and began running. She ran as fast as she could and then hid in bushes and waited for the light to change and for the car to drive away. After some time had passed, Ms. Smith emerged from her hiding place and banged on the windows of other cars stopped at the intersection, begging for help. Finally, a driver stopped and took her to a nearby hospital.

22. While this marked the end of Ms. Smith's sexual assault, it was only the beginning of the ten-year trauma and struggle that followed. At the hospital, Ms. Smith underwent a sexual assault forensic exam—an invasive and intimate procedure—to collect DNA samples for the Police to send to their DNA lab for analysis. The Police took a report of her rape, wherein she described her attacker as a heavy set, black man with dreadlocks driving a white vehicle, possibly a Dodge Charger or Chrysler 300.

23. Following an alert issued to Police on patrol describing the suspect and vehicle, Police stopped at a local hotel on Interstate 35, where a similar vehicle was parked. The hotel room was registered to a Hispanic man who, when questioned by Police, offered that he had consensual sex that night with a woman named Erica (which is not Ms. Smith's name). He agreed

to a DNA test, and Police took the sheets from his hotel room for additional analysis. He did not match the description that Ms. Smith had provided.

24. The Police asked Ms. Smith whether her DNA would be found on the Hispanic man, and she said no.

25. Four months later, the results of the DNA collected from the Hispanic man were returned from the APD DNA Lab. The analyst there purportedly found a three DNA mixture—the Hispanic man, an unknown woman, and Ms. Smith. Despite telling Police detectives that it was impossible for her DNA to be on the Hispanic man, the Police began to question Ms. Smith's truthfulness. The Police repeatedly questioned Ms. Smith about other men she may have had sex with that night or whether she had a boyfriend.

26. Ms. Smith's rape kit results were returned from the APD Lab and showed a two-person DNA mixture—hers and that of an unknown man. When Police entered the unknown man's DNA profile into the Combined DNA Index System ("**CODIS**"), the results showed a match to Tyrone Robinson, a convicted thief. Robinson matched the description Ms. Smith had given the Police on the night of her attack. Hotel records confirmed Robinson had checked into a hotel with a red sign off of Interstate 35, and that he had rented a white Chrysler 300, just as Ms. Smith had told the Police. In April 2009, Robinson was arrested and charged with kidnapping and raping Ms. Smith. He bonded out of jail and went to Houston.

27. For four years, nothing happened to further the case against Robinson for the kidnapping and rape Ms. Smith endured.

28. Finally, in 2013, DA Lehmberg's office indicted Robinson, but then in 2014, dropped the charges against Robinson in order to send all of the DNA to an outside lab for retesting. Two outside labs excluded the Hispanic man as a person of interest and confirmed that

the DNA found on Ms. Smith belonged to Robinson. Charges against Robinson were refiled in 2014, but DA Lehmberg did not aggressively pursue the case, upon information and belief, to avoid having to explain the initial flawed DNA analysis to a jury.

29. While the case against Robinson in Travis County languished for years, Robinson committed at least two additional sexual assaults in Houston and was charged in Harris County.

30. Three years later (and nine years after raping Ms. Smith), in late 2017, DA Moore's office dismissed the charges against Robinson for Ms. Smith's kidnapping and rape, telling her that Robinson would get justice in Houston based on the charges against him in Harris County, and that Ms. Smith may be able to testify in the punishment phase there. Upon information and belief, the Harris County charges against Robinson are unlikely to result in jail time and may be dismissed altogether.

31. Ten years have now passed since Ms. Smith was kidnapped and raped in Travis County, and given the status of her case—which has been dismissed by the Current DA—it is unlikely Ms. Smith will ever have a day in court to bring her rapist to justice. The delay was caused by the specific actions and inactions by APD and the DA and the Former DA, with assistance from the abject incompetence of the APD DNA Lab, which was ultimately shuttered at the end of 2016.

32. In the intervening ten years since she was kidnapped and attacked, Ms. Smith has endured serious effects of multiple traumas. There was, of course, the trauma of being kidnapped and raped. But after that, there were additional and repeated re-victimizations at the hands of Defendants: the contamination of her DNA samples; adversarial interrogation about her sexual partners; pleading with APD detectives for years to take action; learning her rapist had been released on bail; learning that he had raped again—at least twice—after his release; waiting for

years for the Police, the Former DA, and the Current DA to pursue the case; repeatedly having to call and meet with Defendants to push the case forward; and, ultimately, learning by phone that her case was dismissed by the Current DA (nine years after her rape). These repeated insults amounted to a final conclusion for Ms. Smith: justice is unavailable to her and she has endured years of trauma at the hands of the Defendants for nothing.

33. The trauma she has experienced since 2008 prevented Ms. Smith from having any kind of normal life. She was unable to work outside her home due to crippling anxiety associated with leaving, and her interpersonal relationships were impacted and, in some cases, dissolved. Ms. Smith was forced to relive her attack time-after-time, year-after-year, as she pleaded with Defendants to protect her. She finally experienced the despair and emotional distress of living with the knowledge that her rapist would never be held accountable for his acts, and nothing was stopping him from assaulting others like he had Ms. Smith.

34. For Ms. Smith, despite immediately reporting her rape to the authorities, despite being truthful and accurate in her account of the attack, despite subjecting herself to invasive exams, despite being questioned by Police regarding her veracity with regard to other sexual partners, despite DNA matching and identifying her attacker, despite pleading with Defendants for years to take some action on her case, despite charges being filed (but never pursued), and despite the fact that her attacker raped ***again*** even after he was arrested on charges for kidnapping and rape in her case, there will be no justice because of the Defendants' Policies and their conduct (and inaction) consistent with those Policies.

(2) Named Plaintiff Julie Ann Nitsch

35. In 2010, Named Plaintiff Julie Ann Nitsch was walking home to her apartment in South Austin after attending a party near her neighborhood. She did not notice anything unusual on her way home, and she entered her apartment and got ready for bed.

36. After she had settled in for the night and fallen asleep, Ms. Nitsch awoke to find a man on top of her, pinning her down to her bed and licking her face. She did not recognize the man who was sexually assaulting her, and she screamed repeatedly and tried to escape. But her attacker kept her pinned down on her own bed, in her own room, in her own home.

37. Ms. Nitsch's roommate could hear her screaming from the next room, but the attacker had used cords to prevent the roommate from being able to leave her room to get to Ms. Nitsch.

38. After Ms. Nitsch woke up and the altercation ensued, the assailant left the premises. Ms. Nitsch's roommate immediately called 911.

39. Upon their arrival, the Police entered Ms. Nitsch's apartment as though there was an active shooter inside. Once they concluded that Ms. Nitsch's attacker had escaped, they took a report of the assault. During the questioning of Ms. Nitsch, the Police asked her how much she had to drink that night, what she had been wearing, and why she lived in a bad neighborhood. No victim services personnel was present.

40. Though there was physical evidence at the scene that the Police could have collected and tested for DNA—like the cords used by the assailant to lock Ms. Nitsch's roommate in her room, broken locks, and the glass sliding door used by the assailant for entry—the Police did not collect anything for testing to identify a suspect.

41. Following the interview, an APD police officer took Ms. Nitsch to the hospital for a sexual assault forensic exam. A victim services counselor arrived at the hospital, and the officer left.

42. In the weeks and months that followed, Ms. Nitsch never heard from the Police again. She does not know whether her rape kit was ever tested, or what the results were. She does not know whether her case was closed, and she was never apprised of the status of the investigation at any point. She does not know whether any investigation was done at all, whether a suspect was identified, or whether the Former DA's or DA's office was ever involved in the process.

43. Though Ms. Nitsch grew frustrated with the lack of contact from Defendants, she tried to move on. In the ensuing years, other friends of hers were raped and had similar experiences with the criminal justice system in Travis County. Two of those friends (who would also be members of the Class had they lived) committed suicide or died of accidental overdoses in the years following their own attacks.

44. Ms. Nitsch's own experience and the experiences of her friends with Defendants have been so negative, and there has been so little improvement, that she doubts reporting an assault today in Travis County would lead to any meaningful action by Defendants. She has testified at Austin City Council meetings in support of funding to help address the backlog of thousands of SAKs in Travis County that have been held, but not tested, for years. She does not know if her kit is one of those.

(3) Named Plaintiff Marina Conner

45. On August 9, 2015, Named Plaintiff Marina Conner was a college student at the University of Texas at Austin, and spent the evening on Sixth Street with friends. She had been

drinking, and was with a friend waiting for a ride home when a man approached and offered drugs to them.

46. Ultimately, the man—who was accompanied by two friends—led Ms. Conner into a nearby parking garage. There, he slammed Ms. Conner's head and face against the garage wall and raped her both vaginally and anally.

47. During the attack, Ms. Conner's cell phone called her friend, who did not answer, and the voicemail recorded Ms. Conner's cries for help and screams of resistance. Ms. Conner also called her best friend, sister, and mother, but none of them answered.

48. The assailant's friends stood by and watched the physical attack, restraint, and violent rape of Ms. Conner, although they did not otherwise participate in the assault.

49. After she had been raped and left in the parking garage, Ms. Conner somehow convinced a nearby stranger to drive her home.

50. Once home, Ms. Conner immediately showered to remove the presence and smell of her attacker. Ms. Conner told a friend about the attack, and the friend referred her to SAFE, Austin's shelter for domestic violence and sexual assault survivors, and its sexual assault services. Ms. Conner went to SAFE less than 24 hours after the attack to report the rape and figure out what to do next.

51. Showering can remove an attacker's DNA from a victim's body, although Ms. Conner did not know that until after she arrived at the shelter. A nurse examiner performed a sexual assault forensic exam on Ms. Conner. Pictures were taken of her black eye and head injury. The nurse did not take Ms. Conner's ring from a lip piercing for possible evidence or testing. Ms. Conner, not knowing they would be helpful for possible DNA evidence, had not brought the

clothes she was wearing when she was attacked. The nurse told her not to worry about going home to get them. The rape kit documentation misspelled her name throughout.

52. At SAFE, Ms. Conner spoke on the phone to an APD detective, who indicated he would come to meet her. He did not. After that, Ms. Conner was reluctant to meet with the detective because he was male and a stranger, and she was traumatized and in shock.

53. Two days later, Ms. Conner received a text from a number she did not recognize. The sender asked if she was the one he sold cocaine to on the night of the attack. She said no and then took the message directly to APD, believing it came from her attacker.

54. Ms. Conner also had the message that was recorded by her friend's voicemail during the rape, in which she was screaming "no" and sobbing. The detective at APD—while she was respectful and kind to Ms. Conner—did not feel it was necessary to obtain a copy of that message.

55. With the phone number from the text message to Ms. Conner, the Police were able to arrange a fake drug deal and arrest her attacker. After his arrest and upon interrogation about the night of Ms. Conner's assault, he admitted to having sex with her and described her accurately to the Police.

56. Ms. Conner was told by the Police that her rape kit would be tested and returned within ten months, or around June 2016. She began calling APD after six months, around February 2016, and again nine months after her rape, around May 2016, and at intervals thereafter, calling anyone and everyone who might listen to her. She was put off time and again. As described in more detail below, the APD DNA Lab was temporarily closed in June 2016, after an audit revealed widespread incompetence and failures to adhere to standard protocol in DNA testing. Ms. Conner was told by Police that the results of her rape kit would not be tested or returned for another year

or two following the closure of the lab. In December 2016, the APD DNA Lab was permanently closed. When Ms. Conner called APD to inquire about her rape kit, she was told APD had no clue when she would get her results.

57. In 2017, after the APD DNA Lab had been permanently closed, it was discovered that mold had been allowed to grow on hundreds of SAKs in storage. Ms. Conner could not find anyone who could or would tell her if her SAK was one of the affected kits.

58. At one point during her years of calling and pleading for someone to help push her case along, Ms. Conner's rapist "checked in" on Facebook at the University of Texas campus. As a student at the University of Texas, this plunged Ms. Conner into terror and despair. She felt incredibly unsafe on campus and grew distracted from her schoolwork, fearing that she would run into her attacker at any moment. Ms. Conner also began to experience debilitating panic attacks and developed post-traumatic stress disorder. She was unable to communicate more than one-word sentences to those closest to her; she could not sleep, for fear that every noise she heard was her attacker. Eventually, Ms. Conner withdrew from school. After withdrawing, she did not leave bed for days at a time. She was unable to care for herself, so much so that she developed knots in her hair from the time she laid in bed unable to function. She felt like her rapist was protected, while she was not. Finally, she was able to obtain counseling and trauma care, which is helping her to cope.

59. In 2017, two years after her rape and the ensuing events, Ms. Conner re-enrolled as a student at the University of Texas. Just before the semester started, she called APD yet again to check on the status of her case. In a five-minute telephone conversation, the detective informed Ms. Conner that APD and the DA would not be pursuing her case any further because there was

no DNA present in her rape kit. Ms. Conner demanded a meeting with APD and the prosecutor assigned to her case.

60. Ms. Conner arrived at the meeting with the detective and the assistant district attorney ("**ADA**") prepared with a statement about how much the assault and Defendants' lack of diligence and care in her case had traumatized her over the previous two years. The ADA told Ms. Conner that her case was not moving forward due to the so-called "CSI effect"—according to the ADA, unless a jury has DNA evidence linking the defendant to the victim, the jury will not convict.

61. Notably, even though Ms. Conner's rape kit did not have DNA evidence, her rapist acknowledged in text messages to Ms. Conner and in statements to the Police that he had sex with her on the night of the rape and that he had tried to sell her drugs on the street, consistent with her post-incident account to APD. Moreover, Ms. Conner's physical injuries from the incident, including a bashed forehead and evidence of forcible vaginal and anal penetration, substantiated her account of the non-consensual intercourse. Nonetheless, Ms. Conner was told that, without DNA, the DA could not—or would not—prosecute her case.

62. Ms. Conner reached out to the DA's office several additional times over the ensuing months—including calls and messages to DA Moore. These calls were never returned or even acknowledged. Ms. Conner became a vocal advocate, speaking at city council meetings and giving interviews, to lend a voice to survivors and future survivors. But Defendants have ignored Ms. Conner's case, and her rapist walks free with the confidence that he can rape other women with no repercussions. There will be no justice for Ms. Conner because the DA's office refuses to try sexual assault cases without DNA evidence.

(4) Named Plaintiff Emily Borchardt

63. On January 19, 2018, Named Plaintiff Emily Borchardt was an honors student at the University of Texas, majoring in Art History. She had just returned to school for her final semester following the winter break.

64. That evening, Ms. Borchardt went to a restaurant in downtown Austin with her then-boyfriend for happy hour. They had some drinks at the restaurant, went to a few more bars, and then decided to leave downtown Austin to return home. They hailed a ride share and got into a white SUV near the corner of 7th Street and Trinity Street.

65. There were two men in the SUV, one in the driver's seat and one in the very back seat behind Ms. Borchardt and her boyfriend. Ms. Borchardt assumed that the man in the back seat was another passenger because it was a ride share.

66. At some point during the drive, Ms. Borchardt and her boyfriend began arguing. Ms. Borchardt's boyfriend grew angrier and demanded to get out of the vehicle, so the driver let him out of the car. At that point, Ms. Borchardt simply wanted to get home, so she remained in the SUV with the driver and other passenger.

67. The driver of the SUV then drove Ms. Borchardt to her apartment, stopped at the security gate, and asked for the pass code to the gate. The pass code to the gate had recently changed and without thinking, Ms. Borchardt gave the driver the old code. When the gate did not open, the driver asked for payment.

68. Ms. Borchardt reached into her purse for her credit card (to make payment via Square or a similar device) and discovered that her purse was entirely empty. The demeanor of both men changed abruptly. They began yelling and cursing at Ms. Borchardt, and Ms. Borchardt realized the two men knew each other.

69. Looking back, Ms. Borchardt believes that the two men kept her distracted by talking to her during the drive so she would not notice the passenger was removing items from her purse. Ms. Borchardt was flooded with terror and then everything went black, when the passenger sitting behind her reached out and strangled her.

70. Ms. Borchardt regained consciousness in what she later learned was a motel room. The driver and passenger from the SUV were in the room, along with another man who was laying in one of the two beds under blankets.

71. Ms. Borchardt did not know where she was or even what city she was in. She was terrified and completely disoriented. And she knew she was trapped. The men had taken her phone, wallet, and keys.

72. The driver and passenger then sexually assaulted her. The driver yanked her jeans and underwear off and the passenger from the car—who had previously strangled her unconscious—was above her on the bed, pinning her down by her shoulders. As Ms. Borchardt struggled against them, both men kept telling her to be quiet or else the man in the next bed would wake up and kill her. The driver and passenger referred to the third man as "Boss" and said he had killed people before.

73. Ms. Borchardt fought against her assailants with all of her might. After the assault, the driver and passenger left the room, and Ms. Bochardt followed them out of the room. At that point, Ms. Borchardt believed she had been abducted by sex traffickers because the two men assaulted her, the other man was called "Boss," and even her abductors seemed afraid of him. Her only option was to try to survive.

74. Ms. Borchardt felt confused and was afraid that if she tried to escape, they would chase her down and hurt or kill her. She had no idea where she was or where she could run. She

felt so trapped and hopeless that she even drank the beer the men offered her to at least anesthetize herself to the strangulation, abduction, and sexual assault that had already happened and to what might be coming next.

75. At some point, an older man arrived and took Ms. Borchardt into another room where there was a second man sleeping on one of the two beds. The older man said Ms. Borchardt needed to stay with him because he "was saving her life." He told her that if she went back outside, "the men in the other room were planning to kill her." But his "protection" turned out to be a means to hold Ms. Borchardt against her will in his motel room for the rest of the night and for many hours the following day, where he repeatedly and brutally raped her.

76. The older man told Ms. Borchardt not to yell to the other man in the bed for help "because he was deaf and won't help you." Ms. Borchardt kept wondering if that man was going to eventually assault her, too.

77. The older man first forced Ms. Borchardt to take a shower and molested her while she was in there. He told Ms. Borchardt that he had been in prison for killing someone and that he "worked for the railroad."

78. He forced Ms. Borchardt to the bed, where he raped her vaginally several different times, then forced her to perform oral sex on him so forcefully that tears streamed down her face, she believed she was going to suffocate, and she passed out.

79. The older man woke Ms. Borchardt up in the middle of the night to rape her vaginally again and forced her to pretend like she enjoyed it. She was exhausted and numb. She lost consciousness again and when she work up the next time, it was morning.

80. By then, the deaf man in the other bed had left the room. The older man forced Ms. Borchardt to shower again and then repeated the cycle of raping her again. At some point in the

struggle, Ms. Borchardt slapped him across the face and told him to "just kill her." The older man hit her on the side of her head, knocking her to the floor, and forced Ms. Borchardt to perform oral sex on him. Then, when Ms. Borchardt tried to run to the door to get out, the man grabbed her by the hair and pulled her back.

81. Ms. Borchardt learned quickly that trying to run away or fighting the older man just made things worse. Throughout the morning, he kept repeating the cycle of forcing Ms. Borchardt to shower and then raping her, and he humiliated her in other ways throughout the torture. He taunted Ms. Borchardt and reminded her that she did not even have a cell phone or her clothes.

82. Finally, after the last shower, he returned Ms. Borchardt's clothes, which he had been hiding from her, and forced her to put on a pair of men's blue boxers under her jeans. And then, he finally let her leave.

83. Ms. Borchardt walked out of the door to the motel room but still did not know where she was. She was numb and in shock after surviving hours of torture.

84. Ms. Borchardt went to the motel lobby and reported what she had endured to the clerk at the front desk, who did not respond and simply gave Ms. Borchardt an outside telephone line to use. Ms. Borchardt immediately caller her mother, but she did not answer. Because the motel clerk was not willing to help, Ms. Borchardt walked along the side of the highway until she found a portable building with a car lot in front.

85. She immediately told the two male employees inside the temporary building about the assaults. They gave her water, sat with her, and called the APD. An APD officer and an ambulance arrived.

86. Before putting her into the ambulance, the APD officer interrogated Ms. Borchardt about what happened, repeatedly rolled his eyes, and became impatient with Ms. Borchardt when she was unable to give him a clear timeline of the events.

87. EMS took Ms. Borchardt to the Emergency Room at St. David's, where a police counselor named Donna spoke to her. Ms. Borchardt was shaking and twitching, and her ears were ringing. She tried her best to respond to what people were saying while the voices of her attackers were still ringing in her head. Still, she did her best to be calm and helpful to everyone who needed something from her.

88. APD Detective Dennis Goddard arrived when Ms. Borchardt was in the Emergency Room. By then, it was approximately noon or 1 p.m., and Ms. Borchardt had been awake since the previous morning when she had awoken early to attend class. Not counting the times she lost consciousness in the motel room, she had been awake for approximately 30 hours, at least 10 to 12 of which had been spent surviving an utter nightmare.

89. Ms. Borchardt tried to give Detective Goddard all of the information she could, but he became annoyed and stopped the interview abruptly, saying "I'll get back with you later. You seem a little drunk." The nurse who later performed Ms. Borchardt's SANE exam told Ms. Borchardt that her toxicology screen came back "completely clean." Ms. Borchardt was not drunk; she was in extreme psychological shock after experiencing 10 to 12 hours of violent rapes and terror.

90. Ms. Borchardt had to wait at St. David's for several hours before she could be transported to Eloise House (a facility administered by SAFE) to have a rape kit performed. During that time, she could not eat or drink, she could not shower or change clothes, and she had to remain in the pair of men's boxers that the older man ordered her to wear.

91. Ms. Borchardt finally arrived at Eloise House between five and six p.m., approximately five or six hours after arriving at the Emergency Room. There, she did her best to give the SANE nurse every bit of information she could recall about the attacks, even the most humiliating and personal aspects of what was done to her because she thought it would help the police catch the men who assaulted her.

92. During the exam, the SANE nurse confirmed the presence of bruising consistent with strangulation around Ms. Borchardt's neck,[5] told her that her genitalia showed signs of forced intercourse,[6] took pictures of bruises on her thighs and buttocks, and took pictures of the bruising on her shoulders where she was held down.

93. On January 20, 2018, Detective Goddard located the older man who had repeatedly raped Ms. Borchardt at the motel. He was able to identify the man based on Ms. Borchardt's detailed description of him. The man denied knowing Ms. Borchardt at all, but his DNA was later confirmed to be present in Ms. Borchardt's rape kit.

94. While at the motel, Detective Goddard did not collect a copy of the motel's surveillance video tape that could have corroborated Ms. Borchardt's description of the other two men and the presence of all three men at the motel. Detective Goddard also failed to collect *any* evidence from the two motel rooms that were occupied by Ms. Borchardt's assailants.

95. Three days later, Ms. Borchardt returned to her family home in Corpus Christi because she was not doing well physically or psychologically, she needed to see her family doctor for follow-up on her head contusion and strangulation, and she needed to have a follow up exam

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[5] Ms. Borchardt also had a CT scan of her head and neck at the Emergency Room, and her discharge papers include orders to visit a doctor in three days to follow up for head contusion and strangulation injuries.

[6] Ms. Borchardt's gynecologist also confirmed obvious signs of forced intercourse four days later.

with her gynecologist. Ms. Borchardt's mother called Detective Goddard to let him know of the plan and told him they would stay in touch and arrange for an interview of Ms. Borchardt at a later date.

96. Approximately one week later, Ms. Borchardt's mother called Detective Goddard to ask whether she and her husband should be concerned about Ms. Borchardt's safety. At that point, Ms. Borchardt and her parents did not know who the suspects were and Ms. Borchardt was afraid because both her Austin address and her home address in Corpus Christi had been among the items stolen by her attackers. Detective Goddard dismissed any safety concerns and sounded surprised that Ms. Borchardt was having difficulty or would be concerned for her safety.

97. Thereafter, Ms. Borchardt's mother made a point of calling Detective Goddard approximately every two weeks to check in on the status of her daughter's case. She wanted Detective Goddard to know that Ms. Borchardt and her family were invested in bringing her attackers to justice and that they would be as helpful as possible while Ms. Borchardt was still in the acute stage of recovery.

98. On February 14, 2018, Ms. Borchardt's mother left a message on Detective Goddard's voicemail, asking whether the public should be informed about what happened to her daughter so that other women would be alerted to be careful when getting into ride share services in downtown Austin. Detective Goddard returned the call while Ms. Borchardt's mother was driving in traffic. His first question was whether Ms. Borchardt was with her mother, and she replied that Ms. Borchardt was not. Detective Goddard then went on to say that some of the events at the motel had "sounded consensual," although he did not provide any specifics.

99. Ms. Borchardt's mother was appalled that Detective Goddard would describe any aspect of her daughter's abduction and hours of torture as consensual and told him that no part of

it could have been consensual because her daughter had been in fear for her life the entire time. Ms. Borchardt's mother urged Detective Goddard to speak with Ms. Borchardt so he could gain a full understanding of her experience. Around the same time, Ms. Borchardt offered to go to Austin for an interview and to do a photo line-up. Detective Goddard later cancelled that appointment, saying "he needed more time to get some photos."

100. In mid-March, Ms. Borchardt's mother called Detective Goddard to inquire about the status of the SAK DNA analysis, but she did not receive a response from him.

101. On or about March 22, 2018, Ms. Borchardt called Detective Goddard and left a message saying that she was in Austin and would like to meet with him. He never returned the call.

102. Approximately five days later, on March 27, 2018, Detective Goddard called Ms. Borchardt. Ms. Borchardt's mother was present and with Ms. Borchardt when the call occurred. During the call, and without preparing Ms. Borchardt for the information he was about to relay, Detective Goddard told her that the APD had interviewed her attackers. He then proceeded to tell Ms. Borchardt what her attackers said about the night of her assault. As she listened, Ms. Borchardt began to cry and became increasingly agitated. She got off the phone as quickly as she could. Hearing the names of the attackers and their lies about the abduction and assaults triggered flashbacks, and she began having auditory hallucinations, experiencing the voices of the attackers shouting and ordering her to perform sexual acts again.

103. Fortunately, Ms. Borchardt's mother was at home with her during the call with Detective Goddard and during its aftermath. Ms. Borchardt was terrified and became so agitated that her mother thought she might have to be committed to an in-patient facility to keep her safe.

Ms. Borchardt was in the midst of severe PTSD flashbacks and was not oriented to where she was. In her mind, she was back at the motel, trapped with her assailants, and being repeatedly raped.

104. The following day, on March 28, 2018, Ms. Borchardt's mother and father met with their daughter's trauma counselor and described Ms. Borchardt's response to the phone call with Detective Goddard. The counselor explained to them that Detective Goddard's unexpected delivery of the rapists' narrative had re-traumatized Ms. Borchardt. The counselor said that in the future, Ms. Borchardt needed advance notice before Detective Goddard delivered news about her case because she was still in an acute stage of recovery. The counselor also said that it was imperative that Ms. Borchardt have a police counselor involved in order to prevent further re-traumatization.

105. Ms. Borchardt's mother left a message for Detective Goddard shortly after the meeting with the trauma counselor to (a) inform him about the conversation and (b) advise him that calling Ms. Borchardt about the case without advance warning could re-traumatize her daughter. Detective Goddard never followed the trauma counselor's advice.

106. Several days later, Detective Goddard returned the call made by Ms. Borchardt's mother. During that call, he told Ms. Borchardt's mother that the older man's DNA had come back a match, that he would be traveling to Dallas the next week to collect DNA samples from the other two men, and that he would "leave no stone unturned" in investigating Ms. Borchardt's case. Ms. Borchardt's mother again reiterated the need for Detective Goddard to set up a time to meet with Ms. Borchardt. He said he would call when he returned from Dallas, that Ms. Borchardt could meet with him then, and that that a police counselor would meet with her before and after the interview.

107. Ms. Borchardt and her family then heard nothing about the case for almost six weeks. Finally, on May 15, 2018, Detective Goddard called Ms. Borchardt and her mother to deliver the news that ADA Mindy Montford was refusing to proceed with the case. He said that "all of the gentlemen" had said "everything was consensual." During the conversation, Detective Goddard referred to the strangulation bruise on Ms. Borchardt's neck as a "hickey."

108. Ms. Borchardt's mother (who was on speakerphone with Ms. Borchardt during the call) questioned Detective Goddard about how the DA's Office could accept the rapists' inconsistent and easily disproved versions of events. Ms. Borchardt's mother also demanded to know why the DA's Office would close the case in spite of DNA evidence that had come back a match to the older man, who had originally lied to the APD and denied contact with her daughter. During this call, Ms. Borchardt was so upset that she could barely speak, tears were streaming down her face, and she said she wanted to have the opportunity to speak to the ADA. In response, Detective Goddard asked to speak to Ms. Borchardt's mother alone so he could relay why he and the DA's Office thought aspects of the rapes had been "consensual."

109. In a second conversation about 20 minutes later with just Ms. Borchardt's mother, Detective Goddard said "they couldn't make a case because of how [Ms. Borchardt] had worded that she had 'gone along' with a shower" in the older man's room. Detective Goddard then said that Ms. Borchardt had been "flirting" with the men in the car before she was strangled and abducted.

110. Ms. Borchardt's mother was livid that the APD and DA's Office would refuse to proceed with a case on the basis of such sexist rationales. She asked Detective Goddard why he had never clarified any of the supposed concerns about the purported "consent" with Ms. Borchardt before presenting the case to the ADA. Ms. Borchardt's mother asked Detective Goddard again

how anything her daughter did when in fear for her life could be consensual. She also questioned how he could so easily "indict [Ms. Borchardt] rather than the rapists," since Detective Goddard never allowed Ms. Borchardt to give a formal interview beyond the few minutes he spent with her in the hospital, immediately after she had just survived a full 10 to 12 hours of torture. During the conversation, Ms. Borchardt's mother also pointed out obvious inconsistencies and absurdities in the rapists' account. Detective Goddard finally said he would give Ms. Borchardt the opportunity to give a taped interview at the police department, and that he would get a subpoena for the medical records, which he had apparently not actually looked at prior to deciding the case should not proceed.

