



Austin Police Department

# Sexual Assault Investigations

## Sexual Assault Investigations

- Request from Public Safety Commission to conduct an analysis of APD's Sex Crimes Investigations
- Attempt to determine if there were gaps in investigations, and identification of areas for improvement
- Attempt to have more successful resolutions to Sex Crimes Investigations

## Sexual Assault Investigations

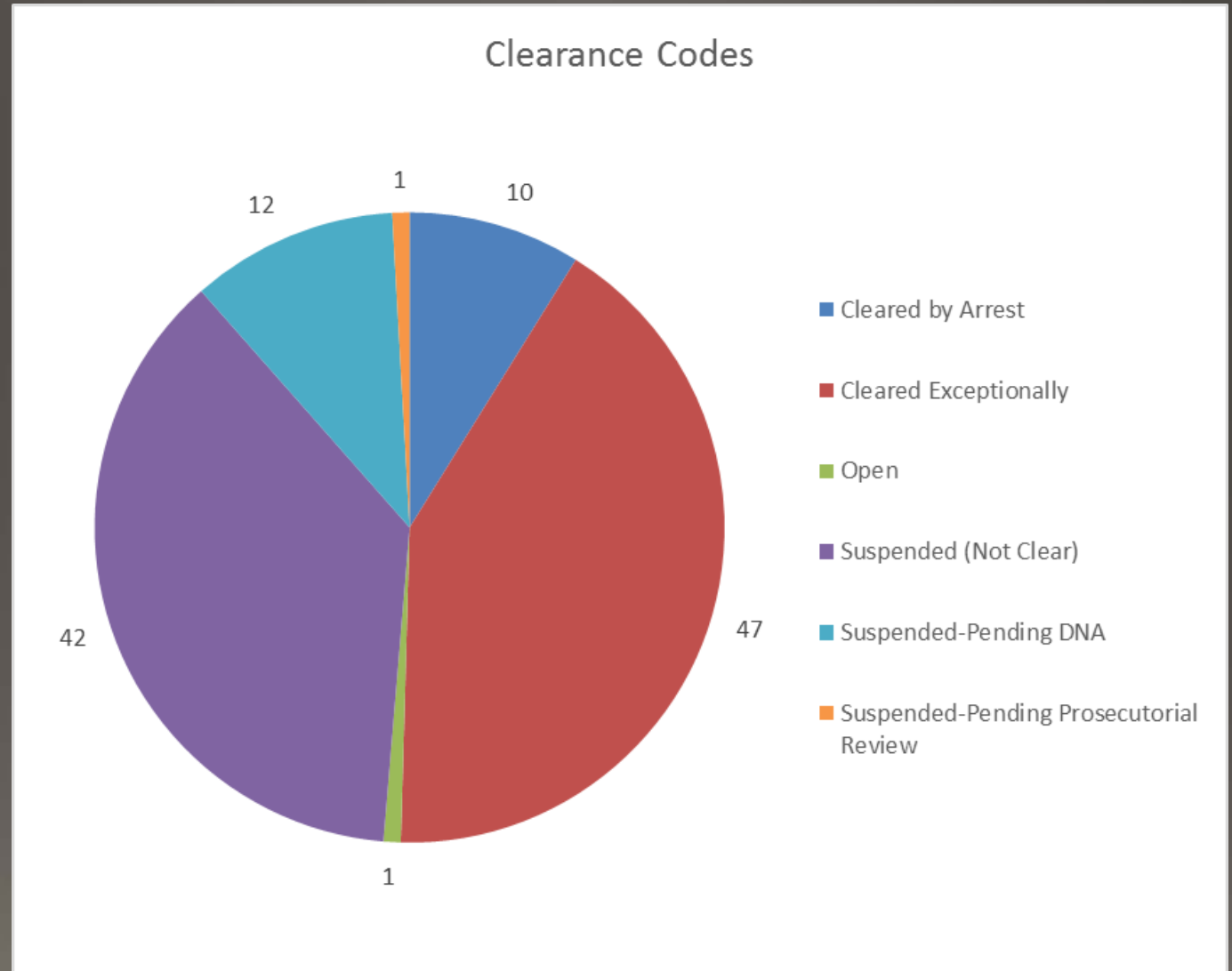
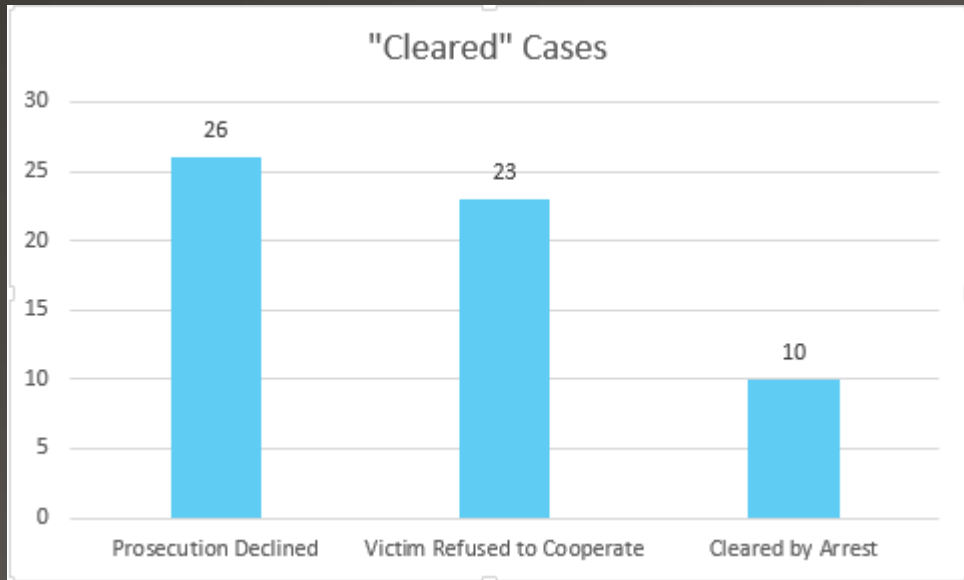
- Data was examined from the first quarter of 2015 (Jan-Mar)
- Data was selected from this time period in order to have allowed the investigative, forensic and judicial process time to run its course