111. Three days later, on May 18, 2018, Ms. Borchardt's mother left a message on Detective Goddard's voicemail asking what the motel surveillance video had shown because the video could disprove the stories of the assailants, corroborate Ms. Borchardt's account, and provide additional information to the APD.

112. A few days later, Detective Goddard called Ms. Borchardt and told her "the motel lost the surveillance footage." On the same day, an APD victim services counselor named Sasha left Ms. Borchardt a message. Ms. Borchardt returned the call to Sasha, and expressed her complete lack of trust in the APD. Sasha then told Ms. Borchardt about the Crime Victims Compensation program for the first time. Fortunately, Ms. Borchardt's gynecologist in Corpus Christi had previously provided Ms. Borchardt with information about the program and had also assisted her in obtaining counseling services four months earlier.

113. On May 25, 2018, more than four months after her strangulation, abduction, and hours of repeated rapes, Ms. Borchardt was allowed to provide a taped interview to the APD. The interview was conducted by Detective Goddard and lasted over two hours. During the interview,

Ms. Borchardt asked questions about what efforts Detective Goddard had made to obtain the video from the motel, his questioning of the older man at the motel, why he called the strangulation bruise on her neck a hickey, and why he considered the showering that the older man had forced on her to be consensual. At various points during the interview, Detective Goddard would say things like, "Now, a jury isn't going to want to hear that." Detective Goddard also wanted Ms. Borchardt to "try to put herself in the minds of her attackers." For instance, Detective Goddard asked her if, when the older man was "fingering you in the shower, was he trying to wash you or molest you?" The APD victim services counselor named Sasha met with Ms. Borchardt both before and after the interview, but was not present during it.

114. After the interview, Detective Goddard spoke to Ms. Borchardt's mother and father. Her mother asked Detective Goddard whether crimes like the one committed against her daughter were unusual, and expressed her shock that such a bold crime committed by complete strangers could happen and that none of the assailants would be indicted. In response, Detective Goddard said that abductions were not actually that uncommon. He also said that the Former DA actually required even more physical injury to be inflicted on rape victims than the Current DA. Detective Goddard added that rape was in general "hard to prosecute unless there is severe physical harm or there is video of the rape."[7] Detective Goddard again told Ms. Borchardt's parents that he would submit a subpoena for her medial records, which he apparently still had not reviewed.

115. On June 14, 2018, Ms. Borchardt's aunt sent an email to APD Lieutenant Gena Curtis about her niece's assault. Lieutenant Curtis responded, stating that she could not discuss

[7] Detective Goddard had previously told Ms. Borchardt's mother early in the investigation that even though there was surveillance video of the area outside the motel room (which he apparently never collected), "without a video camera inside the room, it would be hard to prove Emily had been raped."

the matter with anyone without Ms. Borchardt's consent, but that "what I can tell you is on the night that your niece reported the incident responding Austin police officers, crisis team counselors and EMS met with your niece. Various resources responded to ensure the safety and well-being of your niece plus to obtain necessary information to further the immediate investigation." Lieutenant Curtis also stated that "the detective has staffed this incident with the Travis County District Attorney's Office."

116. Ms. Borchardt's aunt responded immediately via email and copied Austin Mayor Steve Adler, stating:

> I totally understand that you cannot discuss the details of the case with me, however, I would like you to know, that while it sounds as though my niece is receiving all the resources available, she has not been treated like the victim in this case. The story given by the criminals who assaulted her seems to be taken to be the truth by Detective Goddard, and [Ms. Borchardt] has had to try and provide proof that they are lying! This young woman was abducted, physically assaulted, and sexually assaulted by several men for a period of 10-12 hours. Despite having trauma to her neck that a medical doctor deemed consistent with strangulation, she was told by the detective that the bruise on her trachea, "looked like a hickey" . . . Despite a DNA match, she was told that the ADA would not take on the case and that her case was "closed." She was told that parts of the story sounded like this horrific rape was consensual! My God, even the "good guys" are not on her side! When a young woman who has been abducted and then raped over a period of 10-12 hours says that she "went along with" getting into the shower (so that the rapist could remove DNA), it is because she does not want to be struck again or even murdered, not because she enjoyed what was happening to her! Even the average citizen can understand that, so why can't a cop? I wonder if the details of this case were even reviewed by the sergeant or by you, Lt. Curtis. This is just an abomination. This poor young girl felt like she was raped all over again by the people who were supposed to be helping her. She has had to withdraw from college, receive medication for depression, anxiety, and PTSD from a psychiatrist, and go to weekly counseling. All the while, the rapists are likely looking for their next victim, if they haven't struck again already, because they, just like so many serial rapists in our community and others, understand that the will not be prosecuted.[8]

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[8] Ms. Borchardt's aunt had also previously emailed Mayor Adler directly on June 3, 2018, stating: "I have written to two city council members about this issue and heard nothing back. . . . Please reply to let me know that you received this e-mail. This young woman has been treated horribly by police and has recently learned that the ADA closed the case without pursuing charges, despite

117. On July 3, 2018, Detective Goddard called Ms. Borchardt to tell her that the DA's Office would not proceed with her case. The reasons he gave were that her head contusion did not have "bone splintering or fracturing," and the bruising from the strangulation "was not big enough."

118. Three days later, on July 6, 2018, the APD victim services counselor named Sasha called Ms. Borchardt to ask her if she understood that her case was now officially closed.

(5) Named Plaintiff Sarah Jones

119. In May 2017, Sarah Jones (pseudonym) began a relationship with the man who later became her attacker.

120. In July 2017, her attacker began abusing Ms. Jones. He broke down the door to her home and strangled her. Ms. Jones and the maintenance man at her apartment complex called the APD. This incident was the first time that Ms. Jones called the APD and sought to file charges against her attacker.

121. Shortly thereafter, Ms. Jones met with APD Victim Services Counselor, Jessica Webster, who recommended that it would be "healthier for her and her son" not to move forward with charges against her attacker. Ms. Jones followed the advice of the APD.

122. Her attacker continued to stalk and manipulate Ms. Jones in the following months. He sat outside of her home, staring at the front door for multiple days throughout August, September, October, and November of 2017. He emotionally manipulated Ms. Jones and conditioned her by consistently saying that she was the "closest thing he ever had to a family, that his mother had abandoned him, and that he had nowhere to go."

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the fact that they have DNA on the worst of these criminals. It seems that no one cares about what has happened to this sweet, young girl!"

123. On the night of November 20, 2017, her attacker showed up intoxicated at Ms. Jones' home and began his usual emotional manipulation. Ms. Jones allowed him to enter her home and ultimately began to engage in what started as consensual sex, until he became violent. He strangled her. He forced her to have anal sex with him. She fought against him, and he brutally raped and injured her.

124. After the sexual assault and abuse, Ms. Jones locked herself in her child's room. When she heard her attacker leave the house, she immediately called a friend for help. Thereafter, Ms. Jones took her child to childcare (so that her child would not know what happened to her) and called the APD.

125. An officer from the APD Crime Scene Unit came to Ms. Jones' home and took her statement, and APD Victim Services Counselor Stephanie Gonzalez escorted her to SAFE for a rape kit.

126. At SAFE, Ms. Jones underwent a SANE exam, including a SAK test, and she had pictures taken of her whole body. Ms. Jones' SANE exam documents bruising and swelling on the chin and on both sides of her neck, as well as bruising all over her body. Further, the SANE exam documents petechiae in conjunctiva—the rupture of tiny blood vessels in the eyes most often caused by hypoxia—resulting from strangulation.

127. On November 29, 2017, Ms. Jones met with APD Detective Kyle Jennings and gave her official statement. Ms. Jones wanted to move forward with charges for both sexual assault and strangulation. At that meeting, the APD and Ms. Jones attempted to call her attacker to obtain an admission of guilt, but he did not answer.

128. In December 2017, Ms. Jones' attacker was arrested. After he was released on bond, Ms. Jones' attacker was required to wear an ankle monitor.

129. On December 13, 2017, while she was at work, Ms. Jones received a text message from the ankle monitoring company that her attacker was "in [her] zone." Ms. Jones communicated the incident immediately to APD Victim Services Counselor Cindi Rosales-Thompson, but did not receive a response. When Ms. Jones later communicated with the ADA, the ADA did not mention her attacker's violation.

130. Thereafter, the DA's Office called Ms. Jones and said that since her attacker had committed no violations (even though he had been present in her zone less that 48 hours after being released on bond), the ankle monitor would likely be removed at an upcoming hearing to modify the protective order. The DA's Office assured Ms. Jones that an ADA would attend the hearing and push for maintained electronic monitoring of her attacker. However, no one from the DA's Office showed up at the hearing.

131. Ms. Jones was never notified by the DA's Office or the APD that her attacker's ankle monitor was going to be removed. When she learned that information at the last minute, to ensure her own safety and that of her child, Ms. Jones immediately fled to another state for several days.

132. On January 26, 2018, the DA's Office declined to move forward with sexual assault charges against Ms. Jones' attacker. The DA's Office did not tell her about the decision and she was provided no reason for it. Ms. Jones only learned about the decision when she reached out to Detective Jennings to inquire about the status of her case.

133. The DA's Office claimed to be moving forward on the strangulation case against her attacker, and Ms. Jones was assigned to a different APD detective, Sam Kreider.

134. Thereafter, despite repeated efforts by Ms. Jones, no one would tell her the status of the case against her attacker. To ensure her own safety and her child's safety, Ms. Jones sought and obtained a twenty-year protective order against her attacker in January 2018.

135. In 2018, Ms. Jones also engaged a forensic nurse and consultant to review the materials related to the strangulation case. Dr. Khara Breeden, a nurse for 15 years and a forensic nurse for six years, reviewed the Probable Cause Affidavit and the SANE notes. She concluded that (a) the events as articulated in the Probable Cause Affidavit and Safe Place medical Forensic Record identify acts that would be capable of causing serious bodily injury or death, and (b) the evidence corroborates that Ms. Jones' normal breathing and circulation of blood flow was impeded during the assault. On March 26, 2018, the review by Dr. Khara Breeden was provided to ADA Beverly Matthews to further support the strangulation charges.

136. After a prior meeting with ADA Matthews on February 26, 2018, Ms. Jones became very concerned that the DA's Office would dismiss the strangulation case against her attacker. During that meeting, ADA Matthews said that Ms. Jones' decision not to bring charges against her attacker the first time he strangled her would hurt her case—despite the fact that the APD had specifically encouraged her not to bring such charges. Also during that meeting, ADA Matthews raised concerns about a prior, unrelated incident between Ms. Jones and a separate ex-boyfriend.

137. In December 2016, Ms. Jones hit her ex-boyfriend during a fight. He filed charges against her, and she was later charged with burglary of a habitation. To avoid potential custody issues with her child as a single parent, Ms. Jones pled guilty to the charges even though they were false. When Ms. Jones reported to Travis County for batterers' intervention, she was instead referred to victim counseling for a crime in which she was allegedly the "offender." Ms. Jones received three years probation for a crime she did not commit.

138. Because of this prior, unrelated incident and Ms. Jones' prior decision to follow the recommendation of the APD and not file charges against her attacker for the first strangulation, ADA Matthews told Ms. Jones that she was a "questionable victim."

139. Ms. Jones formally invoked her rights under the Texas Crime Victim's Rights Statute[9] in April 2018. However, she was rarely (if ever) updated on events related to her case and her attacker, including the removal of her attacker's ankle monitor, which directly impacted her potential safety.

140. Ms. Jones also reached out to the DA's Office on multiple occasions, but received no response.

141. Finally, in June 2018, Ms. Jones was told that the strangulation case against her attacker would be presented to a grand jury the following week. Ms. Jones sat outside of the hearing room, and made herself available for additional testimony, but was never requested to testify by ADA Matthews.

142. On June 18, 2018, Ms. Jones received a call—not from the DA's Office but from her legal services attorney—letting her know that the grand jury had no-billed the strangulation charges against her attacker.

143. Several people with relevant experience and knowledge have reviewed the evidence available in Ms. Jones' case and have opined that the only reasonable conclusion for why the grand jury no-billed the case is that ADA Matthews did not want the grand jury to indict.

144. And recently, the County Attorney reached out to the DA's Office to obtain *Brady* evidence in the case in order to potentially move forward with a misdemeanor charge against Ms. Jones' attacker. On information and belief, the DA's Office has refused to assist.

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[9] TEX. CODE OF CRIM. PROC. ART. 56.

145. In contrast to Ms. Jones' experience as an "offender" in Travis County, where her nuisance hit was taken seriously and redressed, her attacker will not see a day of consequence for his violent assaults against Ms. Jones. This stark reality—that female victims of sexual assault will be punished by law enforcement for nuisance offenses, which will then be used against them when they are brutally and repeatedly victimized by others, who will then never be held to account—only further exemplifies the unequal and discriminatory treatment experienced by female victims of sexual assault in Travis County.

(6) Named Plaintiff Angela Fielding

146. On February 9, 2018, Named Plaintiff Angela Fielding arrived early at a medical center for a HyGieaCare Prep procedure, prior to a scheduled colonoscopy. Ms. Fielding's husband took her to the Prep procedure appointment.

147. The Prep procedure consists of a "Prep Tech" taking the patient to a private room where she is then "seated on the sanitized basin," and a "sterile disposable nozzle" is "introduced into the rectum." "A gentle stream of warm water" then "flow[s] into the bowel, loosening stool."[10] Water then "continues to flow allowing [the patient] to comfortably and discreetly evacuate" her colon. The procedure "routinely takes less an hour."[11]

148. Ms. Fielding had chosen to use the Prep procedure for her colonoscopy because of the gagging she experienced drinking a prep drink several years prior in preparation for a surgery to repair fissures and hemorrhoids caused by the delivery of one of her children.

149. When Ms. Fielding arrived at the procedure location, a male and female Prep Tech were behind the front desk dressed in scrubs. The female nurse took Ms. Fielding's information

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[10] *See* HYGIEACARE, https://www.hygieacare.com/procedures---services.html#procedure (last visited Aug. 1, 2018).
[11] *Id.*

and a few minutes later, the male nurse took Ms. Fielding to a private room and had her sit down so he could go over how the procedure would work. He asked Ms. Fielding if she would be more comfortable with a female nurse, and Ms. Fielding told him that she was fine to have a male medical provider.[12] He explained that Ms. Fielding would need to get undressed from the waist down and then he showed her where to sit on the basin and how the plastic tubing would be inserted into her rectum.

150. The male nurse then excused himself and Ms. Fielding undressed and sat in the position he showed her. He had told her to "place [her] legs spread open on both sides." The blanket he provided covered the lower half of her body down to her ankles.

151. The male nurse then returned to the room and asked Ms. Fielding if she had any trouble with hemorrhoids or fissures. Ms. Fielding explained that she had surgery for both in the past, but was not currently experiencing any problems.

152. The male nurse then began the procedure by lifting the blanket and placing it completely on top of Ms. Fielding's stomach, which exposed all of Ms. Fielding's genitals in front and below through the hole in the basin, where bowels were to be eliminated. He then placed blue gloves on and applied some type of lubrication. He put his hand on Ms. Fielding's body to insert the tube into what was supposed to be Ms. Fielding's rectum. Instead, he moved his fingers a little to open Ms. Fielding's vagina and then inserted his two fingers—not the nozzle—into her vagina approximately ¾ of the length of his fingers and moved them around. Ms. Fielding immediately pulled up her body and sternly said, "That is my vagina, NOT my rectum." The male nurse pulled his fingers out and repeated the same process as before, again inserting his two fingers into Ms. Fielding's vagina.

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[12] Ms. Fielding had never had an issue with a male medical provider before.

153. Ms. Fielding began shaking and was terrified. Her right knee pushed the male nurse back and she pulled up her hips sternly telling him, "That is my vagina and I'm uncomfortable. This is making me very uncomfortable."

154. The male nurse then got up and said something like he was going to get another nurse to work around Ms. Fielding's hemorrhoids or something to that effect. Ms. Fielding was totally confused by his statement because he never even came close to touching her rectum.

155. When the male nurse left the room, Ms. Fielding immediately texted her husband and told him what the male nurse had done. The female nurse from the front desk then came into the room, where Ms. Fielding was shaking and crying. Ms. Fielding immediately told the female nurse what the male nurse had done and showed the female nurse the lubrication that was in Ms. Fielding's vagina.

156. The female nurse appeared nervous and did not want to proceed with the procedure until Ms. Fielding had calmed down. The female nurse kept asking Ms. Fielding what she could do and Ms. Fielding said "just do this [procedure] so I can get out of here."

157. The female nurse excused herself from the room for a few minutes and then returned. She explained that she had contacted her manager and relayed what happened.

158. The female nurse then conducted the Prep procedure. She gently placed her hand on Ms. Fielding's vaginal area over the blanket, and pulled away just a portion of the blanket so that only Ms. Fielding's rectum was exposed. The female nurse never exposed Ms. Fielding's vagina or touched any portion of her genitals. The female nurse then inserted the nozzle into Ms. Fielding's rectum and began the water flushing process.

159. Ms. Fielding asked the female nurse to send her husband in while the water flushing process continued. When he arrived, Ms. Fielding explained to him what happened. Both of them were at a loss and just wanted to leave as quickly as possible.

160. When the procedure was completed, the female nurse explained that her Administrator and the Director of Human Resources were there and wanted to speak to Ms. Fielding. Ms. Fielding was in a daze and shocked, and only remembers a few things said to her during the conversation because she simply wanted to get away and go home immediately.

161. Ms. Fielding does remember the Administrator explaining that the male nurse was new to their facility, that he had just come on board, but that "his record was impeccable." The Administrator also said she was going to contact Ms. Fielding's doctor and explain to him the situation in case Ms. Fielding was apprehensive or uncomfortable at her colonoscopy later in the day. Ms. Fielding was still shaking and crying and just wanted to leave.

162. The female nurse walked Ms. Fielding and her husband out of the exam room to the front office and said she was going to refund the money for the procedure. Ms. Fielding responded, "I don't care. I just want to leave."[13] Shortly after leaving, Ms. Fielding called the Prep procedure facility, and the female nurse who completed the Prep procedure following Ms. Fielding's assault answered the phone. Ms. Fielding requested the names of all the individuals involved with her care and the names of the Administrator and Human Resources Director with whom she had spoken. She received an email with the requested information, with the exception of the last names for the female nurse that completed the procedure and the male nurse that assaulted her.

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[13] Several days later, the female nurse called Ms. Fielding and confirmed that they were refunding the fee for the procedure. The female nurse also stated that the CEO of the medical practice had been notified about the situation.

163. Ms. Fielding went home in shock and kept questioning what had just occurred. Immediately following the assault and over the next two days, Ms. Fielding told several close friends and members of her family about the assault.

164. And on February 11, 2018, after receiving advice from one of her friends who is in law enforcement, Ms. Fielding reported the assault to the APD. She met with Officer K. Morrison (badge #7783) and Officer Castillo (badge #85202) in the parking lot of a local restaurant to file a formal complaint.

165. Ms. Fielding gave the officers all of the information she recalled and explained in detail what occurred. The officers asked her questions about the way she was positioned during the assault, what she meant when she said the male nurse inserted his fingers into her vagina, and whether he asked permission to do so. They also asked Ms. Fielding if she would be willing to have a SANE exam. Ms. Fielding denied the exam request because it was two days after the assault and her assailant had worn blue gloves. The officers then asked Ms. Fielding if she knew whether her attacker threw the gloves away, which she did not know.

166. The officers offered to connect Ms. Fielding to a crisis counselor, collected her information, and took a copy of her written narrative for the report. They also asked if they could collect Ms. Fielding's undergarments as evidence. She agreed and they followed her home to collect them. The officers gave Ms. Fielding a copy of victim assistance information and informed her that she would receive a call from the detective handling her case.

167. The following afternoon, on February 12, 2018, Ms. Fielding received a call from an APD detective who stated that the detective that would be handling her case was off for the day and would contact her soon. This detective wanted to know if Ms. Fielding would be willing to

have a SANE exam and she denied the request for the same reasons she gave the APD officers the day before.

168. Ms. Fielding received another call that same afternoon from APD Victim Services Counselor Adriana Duarte. The two spoke a little bit about Ms. Fielding's assault and how she was feeling. Ms. Duarte told Ms. Fielding that she would be there when the detective had her come in to write an incident report. Ms. Fielding completed a recorded interview with APD Detective Jason Martin on February 15, 2018. Ms. Duarte did not attend the interview; a different APD Victim Services Counselor named Sasha attended.

169. For more than two months, Ms. Fielding heard nothing from the APD. So, on April 20, 2018, Ms. Fielding emailed Detective Martin to request an update on the status of her report.

170. Detective Martin responded five days later on April 25, 2018. In his email, Detective Martin apologized for the delay, said that the "case is still moving forward," that he had "a meeting this week with some of the clinic Staff," that "there are still more steps to take" and that he would "update [Ms. Fielding] with anything significant or any questions that [he] may have . . . moving forward." He thanked Ms. Fielding for "staying engaged."

171. After hearing nothing for almost another month, Ms. Fielding emailed Detective Martin on May 20, 2018, to inquire about any new updates to her case. Four days later, on May 24, 2018, Detective Martin responded to Ms. Fielding. He again apologized for the delay and stated, "The case is moving forward and I have a scheduled meeting to speak with the suspect soon." He also said that he would "more than likely be in touch with [Ms. Fielding] based on the outcome of that meeting." He again thanked Ms. Fielding for "staying engaged in the process."

172. Approximately three weeks later, Ms. Fielding received a call from Detective Martin, who informed her that the DA's Office had dropped her case because through the

investigation, "they found that this could/does happen." Ms. Fielding asked Detective Martin to send her all of the reports, the name of the ADA assigned to her case (which he disclosed was ADA Geoffrey Puryear), the name of the assailant, and any other information pertaining to her case. In response to her written request for the information, Ms. Fielding received an automatic response indicating that Detective Martin would be out of the office until late August.

173. Ms. Fielding emailed ADA Geoffrey Puryear on July 3, 2018, to inquire about why he decided not to proceed with her case and to seek assistance in obtaining copies of the records. ADA Puryear responded one week later on July 10, 2018, and asked to arrange a phone call to speak to Ms. Fielding.

174. Ms. Fielding and ADA Puryear spoke by phone two days later on July 12, 2018. During that call, ADA Puryear stated that the reason he was not going forward with her case "had to do with the statutes/penal code." He said that "off the record, a jury would have several things to look at as far as proving guilt due to the written statutes/penal codes." And he assured Ms. Fielding that the male nurse was now being restricted in his duties by his employer.

175. To be clear, the male nurse penetrated Ms. Fielding's vagina with two of his *fingers*, *twice*, without her consent.

(7) Named Plaintiff Anisha Ituah

176. On January 7, 2016 Named Plaintiff Anisha Ituah was a patient at the Austin State Hospital ("**ASH**"). Ms. Ituah is disabled, is under the legal guardianship of her mother, suffers from cognitive impairment due to a traumatic brain injury, and had been transferred to ASH for in-patient care. While at ASH, Ms. Ituah was raped by a male patient being housed at ASH. Ms. Ituah was a virgin when she was raped.

177. Ms. Ituah called her twin sister immediately after the rape occurred, and her sister called 911 to report it. The APD call taker told Ms. Ituah's sister that they could not do anything about the assault because it occurred at ASH, and that she should call ASH and request that the nurse in charge conduct a rape kit.

178. Ms. Ituah's sister did as she was instructed, immediately called ASH, told the medical staff there that Ms. Ituah had been raped, and requested that the nurse in charge conduct a rape kit. In the meantime, the APD did not dispatch any officers to ASH and apparently did nothing to investigate the reported rape of a disabled adult woman in the care of ASH.

179. In addition to calling her sister after the rape, Ms. Ituah also contacted a family friend by phone. During that call, Ms. Ituah was crying, yelling, and screaming that she was raped by an old black man while she was sleeping. Ms. Ituah also directly reported the assault to an ASH staff member the following day and stated the she did not feel safe at ASH.

180. Although the ASH nurse told Ms. Ituah's sister that they would "call the police and do a rape kit," no one at ASH appears to have performed a rape kit on Ms. Ituah. Instead, the staff simply instructed Ms. Ituah to "go take a shower," moved Ms. Ituah to "a female dorm room out of the hallway," discharged her from ASH a few days later, and sent her home with antibiotics. No one from the APD reported to ASH on the night of the rape or in the following days.

181. In March of 2016, Ms. Ituah, her mother, and her sister temporarily moved to Albany, New York, where Ms. Ituah was admitted to Albany Medical Center for four weeks of in-patient treatment. While in Albany, Ms. Ituah was seen and treated by the Crime Victim and Sexual Violence Center located there for trauma associated with her rape. The counselor there also encouraged Ms. Ituah's mother to apply to the Texas Crime Victim Compensation Fund when they returned to Texas.

182. While Ms. Ituah and her family were in Albany, Ms. Ituah's mother was finally contacted by the APD. APD Detective Luis Delgado called Ms. Ituah's mother to let her know that he had been assigned to Ms. Ituah's case, but that it was "a very difficult case to prove." Ms. Ituah's family then heard nothing from Detective Delgado for the next several months.[14]

183. Ms. Ituah, her mother, and her sister returned to Texas in the summer of 2016, and Ms. Ituah's mother applied for Victim's Compensation as the trauma counselor in New York advised her to do. Mary Karotkin was assigned to Ms. Ituah's Victim's Compensation application.

184. In July of 2016, Ms. Ituah's mother and sister met with Detective Delgado to inquire about the status of Ms. Ituah's case. During that conversation, Detective Delgado presented information about Ms. Ituah's fraternal twin sister, not Ms. Ituah, because he had apparently confused the two of them. He also told Ms. Ituah's mother and sister again that Ms. Ituah's case would be very difficult to prove, and that he had "a huge case load of three-hundred rape victims and he can't get every case done." At or near the same time, Detective Delgado also told Ms. Karotkin that "the crime didn't happen," which resulted in Ms. Ituah's Victim's Compensation application being denied.

185. Ms. Ituah's mother was alarmed and concerned by Detective Delgado's repeated assertions that Ms. Ituah's case would be difficult, his general attitude of blaming Ms. Ituah for the assault, and the fact that he did not seem to be actively investigating the matter.

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[14] During the same time period, the Office of the Inspector General at the Texas Health & Human Services Commission also apparently conducted an "investigation" of the assault over a one week period between March 8, 2016 and March 15, 2016. During the course of those seven days, the OIG did not discover evidence to support the allegation and the investigation was closed and referred to the General Counsel, Department of State Health Services. No one from the OIG spoke to Ms. Ituah about the assault.

186. Ms. Ituah's mother therefore contacted Ryan Harding at the Office of the Police Monitor ("**OPM**"), in late July of 2016, who then contacted Detective Delgado's supervisor, APD Detective Sandra Benningfield. The OPM is an independent civilian, administrative office that "provides oversight of the [APD] in addressing concerns and complaints of alleged administrative violations of [APD] policy. The OPM is responsible for monitoring the investigation of complaints within APD. It is the vehicle for citizens to voice and file complaints of misconduct by APD officers."[15]

187. Ms. Ituah's mother requested that Detective Delgado be removed from the case because he wasn't "working [her daughter's] case and [was] putting the blame on [her] daughter." Ms. Ituah's mother later filed a formal complaint with the OPM in February of 2017.

188. In July of 2016, Ms. Ituah's mother also contacted Brooke Digaiario, who was the APD Victim's Services Counselor assigned to Ms. Ituah's case, and told her that Detective Delgado should be removed from the case.

189. Despite her mother's repeated complaints about Detective Delgado, he remained on Ms. Ituah's case. In October of 2016, Detective Delgado called Ms. Ituah's mother and told her that he had completed the investigation of Ms. Ituah's rape case and "sent the case to the Travis County District Attorney's Office for prosecution." Ms. Ituah's mother was contacted by an ADA a short time later, who told her that Detective Delgado "was not pursuing the case."

190. After receiving the conflicting information from the DA's Office and the APD, Ms. Ituah heard nothing about the status of her case from the DA's Office or the APD, despite repeated calls by her mother to APD Chief Brian Manley requesting information.

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[15] *See* Office of the Police Monitor, *available at* http://www.austintexas.gov/department/police-monitor (last visited Aug. 1, 2018).

191. Then, in January 2018, as part of a news story about her assault, Ms. Ituah and her mother learned from a reporter that Detective Delgado closed the investigation because "after a review of this case, prosecution was declined."[16]

192. Based on publicly available information regarding the number of sexual assaults reported at ASH since 2007, it seems that Ms. Ituah's case is, sadly, not unusual. ASH ranks third highest in sexual assault allegations at state hospitals across Texas,[17] but only a very tiny fraction of allegations are substantiated through investigation. In fact, since 2007, 731 sexual assault allegations were made at ASH, and only 9 of those cases—or 1.2%—were confirmed,[18] meaning that more than 98% of the time, victims of reported sexual assaults at ASH cannot even cross the threshold hurdle in their fight for justice.

193. On information and belief, Defendants discredit reports of sexual assaults and/or refuse to timely respond to or investigate reported sexual assaults when the victim is a resident at ASH or other similar, in-patient facilities.

(8) Named Plaintiff Heather Sin

194. On December 24, 2014, Named Plaintiff Heather Sin went to a bar in her north Austin neighborhood to play trivia. She met a man named Scott there and they decided to go to a second local bar to play pool and foosball. At some point, another man named Paul (who was an

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[16] *See* Eric Jones, *Sexual assault claims rarely confirmed at state hospitals*, KVUE (Jan. 9, 2018), https://www.kvue.com/article/news/investigations/defenders/sex-assault-claims-rarely-confirmed-at-state-hospitals/269-475191981.

[17] *See id.*

[18] *See id.* Numbers reported for the time period from 2010 through 2015 are similar: 393 cases of sexual abuse were reported at ASH, and only five of those reports—or only 1.3%—were substantiated. *See* Bridget Spencer, *Sex assault allegations at Austin State Hospital*, Fox (May 19, 2017), http://www.fox7austin.com/news/local-news/sex-assault-allegations-at-austin-state-hospital.

employee of the bar) joined Scott and Ms. Sin to play pool for a while. Eventually, Scott needed to leave and Ms. Sin also got ready to walk home.

195. As Ms. Sin was leaving, two other men invited her to join them at a table in the bar and they all started talking. One of the men was named Ethan and the other man had a name that started with a D. The three of them talked for a while and the men bought Ms. Sin a beer. After the beer arrived, Ms. Sin went to the restroom and then returned to the table.

196. After returning to the table, Ms. Sin's memories of the night are sporadic and jagged, and she eventually lost consciousness. Ms. Sin believes that her loss of consciousness was the result of being drugged.

197. Ms. Sin and the two men left the bar together, but Ms. Sin does not know how or why she would have left with them, particularly because her apartment was within walking distance. Ms. Sin recalls being "escorted" out of the bar by the men, noticing that Ethan, in particular, seemed to be in charge of other people around him, and worrying that there was an "inside joke" occurring between the two men.

198. Ms. Sin came to the next morning, alone and laying on a set of train tracks. She tried to get up, but could not walk, so she called 911.

199. Two male APD officers arrived at the train tracks, questioned Ms. Sin about where she had been, and observed that "she had been out drinking." One of the officers then noticed that the crotch of Ms. Sin's jeans had been cut or ripped open. He asked Ms. Sin how she was feeling "down there" and called EMS.

200. An ambulance arrived and took Ms. Sin to St. David's Medical Center, where she was first medically cleared and then a SANE exam was performed. The Emergency Room notes

indicate that Ms. Sin arrived around 5 a.m., that APD Officer Angeles (Badge #5200) accompanied her, and that an APD case number had been assigned prior to her arrival at the hospital.

201. At 5:32 a.m., Ms. Sin said she needed to use the restroom, and she was "instructed to urinate in [a] specimen cup, and not to wipe/wash hands." At 5:48 a.m., SAFE Place was called and an advocate was requested, and at 7:47 a.m., a SANE exam was requested.

202. The SANE exam began at 8:49 a.m. and did not conclude until 3 p.m. The exam notes confirm that urine for forensic analysis was collected at 5:45 a.m. and that blood for forensic analysis was collected at 1:00 p.m.

203. The "Physical Exam" portion of the notes from Ms. Sin's SANE exam indicate that Ms. Sin was tearful throughout the process, that there was redness on her left neck, which was "tender at [the] area of redness," that there was a scratch over her left sternal area and "tenderness around [the] scratch," that there were "multiple bruis[es], scratches over [her] lower legs and inner thighs—all tender to palpation," and that she suffered an "abrasion [on the] posterior fourchette," which is the thin tissue fold at the vaginal entrance.

204. The "Body Diagrams" portion of the SANE exam includes approximately 20 noted areas of abrasions/bruises on Ms. Sin's body, including 5 in Ms. Sin's genital area, and an area of dye uptake near her vaginal opening.

205. As part of her SANE exam paperwork, Ms. Sin signed a release of Personal Health Information form in favor of the APD, with the "purpose of disclosure" noted as "criminal investigation." At the same time, Ms. Sin also signed a form titled, "AUSTIN/TRAVIS COUNTY SEXUAL ASSAULT NURSE EXAMINERS CONSENT FOR MEDICAL FORENSIC EXAMINATION, TREATMENT, AND COLLECTION OF EVIDENCE." That form stated:

> I understand that a forensic medical examination for evidence of sexual assault can, with my consent, be conducted by a health care professional to discover and

> preserve evidence of the assault. I understand that the examination may include the collection of reference specimens at the time of the examination or at a later date. I understand that the collection of evidence may include photographing injuries, and that these photographs may include the genital area. I understand that I may refuse to consent or withdraw my consent at any time for any portion of the examination. I understand that if I refuse consent to any exam procedure, it may result in the loss of evidence. I understand that I will not be billed for the evidence collection portion of this examination. . . . I understand that the collection of evidence may include the collection of blood and urine specimens for toxicology (drug screening). . . . If conducted, the report of the examination and any evidence obtained will be released to law enforcement authorities.[19]

Ms. Sin signed the authorization forms for the SANE exam specifically because she believed the evidence collected during the SANE exam would be timely and appropriately used by law enforcement. She would not have consented to the more than six-hour invasive search of her body, including the collection of tissues from inside of her body, if she had known that the evidence would not be used appropriately and in a timely manner by law enforcement.

206. Ms. Sin was discharged from the hospital ten minutes after her SANE exam concluded. She was put in a cab and sent home to her apartment alone, where she borrowed a neighbor's phone and waited outside her home for a locksmith to let her in, because her keys had been taken the night before.

207. APD Detective Luis Delgado and APD Victim Services Counselor Camille Haberman were assigned to Ms. Sin's case. Ms. Sin had little contact with either of them for almost two months following her assault.

208. Then, in March 2015, Ms. Sin requested information from Detective Delgado about the OPM (Office of the Police Monitor). Ms. Sin requested the information in order to potentially file a complaint regarding the APD officers that responded to her 911 call. Detective Delgado

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[19] Ms. Sin also signed a third form called a "Forensic Medical Image/Photography Consent Form," agreeing that "images may be made for the following purposes: Copy for my medical forensic records . . . [and] Copy for Law Enforcement as a part of my investigation."

responded to Ms. Sin's inquiry on March 18, 2015, via email and provided the requested information about the OPM.

209. The following day, on March 19, 2015, Ms. Sin had a disturbing phone call with Detective Delgado, in which he repeatedly used the phrase "IF anything happened" when discussing her assault. He also informed Ms. Sin that there "was nothing further to do pending receipt of results from forensic testing, which would probably take eight weeks."

210. At this point, Ms. Sin was very concerned that Detective Delgado was not appropriately managing her case. He seemed to be questioning whether an assault had even occurred and he had not made contact with any of the witnesses who were at the bar on the night of the assault, despite having the first names or an initial for four men. She sent an email to Detective Delgado the same day, thanking him for the information about the OPM, and asking how she could receive a copy of the APD's report on her case. Ms. Sin also emailed Detective Delgado the following day to ask when her SAK was submitted to the APD DNA Lab for analysis. Detective Delgado responded and told Ms. Sin she would have to go through "report sales to get a copy of the report" and that her "SAK was submitted into evidence and a request to have it tested went in 2/9/15."

211. On March 21, 2015, Ms. Sin had a phone call with Ms. Haberman, in which Ms. Sin recounted her March 19, 2015 call with Detective Delgado. Ms. Haberman explained during her call with Ms. Sin, that "pending receipt of forensic results, it does not appear a sexual assault occurred," despite the fact that Ms. Sin had been found in a remote location, with the crotch of her pants cut open, her panties ripped, with a grip bruise around her throat, with hand-print bruises on her legs and buttocks, and with extensive bruising around her pelvis and groin. During the call,

Ms. Haberman also dismissed Ms. Sin by saying, "Sometimes, when alcohol is involved, we do things we normally wouldn't."

212. Ms. Sin was shocked and appalled that a mental health provider and APD victim services counselor would make such a statement and suggest that Ms. Sin was responsible for the assault.

213. On March 24, 2015, Ms. Haberman acknowledged the phone conversation with Ms. Sin had occurred three days earlier, and said, "I thought about our telephone conversation a lot over the weekend and was troubled by it because I know that you felt invalidated. I am sincerely sorry." Ms. Haberman also responded to Ms. Sin's questions regarding how to obtain information about her case and told her that to obtain the full police report, Ms. Sin would have to file an open records request with APD's Central Records, but that there was "a significant delay in responding to open records requests." Ms. Haberman also told Ms. Sin that the APD could release a copy of the SANE nurse's notes to Ms. Sin, which would not include the photos taken of her own body. Ms. Sin received a copy of the SANE nurse's notes from Ms. Haberman on March 27, 2015.

214. At or around the same time, Ms. Sin submitted the required open records request to APD, requesting the "full report and photos" pertaining to her case. Ms. Sin also followed up with a woman named Alma in the APD Record Sales Department, who informed her that without an officer's assistance, she would not get any information for "40-60 business days."

215. Shortly thereafter, Ms. Sin reached back out to Ms. Haberman to determine if she could help expedite Ms. Sin's efforts to obtain information about her assault and to request information about Detective Delgado's sergeant.

216. Ms. Haberman responded to Ms. Sin's inquiries via email approximately three weeks later on April 13, 2015, and copied one of the two sergeants in the APD Sex Crimes Unit—Sergeant Christine Chomout.

217. On April 22, 2015, Ms. Sin called both Detective Delgado and Ms. Haberman to inquire about whether the urine and blood samples in her SAK had been submitted for toxicology analysis. Ms. Haberman responded to Ms. Sin by email to clarify that "when a person goes to St. David's for a SAFE exam, there are two files generated." One is the medical file, which is maintained by the hospital and if "the hospital drew any blood for medical purposes (not part of the SAFE exam) and ran any lab work, it would be indicated in the medical file." The second file, is the "SANE nurse's notes, which are separate from the medical file" and "provided to the law enforcement agency." Ms. Haberman confirmed that "as part of the SAFE exam, the SANE nurse draws blood, which is stored in APD's evidence room. The blood is NOT tested for drugs or alcohol level unless the detective specifically makes that request to the DPS lab, with results being provided approximately one year after the request is submitted." Detective Delgado apparently never requested that Ms. Sin's urine and/or blood be tested, despite her loss of consciousness, her memory loss, and her statement that she believed she had been drugged.

218. On May 6, 2015, Ms. Sin emailed Detective Delgado regarding an additional memory from her assault and also inquired about the status of her SAK forensic results. Given the February 9, 2015 submission to the lab, Ms. Sin had been waiting approximately four months for results.

219. Detective Delgado responded six days later, on May 12, 2015, via email and told Ms. Sin, "The time frame for SAFE kit processing is 8 months at the soonest, and is only [a] vague estimate. This could take longer based on volume and other factors with the DNA lab. I have

noted that you do want information of the results when they return and I will contact you regarding the findings as soon as I am notified of those."

220. On July 8, 2015, Cassie Campbell, Administrative Specialist at APD Central Records Unit finally responded to Ms. Sin's March 23, 2015 open records request, and informed her that, "until the investigation [of Ms. Sin's case] is concluded, the department may not release a copy of any material associated with the report." Ms. Sin then heard nothing from the APD for more than six months.

221. On January 26, 2016, Ms. Sin sent an email to Detective Delgado to request a status update on her sexual assault case, and to inquire whether the forensic testing of her SAK had been completed for the assault that occurred 13 months ago. Detective Delgado responded to Ms. Sin via email the following day and said that he had not been notified by the lab of any results on her case. Additionally, he stated that he "annotated in the report [her] desire to be made aware of the results and findings of the SAFE kit."

222. Ms. Sin responded to Detective Delgado's email within five minutes to ask him to please contact the lab to check on the SAK results because the lab could not release any information to her. Detective Delgado responded less than ten minutes later and explained that:

> When results return it is added to the report and I am sent an automatic notification. . . . I am required by computer program to address that new text or supplement before I am allowed to remove that from my in-box. I have received no such notification, additionally I checked the results prior to emailing you and nothing new has been added by the forensic lab. Essentially, the kit has not been tested. Since the time of submission, new state training requirements for lab technicians has added to the time we are getting kits back.

223. Ms. Sin never heard from Detective Delgado again. And she did not hear from any member of the APD for the next two and a half years.

224. On July 15, 2018, the APD finally contacted Ms. Sin (in response to yet another inquiry from her regarding the status of her case). On that date, Martina St. Louis, Sergeant of the

Sex Crimes Unit at APD, responded to an email sent by Ms. Sin on July 10, 2018. Sergeant St. Louis addressed several questions posed by Ms. Sin.

225. In response to Ms. Sin's noting that she had seen an April 2018 news article in which APD Chief Brian Manley declared that the backlog of SAKs had been cleared, Sergeant St. Louis stated:

> I am not sure which article you are referring to and there seems to be a misunderstanding. Not all backlogged rape kits have been processed by the respective laboratories they were outsourced/shipped to. All backlogged rape kits have been outsourced/shipped, however, currently we are still awaiting laboratory results from respective labs.

226. In response to Ms. Sin's inquiry about the status of her SAK, Sergeant St. Louis said:

> Your evidence was tested at SWIFS lab (Southwestern Institute of Forensic Science) at Dallas, Texas. A lab report dated February 10, 2017 was received and unfortunately, from the testing no suspect DNA profile was established as presumptive testing for seminal fluids came back negative. On March 27, 2017, I communicated with SWIFS labs and requested additional DNA testing for several collected items (external swabs taken from you, bilateral hand/palms swabs, fingernail scrapings and neck swabs). The status of your case as of July 15, 2018 is Suspended, Pending DNA. We are still waiting on lab results from SWIFS and unfortunately, I do not have a timeline of how soon we can expect results from the lab.

This was the first time Ms. Sin was ever informed that any testing of her SAK kit had been completed, despite her repeated requests to be kept informed about the results and despite repeated and explicit assurances from Detective Delgado that he would immediately inform her of any updates.

227. In the same email, Sergeant St. Louis responded to Ms. Sin's inquiry about toxicology tests for alcohol and drugs by confirming Ms. Sin's fears that "No toxicology tests were requested for blood/urine collected." Sergeant St. Louis also instructed Ms. Sin to follow up with

her directly regarding any additional concerns or questions, and she informed Ms. Sin that Camille Haberman was no longer with the APD Sex Crimes Unit.

228. At the time of Ms. Sin's assault, and at all relevant times thereafter, Ms. Sin was (and remains) a protected, disabled individual under state and federal law. Ms. Sin's disability stems from several mental health diagnoses, which were disclosed in the personal health information provided to the APD as part of her SANE exam.

B. Thousands of Women in Travis County Have Been, and Continue to Be, Subjected to the Same Types of Unconstitutional, Discriminatory, and Unfair Treatment by Defendants

229. In addition to the Named Plaintiffs in this matter, there are thousands of other female victims of sexual assault in Travis County that share the experiences of: (a) being disbelieved, dismissed, and discriminated against when they report the crimes committed against them; and (b) seeing their cases languish for years or be refused/dismissed, despite evidence that could be used to prove the assault or identify the assailant. Likewise, there are thousands of women in Travis County whose SAKs were not timely processed or analyzed, or even afforded the minimum diligence of care in storage and handling. And there are thousands of women in Travis County who have been subjected to Defendants' unconstitutional and discriminatory Policies. Thousands of women in Travis County have been, and continue to be, impacted because, as alleged in more detail below, Defendants' conduct is systemic.

(1) Sexual Assault is a Violent Crime that Disproportionately Affects Women

230. A 2012 national study by the Centers for Disease Control and Prevention found that one in five adult American women (or 20%) will be raped in their lifetime. One in 71 men (or 1.4%) will also be victims of sexual assault.

231. In Texas, a 2015 study by the Institute on Domestic Violence and Sexual Assault at the University of Texas at Austin found that approximately two in five Texas women (or 40%) will experience sexual violence in their lifetime, with only nine percent reporting it to police.

232. According to the National Sexual Violence Resource Center and data from the U.S. Department of Justice, 9% of all sexual assault victims are men, while 91% are women.

233. APD's Annual Crime and Traffic Reports include the "official numbers" for rapes reported to the APD on an annual basis.[20] Those reports indicate that 328 rapes were reported to just the APD in 2007; 273 rapes were reported in 2008; 265 rapes were reported in 2009; 265 rapes were reported in 2010; 211 rapes were reported in 2011; 209 rapes were reported 2012; 217 rapes were reported in 2013; 571 rapes were reported in 2014; 487 rapes were reported in 2015; and 747 rapes were reported in 2016, for a total of 3,573 rapes reported to the APD between 2007 and 2016.

234. The APD's Annual Crime and Traffic Report for 2017 is not yet final. However, Chief Manley's Monthly Citywide Reports for 2017 indicate that 838 rapes were reported to the APD in 2017, bringing the total for the time period from 2007 through 2017 to 4,411 rapes reported to the APD.

235. On information and belief, the percentage of female sexual assault victims in Travis County is similar to the national statistics, meaning approximately 4,014 women were sexually assaulted between 2007 and 2017 in Travis County and reported the assaults to the APD,[21] according to APD's "official numbers."

236. The "official number" of rapes reported to the APD between 2007 and 2017 is, however, significantly underreported for two reasons.

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[20] APD's Annual Crime and Traffic Reports for 2008 through 2016 are publicly available at http://www.austintexas.gov/page/annual-crime-traffic-reports.
[21] Multiplying 4,411 by 91% yields 4,014 rapes.

237. First, in 2014, the FBI modified its definition of rape. As a result, "sexual assaults that previously did not meet the criteria for rape" were included in APD's 2014 numbers, "yielding higher rape counts/rates."[22] For 2013, before the FBI's modified definition, 217 rapes were reported in APD's "official" numbers. When APD applied the new definition to the numbers in 2014, the APD reported that 571 rapes occurred.

238. In its 2014 Report, the APD gave context for the significant jump in rapes between 2013 and 2014 by saying that "if the new definition is applied to 2013 counts, rape incidents would be down about 9% [in 2014]."[23] That is, under the FBI's 2014 definition, the 2013 reported number of 217 rapes would have been 9% higher than the 571 rapes reported in 2014, or 627 rapes.[24]

239. The total of 627 rapes in 2013 is roughly 2.9 times higher[25] than the 217 rapes officially reported by APD in its 2013 Annual Report. If numbers reported by APD for the years 2007 through 2012 are also corrected at the same rate of 2.9, the revised total rapes reported to APD between 2007 and 2016 is 6,933.[26] When the 838 rapes reported in Chief Manley's 2017 Monthly Citywide Reports are added, the total is 7,771 rapes reported to the APD,[27] with approximately 7,072 of the victims being female.[28]

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[22] APD Annual Crime and Traffic Report: 2014 Final Report (Nov. 16, 2015), available at http://www.austintexas.gov/sites/default/files/files/Police/2014_crime_and_traffic_report_100715.pdf. APD's new definition in 2014, however, still did not include all sexual assaults defined by the FBI.

[23] *Id.*

[24] Multiplying 627 by 9% yields 56.43 rapes. Subtracting 56 from 627 yields 571 rapes, the number reported for 2014 by APD.

[25] Dividing 627 by 217 yields 2.9.

[26] The revised numbers for each year prior to 2013 are: 951 (2007); 792 (2008); 769 (2009); 769 (2010); 612 (2011); 606 (2012); and 629 (2013). The total of those revised numbers, plus the reported numbers of 571 for 2014, 487 for 2015, and 747 for 2016 is 6,933.

[27] Adding 6,933 and 838 yields 7,771 rapes.

[28] Multiplying 7,771 by 91% yields 7,072 rapes.

240. Second, in December 2017, APD acknowledged that "during 2014 and 2015, Austin's rape count was underreported," because when the FBI broadened its rape definition to add sodomy and sexual assault with an object [in 2014], APD added only sodomy."[29] "Imprecise case coding" apparently "prevented accurate counts at the time, but since then, [APD] fixed case coding problems and corrected 2015 cases to produce a more accurate 2015 rape count: 730."[30] That revised number is 1.5 times higher[31] than the 487 cases reported by APD in its 2015 Annual Report.

241. If numbers reported by the APD for the years 2007 through 2015 are corrected for APD's failure to include sexual assault with an object in its historical rape counts at the same rate of 1.5, the revised total rapes reported to APD from 2007 to 2016 is 10,026.[32] When the 838 rapes reported in Chief Manley's Monthly Citywide Reports for 2017 are added, the total is 10,864 rapes reported to the APD,[33] with approximately 9,886 of the victims being female.[34]

242. Simply put, sexual assault is a violent crime that overwhelmingly targets and impacts thousands of women in Travis County.

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[29] APD Annual Crime and Traffic Report: 2016 Final Report (Decl. 2017), available at http://www.austintexas.gov/sites/default/files/files/Police/2016_crime_and_traffic_report_122017.pdf.
[30] *Id.*
[31] Dividing 730 by 487 yields 1.5.
[32] Subtracting 747 from 6,933 (to reflect that the 2016 number reported was corrected for both the first and second errors) yields 6,186 total for the years prior to 2016. Multiplying 6,186 by 1.5 (to correct for the second error of not including sexual assaults with an object) yields 9,279 cases for the years prior to 2016. The total of 9,279 plus 747 (the reported number in 2016) is 10,026.
[33] Adding 10,026 and 838 yields 10,864 rapes.
[34] Multiplying 10,864 by 91% yields 9,886 rapes.

(2) Sexual Assault is Rarely Prosecuted in Travis County, Particularly when the Victim is a Woman

243. End Violence against Women International reports that only an estimated 5 to 20% of rapes are reported to police, only 0.4 to 5.4% are prosecuted, and only 0.2 to 5.2% result in a conviction. The numbers for Travis County, specifically, are on the very lowest end or worse than the national average, according to Defendants' own data.

244. According to data gathered by the Travis County Sexual Assault Response and Resource Team (the "**SARRT**"),[35] between July 2016 and June 2017, APD received 1,268 calls for assistance on sexual assault cases. Of those cases, 1,161 were "investigated" by the APD, and only 96 arrests were made.[36]

245. During the same period, the Travis County DA's Office received 224 sexual assault case referrals for prosecution.[37] The DA decided to proceed with only 77 of those 224 cases.[38]

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[35] The Austin/Travis County Sexual Assault Response and Resource Team (SARRT) is "the designated, coordinated community response to sexual assault in Travis County, Texas." It "is an established working body comprising the agencies involved in the response to post-pubescent adolescent and adult sexual assault victims," including "law enforcement, attorneys, advocates, university programs, prosecutors, Sexual Assault Nurse Examiners (SANEs), and hospitals." In 2015, "the SAFE Alliance and two SARRT member agencies were awarded a 3-year Office of Violence Against Women Grant to Encourage Arrests through the Department of Justice." One of the primary deliverables "was a community-wide needs assessment of the SARRT response to sexual assault." Over 15 agencies and entities participated and contributed data for the CNA, including the Defendants. A true and correct copy of the completed Community Needs Assessment (the "**CNA**") is attached as Exhibit A.

[36] Exhibit A, at 27.

[37] *Id.* at 28. The DA's Office receives referrals from agencies other than the APD, like other police departments in the county and the Travis County Sherriff's Office, which is why 226 cases were referred during the same time APD only made 96 arrests.

[38] *Id.* at 28.

246. Of those 77 cases, during the time period of data collection, 8 perpetrators pleaded guilty as charged, and only one—a case involving the rape of a male victim by a serial rapist who had previously raped multiple women in Travis County—went to trial.[39]

247. In 10 of the 77 cases, the charges were dismissed during the data collection period, and in another 17, the assailant pleaded guilty to other charges.[40] The remaining 41 cases remained active after June 30, 2017, but upon information and belief, at least 30 additional cases were dismissed by the Current DA over the rest of calendar year 2017.

248. Thus, based on the data contained in the CNA, 1,268 calls related to sexual assaults were made only to the APD from July 2016 to June 2017, and during the same period only 9 assailants either pleaded guilty to the sexual assault crime charged (8) or were found guilty of the sexual assault crime charged following a trial (1), which is approximately 0.7% of the number of calls received by the APD.[41] The same numbers also suggest that during the data collection period, less than 0.08% of sexual assault calls made to the APD resulted in a trial of the assailant.[42]

(3) Female Victims of Sexual Assault in Travis County Receive Disparate Treatment Relative to Victims of Other Violent Crimes and Relative to Male Victims of Sexual Assault

249. Women who are victims of sexual assault rely on the statements and commitments made to them by government actors in the criminal justice system, including Defendants. They routinely submit to invasive forensic exams, in which samples of tissue are removed from their most intimate areas of the body and pictures may be taken of any part of their naked bodies. The exam can last hours, and to be helpful to the investigation, in most cases, must be done within 24

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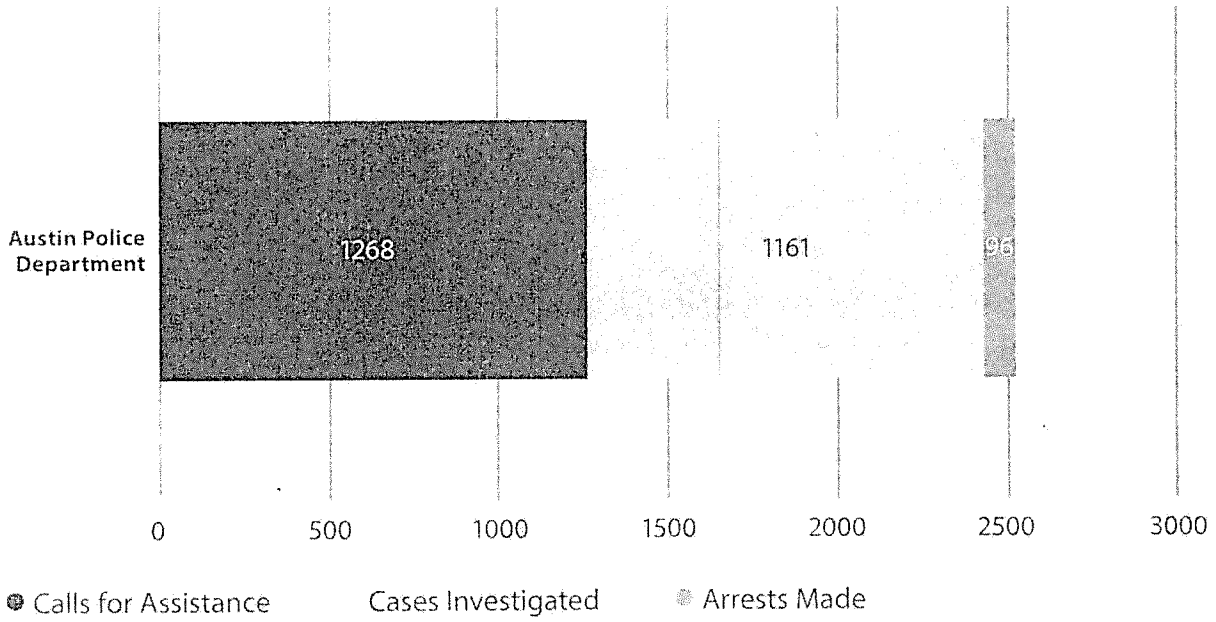
[39] *Id.*
[40] *Id.*
[41] Dividing 9 by 1,268 equals 0.007, which is 0.7%.
[42] Dividing 1 by 1,268 equals 0.00078, which rounds to 0.08%.

TAB 3

The APD handles a large census of sexual assault calls and cases in a 12-month period. These numbers may be inclusive of calls for some minors as well as adults. These calls include acute incidents as well as those making a delayed report.[40]

Activity July 1, 2016-June 30,2017



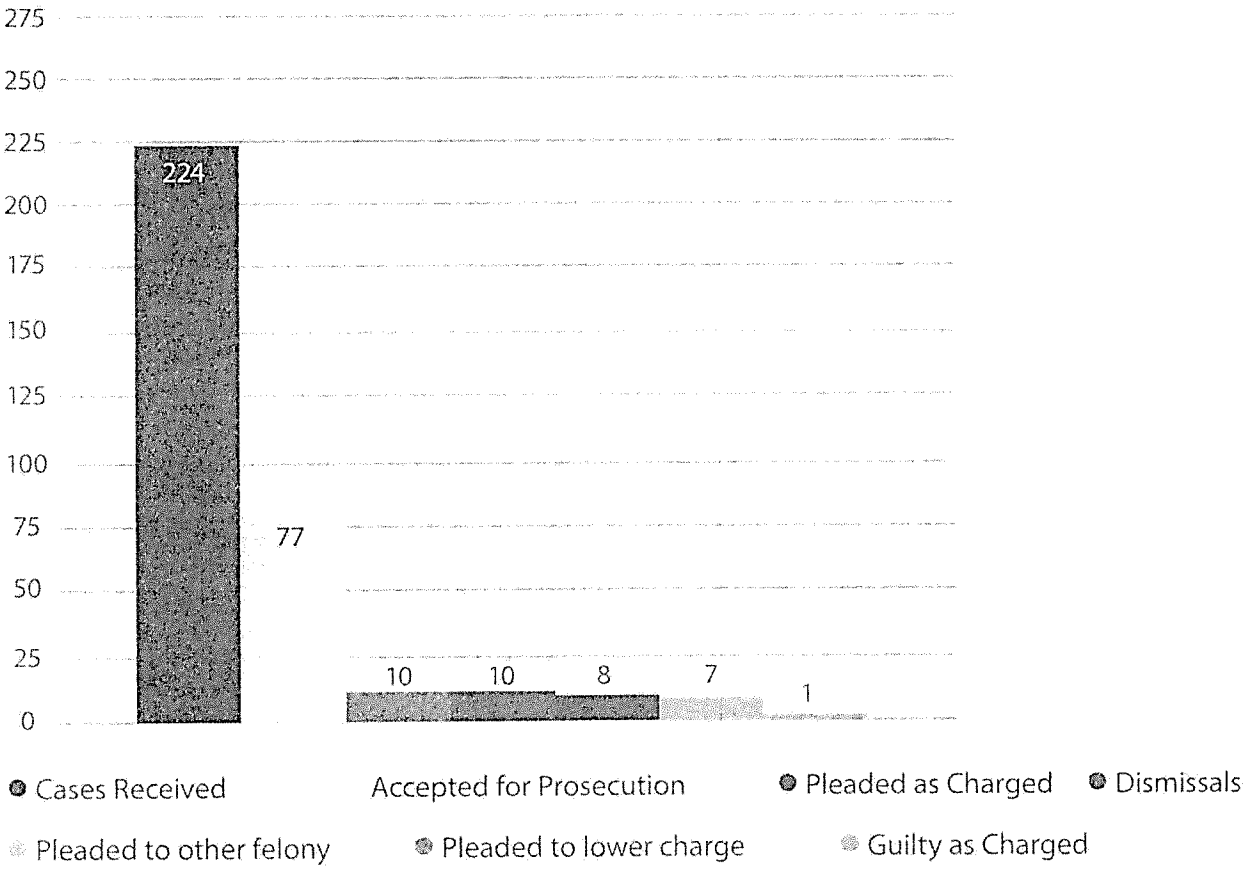
As reported and defined by Austin Police Department on OVW GTEA 2015 Semi-Annual Reports

This information shows the number of cases in each category during the referenced time period, however, it does not reflect cases as they proceed linearly.