# Sexual Assault Investigations

Sexual Assaults	First Quarter of 2015	
Number of potential Sexual Assaults in Austin based on NCVS estimate	348	National Crime Victimization Survey for 2015 indicates only 32.5% of rapes are reported to police. This is a national average, and no data is available on a local scale. The number provided is calculated using this stat.
Number of reported Sexual Assaults to APD	113	
Arrests	10	Please Note: Not all of these arrests were based on the alleged Sexual Assault.
Cleared Exceptionally- Prosecution Declined	26	This number reflects the cases in which the prosecutor's office declined to pursue charges against an identified suspect.
Cleared Exceptionally- Victim Refused to Cooperate	23	This number reflects the cases in which the victim did not wish to pursue charges against the identified suspect.

# Sexual Assault Investigations

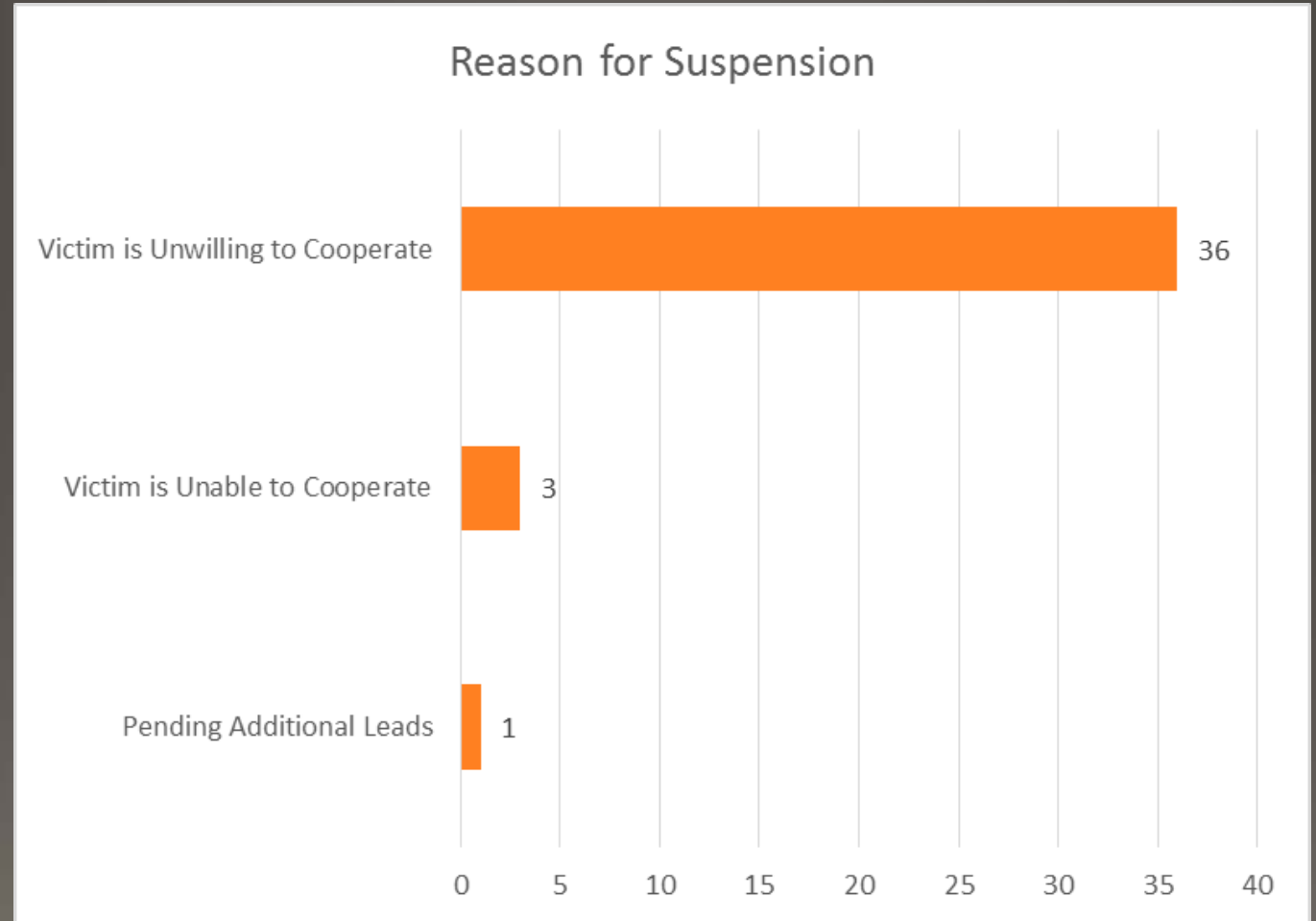
Clearance Code	Total
Cleared by Arrest	10
Cleared Exceptionally	49
Open	1
Suspended (Not Clear)	40
Suspended-Pending DNA	12
Suspended-Pending Prosecutorial Review	1
<b>Grand Total</b>	<b>113</b>



# Sexual Assault Investigations

## Suspended (Not Clear)

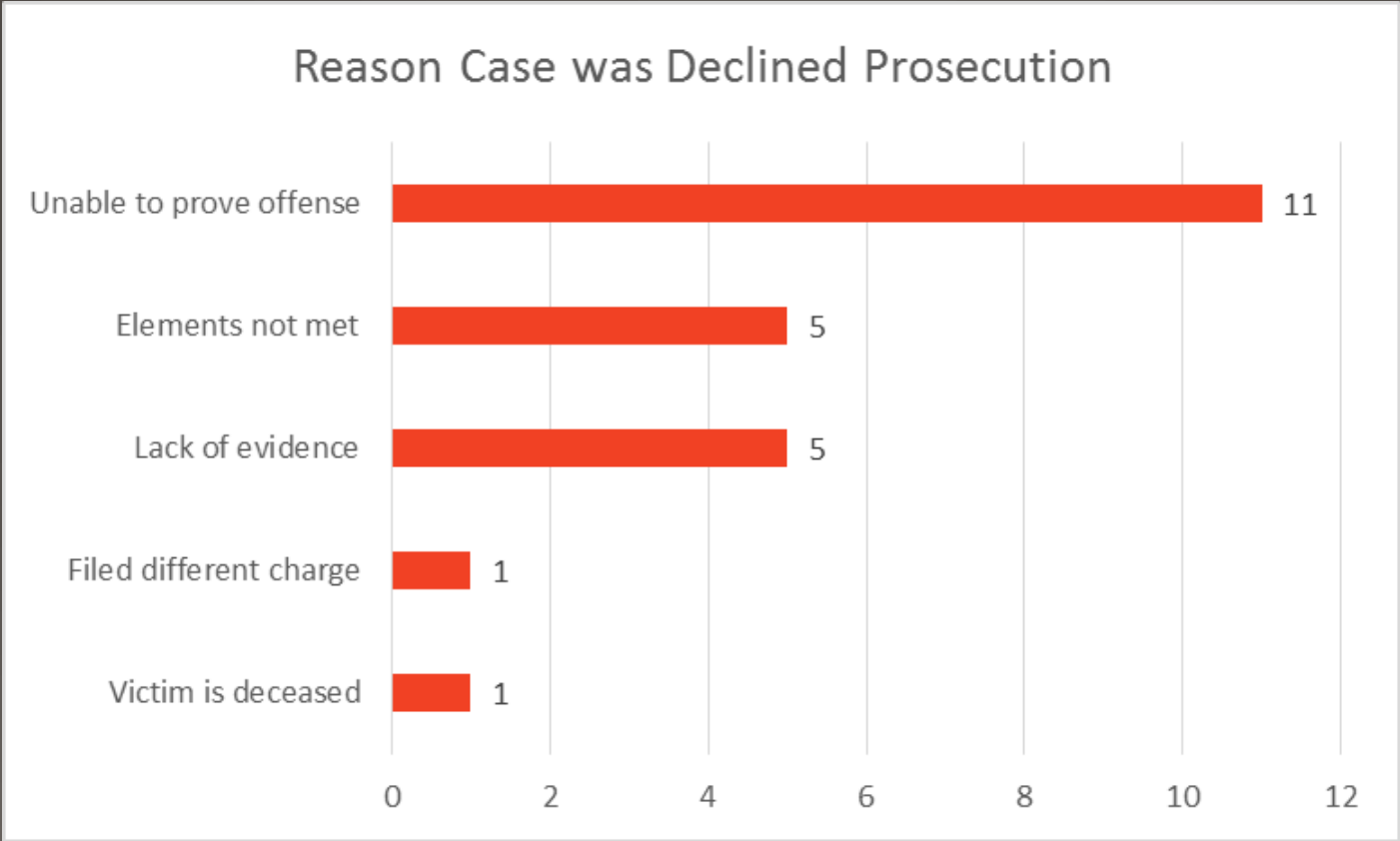
Reason for Suspension	Total Cases
Suspended pending additional leads	1
Suspended pending victim cooperation	36
Victim is unable to cooperate	3
<b>Grand Total</b>	<b>40</b>