[40] This information may contain reports inclusive of other sex crimes

The Travis County District Attorney's Office handles sexual assault cases for all 11 jurisdictions in the county. These numbers are inclusive of those jurisdictions. This information shows the number of cases reported in each category during the referenced time period, however, it does not reflect cases as they proceed linearly.

Activity July 1, 2016-June 30,2017



As reported and defined by TCDA on GTEA Semi-Annual Full Progress Reports. For definitions of 'received' and 'accepted', see the Semi-Annual Full Progress Report.

This is a small sample of the information available to the community through the various agencies within the SARRT regarding the crime of sexual assault and the survivors who are served.

TAB 4

YEAR	RAPES REPORTED BY APD	APD CLEARANCE RATE	RAPES SOLVED OR CLEARED BY APD	NEW CASES FILED BY DA	% SOLVED OR CLEARED APD CASES FILED BY DA	% OF APD REPORTED RAPES FILED BY DA
2014	571	54%	308.34	42	13.62%	7.36%
2015	730	53%	386.9	55	14.22%	7.53%
2016	747	51%	380.97	76	19.95%	10.17%
2017	834	53%	442.02	76	17.19%	9.11%
2018	787	53%	417.11	74	17.74%	9.40%
Five Year Average					**16.54%**	**8.72%**

* 487 Rapes were reported in 2015 Report, but corrected in 2016 to be 730
**All Narcotics reports from APD based on Annual Monthly Chief Reports

***2018 APD numbers are from December 2018 Chief Report and clearance rates are assumed to be the same as 2017 (because no other data available currently)

****New Cases Filed by DA data from The Texas Office of Court Administration, Court Activity Reporting and Directory System, available at https://card.txcourts.gov

MURDERS REPORTED BY APD	APD CLEARANCE RATE	MURDERS SOLVED OR CLEARED BY APD	NEW CASES FILED BY DA	% SOLVED OR CLEARED APD CASES FILED BY DA	% OF APD REPORTED MURDERS FILED BY DA
32	66%	21.12	22	104.17%	68.75%
23	87%	20.01	24	119.94%	104.35%
39	79%	30.81	40	129.83%	102.56%
25	104%	26	50	192.31%	200.00%
32	104%	33.28	33	99.16%	103.13%
				129.08%	**115.76%**

AGGRAVATED ASSAULT REPORTED BY APD	APD CLEARANCE RATE	AGGRAVATED ASSAULTS SOLVED OR CLEARED BY APD	NEW CASES FILED BY DA (INCLUDES ATT. MURDER)	% SOLVED OR CLEARED APD CASES FILED BY DA	% OF APD REPORTED AGGRAVATED ASSAULTS FILED BY DA
2105	61%	1284.05	1035	80.60%	49.17%
2058	60%	1234.8	1073	86.90%	52.14%
2069	48%	993.12	992	99.89%	47.95%
2186	48%	1049.28	1251	119.22%	57.23%
2388	48%	1146.24	1393	121.53%	58.33%
				101.63%	**52.96%**

ROBBERIES REPORTED BY APD	APD CLEARANCE RATE	ROBBERIES SOLVED OR CLEARED BY APD	NEW CASES FILED BY DA	% SOLVED OR CLEARED APD CASES FILED BY DA	% OF APD REPORTED ROBBERIES FILED BY DA
873	31%	270.63	281	103.83%	32.19%
929	31%	287.99	316	109.73%	34.02%
1048	35%	366.8	416	113.41%	39.69%
987	33%	325.71	378	116.05%	38.30%
1021	33%	336.93	430	127.62%	42.12%
				114.13%	**37.26%**

BURGLARIES REPORTED BY APD	APD CLEARANCE RATE	BURGLARIES SOLVED OR CLEARED BY APD	NEW CASES FILED BY DA	% SOLVED OR CLEARED APD CASES FILED BY DA	% OF APD REPORTED BURGLARIES FILED BY DA
5733	11%	630.63	722	114.49%	12.59%
5000	12%	600	668	111.33%	13.36%
5252	12%	630.24	721	114.40%	13.73%
4380	13%	569.4	733	128.73%	16.74%
4552	13%	591.76	700	118.29%	15.38%
				117.45%	**14.36%**

THEFTS REPORTED BY APD	APD CLEARANCE RATE	THEFTS SOLVED OR CLEARED BY APD	NEW CASES FILED BY DA	% SOLVED OR CLEARED APD CASES FILED BY DA	% OF APD REPORTED THEFTS FILED BY DA
29423	15%	4413.45	1050	23.79%	3.57%
28068	13%	3648.84	1029	28.20%	3.67%
26204	12%	3144.48	828	26.33%	3.16%
24542	10%	2454.2	1001	40.79%	4.08%
26570	10%	2657	1010	38.01%	3.80%
				31.42%	**3.65%**

AUTO THEFTS REPORTED BY APD	APD CLEARANCE RATE	AUTO THEFTS SOLVED OR CLEARED BY APD	NEW CASES FILED BY DA	% SOLVED OR CLEARED APD CASES FILED BY DA	% OF APD REPORTED AUTO THEFTS FILED BY DA
2288	16%	366.08	263	71.84%	11.49%
2331	20%	466.2	280	60.06%	12.01%
2119	23%	487.37	307	62.99%	14.49%
2079	15%	311.85	377	120.89%	18.13%
2557	15%	383.55	390	101.68%	15.25%
				83.49%	**14.28%**

NARCOTICS REPORTED BY APD***	APD CLEARANCE RATE	NEW CASES FILED BY DA	% REPORTED APD CASES FILED BY DA
6243	NR	2369	37.95%
5948	NR	2131	35.83%
6414	NR	2594	40.44%
7948	NR	2977	37.46%
5993	NR	2709	45.20%
			39.38%

TAB 5

District Courts

Activity Detail from January 1, 2014 to December 31, 2014

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CRIMINAL CASES

Cases on Docket:	Capital Murder	Murder	Other Homicide	Agg. Assault or Attempted Murder	Sexual Assault of Adult	Indecency With or Sexual Assault of Child	Family Violence Assault	Aggravated Robbery or Robbery
Cases Pending 1/1/2014:								
Active Cases	23	67	18	706	78	273	423	214
Inactive Cases	4	32	17	853	119	520	127	231
Docket Adjustments	1	(6)	2	2	(10)	(13)	8	(5)
Cases Added:								
Filed by Indictment or Information	5	17	18	1,035	42	221	777	281
Other Cases Reaching Docket:								
Motions to Revoke Filed	0	2	3	281	15	39	157	121
Cases Reactivated	1	8	6	629	28	182	492	241
All Other Cases Added	0	1	0	3	1	2	2	7
Total Cases on Docket:	30	89	47	2,656	154	704	1,859	859
Dispositions:								
Convictions:								
Guilty Plea or Nolo Contendere	1	14	9	472	15	84	399	144
By the Court	0	0	0	1	0	1	0	1
By the Jury	3	6	3	11	6	12	2	2
Total Convictions	4	20	12	484	21	97	401	147
Placed on Deferred Adjudication	0	0	1	198	6	31	99	48
Acquittals:								
By the Court	0	0	0	6	0	0	0	0
By the Jury	0	1	0	3	0	0	4	0
Total Acquittals	0	1	0	9	0	0	4	0
Dismissals	1	6	3	297	21	37	144	31
Motions to Revoke:								
Granted Revoked	0	0	0	95	5	12	82	55
Denied Continued	0	1	6	170	8	29	61	62
All Other Dispositions	0	0	1	67	2	2	22	20
Total Cases Disposed	5	28	23	1,320	63	208	813	363
Placed on Inactive Status	2	6	5	569	22	123	437	211
Cases Pending 12/31/2014:								
Active Cases	24	52	18	693	63	300	548	260
Inactive Cases	4	33	17	867	119	534	133	226
Cases in Which								
Death Penalty Sought	1	---	---	---	---	---	---	---
Death Penalty Not Sought	1	---	---	---	---	---	---	---
Sentencing Information:								
Prison	4	20	11	143	15	81	67	86
State Jail	0	0	0	32	2	2	17	14
Local Jail	0	0	1	229	2	6	261	23
Probation/Community Supervision	0	0	0	75	2	8	60	22
Shock Probation	0	0	0	2	0	0	0	8
Fine Only	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2014 to December 31, 2014

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CRIMINAL CASES

Cases on Docket:	Burglary	Theft	Auto Theft	Drug Sale or Manufacture	Drug Possession	Felony DWI	Other Felony	All Misde-meanors	Total Cases
Cases Pending 1/1/2014:									
Active Cases	377	398	56	333	901	494	1,039	15	5,415
Inactive Cases	939	3,065	361	446	2,058	735	4,214	1	13,722
Docket Adjustments	(3)	(11)	2	(8)	(25)	9	(33)	0	(90)
Cases Added:									
Filed by Indictment or Information	722	1,050	263	628	2,369	659	1,798	0	9,885
Other Cases Reaching Docket:									
Motions to Revoke Filed	290	166	28	149	393	315	421	0	2,380
Cases Reactivated	743	621	91	358	1,057	462	1,176	0	6,095
All Other Cases Added	6	0	0	0	2	1	6	0	31
Total Cases on Docket:	2,135	2,224	440	1,460	4,697	1,940	4,407	15	23,716
Dispositions:									
Convictions:									
Guilty Plea or Nolo Contendere	421	784	168	371	1,255	574	927	0	5,638
By the Court	0	0	0	0	1	0	1	0	5
By the Jury	1	0	0	0	0	1	5	0	52
Total Convictions	422	784	168	371	1,256	575	933	0	5,695
Placed on Deferred Adjudication	120	105	15	77	251	1	243	0	1,195
Acquittals:									
By the Court	2	0	0	0	0	0	1	0	9
By the Jury	0	0	0	0	1	0	0	0	9
Total Acquittals	2	0	0	0	1	0	1	0	18
Dismissals	121	170	35	111	378	32	444	0	1,831
Motions to Revoke:									
Granted Revoked	155	71	15	58	187	81	143	0	959
Deemed Continued	165	97	10	86	213	216	218	0	1,342
All Other Dispositions	52	59	19	35	181	32	160	0	652
Total Cases Disposed	1,037	1,286	262	738	2,467	937	2,142	0	11,692
Placed on Inactive Status	566	482	77	320	1,020	449	958	0	5,247
Cases Pending 12/31/2014:									
Active Cases	411	384	88	374	1,093	524	1,144	15	5,991
Inactive Cases	883	2,998	360	436	2,138	752	4,159	1	13,660
Cases in Which									
Death Penalty Sought	---	---	---	---	---	---	---	---	---
Death Penalty Not Sought	---	---	---	---	---	---	---	---	---
Sentencing Information:									
Prison	155	23	3	146	116	174	201	0	1,245
State Jail	88	189	62	85	208	6	209	0	914
Local Jail	112	523	92	108	846	66	395	0	2,664
Probation/Community Supervision	54	49	11	33	84	329	115	0	842
Shock Probation	17	0	0	0	0	1	4	0	32
Fine Only	0	1	0	0	1	0	10	0	12
Other	0	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2014 to December 31, 2014

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

Age of Cases Disposed:	90 Days or Less	91 to 180 Days	181 to 365 Days	Over 365 Days	Total Cases
Number of Cases	5,257	2,633	2,417	1,385	11,692

Information on Trafficking of Persons:	Total Filed
Cases for Trafficking of Persons	2
Cases for Prostitution	0
Cases for Compelling Prostitution	1

Additional Court Activity:	Total
Cases in Which Jury Selected	64
Cases in Which Mistrial Declared	0
Motions to Suppress Granted or Denied	9
Mental Illness or Intellectual Disability Assessments	
Competency Examination Reports	649
Cases Set for Review	3,110
Cases in Which Attorney Appointed as Counsel	9,349
Cases with Retained Counsel	7,377

District Courts

Activity Detail from January 1, 2014 to December 31, 2014

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CIVIL CASES

Cases on Docket:	Injury or Damage						Real Property	
	Motor Vehicle	Medical Malpractice	Other Professional Malpractice	Product Liability - Asbestos/ Silica	Other Product Liability	Other Injury or Damage	Eminent Domain	Other Real Property
Cases Pending 1/1/2014:								
Active Cases	952	45	168	441	3	879	0	111
Inactive Cases	5	0	7	0	0	10	0	0
Docket Adjustments	(7)	0	(7)	0	0	(24)	0	1
Cases Added:								
New Cases Filed	688	30	49	0	5	318	0	86
Other Cases Reaching Docket:								
Cases Reactivated	0	0	0	0	0	0	0	0
All Other Cases Added	20	2	5	0	0	24	0	1
Total Cases On Docket	1,653	77	215	441	8	1,197	0	199
Dispositions:								
Change of Venue Transfers	7	0	0	0	0	3	0	0
Default Judgments	23	0	0	0	0	7	0	6
Agreed Judgments	69	1	6	0	0	41	0	4
Summary Judgments	7	0	3	0	0	12	0	5
Final Judgments:								
After Non-Jury Trial	16	1	2	0	0	15	0	3
By Jury Verdict	6	0	1	0	0	7	0	0
By Directed Verdict	1	0	0	0	0	0	0	0
Dismissed for Want of Prosecution	86	0	24	0	0	129	0	13
Non-Suited or Dismissed by Plaintiff	298	19	34	0	1	166	0	22
All Other Dispositions	4	2	3	0	0	14	0	16
Total Cases Disposed	517	23	73	0	1	394	0	69
Placed on Inactive Status	8	0	1	0	0	11	0	0
Cases Pending 12/31/2014:								
Active Cases	1,131	54	143	441	6	794	0	130
Inactive Cases	10	0	6	0	1	19	0	0

District Courts

Activity Detail from January 1, 2014 to December 31, 2014

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CIVIL CASES

Cases on Docket:	Contract: Consumer/ Commercial/ Debt	Contract: Other Contract	Civil Cases Relating to Criminal Matters	All Other Civil Cases	Tax	Total Cases
Cases Pending 1/1/2014:						
Active Cases	2,675	817	5,735	2,517	3,125	17,468
Inactive Cases	58	8	0	424	16	528
Docket Adjustments	(66)	(14)	(183)	(81)	(26)	(407)
Cases Added:						
New Cases Filed	1,128	508	1,857	1,337	826	6,832
Other Cases Reaching Docket:						
Cases Reactivated	2	0	0	145	0	147
All Other Cases Added	285	11	4	68	5	425
Total Cases On Docket	4,024	1,322	7,413	3,986	3,930	24,465
Dispositions:						
Change of Venue Transfers	16	2	0	4	0	32
Default Judgments	134	143	140	117	267	837
Agreed Judgments	98	22	82	274	98	695
Summary Judgments	70	5	42	45	18	207
Final Judgments:						
After Non-Jury Trial	53	28	939	96	37	1,190
By Jury Verdict	6	0	0	3	0	23
By Directed Verdict	1	0	0	0	0	2
Dismissed for Want of Prosecution	384	119	7	310	28	1,100
Non-Suited or Dismissed by Plaintiff	592	154	197	295	188	1,966
All Other Dispositions	81	27	78	92	1	318
Total Cases Disposed	1,435	500	1,485	1,236	637	6,370
Placed on Inactive Status	21	3	0	22	2	68
Cases Pending 12/31/2014:						
Active Cases	2,582	822	5,928	2,764	3,292	18,087
Inactive Cases	63	8	0	265	17	389

Age of Cases Disposed:

	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	Total Cases
Number of Cases	2,195	739	820	706	1,910	6,370

Additional Court Activity:	Total
Cases in Which Jury Selected	24
Cases in Which Mistrial Declared	0
Injunction or Show Cause Order Issued	61
Cases in Which Plaintiff /Petitioner Represented Self	162

District Courts

Activity Detail from January 1, 2014 to December 31, 2014

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

FAMILY CASES

Cases on Docket:	Divorce: Children	Divorce: No Children	Parent-Child - No Divorce	Child Protective Services	Termination of Parental Rights	Adoption	Protective Orders - No Divorce	Title IV-D: Paternity	Title IV-D: Support Order	Title IV-D: UIFSA
Cases Pending 1/1/2014:										
Active Cases	2,001	1,661	929	565	40	146	213	522	623	101
Inactive Cases	8	1	5	11	1	0	1	12	9	2
Docket Adjustments	(158)	(174)	(42)	(9)	7	(24)	(17)	35	58	(2)
Cases Added:										
New Cases Filed	2,007	2,566	566	470	25	375	238	798	1,255	54
Other Cases Reaching Docket:										
Cases Reactivated	7	0	4	20	0	0	8	4	5	1
All Other Cases Added	41	13	49	43	3	16	108	18	69	0
Total Cases on Docket:	3,898	4,066	1,506	1,089	75	513	550	1,377	2,010	154
Dispositions:										
Change of Venue Transfers	5	2	5	4	1	2	1	0	2	0
Default Judgments	130	286	55	56	3	0	27	124	128	6
Agreed Judgments	1,114	1,547	131	32	3	9	100	259	798	25
Summary Judgments	0	0	0	0	0	0	0	0	0	0
Final Judgments:										
After Non-Jury Trial	172	267	154	175	13	254	115	37	68	5
By Jury Verdict	1	0	1	4	0	0	0	0	0	0
By Directed Verdict	0	0	0	0	0	0	0	0	1	0
Dismissed for Want of Prosecution	285	281	171	32	11	28	32	103	97	19
Non-Suited or Dismissed by Plaintiff	94	60	17	147	0	5	31	128	193	24
All Other Dispositions	4	0	9	9	0	0	3	6	17	0
Total Cases Disposed	1,805	2,443	543	459	31	298	309	657	1,304	79
Cases Placed on Inactive Status	0	0	2	8	0	0	1	7	14	3
Cases Pending 12/31/2014:										
Active Cases	2,087	1,621	960	615	44	215	233	721	705	72
Inactive Cases	7	3	4	6	1	0	1	7	5	4

District Courts

Activity Detail from January 1, 2014 to December 31, 2014

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

FAMILY CASES

Cases on Docket:	All Other Family Law Cases	Post-Judgment Actions: Modification - Custody	Post-Judgment Actions: Modification - Other	Post-Judgment Actions: Enforcement	Post-Judgment Actions: Title IV-D	Total Cases
Cases Pending 1/1/2014:						
Active Cases	810	568	508	829	1,207	10,723
Inactive Cases	12	0	5	92	299	458
Docket Adjustments	(77)	(23)	(36)	(28)	(44)	(534)
Cases Added:						
New Cases Filed	853	284	568	183	2,479	12,721
Other Cases Reaching Docket:						
Cases Reactivated	4	1	4	15	298	371
All Other Cases Added	44	4	2	3	3	416
Total Cases on Docket:	1,634	834	1,046	1,002	3,943	23,697
Dispositions:						
Change of Venue Transfers	2	13	14	10	28	89
Default Judgments	2	17	15	4	90	943
Agreed Judgments	41	107	175	46	1,549	5,936
Summary Judgments	0	0	0	0	0	0
Final Judgments:						
After Non-Jury Trial	714	67	85	46	240	2,412
By Jury Verdict	0	1	0	0	0	7
By Directed Verdict	0	0	0	0	0	1
Dismissed for Want of Prosecution	363	67	64	272	210	2,035
Non-Suited or Dismissed by Plaintiff	13	15	18	28	179	952
All Other Dispositions	0	1	0	0	33	82
Total Cases Disposed	1,135	288	371	406	2,329	12,457
Cases Placed on Inactive Status	5	5	3	18	398	464
Cases Pending 12/31/2014:						
Active Cases	498	541	671	617	1,361	10,961
Inactive Cases	9	4	5	56	254	366

Age of Cases Disposed:

	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	Total Cases
Number of Cases	5,398	2,001	1,680	1,015	2,363	12,457

Additional Court Activity:

	Total
Cases in Which Jury Selected	13
Cases in Which Mistrial Declared	0
Injunction or Show Cause Order Issued	689
Protective Orders Signed	261
Cases Set for Review	575
Cases in Which Plaintiff/Petitioner Represented Self	3,401

District Courts

Activity Detail from January 1, 2014 to December 31, 2014

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Cases on Docket:	CINS	Delinquent Conduct: Capital Murder	Murder	Other Homicides	Agg. Assault or Attempted Murder	Assault	Indecency with or Sexual Assault of Child	Agg. Robbery or Robbery	Burglary	Theft	Auto Theft
Cases Pending 1/1/2014:											
Active Cases	94	0	1	0	77	174	112	11	127	51	21
Inactive Cases	13	0	0	0	3	8	3	0	4	6	2
Docket Adjustments	(2)	1	(1)	0	(8)	(34)	(5)	(2)	(5)	(5)	1
Cases Added:											
New Petitions Filed	55	2	0	0	93	260	38	37	150	101	61
Petitions for Transfer to Adult Crim. Court	---	1	1	0	0	0	5	0	0	0	0
Other Cases Reaching Docket:											
Motions to Modify Enforce Proceed Filed	0	0	0	0	0	0	0	0	0	0	0
Cases Reactivated	3	0	0	0	2	5	0	1	5	6	4
All Other Cases Added	0	0	0	0	0	0	0	0	0	0	0
Total Cases on Docket	150	4	1	0	164	405	150	47	277	153	87
Adjudications:											
Findings of Delinquent Conduct or CINS:											
Plea of True	23	0	1	0	28	69	15	19	83	62	33
By the Court	1	0	0	0	6	9	5	4	5	5	6
By the Jury	0	0	0	0	0	0	0	0	0	0	0
Total Findings of DC/CINS	24	0	1	0	34	78	20	23	88	67	39
Deferred Prosecution	97	0	0	0	23	71	0	1	29	12	3
Transferred to Adult Criminal Court	---	0	0	0	0	0	0	0	0	0	0
Findings of No DC or No CINS:											
By the Court	0	0	0	0	0	0	0	0	0	0	0
By the Jury	0	0	0	0	0	0	0	0	0	0	0
Total Findings of No DC/No CINS	0	0	0	0	0	0	0	0	0	0	0
Dismissals	0	0	0	0	6	36	1	0	20	12	2
Motions to Modify Disposition:											
Denied	0	0	0	0	0	0	0	0	0	0	0
Granted	0	0	0	0	0	0	0	0	0	0	0
All Other Adjudications/Findings	18	1	0	0	16	30	25	3	10	7	1
Total Cases Adjudicated	139	1	1	0	79	215	46	27	147	98	45
Placed on Inactive Status	2	0	0	0	3	5	0	2	10	6	0
Cases Pending 12/31/2014:											
Active Cases	21	3	0	0	83	186	105	18	128	50	39
Inactive Cases	0	0	0	0	3	7	2	1	1	5	1
Dispositions:											
Cases with Findings of DC/CINS											
Probation Granted											
Determinate Sentence Probation	---	0	0	0	1	0	4	0	0	0	0
All Other Probation	24	1	0	0	23	64	8	19	70	53	34
Committed to Texas Juvenile Justice Dept.											
Determinate Sentence	---	0	0	0	0	0	0	0	0	0	0
Indeterminate Sentence	---	0	0	0	0	0	0	0	0	0	0
Final Judgment Without Any Disposition	0	0	1	0	9	14	7	4	16	13	5
Cases with Granted Motion to Modify Disp.											
Probation Revoked, Child sent to TJJD	---	0	0	0	0	0	0	0	0	0	0
All Other Dispositions	0	0	0	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2014 to December 31, 2014

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Cases on Docket:	Delinquent Conduct						Total Delinquent Conduct Cases	
	Felony Drug Offenses	Misde-meanor Drug Offenses	DWI	Contempt of Court	All Other Offenses	Total Cases	Felonies	Misde-meanors
Cases Pending 1/1/2014:								
Active Cases	38	67	5	1	412	1,191	423	674
Inactive Cases	5	4	0	1	24	73	20	40
Docket Adjustments	(1)	(16)	0	(1)	(83)	(161)	(22)	124
Cases Added:								
New Petitions Filed	34	113	0	1	275	1,220	476	689
Petitions for Transfer to Adult Crim. Court	0	0	0	0	0	7	7	0
Other Cases Reaching Docket:								
Motions to Modify Enforce Proceed Filed	0	0	0	0	528	528	0	528
Cases Reactivated	0	4	0	0	21	51	12	36
All Other Cases Added	0	1	0	0	0	1	0	1
Total Cases on Docket	71	169	5	1	1,153	2,837	896	2,052
Adjudications:								
Findings of Delinquent Conduct or CINS:								
Plea of True	10	70	2	0	130	545	211	311
By the Court	1	1	0	0	3	46	28	17
By the Jury	0	0	0	0	0	0	0	0
Total Findings of DC/CINS	11	71	2	0	133	591	239	328
Deferred Prosecution	16	17	0	0	30	299	81	184
Transferred to Adult Criminal Court	0	0	0	0	0	0	0	0
Findings of No DC or No CINS:								
By the Court	0	0	0	0	0	0	0	0
By the Jury	0	0	0	0	0	0	0	0
Total Findings of No DC/No CINS	0	0	0	0	0	0	0	0
Dismissals	2	6	0	0	118	203	32	369
Motions to Modify Disposition:								
Denied	0	0	0	0	65	65	0	65
Granted	0	0	0	0	275	275	0	275
All Other Adjudications/Findings	2	11	0	0	24	148	65	65
Total Cases Adjudicated	31	105	2	0	645	1,581	417	1,286
Placed on Inactive Status	0	4	0	0	25	57	13	42
Cases Pending 12/31/2014:								
Active Cases	40	64	3	1	483	1,224	472	731
Inactive Cases	5	0	0	1	28	54	15	39
Dispositions:								
Cases with Findings of DC/CINS								
Probation Granted								
Determinate Sentence Probation	0	0	0	0	0	5	4	0
All Other Probation	7	51	0	0	111	465	186	255
Committed to Texas Juvenile Justice Dept.								
Determinate Sentence	0	0	0	0	0	0	0	0
Indeterminate Sentence	0	0	0	0	0	0	0	0
Final Judgment Without Any Disposition	2	19	2	0	21	113	43	70
Cases with Granted Motion to Modify Disp.								
Probation Revoked, Child sent to TJJD	0	0	0	0	3	3	0	3
All Other Dispositions	0	0	0	0	272	272	0	272

District Courts

Activity Detail from January 1, 2014 to December 31, 2014

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Age of Cases Adjudicated:

	30 Days or Less	31 to 90 Days	91 to 180 Days	Over 180 Days	Total Cases
Number of Cases	406	720	257	198	1,581

Additional Court Activity:

	CINS	DC	Total
Grand Jury Approvals	---	0	0
Release or Transfer Hearings	---	0	0
Detention Hearings	45	3,383	3,428
Cases Set for Review	530	1,442	1,972
Competency Hearings	0	3	3
Motions to Suppress Granted /Denied	0	4	4
Applications for Sealing Records	0	253	253
Motions for Sex Offender Un- or Deregistration	0	32	32
Cases in Which Attorney Appointed as Counsel	18	1,427	1,445
Cases with Retained Counsel	0	7	7

TAB 6

District Courts

Activity Detail from January 1, 2015 to December 31, 2015

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CRIMINAL CASES

Cases on Docket:	Capital Murder	Murder	Other Homicide	Agg. Assault or Attempted Murder	Sexual Assault of Adult	Indecency With or Sexual Assault of Child	Family Violence Assault	Aggravated Robbery or Robbery
Cases Pending 1/1/2015:								
Active Cases	24	52	18	690	63	286	539	257
Inactive Cases	4	33	17	872	119	547	146	230
Docket Adjustments	(2)	(3)	(1)	(53)	(8)	(12)	73	(10)
Cases Added:								
Filed by Indictment or Information	9	15	27	1,073	55	223	934	316
Other Cases Reaching Docket:								
Motions to Revoke Filed	0	5	4	255	17	43	162	98
Cases Reactivated	1	8	9	526	30	150	501	189
All Other Cases Added	0	0	0	6	0	0	1	12
Total Cases on Docket:	32	77	57	2,497	157	690	2,210	862
Dispositions:								
Convictions:								
Guilty Plea or Nolo Contendere	5	9	7	439	9	84	443	184
By the Court	0	0	0	2	0	0	0	0
By the Jury	2	3	1	8	1	8	1	1
Total Convictions	7	12	8	449	10	92	444	185
Placed on Deferred Adjudication	0	0	2	176	6	35	113	54
Acquittals:								
By the Court	0	0	0	1	1	1	0	0
By the Jury	0	0	0	5	1	2	1	2
Total Acquittals	0	0	0	6	2	3	1	2
Dismissals	2	4	6	272	12	61	158	44
Motions to Revoke:								
Granted Revoked	0	1	2	89	2	16	72	36
Denied Continued	0	1	3	167	11	26	57	60
All Other Dispositions	0	0	0	56	1	0	26	20
Total Cases Disposed	9	18	21	1,215	44	233	871	401
Placed on Inactive Status	2	6	9	429	22	119	421	159
Cases Pending 12/31/2015:								
Active Cases	23	51	25	765	78	276	798	260
Inactive Cases	3	33	19	863	124	578	186	242
Cases in Which								
Death Penalty Sought	0	---	---	---	---	---	---	---
Death Penalty Not Sought	1	---	---	---	---	---	---	---
Sentencing Information:								
Prison	5	9	5	95	6	78	70	109
State Jail	0	1	1	28	0	4	19	16
Local Jail	0	0	0	247	1	6	270	38
Probation/Community Supervision	1	1	2	71	3	2	85	26
Shock Probation	0	1	0	8	0	3	0	9
Fine Only	0	0	0	2	0	0	0	0
Other	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2015 to December 31, 2015

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CRIMINAL CASES

Cases on Docket:	Burglary	Theft	Auto Theft	Drug Sale or Manufacture	Drug Possession	Felony DWI	Other Felony	All Misdemeanors	Total Cases
Cases Pending 1/1/2015:									
Active Cases	406	380	82	362	1,104	523	1,127	15	5,928
Inactive Cases	885	3,000	365	445	2,127	752	4,176	1	13,719
Docket Adjustments	11	13	(1)	2	(12)	10	6	0	13
Cases Added:									
Filed by Indictment or Information	668	1,029	280	546	2,131	581	1,758	0	9,645
Other Cases Reaching Docket:									
Motions to Revoke Filed	259	149	29	116	344	295	353	0	2,129
Cases Reactivated	572	603	100	314	1,013	424	1,053	0	5,493
All Other Cases Added	15	0	1	1	2	0	2	0	40
Total Cases on Docket:	1,931	2,174	491	1,341	4,582	1,833	4,299	15	23,248
Dispositions:									
Convictions:									
Guilty Plea or Nolo Contendere	375	727	200	307	1,203	525	942	0	5,459
By the Court	0	0	0	0	0	0	3	0	5
By the Jury	1	2	0	1	0	1	8	0	38
Total Convictions	376	729	200	308	1,203	526	953	0	5,502
Placed on Deferred Adjudication	141	110	22	96	285	1	251	0	1,292
Acquittals:									
By the Court	1	0	0	0	2	0	4	0	10
By the Jury	0	0	0	0	0	0	3	0	14
Total Acquittals	1	0	0	0	2	0	7	0	24
Dismissals	131	168	49	107	523	28	479	0	2,044
Motions to Revoke:									
Granted Revoked	101	63	22	42	164	80	133	0	823
Denied Continued	142	85	6	66	190	203	220	0	1,237
All Other Dispositions	57	40	18	32	123	39	123	0	535
Total Cases Disposed	949	1,195	317	651	2,490	877	2,166	0	11,457
Placed on Inactive Status	465	417	90	331	918	405	815	0	4,608
Cases Pending 12/31/2015:									
Active Cases	406	410	69	342	1,103	512	1,168	15	6,301
Inactive Cases	889	2,966	370	479	2,103	772	4,088	1	13,716
Cases in Which									
Death Penalty Sought	---	---	---	---	---	---	---	---	---
Death Penalty Not Sought	---	---	---	---	---	---	---	---	---
Sentencing Information:									
Prison	129	25	3	122	135	170	222	0	1,183
State Jail	74	160	80	65	207	12	203	0	870
Local Jail	93	496	108	81	784	62	393	0	2,579
Probation/Community Supervision	84	44	10	40	77	281	116	0	843
Shock Probation	9	0	0	1	0	0	2	0	33
Fine Only	0	0	0	1	0	0	17	0	20
Other	0	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2015 to December 31, 2015

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

Age of Cases Disposed:	90 Days or Less	91 to 180 Days	181 to 365 Days	Over 365 Days	Total Cases
Number of Cases	4,662	2,482	2,639	1,674	11,457

Information on Trafficking of Persons:	Total Filed
Cases for Trafficking of Persons	4
Cases for Prostitution	1
Cases for Compelling Prostitution	0

Additional Court Activity:	Total
Cases in Which Jury Selected	71
Cases in Which Mistrial Declared	2
Motions to Suppress Granted or Denied	8
Mental Illness or Intellectual Disability Assessments	
Competency Examination Reports	592
Cases Set for Review	2,744
Cases in Which Attorney Appointed as Counsel	10,102
Cases with Retained Counsel	7,406

District Courts

Activity Detail from January 1, 2015 to December 31, 2015

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CIVIL CASES

Cases on Docket:	Injury or Damage						Real Property	
	Motor Vehicle	Medical Malpractice	Other Professional Malpractice	Product Liability - Asbestos/ Silica	Other Product Liability	Other Injury or Damage	Eminent Domain	Other Real Property
Cases Pending 1/1/2015:								
Active Cases	1,131	54	142	442	6	789	0	130
Inactive Cases	9	0	6	0	1	18	0	0
Docket Adjustments	(1)	1	0	(153)	1	(24)	(1)	0
Cases Added:								
New Cases Filed	628	35	74	0	6	309	0	83
Other Cases Reaching Docket:								
Cases Reactivated	1	0	2	0	0	4	0	0
All Other Cases Added	19	2	4	0	0	43	2	1
Total Cases On Docket	1,778	92	222	289	13	1,121	1	214
Dispositions:								
Change of Venue Transfers	7	1	1	0	0	6	0	0
Default Judgments	27	0	2	0	0	10	0	15
Agreed Judgments	95	4	6	0	0	47	0	9
Summary Judgments	8	0	5	0	0	13	0	3
Final Judgments:								
After Non-Jury Trial	9	3	3	0	0	12	1	4
By Jury Verdict	13	2	1	0	0	5	0	1
By Directed Verdict	0	0	0	0	0	0	0	0
Dismissed for Want of Prosecution	108	0	21	0	0	103	0	15
Non-Suited or Dismissed by Plaintiff	373	11	24	141	1	163	0	36
All Other Dispositions	5	0	3	0	1	14	0	9
Total Cases Disposed	645	21	66	141	2	373	1	92
Placed on Inactive Status	7	0	6	0	0	12	0	1
Cases Pending 12/31/2015:								
Active Cases	1,135	71	149	148	11	739	0	121
Inactive Cases	6	0	11	0	1	23	0	1

District Courts

Activity Detail from January 1, 2015 to December 31, 2015

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CIVIL CASES

Cases on Docket:	Contract: Consumer/ Commercial/ Debt	Contract: Other Contract	Civil Cases Relating to Criminal Matters	All Other Civil Cases	Tax	Total Cases
Cases Pending 1/1/2015:						
Active Cases	2,580	810	5,920	2,758	3,290	18,052
Inactive Cases	59	8	0	262	17	380
Docket Adjustments	(52)	9	10	(23)	(5)	(238)
Cases Added:						
New Cases Filed	1,110	513	1,777	1,427	716	6,678
Other Cases Reaching Docket:						
Cases Reactivated	11	0	1	1	0	20
All Other Cases Added	237	22	5	73	9	417
Total Cases On Docket	3,886	1,354	7,713	4,236	4,010	24,929
Dispositions:						
Change of Venue Transfers	7	2	0	5	0	29
Default Judgments	189	148	83	111	371	956
Agreed Judgments	127	20	51	497	105	961
Summary Judgments	65	8	8	58	46	214
Final Judgments:						
After Non-Jury Trial	43	36	1,033	87	64	1,295
By Jury Verdict	8	2	0	5	0	37
By Directed Verdict	0	0	0	0	0	0
Dismissed for Want of Prosecution	364	107	4	383	5	1,110
Non-Suited or Dismissed by Plaintiff	657	201	158	333	206	2,304
All Other Dispositions	66	27	66	129	1	321
Total Cases Disposed	1,526	551	1,403	1,608	798	7,227
Placed on Inactive Status	28	9	1	23	0	87
Cases Pending 12/31/2015:						
Active Cases	2,347	796	6,309	2,616	3,216	17,658
Inactive Cases	61	15	0	273	13	404

Age of Cases Disposed:

	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	Total Cases
Number of Cases	2,307	817	1,018	656	2,429	7,227

Additional Court Activity:	Total
Cases in Which Jury Selected	42
Cases in Which Mistrial Declared	1
Injunction or Show Cause Order Issued	56
Cases in Which Plaintiff /Petitioner Represented Self	156

District Courts

Activity Detail from January 1, 2015 to December 31, 2015

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

FAMILY CASES

Cases on Docket:	Divorce							Title IV-D		
	Children	No Children	Parent-Child - No Divorce	Child Protective Services	Termination of Parental Rights	Adoption	Protective Orders - No Divorce	Paternity	Support Order	UIFSA
Cases Pending 1/1/2015:										
Active Cases	2,077	1,611	957	606	44	213	231	722	696	72
Inactive Cases	8	4	6	16	1	0	2	7	6	4
Docket Adjustments	(106)	(123)	(49)	(9)	(10)	(53)	(28)	(4)	20	(2)
Cases Added:										
New Cases Filed	1,875	2,666	630	562	25	328	262	919	1,566	62
Other Cases Reaching Docket:										
Cases Reactivated	6	2	8	69	0	0	17	1	7	5
All Other Cases Added	34	16	54	35	1	10	95	15	65	0
Total Cases on Docket:	3,886	4,172	1,600	1,263	60	498	577	1,653	2,354	137
Dispositions:										
Change of Venue Transfers	4	5	7	9	0	2	1	2	0	0
Default Judgments	159	326	55	49	2	3	43	140	142	8
Agreed Judgments	1,270	1,800	173	14	3	1	135	340	994	27
Summary Judgments	0	0	0	0	0	0	0	0	0	0
Final Judgments:										
After Non-Jury Trial	92	91	180	192	14	279	62	53	71	3
By Jury Verdict	0	0	0	0	0	0	0	0	0	0
By Directed Verdict	0	0	0	0	0	0	0	0	0	0
Dismissed for Want of Prosecution	299	250	149	33	12	38	60	47	72	16
Non-Suited or Dismissed by Plaintiff	93	69	26	165	1	5	49	317	311	21
All Other Dispositions	10	0	8	4	0	0	1	5	15	0
Total Cases Disposed	1,927	2,541	598	466	32	328	351	904	1,605	75
Cases Placed on Inactive Status	3	1	1	9	0	0	1	0	5	2
Cases Pending 12/31/2015:										
Active Cases	1,955	1,630	996	738	28	170	211	751	743	60
Inactive Cases	6	3	4	6	1	0	0	4	5	1

District Courts

Activity Detail from January 1, 2015 to December 31, 2015

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

FAMILY CASES

Cases on Docket:	All Other Family Law Cases	Post-Judgment Actions: Modification - Custody	Post-Judgment Actions: Modification - Other	Post-Judgment Actions: Enforcement	Post-Judgment Actions: Title IV-D	Total Cases
Cases Pending 1/1/2015:						
Active Cases	496	540	666	614	1,333	10,878
Inactive Cases	9	8	6	58	249	384
Docket Adjustments	(58)	(26)	7	(2)	6	(437)
Cases Added:						
New Cases Filed	938	650	241	192	2,497	13,413
Other Cases Reaching Docket:						
Cases Reactivated	6	16	8	33	312	490
All Other Cases Added	47	2	0	2	8	384
Total Cases on Docket:	1,429	1,182	922	839	4,156	24,728
Dispositions:						
Change of Venue Transfers	2	36	11	9	39	127
Default Judgments	6	34	30	8	96	1,101
Agreed Judgments	26	210	175	59	1,782	7,009
Summary Judgments	0	0	0	0	0	0
Final Judgments:						
After Non-Jury Trial	849	54	64	47	232	2,283
By Jury Verdict	0	1	0	0	0	1
By Directed Verdict	0	0	0	0	0	0
Dismissed for Want of Prosecution	109	55	33	95	112	1,380
Non-Suited or Dismissed by Plaintiff	5	24	15	41	251	1,393
All Other Dispositions	7	4	0	2	12	68
Total Cases Disposed	1,004	418	328	261	2,524	13,362
Cases Placed on Inactive Status	3	7	7	14	385	438
Cases Pending 12/31/2015:						
Active Cases	420	752	584	570	1,320	10,928
Inactive Cases	8	4	8	33	249	332

Age of Cases Disposed:

	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	Total Cases
Number of Cases	6,065	2,240	2,093	1,013	1,951	13,362

Additional Court Activity:

	Total
Cases in Which Jury Selected	3
Cases in Which Mistrial Declared	0
Injunction or Show Cause Order Issued	655
Protective Orders Signed	319
Cases Set for Review	505
Cases in Which Plaintiff/Petitioner Represented Self	3,723

District Courts

Activity Detail from January 1, 2015 to December 31, 2015

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Cases on Docket:	CINS	Delinquent Conduct: Capital Murder	Murder	Other Homicides	Agg. Assault or Attempted Murder	Assault	Indecency with or Sexual Assault of Child	Agg. Robbery or Robbery	Burglary	Theft	Auto Theft
Cases Pending 1/1/2015:											
Active Cases	21	3	0	0	81	184	105	18	127	51	39
Inactive Cases	0	0	0	0	3	7	2	1	2	5	1
Docket Adjustments	(5)	0	0	0	(30)	(81)	(8)	(3)	(28)	(13)	(5)
Cases Added:											
New Petitions Filed	4	0	0	0	137	281	33	38	171	80	71
Petitions for Transfer to Adult Crim. Court	---	0	0	0	0	0	3	0	0	0	0
Other Cases Reaching Docket:											
Motions to Modify Enforce Proceed Filed	0	0	0	0	0	0	0	0	0	0	0
Cases Reactivated	0	0	0	0	2	4	0	0	3	6	2
All Other Cases Added	0	0	0	0	0	0	1	0	0	0	0
Total Cases on Docket	20	3	0	0	190	388	134	53	273	124	107
Adjudications:											
Findings of Delinquent Conduct or CINS:											
Plea of True	7	0	0	0	42	39	15	24	69	35	35
By the Court	0	0	0	0	3	0	0	2	5	2	4
By the Jury	0	0	0	0	0	0	0	0	0	0	0
Total Findings of DC/CINS	7	0	0	0	45	39	15	26	74	37	39
Deferred Prosecution	5	0	0	0	31	69	0	4	32	26	9
Transferred to Adult Criminal Court	---	0	0	0	0	0	0	0	0	0	0
Findings of No DC or No CINS:											
By the Court	0	0	0	0	0	0	0	0	0	0	0
By the Jury	0	0	0	0	0	0	0	0	0	0	0
Total Findings of No DC/No CINS	0	0	0	0	0	0	0	0	0	0	0
Dismissals	0	0	0	0	21	88	2	2	25	14	9
Motions to Modify Disposition:											
Denied	0	0	0	0	0	0	0	0	0	0	0
Granted	0	0	0	0	0	0	0	0	0	0	0
All Other Adjudications/Findings	3	0	0	0	2	0	27	3	0	0	1
Total Cases Adjudicated	15	0	0	0	99	196	44	35	131	77	58
Placed on Inactive Status	2	0	0	0	1	4	0	2	8	5	7
Cases Pending 12/31/2015:											
Active Cases	5	3	0	0	91	189	90	16	139	42	45
Inactive Cases	0	0	0	0	1	6	2	3	2	4	3
Dispositions:											
Cases with Findings of DC/CINS											
Probation Granted											
Determinate Sentence Probation	---	0	0	0	1	1	3	0	0	0	0
All Other Probation	5	0	0	0	35	31	11	18	66	30	30
Committed to Texas Juvenile Justice Dept.											
Determinate Sentence	---	0	0	0	1	0	0	2	0	0	0
Indeterminate Sentence	---	0	0	0	1	0	0	0	0	0	0
Final Judgment Without Any Disposition	2	0	0	0	8	7	1	5	8	7	9
Cases with Granted Motion to Modify Disp.											
Probation Revoked, Child sent to TJJD	---	0	0	0	0	0	0	0	0	0	0
All Other Dispositions	0	0	0	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2015 to December 31, 2015

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Cases on Docket:	Delinquent Conduct						Total Delinquent Conduct Cases	
	Felony Drug Offenses	Misdemeanor Drug Offenses	DWI	Contempt of Court	All Other Offenses	Total Cases	Felonies	Misdemeanors
Cases Pending 1/1/2015:								
Active Cases	40	62	3	1	474	1,209	467	721
Inactive Cases	5	0	0	1	28	55	16	39
Docket Adjustments	(10)	(12)	0	(1)	(99)	(295)	(95)	(194)
Cases Added:								
New Petitions Filed	35	97	6	0	242	1,195	542	649
Petitions for Transfer to Adult Crim. Court	0	0	0	0	0	3	3	0
Other Cases Reaching Docket:								
Motions to Modify Enforce Proceed Filed	0	0	0	0	408	408	0	407
Cases Reactivated	1	2	0	0	15	35	8	25
All Other Cases Added	0	0	0	0	2	3	2	1
Total Cases on Docket	66	149	9	0	1,042	2,558	927	1,609
Adjudications:								
Findings of Delinquent Conduct or CINS:								
Plea of True	16	40	3	0	118	443	217	219
By the Court	2	0	1	0	4	23	17	6
By the Jury	0	0	0	0	0	0	0	0
Total Findings of DC/CINS	18	40	4	0	122	466	234	225
Deferred Prosecution	11	25	0	0	58	270	108	157
Transferred to Adult Criminal Court	0	0	0	0	0	0	0	0
Findings of No DC or No CINS:								
By the Court	0	0	0	0	0	0	0	0
By the Jury	0	0	0	0	0	0	0	0
Total Findings of No DC/No CINS	0	0	0	0	0	0	0	0
Dismissals	4	18	0	0	217	400	71	329
Motions to Modify Disposition:								
Denied	0	0	0	0	17	17	0	17
Granted	0	0	0	0	173	173	0	173
All Other Adjudications/Findings	0	0	0	0	2	38	34	1
Total Cases Adjudicated	33	83	4	0	589	1,364	447	902
Placed on Inactive Status	1	7	0	0	22	59	20	37
Cases Pending 12/31/2015:								
Active Cases	34	62	5	1	439	1,161	471	685
Inactive Cases	3	2	0	0	27	53	17	36
Dispositions:								
Cases with Findings of DC/CINS								
Probation Granted								
Determinate Sentence Probation	0	0	0	0	0	5	4	1
All Other Probation	11	24	3	0	86	350	184	161
Committed to Texas Juvenile Justice Dept.								
Determinate Sentence	0	0	0	0	0	3	3	0
Indeterminate Sentence	0	0	0	0	0	1	1	0
Final Judgment Without Any Disposition	7	16	1	0	36	107	42	63
Cases with Granted Motion to Modify Disp.								
Probation Revoked, Child sent to TJJD	0	0	0	0	3	3	0	3
All Other Dispositions	0	0	0	0	170	170	0	170

District Courts

Activity Detail from January 1, 2015 to December 31, 2015

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Age of Cases Adjudicated:

	30 Days or Less	31 to 90 Days	91 to 180 Days	Over 180 Days	Total Cases
Number of Cases	298	647	219	200	1,364

Additional Court Activity:

	CINS	DC	Total
Grand Jury Approvals	---	0	0
Release or Transfer Hearings	---	0	0
Detention Hearings	23	2,846	2,869
Cases Set for Review	169	1,099	1,268
Competency Hearings	0	13	13
Motions to Suppress Granted /Denied	0	4	4
Applications for Sealing Records	0	151	151
Motions for Sex Offender Un- or Deregistration	0	29	29
Cases in Which Attorney Appointed as Counsel	3	1,290	1,293
Cases with Retained Counsel	0	7	7

TAB 7

District Courts

Activity Detail from January 1, 2016 to December 31, 2016

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CRIMINAL CASES

Cases on Docket:	Capital Murder	Murder	Other Homicide	Agg. Assault or Attempted Murder	Sexual Assault of Adult	Indecency With or Sexual Assault of Child	Family Violence Assault	Aggravated Robbery or Robbery
Cases Pending 1/1/2016:								
Active Cases	23	49	25	776	76	267	784	253
Inactive Cases	3	33	19	852	124	585	201	250
Docket Adjustments	2	(3)	(2)	(12)	(7)	(16)	10	(2)
Cases Added:								
Filed by Indictment or Information	8	32	25	992	76	165	1,074	416
Other Cases Reaching Docket:								
Motions to Revoke Filed	0	0	3	227	12	42	203	131
Cases Reactivated	1	7	13	489	37	128	607	238
All Other Cases Added	0	0	1	5	0	3	1	4
Total Cases on Docket:	34	85	65	2,477	194	589	2,679	1,040
Dispositions:								
Convictions:								
Guilty Plea or Nolo Contendere	1	5	12	410	11	79	532	212
By the Court	0	0	0	2	0	0	0	0
By the Jury	1	5	0	13	1	8	9	4
Total Convictions	2	10	12	425	12	87	541	216
Placed on Deferred Adjudication	0	0	0	168	4	30	185	48
Acquittals:								
By the Court	0	0	0	6	1	0	1	1
By the Jury	0	1	1	2	1	3	0	0
Total Acquittals	0	1	1	8	2	3	1	1
Dismissals	0	8	7	304	22	27	226	56
Motions to Revoke:								
Granted Revoked	0	0	0	83	3	11	78	46
Denied Continued	0	1	1	156	5	28	110	78
All Other Dispositions	0	0	1	41	1	3	44	21
Total Cases Disposed	2	20	22	1,185	49	189	1,185	466
Placed on Inactive Status	2	7	10	456	35	81	545	212
Cases Pending 12/31/2016:								
Active Cases	31	58	31	796	104	297	811	360
Inactive Cases	3	33	18	859	128	560	277	226
Cases in Which								
Death Penalty Sought	0	---	---	---	---	---	---	---
Death Penalty Not Sought	1	---	---	---	---	---	---	---
Sentencing Information:								
Prison	2	10	9	110	6	77	118	132
State Jail	0	0	1	30	0	1	29	29
Local Jail	0	0	0	216	2	4	311	34
Probation/Community Supervision	0	0	2	71	5	10	83	17
Shock Probation	0	0	1	1	0	0	0	7
Fine Only	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2016 to December 31, 2016

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CRIMINAL CASES

Cases on Docket:	Burglary	Theft	Auto Theft	Drug Sale or Manufacture	Drug Possession	Felony DWI	Other Felony	All Misde-meanors	Total Cases
Cases Pending 1/1/2016:									
Active Cases	396	404	71	340	1,108	506	1,160	15	6,253
Inactive Cases	896	2,971	368	480	2,102	775	4,098	1	13,758
Docket Adjustments	(2)	(1)	(2)	(5)	(3)	14	(47)	0	(76)
Cases Added:									
Filed by Indictment or Information	721	828	307	638	2,594	650	1,881	1	10,408
Other Cases Reaching Docket:									
Motions to Revoke Filed	304	145	36	157	345	263	332	0	2,200
Cases Reactivated	586	430	118	363	1,025	373	966	0	5,381
All Other Cases Added	0	1	0	4	2	4	6	0	31
Total Cases on Docket:	2,005	1,807	530	1,497	5,071	1,810	4,298	16	24,197
Dispositions:									
Convictions:									
Guilty Plea or Nolo Contendere	373	608	198	311	1,307	535	912	0	5,506
By the Court	0	0	0	1	0	0	1	0	4
By the Jury	1	0	0	6	2	2	5	0	57
Total Convictions	374	608	198	318	1,309	537	918	0	5,567
Placed on Deferred Adjudication	126	94	25	110	301	0	244	0	1,335
Acquittals:									
By the Court	1	0	0	0	0	0	0	0	10
By the Jury	1	0	0	0	0	1	0	0	10
Total Acquittals	2	0	0	0	0	1	0	0	20
Dismissals	100	176	40	141	576	43	497	0	2,223
Motions to Revoke:									
Granted Revoked	118	54	14	72	169	76	131	0	855
Denied Continued	170	103	12	77	187	189	216	0	1,333
All Other Dispositions	49	47	16	33	204	47	150	1	658
Total Cases Disposed	939	1,082	305	751	2,746	893	2,156	1	11,991
Placed on Inactive Status	501	358	114	330	1,036	401	840	0	4,928
Cases Pending 12/31/2016:									
Active Cases	452	343	106	405	1,244	510	1,213	15	6,776
Inactive Cases	924	2,923	369	458	2,158	809	4,061	1	13,807
Cases in Which									
Death Penalty Sought	---	---	---	---	---	---	---	---	---
Death Penalty Not Sought	---	---	---	---	---	---	---	---	---
Sentencing Information:									
Prison	140	30	7	142	131	154	220	0	1,288
State Jail	78	124	69	58	209	7	194	0	829
Local Jail	103	415	110	88	876	55	380	0	2,594
Probation/Community Supervision	47	38	12	31	93	318	115	0	842
Shock Probation	5	0	0	2	1	2	5	0	24
Fine Only	0	0	0	0	0	0	4	0	4
Other	0	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2016 to December 31, 2016

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

Age of Cases Disposed:	90 Days or Less	91 to 180 Days	181 to 365 Days	Over 365 Days	Total Cases
Number of Cases	4,758	2,518	2,743	1,972	11,991

Information on Trafficking of Persons:	Total Filed
Cases for Trafficking of Persons	0
Cases for Prostitution	1
Cases for Compelling Prostitution	0

Additional Court Activity:	Total
Cases in Which Jury Selected	78
Cases in Which Mistrial Declared	9
Motions to Suppress Granted or Denied	8
Mental Illness or Intellectual Disability Assessments	
Competency Examination Reports	605
Cases Set for Review	1,921
Cases in Which Attorney Appointed as Counsel	10,967
Cases with Retained Counsel	7,750

District Courts

Activity Detail from January 1, 2016 to December 31, 2016

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CIVIL CASES

Cases on Docket:	Injury or Damage						Real Property	
	Motor Vehicle	Medical Malpractice	Other Professional-Malpractice	Product Liability - Asbestos/ Silica	Other Product Liability	Other Injury or Damage	Eminent Domain	Other Real Property
Cases Pending 1/1/2016:								
Active Cases	1,135	71	149	147	11	740	0	121
Inactive Cases	4	0	11	0	1	23	0	1
Docket Adjustments	(3)	2	5	0	0	(10)	0	(4)
Cases Added:								
New Cases Filed	846	24	58	0	4	326	0	61
Other Cases Reaching Docket:								
Cases Reactivated	2	0	3	0	0	4	0	0
All Other Cases Added	30	0	6	0	0	11	0	0
Total Cases On Docket	2,010	97	221	147	15	1,071	0	178
Dispositions:								
Change of Venue Transfers	6	0	2	0	0	9	0	0
Default Judgments	18	0	1	0	0	4	0	12
Agreed Judgments	79	13	8	0	1	57	0	11
Summary Judgments	6	0	2	0	0	12	0	2
Final Judgments:								
After Non-Jury Trial	3	0	4	0	0	10	0	8
By Jury Verdict	17	2	1	0	0	3	0	0
By Directed Verdict	0	0	0	0	0	0	0	0
Dismissed for Want of Prosecution	88	0	14	0	0	115	0	20
Non-Suited or Dismissed by Plaintiff	418	17	50	0	4	159	0	19
All Other Dispositions	9	0	5	0	1	14	0	1
Total Cases Disposed	644	32	87	0	6	383	0	73
Placed on Inactive Status	11	0	2	0	0	10	0	0
Cases Pending 12/31/2016:								
Active Cases	1,362	65	134	147	9	680	0	106
Inactive Cases	6	0	8	0	1	27	0	0

District Courts

Activity Detail from January 1, 2016 to December 31, 2016

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CIVIL CASES

Cases on Docket:	Contract: Consumer/ Commercial/ Debt	Contract: Other Contract	Civil Cases Relating to Criminal Matters	All Other Civil Cases	Tax	Total Cases
Cases Pending 1/1/2016:						
Active Cases	2,346	799	6,312	2,612	3,216	17,659
Inactive Cases	60	15	0	272	13	400
Docket Adjustments	(34)	(9)	(5)	(17)	(4)	(79)
Cases Added:						
New Cases Filed	1,389	484	1,738	1,511	709	7,150
Other Cases Reaching Docket:						
Cases Reactivated	17	6	0	59	1	92
All Other Cases Added	218	8	2	47	6	328
Total Cases On Docket	3,936	1,288	8,047	4,212	3,928	25,150
Dispositions:						
Change of Venue Transfers	11	2	0	5	0	35
Default Judgments	249	131	65	102	281	863
Agreed Judgments	113	38	36	498	99	953
Summary Judgments	54	13	9	62	31	191
Final Judgments:						
After Non-Jury Trial	38	23	1,171	173	31	1,461
By Jury Verdict	9	4	0	3	0	39
By Directed Verdict	0	0	0	0	0	0
Dismissed for Want of Prosecution	371	81	13	305	4	1,011
Non-Suited or Dismissed by Plaintiff	632	227	153	367	258	2,304
All Other Dispositions	97	12	117	90	0	346
Total Cases Disposed	1,574	531	1,564	1,605	704	7,203
Placed on Inactive Status	40	3	0	14	6	86
Cases Pending 12/31/2016:						
Active Cases	2,335	756	6,483	2,600	3,219	17,896
Inactive Cases	70	10	0	220	17	359

Age of Cases Disposed:

	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	Total Cases
Number of Cases	2,442	873	981	755	2,152	7,203

Additional Court Activity:	Total
Cases in Which Jury Selected	33
Cases in Which Mistrial Declared	0
Injunction or Show Cause Order Issued	31
Cases in Which Plaintiff /Petitioner Represented Self	167

District Courts

Activity Detail from January 1, 2016 to December 31, 2016

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

FAMILY CASES

	Divorce							Title IV-D		
Cases on Docket:	Children	No Children	Parent-Child - No Divorce	Child Protective Services	Termination of Parental Rights	Adoption	Protective Orders - No Divorce	Paternity	Support Order	UIFSA
Cases Pending 1/1/2016:										
Active Cases	1,951	1,611	992	737	28	149	211	749	746	60
Inactive Cases	6	4	4	5	1	0	0	3	4	1
Docket Adjustments	4	(27)	(1)	(55)	(1)	(18)	(10)	(5)	10	(2)
Cases Added:										
New Cases Filed	1,951	2,635	632	535	23	344	314	894	1,397	162
Other Cases Reaching Docket:										
Cases Reactivated	5	2	1	1	0	0	3	4	5	1
All Other Cases Added	32	23	43	60	0	5	112	15	75	1
Total Cases on Docket:	3,943	4,244	1,667	1,278	50	480	630	1,657	2,233	222
Dispositions:										
Change of Venue Transfers	5	1	3	7	1	2	1	0	1	1
Default Judgments	188	354	82	10	6	2	63	163	130	23
Agreed Judgments	1,293	1,824	219	29	1	7	165	407	986	47
Summary Judgments	0	0	0	0	0	0	0	0	0	0
Final Judgments:										
After Non-Jury Trial	109	97	179	258	11	275	66	71	54	16
By Jury Verdict	0	1	0	2	0	0	0	0	0	0
By Directed Verdict	0	0	0	2	0	0	0	0	0	0
Dismissed for Want of Prosecution	312	306	248	28	3	30	49	22	43	5
Non-Suited or Dismissed by Plaintiff	121	87	37	175	1	2	57	323	332	44
All Other Dispositions	17	9	13	19	0	1	4	8	13	0
Total Cases Disposed	2,045	2,679	781	530	23	319	405	994	1,559	136
Cases Placed on Inactive Status	4	3	0	16	0	0	0	1	3	2
Cases Pending 12/31/2016:										
Active Cases	1,893	1,561	885	734	27	161	222	659	670	84
Inactive Cases	6	6	4	18	1	0	0	3	3	2