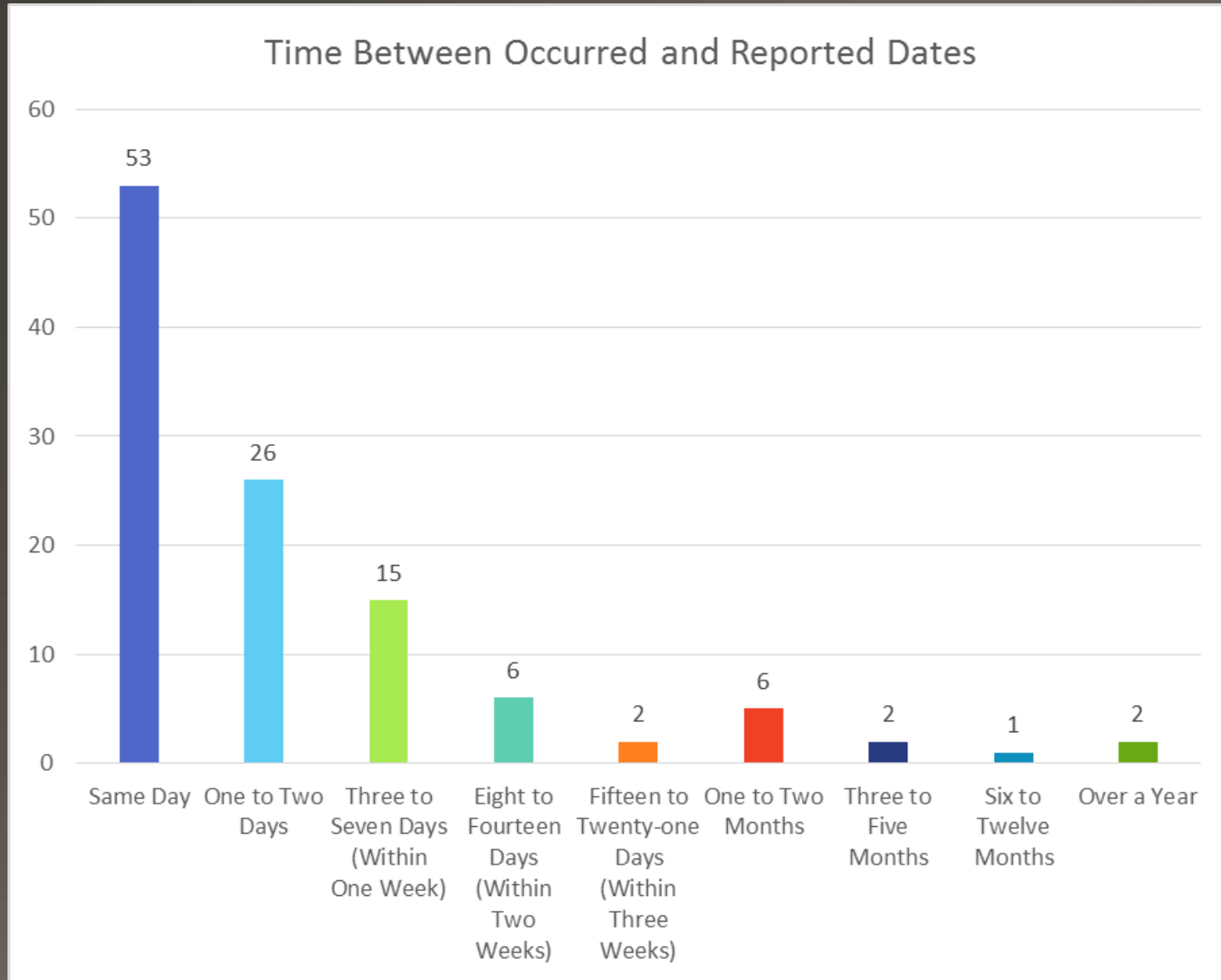
# Sexual Assault Investigations

## Cleared Exceptionally – Prosecution Declined

Reason Case was Declined	Total Cases
Victim is deceased	1
Filed different charge	1
Lack of evidence	5
Elements not met	5
Unable to prove offense	11
<b>Grand Total</b>	<b>23</b>