District Courts

Activity Detail from January 1, 2016 to December 31, 2016

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

FAMILY CASES

Cases on Docket:	All Other Family Law Cases	Post-Judgment Actions: Modification - Custody	Post-Judgment Actions: Modification - Other	Post-Judgment Actions: Enforcement	Post-Judgment Actions: Title IV-D	Total Cases
Cases Pending 1/1/2016:						
Active Cases	410	752	583	573	1,314	10,866
Inactive Cases	8	5	8	32	243	324
Docket Adjustments	(12)	(17)	6	(20)	(7)	(155)
Cases Added:						
New Cases Filed	1,017	738	334	224	2,920	14,120
Other Cases Reaching Docket:						
Cases Reactivated	3	9	6	10	273	323
All Other Cases Added	54	6	0	1	6	433
Total Cases on Docket:	1,472	1,488	929	788	4,506	25,587
Dispositions:						
Change of Venue Transfers	0	34	9	7	93	165
Default Judgments	4	57	16	8	100	1,206
Agreed Judgments	24	252	220	55	1,840	7,369
Summary Judgments	0	0	0	0	0	0
Final Judgments:						
After Non-Jury Trial	975	79	89	45	230	2,554
By Jury Verdict	0	0	0	0	0	3
By Directed Verdict	0	0	0	0	0	2
Dismissed for Want of Prosecution	115	79	68	107	154	1,569
Non-Suited or Dismissed by Plaintiff	10	48	20	31	264	1,552
All Other Dispositions	26	10	0	1	12	133
Total Cases Disposed	1,154	559	422	254	2,693	14,553
Cases Placed on Inactive Status	2	9	7	8	350	405
Cases Pending 12/31/2016:						
Active Cases	318	918	500	526	1,536	10,694
Inactive Cases	5	7	9	30	247	341

Age of Cases Disposed:

	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	Total Cases
Number of Cases	6,591	2,514	2,184	1,136	2,128	14,553

Additional Court Activity:

	Total
Cases in Which Jury Selected	18
Cases in Which Mistrial Declared	1
Injunction or Show Cause Order Issued	595
Protective Orders Signed	337
Cases Set for Review	85
Cases in Which Plaintiff/Petitioner Represented Self	3,931

District Courts

Activity Detail from January 1, 2016 to December 31, 2016

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Cases on Docket:	CINS	Delinquent Conduct: Capital Murder	Murder	Other Homicides	Agg. Assault or Attempted Murder	Assault	Indecency with or Sexual Assault of Child	Agg. Robbery or Robbery	Burglary	Theft	Auto Theft
Cases Pending 1/1/2016:											
Active Cases	5	3	0	0	90	191	90	16	137	43	45
Inactive Cases	0	0	0	0	1	6	2	3	2	4	3
Docket Adjustments	1	(1)	0	0	(4)	(14)	2	1	0	(6)	(6)
Cases Added:											
New Petitions Filed	0	0	0	1	115	242	23	56	169	11	71
Petitions for Transfer to Adult Crim. Court	---	0	0	0	0	0	2	0	0	0	0
Other Cases Reaching Docket:											
Motions to Modify/Enforce Proceed Filed	0	0	0	0	0	0	0	0	0	0	0
Cases Reactivated	0	0	0	0	3	4	0	2	1	1	2
All Other Cases Added	0	0	0	0	0	0	1	0	1	0	2
Total Cases on Docket	6	2	0	1	204	423	118	75	308	49	114
Adjudications:											
Findings of Delinquent Conduct or CINS:											
Plea of True	1	0	0	0	44	42	6	37	88	11	53
By the Court	0	0	0	1	8	2	2	4	11	2	4
By the Jury	0	0	0	0	0	0	0	0	0	0	0
Total Findings of DC/CINS	1	0	0	1	52	44	8	41	99	13	57
Deferred Prosecution	0	0	0	0	30	69	0	3	44	7	2
Transferred to Adult Criminal Court	---	0	0	0	0	0	0	0	0	0	0
Findings of No DC or No CINS:											
By the Court	0	0	0	0	0	0	0	0	0	0	0
By the Jury	0	0	0	0	0	0	0	0	0	0	0
Total Findings of No DC/No CINS	0	0	0	0	0	0	0	0	0	0	0
Dismissals	0	0	0	0	31	125	3	8	42	5	10
Motions to Modify Disposition:											
Denied	0	0	0	0	0	0	0	0	0	0	0
Granted	0	0	0	0	0	0	0	0	0	0	0
All Other Adjudications/Findings	0	0	0	0	2	2	41	2	5	0	1
Total Cases Adjudicated	1	0	0	1	115	240	52	54	190	25	70
Placed on Inactive Status	0	0	0	0	1	9	1	2	10	0	2
Cases Pending 12/31/2016:											
Active Cases	5	2	0	0	87	178	65	22	113	24	42
Inactive Cases	0	0	0	0	0	7	3	0	6	3	3
Dispositions:											
Cases with Findings of DC/CINS											
Probation Granted											
Determinate Sentence Probation	---	0	0	0	0	0	3	10	0	0	0
All Other Probation	0	0	0	0	32	34	3	24	73	12	47
Committed to Texas Juvenile Justice Dept.											
Determinate Sentence	---	0	0	1	1	0	0	9	0	0	0
Indeterminate Sentence	---	0	0	0	2	0	0	2	0	0	0
Final Judgment Without Any Disposition	0	0	0	0	16	10	2	0	22	5	10
Cases with Granted Motion to Modify Disp.											
Probation Revoked, Child sent to TJJD	---	0	0	0	0	0	0	0	0	0	0
All Other Dispositions	0	0	0	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2016 to December 31, 2016

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Cases on Docket:	Delinquent Conduct						Total Delinquent Conduct Cases	
	Felony Drug Offenses	Misde-meanor Drug Offenses	DWI	Contempt of Court	All Other Offenses	Total Cases	Felonies	Misde-meanors
Cases Pending 1/1/2016:								
Active Cases	34	62	5	1	433	1,155	471	679
Inactive Cases	3	2	0	0	26	52	17	35
Docket Adjustments	(7)	(9)	(2)	0	39	(6)	(30)	23
Cases Added:								
New Petitions Filed	24	83	8	0	205	1,008	485	523
Petitions for Transfer to Adult Crim. Court	0	0	0	0	0	2	2	0
Other Cases Reaching Docket:								
Motions to Modify Enforce Proceed Filed	0	0	0	0	347	347	0	347
Cases Reactivated	1	5	1	0	24	44	10	36
All Other Cases Added	1	1	0	0	1	7	5	2
Total Cases on Docket	53	142	12	1	1,049	2,557	943	1,610
Adjudications:								
Findings of Delinquent Conduct or CINS:								
Plea of True	7	33	5	0	134	461	250	210
By the Court	0	0	0	0	4	38	31	7
By the Jury	0	0	0	0	0	0	0	0
Total Findings of DC/CINS	7	33	5	0	138	499	281	217
Deferred Prosecution	12	23	0	0	86	276	104	172
Transferred to Adult Criminal Court	0	0	0	0	0	0	0	0
Findings of No DC or No CINS:								
By the Court	0	0	0	0	0	0	0	0
By the Jury	0	0	0	0	0	0	0	0
Total Findings of No DC/No CINS	0	0	0	0	0	0	0	0
Dismissals	8	30	1	0	267	530	106	424
Motions to Modify Disposition:								
Denied	0	0	0	0	10	10	0	10
Granted	0	0	0	0	156	156	0	156
All Other Adjudications/Findings	0	0	0	0	3	56	51	5
Total Cases Adjudicated	27	86	6	0	660	1,527	542	984
Placed on Inactive Status	1	3	0	0	27	56	17	356
Cases Pending 12/31/2016:								
Active Cases	25	52	5	1	371	992	393	594
Inactive Cases	3	1	0	0	20	46	15	31
Dispositions:								
Cases with Findings of DC/CINS								
Probation Granted								
Determinate Sentence Probation	0	0	0	0	0	13	10	3
All Other Probation	4	17	4	0	87	337	194	143
Committed to Texas Juvenile Justice Dept.								
Determinate Sentence	0	0	0	0	0	11	11	0
Indeterminate Sentence	0	0	0	0	0	4	4	0
Final Judgment Without Any Disposition	3	16	1	0	51	136	62	74
Cases with Granted Motion to Modify Disp.								
Probation Revoked, Child sent to TJJD	0	0	0	0	0	0	0	0
All Other Dispositions	0	0	0	0	156	156	0	156

District Courts

Activity Detail from January 1, 2016 to December 31, 2016

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Age of Cases Adjudicated:

	30 Days or Less	31 to 90 Days	91 to 180 Days	Over 180 Days	Total Cases
Number of Cases	326	687	258	256	1,527

Additional Court Activity:

	CINS	DC	Total
Grand Jury Approvals	---	0	0
Release or Transfer Hearings	---	2	2
Detention Hearings	25	2,947	2,972
Cases Set for Review	0	1,298	1,298
Competency Hearings	0	1	1
Motions to Suppress Granted /Denied	0	3	3
Applications for Sealing Records	0	85	85
Motions for Sex Offender Un- or Deregistration	0	16	16
Cases in Which Attorney Appointed as Counsel	0	1,069	1,069
Cases with Retained Counsel	0	21	21

TAB 8

District Courts

Activity Detail from January 1, 2017 to December 31, 2017

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CRIMINAL CASES

Cases on Docket:	Capital Murder	Murder	Other Homicide	Agg. Assault or Attempted Murder	Sexual Assault of Adult	Indecency With or Sexual Assault of Child	Family Violence Assault	Aggravated Robbery or Robbery
Cases Pending 1/1/2017:								
Active Cases	30	59	31	797	104	300	822	355
Inactive Cases	3	32	18	857	129	556	273	230
Docket Adjustments	(6)	(12)	2	(35)	(26)	(33)	33	(5)
Cases Added:								
Filed by Indictment or Information	12	38	12	1,251	76	229	1,006	378
Other Cases Reaching Docket:								
Motions to Revoke Filed	0	1	3	256	13	65	266	123
Cases Reactivated	5	14	10	505	38	110	650	221
All Other Cases Added	0	0	0	6	0	0	2	6
Total Cases on Docket:	41	100	58	2,780	205	671	2,779	1,078
Dispositions:								
Convictions:								
Guilty Plea or Nolo Contendere	1	10	14	482	15	80	632	248
By the Court	0	0	0	3	0	0	0	4
By the Jury	3	6	1	8	2	8	12	4
Total Convictions	4	16	15	493	17	88	644	256
Placed on Deferred Adjudication	0	0	4	232	5	48	288	82
Acquittals:								
By the Court	0	0	0	10	0	1	2	0
By the Jury	1	0	0	0	0	0	0	2
Total Acquittals	1	0	0	10	0	1	2	2
Dismissals	3	9	2	329	36	54	264	81
Motions to Revoke:								
Granted Revoked	0	0	0	93	2	21	118	41
Denied Continued	0	0	3	132	6	34	109	60
All Other Dispositions	0	0	0	54	2	2	67	20
Total Cases Disposed	8	25	24	1,343	68	248	1,492	542
Placed on Inactive Status	3	15	11	504	39	108	602	224
Cases Pending 12/31/2017:								
Active Cases	28	54	22	864	93	306	620	291
Inactive Cases	3	39	20	925	135	563	290	254
Cases in Which								
Death Penalty Sought	0	---	---	---	---	---	---	---
Death Penalty Not Sought	3	---	---	---	---	---	---	---
Sentencing Information:								
Prison	4	15	12	149	8	78	134	141
State Jail	0	0	0	36	0	6	15	42
Local Jail	0	0	0	224	4	1	360	40
Probation/Community Supervision	0	1	3	82	4	4	132	31
Shock Probation	0	0	0	3	0	0	0	8
Fine Only	0	0	0	0	0	0	2	1
Other	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2017 to December 31, 2017

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CRIMINAL CASES

Cases on Docket:	Burglary	Theft	Auto Theft	Drug Sale or Manufacture	Drug Possession	Felony DWI	Other Felony	All Misdemeanors	Total Cases
Cases Pending 1/1/2017:									
Active Cases	459	338	103	404	1,261	517	1,191	15	6,786
Inactive Cases	924	2,932	372	459	2,156	810	4,084	1	13,836
Docket Adjustments	(18)	(18)	3	(21)	3	(2)	(3)	0	(138)
Cases Added:									
Filed by Indictment or Information	733	1,001	377	873	2,977	581	2,058	20	11,622
Other Cases Reaching Docket:									
Motions to Revoke Filed	246	143	41	184	379	280	336	0	2,336
Cases Reactivated	491	499	164	401	1,184	410	1,047	1	5,750
All Other Cases Added	2	1	0	1	2	4	11	0	35
Total Cases on Docket:	1,913	1,964	688	1,842	5,806	1,790	4,640	36	26,391
Dispositions:									
Convictions:									
Guilty Plea or Nolo Contendere	379	515	198	407	1,433	586	920	0	5,920
By the Court	0	0	1	0	0	1	2	0	11
By the Jury	2	1	0	1	0	1	5	0	54
Total Convictions	381	516	199	408	1,433	588	927	0	5,985
Placed on Deferred Adjudication	131	95	36	113	338	0	274	0	1,646
Acquittals:									
By the Court	0	0	0	1	0	0	0	0	14
By the Jury	0	0	0	0	1	0	2	0	6
Total Acquittals	0	0	0	1	1	0	2	0	20
Dismissals	144	191	69	171	779	35	574	0	2,741
Motions to Revoke:									
Granted Revoked	106	61	30	66	184	67	135	0	924
Denied Continued	135	84	14	99	169	174	212	0	1,231
All Other Dispositions	52	48	27	45	230	38	184	20	789
Total Cases Disposed	949	995	375	903	3,134	902	2,308	20	13,336
Placed on Inactive Status	463	419	158	389	1,163	405	865	0	5,368
Cases Pending 12/31/2017:									
Active Cases	393	416	120	491	1,420	457	1,213	15	6,803
Inactive Cases	1,004	2,986	401	506	2,224	831	4,156	1	14,338
Cases in Which									
Death Penalty Sought	---	---	---	---	---	---	---	---	---
Death Penalty Not Sought	---	---	---	---	---	---	---	---	---
Sentencing Information:									
Prison	145	16	3	175	116	147	236	0	1,379
State Jail	79	109	71	63	230	8	154	0	813
Local Jail	95	351	109	108	975	63	405	0	2,735
Probation/Community Supervision	62	38	15	62	112	369	130	0	1,045
Shock Probation	0	0	0	1	0	3	0	0	15
Fine Only	0	0	0	0	0	0	3	0	6
Other	0	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2017 to December 31, 2017

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

Age of Cases Disposed:	90 Days or Less	91 to 180 Days	181 to 365 Days	Over 365 Days	Total Cases
Number of Cases	5,143	2,918	3,163	2,112	13,336

Information on Trafficking of Persons:	Total Filed
Cases for Trafficking of Persons	2
Cases for Prostitution	3
Cases for Compelling Prostitution	0

Additional Court Activity:	Total
Cases in Which Jury Selected	78
Cases in Which Mistrial Declared	7
Motions to Suppress Granted or Denied	9
Mental Illness or Intellectual Disability Assessments	8
Competency Examination Reports	645
Cases Set for Review	879
Cases in Which Attorney Appointed as Counsel	11,808
Cases with Retained Counsel	8,420

District Courts

Activity Detail from January 1, 2017 to December 31, 2017

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CIVIL CASES								
	Injury or Damage						Real Property	
Cases on Docket:	Motor Vehicle	Medical Malpractice	Other Professional Malpractice	Product Liability - Asbestos/ Silica	Other Product Liability	Other Injury or Damage	Eminent Domain	Other Real Property
Cases Pending 1/1/2017:								
Active Cases	1,360	65	132	147	9	676	0	108
Inactive Cases	6	0	8	0	1	27	0	0
Docket Adjustments	(8)	1	(4)	0	0	(6)	0	0
Cases Added:								
New Cases Filed	991	23	69	0	6	365	0	69
Other Cases Reaching Docket:								
Cases Reactivated	3	0	3	0	1	7	0	0
All Other Cases Added	24	0	2	0	0	8	0	2
Total Cases On Docket	2,370	89	202	147	16	1,050	0	179
Dispositions:								
Change of Venue Transfers	11	1	0	0	0	7	0	0
Default Judgments	15	0	4	0	0	5	0	4
Agreed Judgments	82	9	6	0	1	53	0	8
Summary Judgments	9	0	2	0	0	15	0	5
Final Judgments:								
After Non-Jury Trial	9	1	2	0	0	10	0	13
By Jury Verdict	8	0	0	0	0	5	0	0
By Directed Verdict	0	0	0	0	0	1	0	0
Dismissed for Want of Prosecution	79	0	16	1	0	64	0	9
Non-Suited or Dismissed by Plaintiff	519	18	33	4	2	174	0	21
All Other Dispositions	11	0	2	0	1	19	0	4
Total Cases Disposed	743	29	65	5	4	353	0	64
Placed on Inactive Status	14	1	1	0	0	13	0	0
Cases Pending 12/31/2017:								
Active Cases	1,618	59	136	142	12	685	0	115
Inactive Cases	12	1	6	0	0	32	0	0

District Courts

Activity Detail from January 1, 2017 to December 31, 2017

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CIVIL CASES

Cases on Docket:	Contract: Consumer/ Commercial/ Debt	Contract: Other Contract	Civil Cases Relating to Criminal Matters	All Other Civil Cases	Tax	Total Cases
Cases Pending 1/1/2017:						
Active Cases	2,331	752	6,479	2,579	3,182	17,820
Inactive Cases	70	11	0	220	17	360
Docket Adjustments	(26)	1	(8)	(20)	34	(36)
Cases Added:						
New Cases Filed	1,675	445	1,894	1,672	521	7,730
Other Cases Reaching Docket:						
Cases Reactivated	18	1	0	14	3	50
All Other Cases Added	258	9	2	59	7	371
Total Cases On Docket	4,256	1,208	8,367	4,304	3,747	25,935
Dispositions:						
Change of Venue Transfers	8	1	0	5	0	33
Default Judgments	257	104	667	103	254	1,413
Agreed Judgments	165	24	24	701	66	1,139
Summary Judgments	63	11	8	53	19	185
Final Judgments:						
After Non-Jury Trial	51	26	1,091	134	52	1,389
By Jury Verdict	12	0	0	2	1	28
By Directed Verdict	0	0	0	0	0	1
Dismissed for Want of Prosecution	316	58	3	220	38	804
Non-Suited or Dismissed by Plaintiff	673	171	188	380	235	2,418
All Other Dispositions	104	29	110	96	1	377
Total Cases Disposed	1,649	424	2,091	1,694	666	7,787
Placed on Inactive Status	57	8	0	23	1	118
Cases Pending 12/31/2017:						
Active Cases	2,566	776	6,276	2,592	3,080	18,057
Inactive Cases	93	18	0	224	15	401

Age of Cases Disposed:

	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	Total Cases
Number of Cases	2,376	972	1,124	993	2,322	7,787

Additional Court Activity:	Total
Cases in Which Jury Selected	29
Cases in Which Mistrial Declared	0
Injunction or Show Cause Order Issued	62
Cases in Which Plaintiff/Petitioner Represented Self	188

District Courts

Activity Detail from January 1, 2017 to December 31, 2017

County: Travis
100.0 Percent Reporting Rate
12 Reports Received Out of a Possible 12

FAMILY CASES

Cases on Docket:	Divorce: Children	Divorce: No Children	Parent-Child - No Divorce	Child Protective Services	Termination of Parental Rights	Adoption	Protective Orders - No Divorce	Title IV-D: Paternity	Title IV-D: Support Order	Title IV-D: UIFSA
Cases Pending 1/1/2017:										
Active Cases	1,888	1,560	886	730	27	159	213	653	659	84
Inactive Cases	6	6	4	15	1	0	0	3	3	2
Docket Adjustments	(1)	(7)	1	(39)	(2)	(15)	(17)	(12)	(2)	(1)
Cases Added:										
New Cases Filed	1,870	2,618	684	513	38	355	251	743	1,251	91
Other Cases Reaching Docket:										
Cases Reactivated	2	1	0	6	0	0	1	5	4	2
All Other Cases Added	29	18	27	65	0	4	129	18	82	0
Total Cases on Docket:	3,788	4,190	1,598	1,275	63	503	577	1,407	1,994	176
Dispositions:										
Change of Venue Transfers	9	1	6	7	0	2	1	0	5	0
Default Judgments	159	389	69	5	2	4	55	159	145	15
Agreed Judgments	1,265	1,810	187	25	1	1	136	312	799	45
Summary Judgments	0	0	0	0	0	0	0	0	0	0
Final Judgments:										
After Non-Jury Trial	135	74	224	280	29	271	66	85	92	16
By Jury Verdict	0	0	1	2	0	0	0	0	0	0
By Directed Verdict	0	0	0	0	0	0	0	0	0	0
Dismissed for Want of Prosecution	204	223	130	9	4	24	30	24	24	0
Non-Suited or Dismissed by Plaintiff	93	98	34	181	1	5	41	250	289	43
All Other Dispositions	18	4	21	26	1	4	8	4	22	1
Total Cases Disposed	1,883	2,599	672	535	38	311	337	834	1,376	120
Cases Placed on Inactive Status	1	2	0	11	0	0	1	1	4	2
Cases Pending 12/31/2017:										
Active Cases	1,904	1,588	926	743	25	192	239	566	611	54
Inactive Cases	5	8	4	6	1	0	0	5	6	2

District Courts

Activity Detail from January 1, 2017 to December 31, 2017

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

FAMILY CASES

Cases on Docket:	All Other Family Law Cases	Post-Judgment Actions: Modification - Custody	Post-Judgment Actions: Modification - Other	Post-Judgment Actions: Enforcement	Post-Judgment Actions: Title IV-D	Total Cases
Cases Pending 1/1/2017:						
Active Cases	317	910	499	527	1,545	10,657
Inactive Cases	5	7	9	29	238	328
Docket Adjustments	(17)	6	(22)	(8)	(2)	(138)
Cases Added:						
New Cases Filed	1,286	777	274	207	2,572	13,530
Other Cases Reaching Docket:						
Cases Reactivated	3	7	3	11	271	316
All Other Cases Added	46	1	1	3	3	426
Total Cases on Docket:	1,635	1,701	755	740	4,389	24,791
Dispositions:						
Change of Venue Transfers	1	51	6	6	72	167
Default Judgments	7	43	8	10	143	1,213
Agreed Judgments	21	293	144	55	1,905	6,999
Summary Judgments	0	0	0	0	0	0
Final Judgments:						
After Non-Jury Trial	1,188	139	77	65	236	2,977
By Jury Verdict	0	2	0	0	0	5
By Directed Verdict	0	0	0	0	0	0
Dismissed for Want of Prosecution	28	68	63	50	94	975
Non-Suited or Dismissed by Plaintiff	5	48	4	22	338	1,452
All Other Dispositions	19	8	2	4	14	156
Total Cases Disposed	1,269	652	304	212	2,802	13,944
Cases Placed on Inactive Status	4	11	1	11	458	507
Cases Pending 12/31/2017:						
Active Cases	362	1,039	450	516	1,237	10,452
Inactive Cases	6	10	7	30	317	407

Age of Cases Disposed:

	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	Total Cases
Number of Cases	6,480	2,368	2,205	1,172	1,719	13,944

Additional Court Activity:

	Total
Cases in Which Jury Selected	11
Cases in Which Mistrial Declared	1
Injunction or Show Cause Order Issued	633
Protective Orders Signed	296
Cases Set for Review	24
Cases in Which Plaintiff/Petitioner Represented Self	4,087

District Courts

Activity Detail from January 1, 2017 to December 31, 2017

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Cases on Docket:	CINS	Delinquent Conduct: Capital Murder	Murder	Other Homicides	Agg. Assault or Attempted Murder	Assault	Indecency with or Sexual Assault of Child	Agg. Robbery or Robbery	Burglary	Theft	Auto Theft
Cases Pending 1/1/2017:											
Active Cases	5	2	0	0	86	173	66	24	112	23	41
Inactive Cases	0	0	0	0	0	7	3	0	4	3	3
Docket Adjustments	(3)	0	0	0	(6)	(25)	1	0	(1)	1	(4)
Cases Added:											
New Petitions Filed	0	0	0	0	90	270	35	39	112	13	63
Petitions for Transfer to Adult Crim. Court	---	0	0	0	0	0	0	0	0	0	0
Other Cases Reaching Docket:											
Motions to Modify/ Enforce Proceed Filed	0	0	0	0	0	0	0	0	0	0	0
Cases Reactivated	0	0	0	0	0	6	1	0	5	1	2
All Other Cases Added	0	0	0	0	0	2	0	2	3	0	2
Total Cases on Docket	2	2	0	0	170	426	103	65	231	38	104
Adjudications:											
Findings of Delinquent Conduct or CINS:											
Plea of True	0	0	0	0	28	44	8	28	77	7	43
By the Court	0	0	0	0	2	3	2	3	4	1	0
By the Jury	0	0	0	0	0	0	0	0	0	0	0
Total Findings of DC/CINS	0	0	0	0	30	47	10	31	81	8	43
Deferred Prosecution	0	0	0	0	35	96	2	5	19	7	10
Transferred to Adult Criminal Court	---	0	0	0	0	0	0	0	0	0	0
Findings of No DC or No CINS:											
By the Court	0	0	0	0	0	0	1	0	0	0	0
By the Jury	0	0	0	0	0	0	0	0	0	0	0
Total Findings of No DC/No CINS	0	0	0	0	0	0	1	0	0	0	0
Dismissals	0	0	0	0	25	85	2	5	25	2	8
Motions to Modify Disposition:											
Denied	0	0	0	0	0	0	0	0	0	0	0
Granted	0	0	0	0	0	0	0	0	0	0	0
All Other Adjudications/Findings	1	0	0	0	0	0	33	5	2	0	1
Total Cases Adjudicated	1	0	0	0	90	228	48	46	127	17	62
Placed on Inactive Status	0	0	0	0	2	10	0	0	10	2	3
Cases Pending 12/31/2017:											
Active Cases	1	2	0	0	78	192	55	19	97	20	40
Inactive Cases	0	0	0	0	2	7	2	0	6	3	3
Dispositions:											
Cases with Findings of DC/CINS											
Probation Granted											
Determinate Sentence Probation	---	0	0	0	1	0	2	4	0	0	0
All Other Probation	0	0	0	0	21	40	4	19	58	4	38
Committed to Texas Juvenile Justice Dept.											
Determinate Sentence	---	0	0	0	0	0	0	0	0	0	0
Indeterminate Sentence	---	0	0	0	0	0	1	1	0	0	0
Final Judgment Without Any Disposition	0	0	0	0	8	7	3	3	23	1	6
Cases with Granted Motion to Modify Disp.											
Probation Revoked, Child sent to TJJD	---	0	0	0	0	0	0	0	0	0	0
All Other Dispositions	0	0	0	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2017 to December 31, 2017

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Cases on Docket:	Delinquent Conduct						Total Delinquent Conduct Cases	
	Felony Drug Offenses	Misde-meanor Drug Offenses	DWI	Contempt of Court	All Other Offenses	Total Cases	Felonies	Misde-meanors
Cases Pending 1/1/2017:								
Active Cases	25	52	5	1	378	993	391	597
Inactive Cases	3	1	0	0	18	42	14	28
Docket Adjustments	0	(3)	1	1	100	62	(13)	78
Cases Added:								
New Petitions Filed	22	58	6	0	168	876	378	498
Petitions for Transfer to Adult Crim. Court	0	0	0	0	0	0	0	0
Other Cases Reaching Docket:								
Motions to Modify/Enforce/Proceed Filed	0	0	0	0	268	268	0	268
Cases Reactivated	2	1	0	0	9	27	10	17
All Other Cases Added	0	0	0	0	6	15	8	7
Total Cases on Docket	49	108	12	2	929	2,241	774	1,465
Adjudications:								
Findings of Delinquent Conduct or CINS:								
Plea of True	10	24	3	0	115	387	196	191
By the Court	0	1	0	0	7	23	12	11
By the Jury	0	0	0	0	0	0	0	0
Total Findings of DC/CINS	10	25	3	0	122	410	208	202
Deferred Prosecution	10	18	1	0	120	323	97	226
Transferred to Adult Criminal Court	0	0	0	0	0	0	0	0
Findings of No DC or No CINS:								
By the Court	0	0	0	0	0	1	1	0
By the Jury	0	0	0	0	0	0	0	0
Total Findings of No DC/No CINS	0	0	0	0	0	1	1	0
Dismissals	3	17	3	0	183	358	70	288
Motions to Modify Disposition:								
Denied	0	0	0	0	7	7	0	7
Granted	0	0	0	0	137	137	0	137
All Other Adjudications/Findings	0	0	0	1	3	46	40	5
Total Cases Adjudicated	23	60	7	1	572	1,282	416	865
Placed on Inactive Status	5	2	0	0	14	48	20	28
Cases Pending 12/31/2017:								
Active Cases	23	46	5	1	343	922	343	578
Inactive Cases	4	2	0	0	23	52	19	33
Dispositions:								
Cases with Findings of DC/CINS								
Probation Granted								
Determinate Sentence Probation	0	0	0	0	0	7	7	0
All Other Probation	6	13	1	0	88	292	147	145
Committed to Texas Juvenile Justice Dept.								
Determinate Sentence	0	0	0	0	0	0	0	0
Indeterminate Sentence	0	0	0	0	0	2	2	0
Final Judgment Without Any Disposition	4	12	2	0	34	103	46	57
Cases with Granted Motion to Modify Disp.								
Probation Revoked, Child sent to TJJD	0	0	0	0	0	0	0	0
All Other Dispositions	0	0	0	0	137	137	0	137

District Courts

Activity Detail from January 1, 2017 to December 31, 2017

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Age of Cases Adjudicated:

	30 Days or Less	31 to 90 Days	91 to 180 Days	Over 180 Days	Total Cases
Number of Cases	258	595	237	192	1,282

Additional Court Activity:

	CINS	DC	Total
Grand Jury Approvals	---	0	0
Release or Transfer Hearings	---	3	3
Detention Hearings	20	2,376	2,396
Cases Set for Review	0	1,323	1,323
Competency Hearings	0	6	6
Motions to Suppress Granted /Denied	0	3	3
Applications for Sealing Records	0	75	75
Motions for Sex Offender Un- or Deregistration	0	13	13
Cases in Which Attorney Appointed as Counsel	0	907	907
Cases with Retained Counsel	0	15	15

TAB 9

District Courts

Activity Detail from January 1, 2018 to December 31, 2018

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CRIMINAL CASES

Cases on Docket:	Capital Murder	Murder	Other Homicide	Agg. Assault or Attempted Murder	Sexual Assault of Adult	Indecency With or Sexual Assault of Child	Family Violence Assault	Aggravated Robbery or Robbery
Cases Pending 1/1/2018:								
Active Cases	28	55	21	868	94	307	618	283
Inactive Cases	3	39	21	927	135	562	293	262
Docket Adjustments	1	0	0	23	(7)	(16)	20	(3)
Cases Added:								
Filed by Indictment or Information	9	24	16	1,393	74	160	888	430
Other Cases Reaching Docket:								
Motions to Revoke Filed	0	0	5	287	13	40	288	122
Cases Reactivated	5	6	7	639	29	88	556	256
All Other Cases Added	0	1	0	7	0	3	0	6
Total Cases on Docket:	43	86	49	3,217	203	582	2,370	1,094
Dispositions:								
Convictions:								
Guilty Plea or Nolo Contendere	0	13	7	467	19	86	382	205
By the Court	0	1	0	2	0	0	1	0
By the Jury	4	3	2	18	7	12	5	4
Total Convictions	4	17	9	487	26	98	388	209
Placed on Deferred Adjudication	0	0	5	230	5	35	216	50
Acquittals:								
By the Court	0	1	1	9	1	1	0	0
By the Jury	0	4	0	6	0	2	1	0
Total Acquittals	0	5	1	15	1	3	1	0
Dismissals	3	9	8	343	28	46	198	76
Motions to Revoke:								
Granted Revoked	0	1	0	92	1	10	121	42
Denied Continued	0	0	3	169	9	27	132	79
All Other Dispositions	0	0	1	40	2	3	35	29
Total Cases Disposed	7	32	27	1,376	72	222	1,091	485
Placed on Inactive Status	5	4	7	601	19	78	517	221
Cases Pending 12/31/2018:								
Active Cases	31	48	17	1,152	97	262	698	354
Inactive Cases	3	39	19	977	140	572	318	261
Cases in Which								
Death Penalty Sought	0	---	---	---	---	---	---	---
Death Penalty Not Sought	5	---	---	---	---	---	---	---
Sentencing Information:								
Prison	4	16	7	145	12	87	90	109
State Jail	0	0	0	28	1	1	4	31
Local Jail	0	0	1	237	5	2	220	42
Probation/Community Supervision	0	2	1	74	7	7	70	23
Shock Probation	0	0	0	3	0	2	2	5
Fine Only	0	0	0	0	0	0	1	0
Other	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2018 to December 31, 2018

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CRIMINAL CASES

Cases on Docket:	Burglary	Theft	Auto Theft	Drug Sale or Manufacture	Drug Possession	Felony DWI	Other Felony	All Misde-meanors	Total Cases
Cases Pending 1/1/2018:									
Active Cases	388	412	119	477	1,412	456	1,204	15	6,757
Inactive Cases	1,011	2,992	402	519	2,232	831	4,161	1	14,391
Docket Adjustments	6	(17)	2	(12)	(2)	17	18	0	30
Cases Added:									
Filed by Indictment or Information	700	1,010	390	668	2,709	691	1,940	49	11,151
Other Cases Reaching Docket:									
Motions to Revoke Filed	253	162	57	177	404	271	344	0	2,423
Cases Reactivated	544	572	207	420	1,243	432	1,118	2	6,124
All Other Cases Added	1	1	0	1	1	3	2	0	26
Total Cases on Docket:	1,892	2,140	775	1,731	5,767	1,870	4,626	66	26,511
Dispositions:									
Convictions:									
Guilty Plea or Nolo Contendere	353	566	211	425	1,460	569	846	0	5,609
By the Court	0	1	0	1	0	1	0	0	7
By the Jury	3	1	0	0	0	1	8	0	68
Total Convictions	356	568	211	426	1,460	571	854	0	5,684
Placed on Deferred Adjudication	127	91	34	96	372	3	258	0	1,522
Acquittals:									
By the Court	0	0	0	0	0	0	2	0	15
By the Jury	0	1	0	0	1	0	8	0	23
Total Acquittals	0	1	0	0	1	0	10	0	38
Dismissals	150	243	79	134	785	50	648	0	2,800
Motions to Revoke:									
Granted Revoked	98	67	21	74	186	79	115	0	907
Denied Continued	148	84	19	104	213	195	217	0	1,399
All Other Dispositions	54	55	28	60	223	8	154	49	741
Total Cases Disposed	933	1,109	392	894	3,240	906	2,256	49	13,091
Placed on Inactive Status	425	468	201	352	1,204	431	898	2	5,433
Cases Pending 12/31/2018:									
Active Cases	421	481	152	460	1,294	522	1,307	15	7,311
Inactive Cases	1,005	2,970	426	476	2,222	841	4,106	1	14,376
Cases in Which									
Death Penalty Sought	---	---	---	---	---	---	---	---	---
Death Penalty Not Sought	---	---	---	---	---	---	---	---	---
Sentencing Information:									
Prison	106	20	9	141	86	131	185	0	1,148
State Jail	94	108	62	90	179	7	153	0	758
Local Jail	118	397	129	130	1,096	74	385	0	2,836
Probation/Community Supervision	37	40	11	67	99	362	128	0	928
Shock Probation	0	0	0	0	0	1	2	0	15
Fine Only	0	2	0	0	2	0	0	0	5
Other	0	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2018 to December 31, 2018

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

Age of Cases Disposed:	90 Days or Less	91 to 180 Days	181 to 365 Days	Over 365 Days	Total Cases
Number of Cases	5,306	2,734	3,051	2,000	13,091

Information on Trafficking of Persons:	Total Filed
Cases for Trafficking of Persons	15
Cases for Prostitution	12
Cases for Compelling Prostitution	1

Additional Court Activity:	Total
Cases in Which Jury Selected	99
Cases in Which Mistrial Declared	6
Motions to Suppress Granted or Denied	6
Mental Illness or Intellectual Disability Assessments	1,754
Competency Examination Reports	730
Cases Set for Review	624
Cases in Which Attorney Appointed as Counsel	12,448
Cases with Retained Counsel	8,496

District Courts

Activity Detail from January 1, 2018 to December 31, 2018

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CIVIL CASES

Cases on Docket:	Injury or Damage						Real Property	
	Motor Vehicle	Medical Malpractice	Other Professional Malpractice	Product Liability - Asbestos/ Silica	Other Product Liability	Other Injury or Damage	Eminent Domain	Other Real Property
Cases Pending 1/1/2018:								
Active Cases	1,617	61	136	142	12	688	0	114
Inactive Cases	10	1	6	0	0	32	0	0
Docket Adjustments	8	0	1	0	0	2	0	2
Cases Added:								
New Cases Filed	1,221	34	63	0	3	327	0	59
Other Cases Reaching Docket:								
Cases Reactivated	10	1	2	0	0	11	0	0
All Other Cases Added	25	1	5	0	0	22	0	3
Total Cases On Docket	2,881	97	207	142	15	1,050	0	178
Dispositions:								
Change of Venue Transfers	11	1	1	0	0	10	0	2
Default Judgments	8	0	3	0	0	7	0	11
Agreed Judgments	117	8	4	0	0	43	0	5
Summary Judgments	10	1	4	0	0	19	0	3
Final Judgments:								
After Non-Jury Trial	8	2	5	0	2	16	0	8
By Jury Verdict	16	0	0	0	0	9	0	0
By Directed Verdict	0	0	0	0	0	0	0	0
Dismissed for Want of Prosecution	116	1	14	0	0	91	0	16
Non-Suited or Dismissed by Plaintiff	654	10	38	0	1	164	0	24
All Other Dispositions	17	0	2	0	0	25	0	8
Total Cases Disposed	957	23	71	0	3	384	0	77
Placed on Inactive Status	19	0	2	0	0	8	0	2
Cases Pending 12/31/2018:								
Active Cases	1,914	74	135	142	12	662	0	99
Inactive Cases	10	0	5	0	0	25	0	2

District Courts

Activity Detail from January 1, 2018 to December 31, 2018

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

CIVIL CASES

Cases on Docket:	Contract: Consumer/ Commercial/ Debt	Contract: Other Contract	Civil Cases Relating to Criminal Matters	All Other Civil Cases	Tax	Total Cases
Cases Pending 1/1/2018:						
Active Cases	2,567	780	6,277	2,592	3,080	18,066
Inactive Cases	92	18	0	224	15	398
Docket Adjustments	(13)	0	(25)	(15)	6	(34)
Cases Added:						
New Cases Filed	1,910	452	1,938	2,009	437	8,453
Other Cases Reaching Docket:						
Cases Reactivated	27	4	0	22	1	78
All Other Cases Added	282	10	1	55	3	407
Total Cases On Docket	4,773	1,246	8,191	4,663	3,527	26,970
Dispositions:						
Change of Venue Transfers	16	2	0	11	0	54
Default Judgments	378	86	87	103	215	898
Agreed Judgments	158	41	34	539	79	1,028
Summary Judgments	104	10	6	42	21	220
Final Judgments:						
After Non-Jury Trial	57	31	1,047	160	20	1,356
By Jury Verdict	7	2	0	4	1	39
By Directed Verdict	0	0	0	0	0	0
Dismissed for Want of Prosecution	292	53	7	250	4	844
Non-Suited or Dismissed by Plaintiff	853	195	125	409	212	2,685
All Other Dispositions	120	17	104	155	2	450
Total Cases Disposed	1,985	437	1,410	1,673	554	7,574
Placed on Inactive Status	70	4	0	13	1	119
Cases Pending 12/31/2018:						
Active Cases	2,748	805	6,781	2,981	2,974	19,327
Inactive Cases	105	18	0	211	13	389

Age of Cases Disposed:

	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	Total Cases
Number of Cases	2,480	1,033	1,200	838	2,023	7,574

Additional Court Activity:	Total
Cases in Which Jury Selected	42
Cases in Which Mistrial Declared	2
Injunction or Show Cause Order Issued	36
Cases in Which Plaintiff /Petitioner Represented Self	180

District Courts

Activity Detail from January 1, 2018 to December 31, 2018

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

FAMILY CASES

Cases on Docket:	Divorce							Title IV-D		
	Children	No Children	Parent-Child - No Divorce	Child Protective Services	Termination of Parental Rights	Adoption	Protective Orders - No Divorce	Paternity	Support Order	UIFSA
Cases Pending 1/1/2018:										
Active Cases	1,899	1,589	927	737	25	194	237	570	599	54
Inactive Cases	5	8	4	4	1	0	0	2	5	2
Docket Adjustments	0	(6)	(8)	(21)	(2)	(28)	(4)	(16)	14	2
Cases Added:										
New Cases Filed	1,875	2,592	571	522	41	320	224	770	1,240	85
Other Cases Reaching Docket:										
Cases Reactivated	3	1	5	11	0	0	1	5	3	1
All Other Cases Added	39	19	31	68	0	3	84	18	68	0
Total Cases on Docket:	3,816	4,195	1,526	1,317	64	489	542	1,347	1,924	142
Dispositions:										
Change of Venue Transfers	11	4	8	4	0	1	2	2	6	0
Default Judgments	176	326	79	42	3	4	61	157	111	13
Agreed Judgments	1,272	1,843	182	28	1	6	121	308	847	34
Summary Judgments	0	0	0	0	0	0	0	0	0	0
Final Judgments:										
After Non-Jury Trial	123	95	209	277	28	288	48	77	91	14
By Jury Verdict	2	1	0	6	0	0	0	0	0	0
By Directed Verdict	0	0	0	0	0	0	0	0	0	0
Dismissed for Want of Prosecution	192	231	136	9	3	14	43	21	57	2
Non-Suited or Dismissed by Plaintiff	110	109	22	198	1	6	60	224	266	15
All Other Dispositions	12	4	8	15	1	1	5	6	17	0
Total Cases Disposed	1,898	2,613	644	579	37	320	340	795	1,395	78
Cases Placed on Inactive Status	2	1	5	7	0	0	1	4	4	1
Cases Pending 12/31/2018:										
Active Cases	1,914	1,586	878	730	27	169	201	546	528	63
Inactive Cases	6	3	3	1	1	0	0	3	3	2

District Courts

Activity Detail from January 1, 2018 to December 31, 2018

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

FAMILY CASES

Cases on Docket:	All Other Family Law Cases	Post-Judgment Actions: Modification - Custody	Post-Judgment Actions: Modification - Other	Post-Judgment Actions: Enforcement	Post-Judgment Actions: Title IV-D	Total Cases
Cases Pending 1/1/2018:						
Active Cases	361	1,036	451	517	1,229	10,425
Inactive Cases	6	10	7	31	312	397
Docket Adjustments	(22)	(16)	(12)	(9)	(6)	(134)
Cases Added:						
New Cases Filed	1,476	788	212	196	2,134	13,046
Other Cases Reaching Docket:						
Cases Reactivated	2	12	4	6	307	361
All Other Cases Added	45	3	1	0	6	385
Total Cases on Docket:	1,862	1,823	656	710	3,670	24,083
Dispositions:						
Change of Venue Transfers	0	59	2	7	92	198
Default Judgments	17	65	10	6	113	1,183
Agreed Judgments	28	285	124	34	1,567	6,680
Summary Judgments	1	0	0	0	0	1
Final Judgments:						
After Non-Jury Trial	1,401	166	49	55	203	3,124
By Jury Verdict	0	1	0	1	0	11
By Directed Verdict	0	0	0	0	0	0
Dismissed for Want of Prosecution	37	71	55	56	103	1,030
Non-Suited or Dismissed by Plaintiff	6	56	15	26	217	1,331
All Other Dispositions	17	8	2	1	5	102
Total Cases Disposed	1,507	711	257	186	2,300	13,660
Cases Placed on Inactive Status	2	10	5	6	350	398
Cases Pending 12/31/2018:						
Active Cases	355	1,103	396	518	1,082	10,096
Inactive Cases	4	7	6	31	293	363

Age of Cases Disposed:

	3 Months or Less	Over 3 to 6 Months	Over 6 to 12 Months	Over 12 to 18 Months	Over 18 Months	Total Cases
Number of Cases	6,265	2,455	2,211	918	1,811	13,660

Additional Court Activity:

	Total
Cases in Which Jury Selected	13
Cases in Which Mistrial Declared	0
Injunction or Show Cause Order Issued	640
Protective Orders Signed	247
Cases Set for Review	5
Cases in Which Plaintiff/Petitioner Represented Self	4,404

District Courts

Activity Detail from January 1, 2018 to December 31, 2018

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Cases on Docket:	CINS	Delinquent Conduct: Capital Murder	Murder	Other Homicides	Agg. Assault or Attempted Murder	Assault	Indecency with or Sexual Assault of Child	Agg. Robbery or Robbery	Burglary	Theft	Auto Theft
Cases Pending 1/1/2018:											
Active Cases	2	2	0	0	78	190	53	19	96	20	40
Inactive Cases	0	0	0	0	2	7	2	0	6	3	3
Docket Adjustments	(1)	0	0	0	(3)	(14)	2	2	(8)	25	1
Cases Added:											
New Petitions Filed	0	0	0	0	89	216	20	53	65	19	59
Petitions for Transfer to Adult Crim. Court	---	0	0	0	0	0	2	0	0	0	0
Other Cases Reaching Docket:											
Motions to Modify/Enforce Proceed Filed	0	0	0	0	0	0	0	0	0	0	0
Cases Reactivated	0	0	0	0	0	3	0	1	5	0	2
All Other Cases Added	0	0	0	0	0	2	2	0	1	2	3
Total Cases on Docket	1	2	0	0	164	397	79	75	159	66	105
Adjudications:											
Findings of Delinquent Conduct or CINS:											
Plea of True	0	0	0	0	19	32	7	17	31	10	29
By the Court	0	0	0	0	4	4	2	2	3	1	6
By the Jury	0	0	0	0	0	0	0	0	0	0	0
Total Findings of DC/CINS	0	0	0	0	23	36	9	19	34	11	35
Deferred Prosecution	0	0	0	0	33	102	3	2	15	8	8
Transferred to Adult Criminal Court	---	0	0	0	0	0	0	0	0	0	0
Findings of No DC or No CINS:											
By the Court	0	0	0	0	0	0	0	0	0	0	0
By the Jury	0	0	0	0	0	0	0	0	0	0	0
Total Findings of No DC/No CINS	0	0	0	0	0	0	0	0	0	0	0
Dismissals	1	0	0	0	23	77	6	8	15	5	13
Motions to Modify Disposition:											
Denied	0	0	0	0	0	0	0	0	0	0	0
Granted	0	0	0	0	0	0	0	0	0	0	0
All Other Adjudications/Findings	0	0	0	0	1	3	22	3	1	1	0
Total Cases Adjudicated	1	0	0	0	80	218	40	32	65	25	56
Placed on Inactive Status	0	0	0	0	3	1	0	2	2	1	1
Cases Pending 12/31/2018:											
Active Cases	0	2	0	0	82	178	39	41	93	41	49
Inactive Cases	0	0	0	0	4	5	2	1	2	3	1
Dispositions:											
Cases with Findings of DC/CINS											
Probation Granted											
Determinate Sentence Probation	---	0	0	0	1	0	0	7	0	0	0
All Other Probation	0	0	0	0	18	29	4	5	25	9	28
Committed to Texas Juvenile Justice Dept.											
Determinate Sentence	---	0	0	0	0	0	0	1	0	0	0
Indeterminate Sentence	---	0	0	0	0	0	0	0	0	0	0
Final Judgment Without Any Disposition	0	0	0	0	4	7	4	2	9	2	6
Cases with Granted Motion to Modify Disp.											
Probation Revoked, Child sent to TJJD	---	0	0	0	0	0	0	0	0	0	0
All Other Dispositions	0	0	0	0	0	0	0	0	0	0	0

District Courts

Activity Detail from January 1, 2018 to December 31, 2018

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Cases on Docket:	Delinquent Conduct						Total Delinquent Conduct Cases	
	Felony Drug Offenses	Misdemeanor Drug Offenses	DWI	Contempt of Court	All Other Offenses	Total Cases	Felonies	Misdemeanors
Cases Pending 1/1/2018:								
Active Cases	23	44	5	1	348	921	341	578
Inactive Cases	4	2	0	0	22	51	19	32
Docket Adjustments	2	23	0	0	86	115	10	106
Cases Added:								
New Petitions Filed	21	55	4	0	143	744	340	404
Petitions for Transfer to Adult Crim. Court	0	0	0	0	0	2	2	0
Other Cases Reaching Docket:								
Motions to Modify Enforce Proceed Filed	0	0	0	0	189	189	0	189
Cases Reactivated	0	2	0	0	13	26	8	18
All Other Cases Added	0	2	0	0	2	14	9	5
Total Cases on Docket	46	126	9	1	781	2,011	710	1,300
Adjudications:								
Findings of Delinquent Conduct or CINS:								
Plea of True	5	20	2	0	93	265	123	142
By the Court	0	1	1	0	9	33	21	12
By the Jury	0	0	0	0	0	0	0	0
Total Findings of DC/CINS	5	21	3	0	102	298	144	154
Deferred Prosecution	9	18	1	0	85	284	84	200
Transferred to Adult Criminal Court	0	0	0	0	0	0	0	0
Findings of No DC or No CINS:								
By the Court	0	0	0	0	0	0	0	0
By the Jury	0	0	0	0	0	0	0	0
Total Findings of No DC/No CINS	0	0	0	0	0	0	0	0
Dismissals	1	12	0	0	154	315	75	239
Motions to Modify Disposition:								
Denied	0	0	0	0	5	5	0	5
Granted	0	0	0	0	80	80	0	80
All Other Adjudications/Findings	0	1	0	0	5	37	28	9
Total Cases Adjudicated	15	52	4	0	431	1,019	331	687
Placed on Inactive Status	0	3	0	0	17	30	9	21
Cases Pending 12/31/2018:								
Active Cases	30	72	5	1	342	975	374	601
Inactive Cases	5	2	0	0	17	42	16	26
Dispositions:								
Cases with Findings of DC/CINS								
Probation Granted								
Determinate Sentence Probation	0	0	0	0	0	8	8	1
All Other Probation	4	13	1	0	71	207	97	110
Committed to Texas Juvenile Justice Dept.								
Determinate Sentence	0	0	0	0	11	12	1	11
Indeterminate Sentence	0	0	0	0	0	0	0	0
Final Judgment Without Any Disposition	1	7	2	2	28	74	31	43
Cases with Granted Motion to Modify Disp.								
Probation Revoked, Child sent to TJJD	0	0	0	0	0	0	0	0
All Other Dispositions	0	0	0	0	80	80	0	80

District Courts

Activity Detail from January 1, 2018 to December 31, 2018

County: Travis

100.0 Percent Reporting Rate

12 Reports Received Out of a Possible 12

JUVENILE CASES

Age of Cases Adjudicated:

	30 Days or Less	31 to 90 Days	91 to 180 Days	Over 180 Days	Total Cases
Number of Cases	144	480	202	193	1,019

Additional Court Activity:

	CINS	DC	Total
Grand Jury Approvals	---	0	0
Release or Transfer Hearings	---	3	3
Detention Hearings	18	2,190	2,208
Cases Set for Review	0	1,140	1,140
Competency Hearings	0	7	7
Motions to Suppress Granted /Denied	0	2	2
Applications for Sealing Records	1	100	101
Motions for Sex Offender Un- or Deregistration	0	18	18
Cases in Which Attorney Appointed as Counsel	0	773	773
Cases with Retained Counsel	0	11	11

TAB 10

Travis County District Attorney's Office

Intimate Partner Sexual Assault Unit
Year One Summary
(May 2017 – June 2018)

The Intimate Partner Sexual Assault Unit was launched in May 2017. The Unit includes a prosecutor, a victim/witness counselor and an office specialist. This is a snapshot of the Unit data from May 2017-June 2018 (coinciding with grant reporting time periods).

Original Sex Assault Charges as Filed:

Offense:	May-June 2017	July-Dec 2017	Jan-June 2018	Total:
Att Sexual Assault	2	2	1	5
Sexual Assault	8	8	8	24
Att. Agg. Sexual Assault	0	0	1	1
Agg Sexual Assault	2	3	2	7
TOTAL:	12	13	12	37

Sexual Assault Offenses:

- 37 sexual assault incidents
- 68% Sexual Assault offense (Felony 2)

Companion Cases for Sex Assault Incidents:

Offense:	May-June 2017	July-Dec 2017	Jan-June 2018	Total:
Agg. Kidnapping	1	0	0	1
Agg. Assault FV w/DW	0	0	3	3
Assault FV Prev Conv	0	0	2	2
Att FV Strangulation	2	0	0	2
Burg Hab Intend SA	0	0	1	1
Continuous FV	0	1	0	1
FV Strangulation	1	3	2	6
Sexual Performance of a Child	0	0	1	1
Strangulation w/Prev Conv	1	0	3	4
Unlawful Restraint	0	1	0	1
Viol Protect Order 2x in 12 mos	0	0	2	2
TOTAL:	5	5	14	24

Companion Family Violence Cases:

- 17 of the 37 sexual assault incidents had a total of 24 companion family violence and/or sexual assault related offenses
- 12 sexual assault incidents (32% of all incidents) involved a Strangulation companion charge

Travis County District Attorney's Office

Intimate Partner Sexual Assault Unit
Year One Summary
(May 2017 – June 2018)

Demographics of Victims:

Demographics of Victims:	May-June 2017	July-Dec 2017	Jan-June 2018	Total	% of:
Sex:					
Female	12	13	12	37	100%
Male	0	0	0	0	
Race/Ethnicity:					
Black	2	2	2	6	16%
Hispanic	8	7	6	21	57%
White	2	3	4	9	24%
Unknown	0	1	0	1	3%
					100%

Demographics of Victims

- All victims were female
- 57% of victims were Hispanic
- 13 of the 37 victims (35%) had limited English proficiency (Spanish speaking)

Dispositions by Sex Assault Incident:

Type of Disposition:	May-June 2017	July-Dec 2017	Jan-June 2018	Total:
Dismissal:	1	2	2	5
Victim request	*1*	*1*	*2*	*4*
Speedy trial issues	*0*	*1*	*0*	*1*
Plea of Guilty:	0	2	2	4
Assault w/Bodily Injury MA*	*0*	*1**	*0*	*1*
Assault FV MA**	*0*	*0*	*1***	*1*
Strangulation w/Prev Conviction***	*0*	*1****	*0*	*1*
Unlawful Restraint^	*0*	*0*	*1^*	*1*
Transferred to SVU~:	0	0	1~	1
Total Disposed:	1	4	5	10

Details about Dispositions:

*Plea to lesser charge-100 days TCJ

**Plea to lesser charge-2 yrs deferred adjudication

***Agg. Sexual Assault 12.45 into this companion case--10 yrs TDC

^Plea to lesser charge--7 mos State Jail

~Indicted as a FV Strangulation

Dispositions:

- 4 dismissals due to victim request (40% of all disposed cases)
- 4 Pleas of Guilty (40% of all disposed cases):
  - 1 to TDC
  - 1 to State Jail
  - 1 to County Jail
  - 1 to Probation (Deferred)
- 1 transferred to SVU:
  - *Indicted as FV Strangulation*

Other Highlights from Disposed Cases:

- **Avg # of Victim Contacts:**
  - For dismissed cases: 17 contacts including avg of 1.8 face-to-face visits
  - For Plea cases: 16.5 contacts including avg of 1.25 face-to-face visits
- Two of the plea cases moved forward on the companion case even though the victim did not want to participate

TAB 11

Austin/Travis County Interagency Sexual Assault Team

What is ISAT and who is involved?

The Austin/Travis County Interagency Sexual Assault Team (ISAT) is a multi-disciplinary, multi-agency team created in September 2017 to address a need for coordination amongst law enforcement, forensic technicians and labs, and victim advocate representatives to enhance our systemic effectiveness with regard to response, investigation and prosecution of adult sexual assaults and to ensure that victim needs are being met in our ever-growing community. ISAT was created based on best practices as recommended by several organizations[1]. Entities participating in ISAT include:

Austin Police Department
APD Forensic Science Division
Cedar Park Police Department
Lakeway Police Department
Manor Police Department
Mustang Ridge Police Department
Pflugerville Police Department
Texas DPS Capital Area DNA Lab
The SAFE Alliance
Travis County Adult Probation
Travis County District Attorney's Office
Travis County Sheriff's Office
UT at Austin Police Department
Village of Briarcliff Police Department

ISAT Team meetings serve as an opportunity for systemic responders to meet, discuss, and review cases/investigations and more effectively address all the systemic needs and ways to enhance our work. The core members of this multi-disciplinary team include local law enforcement (sworn and victim counselors), the DA's Office (prosecutors and victim counselors), the Texas Department of Public Safety, and the community advocacy group who provides our local forensic exams/SANEs (The SAFE Alliance). The Executive Committee (which includes the leaders of all the core members) met in September and October of 2017 and adopted a MOU. They provide strategic direction to the ISAT Team, which includes but is not limited to understanding/assessing current practices and protocols as it relates to our agencies' response to adult sexual assault, identifying trauma-informed/victim-centered best practices, identifying interdisciplinary training needs, collecting data, training and debriefing recent adult sexual assault jury trials.

[1] For more information: https://www.ncjrs.gov/ovc_archives/sartkit/develop/build-sart.html; http://www.nsvrc.org/sites/default/files/Publications_NSVRC_Guide_SART-Development.pdf ; http://www.nccasa.org/cms/wp-content/uploads/2013/11/ERS-CCR-SART-Toolkit.pdf ;

What is ISAT working on?

The ISAT Team began monthly meetings in November 2017 and has launched several projects including:

- Case File Review
- Data Work Group
- Training Committee
- Victim Feedback
- Gift of Hope Initiative
  (See next page for details and updates on projects.)

What have we learned?

The data project focused on the status of the adult sexual assaults reported to police in 2017. Preliminary key findings include:

Phase 1: Law Enforcement Status of Cases:

- 625 adult sexual assaults reported to Travis County law enforcement agencies in 2017
- 241cases (38.6%) did not proceed due to victims not wanting to proceed in the investigation[2]
- 113 cases (18.1%) were declined for prosecution
- 96 cases (15.3%) were suspended (pending additional leads or testing results) with 22 of those cases having no suspect identified
- 79 (12.6%) cases referred for sexual assault prosecution
- 11 cases referred for prosecution on charges other than sexual assault (10 of the 11 were for family violence-related offenses)

Phase 2: Prosecution Status of Cases:

- 68 of the 79 cases referred for sexual assault prosecution have been indicted (with 11 cases still pending indictment)

- 34 of the 79 cases were disposed as of 01-01-19:
  - 1 case No Billed (Williamson County)
  - 13 cases dismissed (10 due to victim participation issues)
  - 20 pled or found guilty:
    - 4 cases convicted by a jury
    - 16 cases resulted in a plea of guilty (7 with victim participation issues; pled to family violence-related charges)
    - 14 felony offenses with 7 sexual assault charges (8 sentenced to TDC with 2 cases having victim participation issues)

[2] Victim either expressed that they did not want to proceed or would not return calls, emails or other contact attempts or were not located.