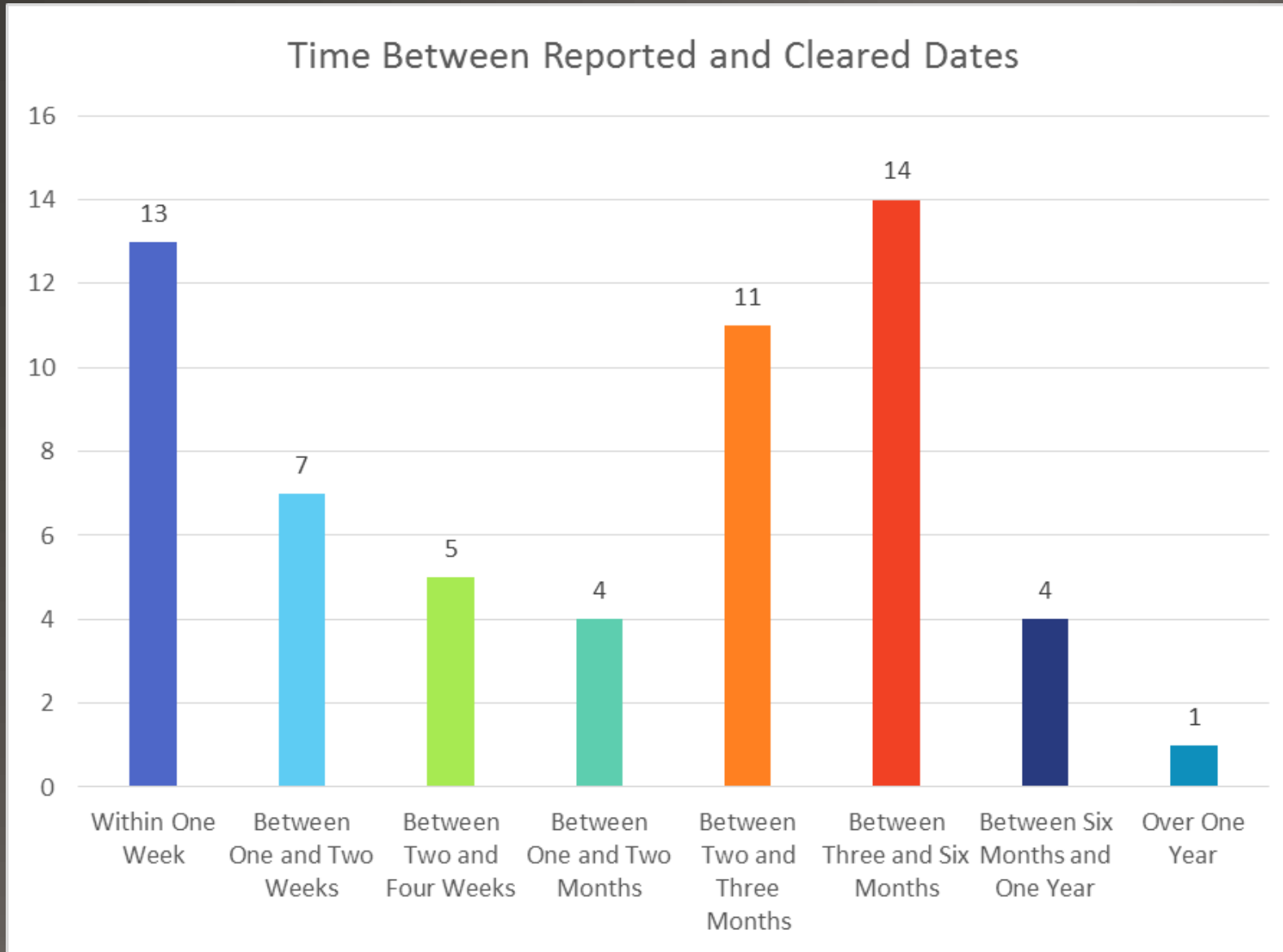


# Sexual Assault Investigations



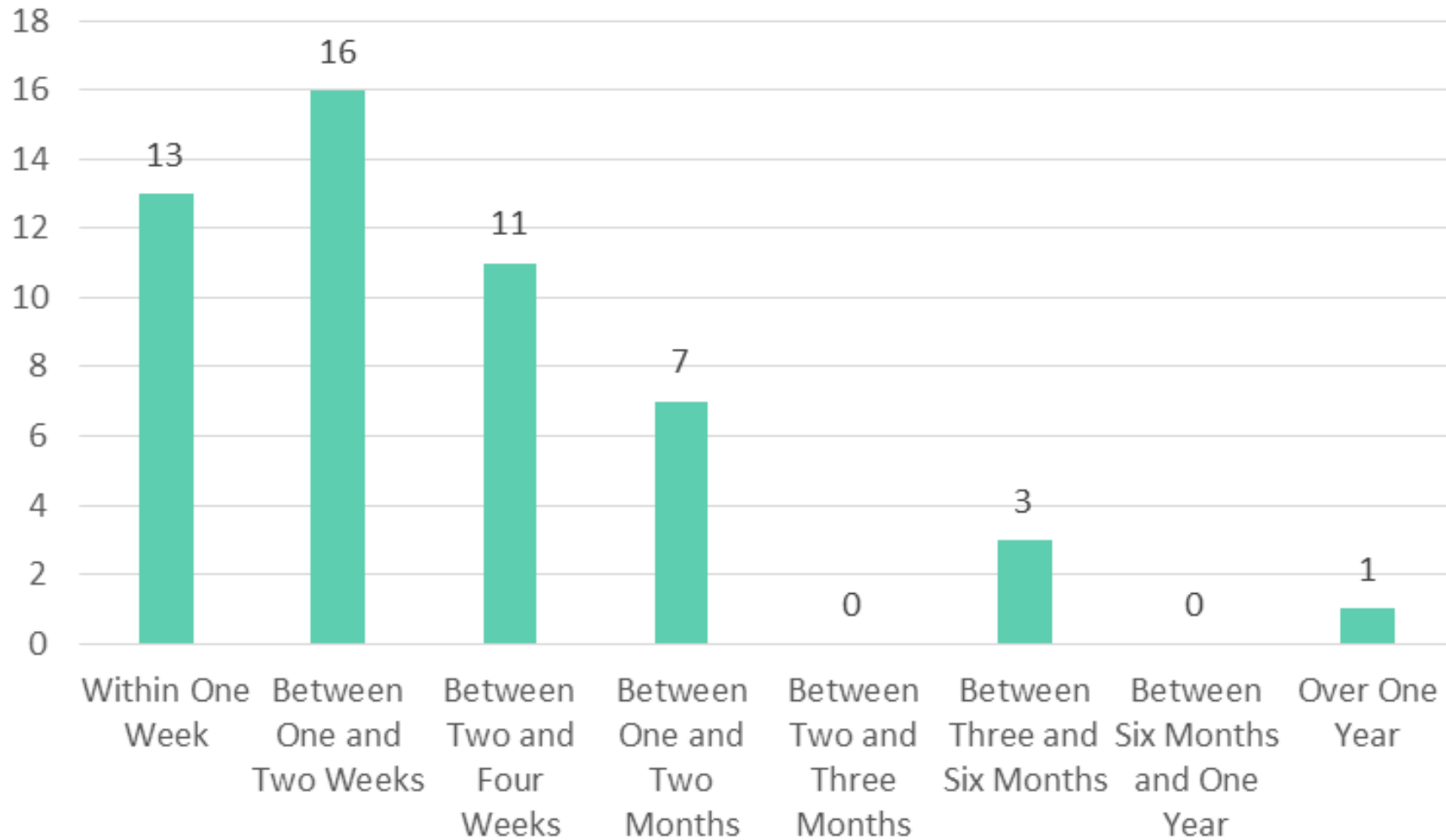


# Sexual Assault Investigations



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## Days Between Reported and Lab Submission