2018 Projects/Initiatives of ISAT:		
Project:	**Goals:**	**Update/Highlights:**
Case File Review:	Conduct an in-depth study of adult sexual assault cases from reporting to case disposition in order to identify: effectiveness of current processes/protocols; gaps and successes; victim centeredness of our processes and recommendations for enhancing our systemic responses and interventions.	✓ Identified process/guide to follow[3] ✓ Sought technical assistance for project[4] ✓ Participated in several webinars on case file review process ✓ Discussed issues related to confidentiality, privilege, and privacy • Began mapping existing local response systems and processes
Data Work Group:	*Where do cases fall off and why? How do we define and measure success?*	✓ Phase 1: Identified status of all adult sexual assaults reported to police in 2017 ✓ Phase 2: Identified current status of all 2017 reported sexual assaults referred for prosecution • Phase 3: Identifying reasons for prosecution declined cases • Phase 4: Identifying technical assistance opportunity for defining/measuring success
Victim Feedback:	Identify best practices for victim feedback and make recommendations for next steps	✓ Completed a literature review on best practices ✓ Issued recommendations to Executive Committee • Creating a working partnership with APD SAKI Grant project for next steps • Identifying technical assistance opportunities for next steps
Training Committee:	Create a variety of training modalities for criminal justice partners	✓ Held three trainings to date: *Neurobiology of Trauma; Mythbusters—Sexual Assault Edition* (more than 100 persons participating) • One scheduled for Feb.
Gift of Hope Initiative:	Create opportunities of supporting survivors of sexual assaults	✓ Collected 60 kits of basic needs supplies that were distributed to local police departments during Sexual Assault Awareness Month April 2018

For more information on Austin/Travis County Interagency Sexual Assault:

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Travis County District Attorney's Office
Beverly.mathews@traviscountytx.gov

[3] https://www.mncasa.org/wp-content/uploads/2018/08/Case-File-Review-Guidebook.pdf
[4] Sexual Violence Justice Institute: https://www.mncasa.org/sexual-violence-justice-institute/casefilereview/

TAB 12

AUSTIN/TRAVIS COUNTY
INTERAGENCY SEXUAL ASSAULT TEAM
February 2019

Update:
OBTAINING VICTIM FEEDBACK TO MEASURE IMPACT, SUCCESS AND NEW DIRECTIONS:
A Best Practice Review and Recommendations for Travis County Agencies Responding to Reported Adult Sexual Assaults

In the Spring of 2018, the ISAT Team launched a project to examine best practices for obtaining and utilizing victim feedback as part of their initiative of looking at where and why reported sexual assault cases fall off in the system. The Team acknowledged the need for hearing directly from victims to help inform our work not only on this project but future projects. Key activities and timeline of the project were:

Key Activities:	Timeline:
Identify current local efforts in collecting victim feedback	Feb-March 2018
Complete a literature review on best practices	March-May 2018
Review and discuss key findings from best practice review	May 2018
Make recommendations to Exec Committee	June 2018/Jan 2019
Identify next steps	Jan-March 2019
Draft formal report	Jan-April 2019

Highlights of the some of the key findings to date include:

- **Local Efforts:** Two local entities who systemically respond to reported sexual assaults collect victim feedback regularly and both are "point in time" surveys (at the end of the visit) but there are opportunities for engagement with other current victim engagement initiatives.

- **Best Practice Review:**
  1. Prioritize sexual assault victim needs by integrating sexual assault victim feedback into criminal justice agency work to develop sustainable, evidence-based, victim-centered jurisdictional responses and agency practices.
  2. Identify relevant and pertinent information so agencies can evaluate jurisdictional, agency, and department responses to sexual assault with in the community.
  3. Develop a mixed-method framework to incorporate sexual assault victims' personal views, experiences, successes, criticisms, and suggestions for improvement of the criminal justice system. The minimum requirements of any such framework will include:
  4. Enlist the aid of an independent evaluator to obtain technical assistance to create jurisdictionally appropriate, culturally relevant, and victim/survivor accessible methods for obtaining sexual assault victim feedback.
  5. Protect the identity and privacy of sexual assault victims by developing participant confidentiality protocols, procedures, and notifications.

6. Provide participants with participation incentives.
7. Utilize expert outside research agencies/agent(s) to conduct interviews and/or focus groups and to distribute, collect, analyze, and report on findings pertaining to victims' experiences.
8. Document and distribute the results of victim feedback (i.e. implementation process, successes, and failures) regarding their criminal justice experiences to victims, partner agencies, and the community.
9. Produce sustainable, evidence-based, victim-centered practices by developing and updating written protocols and procedures based on findings.

Recommendations Made by the ISAT Team to the Executive Committee:

- Victim feedback should be solicited:
  - By individual agencies for point in time assessments; and
  - For a system-wide assessment.
- Utilize multi-medium strategies:
  - Focus groups;
  - Web, telephone, and/or mail surveys;
  - In person interviews;
  - Self-administered questionnaires; and
  - Public forums
- Apply multi-faceted evaluation strategies that includes:
  - Quantitative and qualitative questions/measurements and
  - Measures short-and long-term outcomes
- Utilize outside research agencies where/when possible
- Exercise opt-in /opt-out option for surveys and participant consent

Actions Taken/Next Steps:

- Launched conversations to link next steps with current local victim feedback/engagement projects:
  - A/TC Family Violence Task Force victim focus groups and surveys regarding the Batterers Intervention and Prevention Program assessment;
  - APD's Sexual Assault Kit Initiative (SAKI) grant project in the development of a comprehensive victim notification plan around results from kit testing; and
  - APD's agency community survey tool they are developing and how it may be helpful in getting victim feedback in general.
- Met with Institute of Domestic Violence and Sexual Assault (IDVSA) at UT Austin School of Social Work to discuss project to date and ways that they may be able to help with next steps;
- Reaching out to national technical assistance providers for additional guidance; and
- Finalizing a full report to be released in March/April 2019.

For additional information about ISAT or this project, contact:

ISAT Team Facilitator:
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OBTAINING VICTIM FEEDBACK TO MEASURE IMPACT, SUCCESS AND NEW DIRECTIONS:

A Best Practice Review and Recommendations for Travis County Agencies Responding to Reported Adult Sexual Assaults

(As of February 2019)

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TAB 13

WOMEN'S LAW PROJECT

POLICY BRIEF

February 2013

ADVOCACY TO IMPROVE POLICE RESPONSE TO SEX CRIMES

INTRODUCTION

The Women's Law Project (WLP) is a leader in pursuing innovative strategies to improve police response to sex crimes on both a local and national level. WLP's advocacy on this issue started with its leadership in reforming police practice in Philadelphia in 1999, which included the unprecedented advocate review of sex crime files. The WLP initiated the call for the change in the Federal Bureau of Investigation's (FBI) antiquated definition of rape in its Uniform Crime Reporting (UCR) system and successfully requested hearings before the Senate Judiciary Committee's Sub-Committee on Crime & Drugs to address the national crisis that was revealed when media coverage demonstrated that the failures in Philadelphia existed in many cities. By invitation from The National Academies, the WLP has contributed its expertise on sex crime definitions to the examination of conceptual and methodological issues surrounding survey statistics on rape and sexual assault and the development of recommendations for best methods for obtaining accurate statistics in the future. WLP is currently participating as an advisor to the American Law Institute's project to modernize its model sex crime laws.

This policy brief provides the highlights of WLP's advocacy initiatives, including a detailed description of its unique Philadelphia Police Department (PPD)/advocate sex crime file review.

The goals of these advocacy initiatives are to achieve justice for the individual victims, prevent serial offenders from reperpetrating, increase public confidence in the criminal justice system, and improve societal understanding of the prevalence of serious sexual assault in society.

IT STARTED WITH THE CRISIS

In the fall of 1999, *The Philadelphia Inquirer* published a series of articles revealing that the PPD had downgraded thousands of rapes and other sex crimes to a non-criminal category for almost two decades. This downgrading eliminated a full and complete investigation of thousands of sexual assault cases. Almost one third of all sex crime reports were buried in the non-crime code "2701-Investigation of Person." The victims were never advised that their complaints had been shelved.

This disclosure came on the heels of the murder of Shannon Schieber by serial sexual predator Tony Graves. The police eventually linked the attack on Schieber to five other sexual assaults of women in the same Philadelphia neighborhood. Although four of these assaults occurred prior to the strangulation death of Schieber, they were put in the 2701 non-crime category, preventing police from connecting the perpetrator to the related assaults. After raping one more woman in Philadelphia in 1999, Graves went to Colorado, where he raped eight more women. Graves was ultimately convicted of all of the crimes, but the downgrading of crimes to non-crime categories unquestionably interfered with the earlier identification of a rapist and the prevention of a murder and many rapes.

The Inquirer's series hit the advocacy community like a bombshell, because advocates had believed that the PPD was appropriately handling sex crime investigations. Women Organized Against Rape (WOAR), Philadelphia's nonprofit rape crisis center, one of the first in the country, had aggressively advocated for reform in police and prosecutorial practice in the late 70s and early 80s. In response to this advocacy, in 1981 the PPD established a special rape squad so that investigations of rape and other sex crimes would be tailored to the unique and sensitive nature of the crimes. Child abuse was later added to the unit, which is now called the Special Victims' Unit (SVU). At the same time, a special prosecution unit for sexual assault was established in the Philadelphia D.A.'s office.

Looking back, it is clear that the police response to sex crimes was not as it should have been. In its first years, the SVU reported high numbers of unfounded complaints. According to the FBI, which monitors crime statistics through its UCR system, a complaint is to be unfounded only after it is determined through investigation that the complaint is false or baseless, meaning the evidence demonstrates that no conduct that meets the legal definition of a crime occurred or was attempted. Despite strict guidelines for classifying a complaint as unfounded, law enforcement frequently classify cases as unfounded that do not meet these requirements. This misclassification results in inordinately high unfounding rates. In 1983, the PPD SVU's unfounded rape rate was 43%, when the national average was 10%. By increasing the unfounded rate, a police department keeps the crime rate down, a result that police seek to achieve for public relations purposes.

In 1984, the FBI noticed an increase in Philadelphia's unfounded rate for rape to 52%

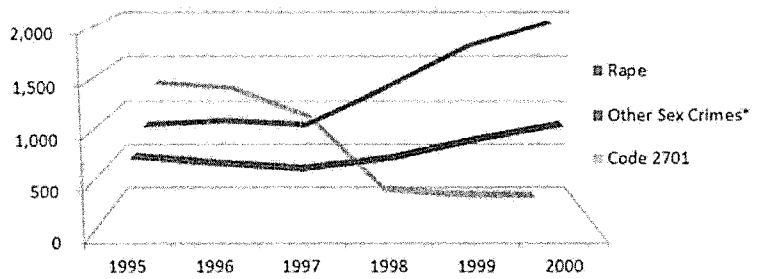
for the first half of 1983 and sent a letter to the PPD asking for an explanation. After the FBI told Philadelphia to reduce the unfounded rape rate, Philadelphia reduced it to 16% in 1984.

The FBI examined and addressed only the PPD's unfounded rate at that time. However, the PPD was apparently placing significant numbers of complaints in non-crime codes as well. Research conducted following the *Inquirer*'s 1999 disclosures revealed studies had uncovered these PPD practices years before. A 1978 academic study analyzed the interaction of the Philadelphia criminal justice system with sexual assault victims and identified the use of non-crimes codes by the PPD in the early 1970s.[1] According to that study, the PPD placed almost 11% of the 1141 cases studied into non-crime codes, including code 2701—Investigation of Person.[2] A University of Pennsylvania law review published in 1968 also revealed that the PPD used the non-crime code 2701 in the 1960's, at which time it also engaged in other practices that essentially unfounded crimes, including turning away complainants without preparing and filing incident reports and unfounding incident reports without any follow-up investigation at all.[3]

In the 1980's, in response to the FBI's directive to reduce its unfounded rape rate, the PPD increased the number of cases it placed in non-crime codes. According to the *Inquirer*, the PPD placed approximately 30% of its complaints in code 2701 over two decades. This manipulation of case classification gave the PPD an artificially high rate of clearing—or solving—rape cases. The PPD's rape clearance rate for 1993 was 74 percent, compared to the national average of 53 percent.

In 1997, the FBI and PPD auditors questioned PPD's use of the 2701 code and the PPD discontinued its use for sex crimes.

Coding of Reported Crimes 1995-2000



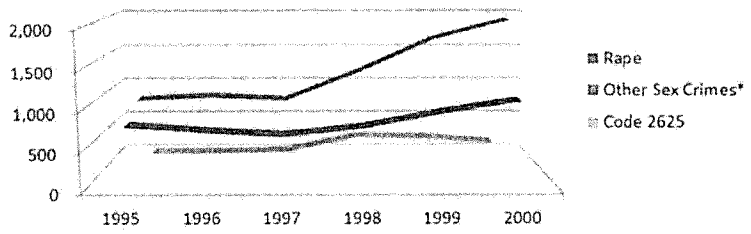
	1995	1996	1997	1998	1999	2000
Rape	773	704	650	752	934	1,088
Other Sex Crimes*	941	985	938	1,324	1,754	2,000
Code 2701	1,262	1,199	894	75	10	3

* "Other sex crimes" include sexual penetration of orifices other than the vagina, vaginal penetration without force and without consent, sexual penetration of men, statutory sexual assault, incest, indecent exposure and attempts to commit any of these acts.

[1]Thomas W. McCahill, Linda C. Meyer, Arthur M. Fischman, The Aftermath of Rape 81, 99, 109-112 (1979).
[2]*Id.* at 99, 110.
[3]Note, *Police Discretion and the Judgment That a Crime Has Been Committed-Rape in Philadelphia*, 117 U. of Pa. L. Rev. 277, 279 n. 8 (1968).

The elimination of the 2701 code caused an increase in the unfounded rate – which doubled to 18% in 1998.

At same time, the SVU started placing complaints in another non-crime code: "2625–Investigation, Protection and Medical Examination." In 1998 and 1999, the SVU placed about 5% of its caseload in this code.



	1995	1996	1997	1998	1999	2000
Rape	773	704	650	752	934	1,088
Other Sex Crimes*	941	985	938	1,324	1,754	2,000
Code 2625	0	0	30	238	219	148

* "Other sex crimes" include sexual penetration of orifices other than the vagina, vaginal penetration without force and without consent, sexual penetration of men, statutory sexual assault, incest, indecent exposure and attempts to commit any of these acts.

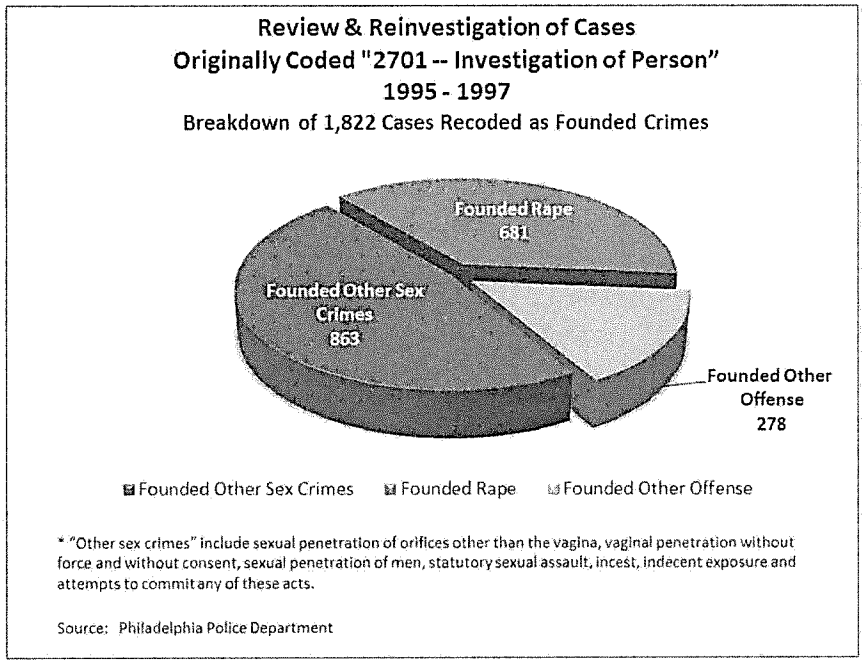
Source: Philadelphia Police Department

THE ADVOCATE RESPONSE

The WLP led the advocacy by the women's and children's organizations that work on sexual assault to address this scandal. Although WOAR had been meeting with the police for years, they were unaware of the PPD practice of decriminalizing rape complaints and saw it as a betrayal of the good faith in which they had interacted with the police. Recognizing the need for public oversight, the WLP requested that the Public Safety Committee of City Council hold hearings to investigate the *Inquirer's* allegations. In addition, WLP organized meetings with then-Police Commissioner Timoney and his senior staff to discuss the need for Departmental reform.

The Commissioner agreed to conduct an internal audit to evaluate the coding of sex crime complaints placed in non-crime codes for the previous five years—which was at that time the statute of limitations or time period following the assault during which charges could still be filed against an assailant. He assigned his Quality Assurance Bureau as well as 45 newly-graduated detectives to conduct this reinvestigation and recoding of approximately 3,700 complaints handled from 1995 through 1999 and agreed that the Department would recode and pursue any cases that had incorrectly been placed in a non-crime code.

The outcome of the reinvestigation was alarmingly revealing. It found that 681 cases that had been coded 2701 should have been classified and investigated as rape—a first degree felony. In total, 58% of the 3,119 cases originally coded 2701 were recoded as crimes and founded. In addition to the 681 recoded as founded rape crimes, 1,141 were recoded as crimes other than rape, including other sex crimes.



REASONS FOR POLICE MISHANDLING OF SEX CRIMES

There are multiple reasons for the PPD's mishandling of sex crimes. The two primary reasons revealed from the interviews reported in the press as well as in the academic literature are: (1) the influence of societal bias against sex crime victims and myths about sexual assault and (2) pressure to improve crime statistics.

Societal myths influence police response to sex crimes. Rape myths are "attitudes and beliefs that are generally false but are widely and persistently held, and that serve to deny and justify male sexual aggression against women."[4] These myths include:

- Most rape claims are false, and women cry rape out of guilt or vengeance.
- Most rapes are committed by strangers.
- Real rape victims fight back and are seriously injured.
- Rape happens only to women who are considered "bad" by society, including those considered to be "promiscuous" or to dress provocatively and those who drink alcohol or engage in other activities that render them deserving of rape or blame.
- When a woman says "no" she means "yes."
- Women secretly want to be raped.

These myths wrongly blame the victim, assume the victim's untruthfulness, trivialize the seriousness of sexual assault, and excuse the assailant's behavior.

In fact, most rape allegations are not false, rape does not discriminate among classes of women, and most rapes are committed by someone the victim knows. In contrast to the mistaken belief that women make false allegations, most women do not even report their victimizations to law enforcement. In reality, only 5% to 20% of victims report to police. In addition, intoxicated victims are incapable of consenting to sex and rape often results in few, if any, physical injuries apart from the rape itself. Many victims do not physically resist their attackers for a variety of reasons. They fear serious injury or death and are immobilized by trauma. Furthermore, research shows that there is a wide range of reactions and behaviors that victims exhibit during and in the aftermath of sexual assault, and it is erroneous to assume that a victim should behave in any particular way.

The factors associated with the unfounding and decriminalizing of rape in Philadelphia echo these myths and biases. The study of the PPD's response to sex crimes in the 1970s found the following variables associated with the PPD's unfounding of sexual assault at that time:

- The victims were poor, minorities, prostitutes, and alcohol and drug abusers.
- The police believed the woman asked for it.
- The police believed the case would not succeed in court.

The following variables were identified as associated with coding a sexual assault as a non-crime:

- The assault took place in the victim's home.
- The victim was a heavy drinker.
- There was more than one offender.
- The victim had a history of truancy.
- Coercion was lacking.
- No sex act was completed.
- The victim was poor.
- The victim had prior trouble with the police.

The comments to *Inquirer* reporters in 1999 by then-current and former police as well as victims reflect the same biases. Police reported:

- Using non-crime codes to sideline victims who did not "fit a certain profile" or were not "people of substance," had a history of drug and alcohol abuse, spent time in prison or had criminal records, were strippers, prostitutes, or had been offered (but not accepted) money for sex, lived in dangerous parts of the city, had mental problems; or were low income;

[4]Kimberly A. Lonsway & Louise F. Fitzgerald, *Rape Myths in Review*, 18 Psych. of Women Quarterly 133, 133-34 (1994).

- Questioning whether someone was really raped based on her "odd" behavior, such as writing notes while waiting to be interviewed and delaying reporting the crime.
- Asserting that non-crime codes were not for "real rapes" but for false complaints.

The police also identified a culture obsessed with statistics and downgrading crime to make the city look good.

Victims reported police treating them as liars:

- Police asked one woman whether she was hallucinating.
- Investigators showed little interest in their case, seemed skeptical, and did not contact them.
- Police told one victim it would be hard to prove rape because she let the perpetrator into her house.

Following the *Inquirer's* revelations and WLP's public comment in the newspapers, victims whose cases had not been investigated contacted WLP lawyers. They told us more about how officer bias affected the handling of their complaints. Victims reported that they were interrogated rather than interviewed, disbelieved, and threatened with false complaint charges or required to undergo polygraphs. They described officers showing more concern for the alleged perpetrator's reputation than the victim's safety.

In addition to bias and motivation to improve statistics, the difficulty of the work may have adversely affected police behavior. The rape unit had traditionally been overburdened and understaffed; training, guidance and supervision were inadequate. Burnout, or what has become known as secondary trauma, affecting persons who routinely work with traumatized clients, appears to have been a factor. This is consistent with research showing that police suffer more work-related trauma than combat veterans.

INNOVATIVE STRATEGIES

Leadership and Partnership

PPD Commissioner Timoney, who had been appointed only a year or so prior to the scandal, responded by not only reinforcing the correct coding of crimes regardless of impact on statistics, but also reorganizing the Special Victims Unit (SVU). Timoney appointed a new captain of the SVU, improved supervision and accountability, and assigned detectives to the unit for the first time. New policies were put in place, requiring captain review of all unfounded files and supervisory review of all files before they are closed.

Revision of Coding Manual

At the invitation of the PPD, the WLP also reviewed and provided extensive written and in-person comment on drafts of a new coding manual prepared by the Department. The coding manual now accurately and specifically describes the nature of the crimes under each code.

The Case File Review

Understanding the crisis in public confidence caused by this scandal, Commissioner Timoney, in an unprecedented move, asked the WLP to convene relevant advocacy groups to review adult and child sexual assault cases. This invitation to allow a citizen's group to review police files is, WLP believes, the first voluntary collaboration of its kind in the country, and as such, has received considerable attention. Thus, in 2000, we commenced what would become an annual review of sex crimes files with our colleagues from the Support Center for Child Advocates, which provides representation to child victims of abuse, Philadelphia Children's Alliance, Philadelphia's primary intervention organization for child sexual abuse victims which coordinates multi-agency forensic interviews, and Women Organized Against Rape, Philadelphia's rape crisis agency. Each organization participating in the review entered into a confidentiality agreement with the PPD, agreeing not to reveal any information learned from the file review.

In the first year of the case review, advocates reviewed all of the cases unfounded by the SVU for the years 1999 and 2000 as well as 100 randomly selected cases from the year 2000.

After the first year, we returned annually through the administration of Commissioner Timoney. When new Commissioners came on board, we met with each new Commissioner to explain the review process and why it was important, and each Commissioner has supported our file review and agreed to its continuation. The review has been going on now for 12 years. It has resulted in significant improvement in the thoroughness and documentation of investigations and coding of crimes. The review has led to the reopening of some cases that had been unfounded.

During the review, which takes place over several days, advocates read hundreds of files. If needed to identify files for discussion with staff, reviewers write their question and concerns on sticky notes and place them on the files. The captain and lieutenants periodically meet with the advocates to discuss these issues identified. Following discussion and resolution of advocate concerns, the sticky notes are disposed of.

We examine the thoroughness of particular elements of the investigation:

- Were all witnesses interviewed that had been identified?
- Were the interviews conducted in a proper manner, i.e., not calling the victim a liar and not interrogating, blaming or threatening the victim?
- If there was a recantation, was it coerced? Were there circumstances that suggested the recantation resulted from fear of reprisal from the perpetrator and not because the assault did not occur?
- Were photos taken and the scene processed?

- Was evidence collection thorough?
- Was physical evidence timely tested and results returned to the investigator?

In addition, we examine the outcome of the investigation:

- Was the case properly coded as a crime and as the correct crime?
- If the investigation supported an arrest, was it made?
- If a case was unfounded, was it proper to do so? Did the investigation demonstrate that no crime had occurred?
- Did a supervisor review and approve each decision to unfound a case?
- If a case was exceptionally cleared was the exceptional clearance proper? In other words, was an arrest warranted by the evidence and the perpetrator identified and at a known location but some reason outside of law enforcement prevented the arrest from being made ?

It is important to understand that this review has been conducted in a collegial non-adversarial manner. It took some time for the advocates and police to become comfortable with each other. The SVU staff was not used to having outsiders review their files and were cautious in their interactions with the advocates. New to the process, the advocates were equally guarded. However, everyone at the table has been respectful to one another. Although the Commissioners have invited us to come to them if there were problems, none have arisen. Ultimately, advocates and police staff developed a good rapport that fosters a positive exchange and receptivity to comments and concerns.

Data Review

We regularly obtain data from the Department to monitor ongoing coding and resolution of complaints.

Improved 911 Response

At the request of the Department, we have provided input into the Department's upgrading of its 911 system to better respond to sexual assault calls by assigning the correct priority of response and obtaining from and communicating to the victim essential information.

New Location

When this work began, the SVU was located in an industrial park that was formerly an arsenal. Surrounded by barbed wire, the SVU building was small and overcrowded, with victims and perpetrators passing each other in the halls. This facility was inappropriate for working with victims of sex crimes and child abuse, which requires a high degree of sensitivity.

Our advocacy led to the relocation of the SVU in September 2003 to a more appropriate facility located on the Episcopal Hospital campus, which doubled its previous space. Most importantly, victims and perpetrators are separated, there are comfort-

able waiting rooms for adults and child victims, and private interview space is available. Appropriate work stations and interrogation rooms as well as phone lines and internet access permit officers to conduct adequate investigations. A library and training room were also added to the facility.

In the Spring of 2013, the SVU will move again, this time to a new location where it will be co-located with the sexual assault unit of Philadelphia's child welfare agency, the Department of Human Services (DHS), and the Philadelphia Children's Alliance. Appropriate forensic interviews will take place. Medical examination facilities for children and adults will also be located at this site. This new state-of-the-art facility will accommodate victim needs and provide more efficient investigations of child sexual and physical abuse cases.

CHANGING THE FBI DEFINITION OF RAPE

The WLP led the national effort to change the definition of rape used by the FBI in its UCR system to reflect more accurately societal and legal definitions of serious sexual assault. The WLP recognized the need to change the UCR definition of rape after learning about the impact of the UCR on the PPD's handling and reporting of sex crimes. The UCR was developed in 1929 as a framework for gathering and publishing crime data from local police departments. Unchanged until 2012, the UCR defined rape as "the carnal knowledge of a female, forcibly and against her will." This definition included only forcible male penile penetration of a female. Omitted from this UCR definition of rape were oral and anal intercourse, penetration of the vagina and anus with an object or body part other than the penis, rape of males, rape of females by females, incest, statutory rape, and non-forcible rape.

As we worked with the PPD, it became apparent that it was the UCR definition of rape and not Pennsylvania's criminal sexual assault statutes that drove police perception and response to sex crimes. As a consequence, police did not perceive sex crime complaints that did not meet the UCR definition of rape as serious or credible crimes and did not code them as crimes and/or investigate them appropriately.

Moreover, as we studied the UCR, we learned that the FBI only issued public announcements relating to the number of complaints that fit within the narrow subset of sex crimes included in the FBI's forcible rape definition. As a consequence, the FBI was leaving the public in the dark about the true incidence of equally serious sex crimes.

In addition, data is instrumental in driving policy responses to societal problems. Sex crime data influences the scope of resources afforded victims. The diminution of sex crime statistics has therefore also hampered government response and victim assistance efforts.

In the years since the UCR created its definition of rape, America significantly expanded its understanding of rape, and states have revised their laws accordingly.

Many state criminal laws now recognize that all forms of non-consensual sexual penetration regardless of gender, relationship, or mode of penetration are as serious as the criminal conduct included in the original UCR definition of rape, but which, until now, remained excluded.

In a letter sent to then-FBI Director Robert Mueller, III in September 2001, the WLP outlined the deleterious impact of the UCR's definition of rape on public knowledge about serious sex crimes and on the reporting and handling of sexual assault complaints. Over 80 organizations throughout the nation involved in advocacy on behalf of victims of sexual assault signed on to this letter in support of its persuasive argument that the UCR's definition of rape should be updated immediately. The letter received no response.

The drive to change the UCR definition of rape gained momentum in 2010, after hearings before the U.S. Senate Judiciary Subcommittee on Crime and Drugs on the mishandling of rape cases by police departments. Carol Tracy, WLP's Executive Director, testified that sexual stereotypes are a root cause of police mishandling of sex crimes and made clear that the manner in which the FBI's UCR system defines, analyzes and publicizes the incidence of sex crimes is also a major factor. Further advocacy led to the creation of a new definition.

The new definition, which goes into effect in 2013, defines rape as "Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim." This effort was supported by the U.S. Department of Justice Office of Violence Against Women.

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