# Sexual Assault Investigations

- **Cases Cleared by Arrest – 10 cases**
  - 4 cases – Charge other than Sexual Assault filed
  - Case 5: still pending, per the District Attorney's office
  - Case 6: an additional warrant was issued after the defendant failed to appear in court, this case is also currently pending
  - Case 7: case was dismissed
  - Case 8: defendant received 3 years in the Texas Department of Corrections
  - Case 9: case is pending, awaiting DNA
  - Case 10: defendant took a plea deal and served 120 days in jail

## Sexual Assault Investigations

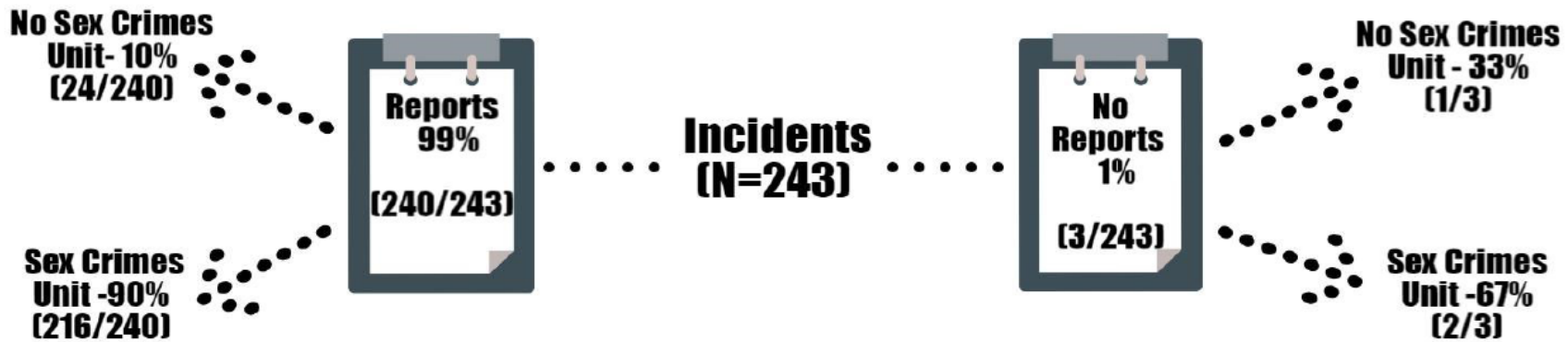
- Reasons Why Sexual Assault Cases Often Do Not Result in Prosecution
  - Victims do not wish to pursue the investigation
  - Several cases are waiting for DNA Analysis
  - Large individual detective caseloads

# Sexual Assault Investigations

Begun Center for Violence Prevention Research and Education  
Sexual Assault Kit Pilot Research Project - 2016

## The Original Processing of Sexual Assaults

### Reporting Phase



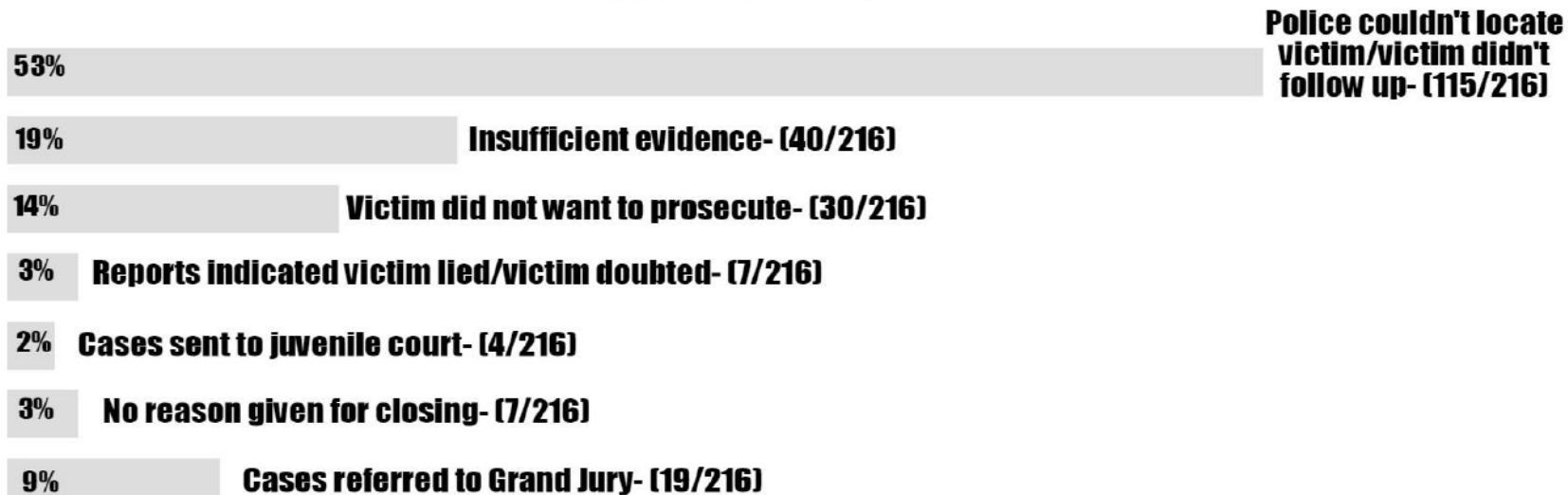
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## The Original Processing of Sexual Assaults

### Investigative Phase

#### Investigative Outcomes

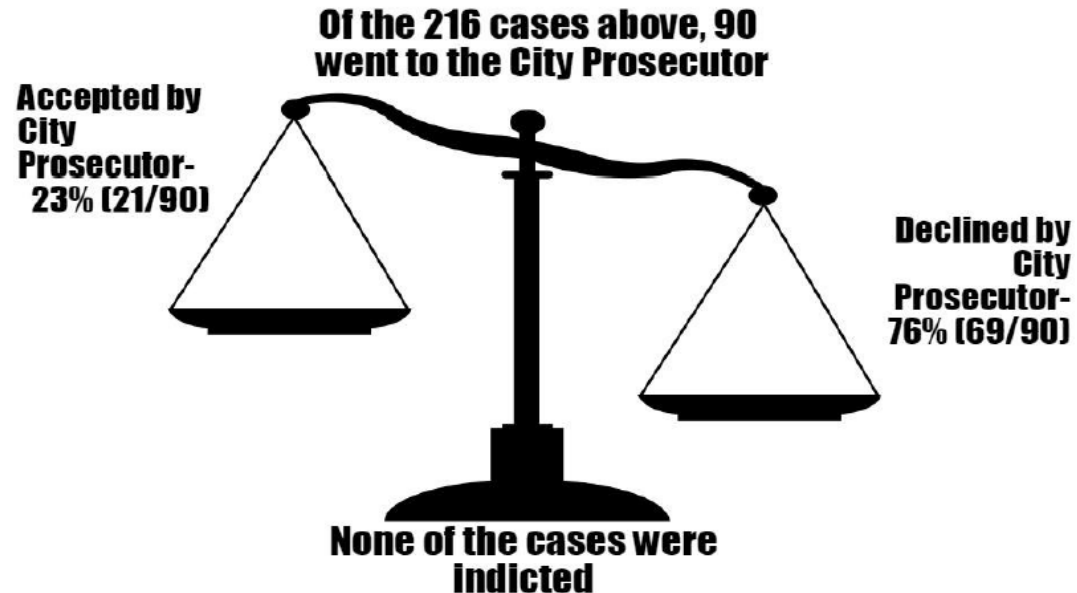


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## The Original Processing of Sexual Assaults

### Prosecution Phase



# Sexual Assault Investigations

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- Original 243 Sexual Assault Kits tested for presence of DNA, and submitted to CODIS
- 70% "hit rate" on these cases (171 cases)
- Remaining 72 cases either did not have DNA present, had DNA but did not have a match in CODIS, or DNA sample was not sufficient for upload to CODIS



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- This hit rate is very high.
- Selection of cases for this study was based on their ability to prosecute, but the cases had been closed for various reasons.
- Cases which had previously been adjudicated, were outside the statute of limitations or the suspect was deceased were not included.

# Sexual Assault Investigations

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- Once DNA analysis had been performed, 74% of the 243 cases were indicted (181 cases)
- 39% of the 243 cases resulted in a conviction (96 cases)

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- Key takeaway from the study -

*Importance of DNA analysis in securing successful prosecutions*

<http://begun.case.edu/sak/>

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Questions?