



MEMORANDUM

TO: Mayor and Council Members

THROUGH: Eddie Garcia, Assistant City Manager *E. G.*

FROM: Chief Lisa Davis, Austin Police Department *LD*

DATE: March 7, 2025

SUBJECT: **Austin Police Department Statement on Sex Crimes Unit Case Review (2021-2022)**

The Austin Police Department (APD) has completed its inaugural annual Case Review of the Sex Crimes Unit (SCU) sexual assault cases. This review was undertaken in response to the recommendations put forth via the Police Executive Research Forum (PERF), [Austin Police Department Review, Reported Sexual Assault Comprehensive Evaluation](#) and implemented via the Collective Sex Crimes Response Model (CSCRM) Project.

The initial Case Review focused on a sample of cases closed between 2021 and 2022. A significant portion of this effort involved establishing a standardized methodology and tools to streamline future reviews, ensuring efficiency, consistency, and effectiveness in the coming years.

The primary goal of the annual Case Review is to continuously improve the quality of service, professionalism, victim sensitivity, and investigative thoroughness within the APD's SCU. By understanding current practices and identifying areas for improvement, the department can enhance its response to sexual assault cases year after year.

The Case Review is not an audit or a list of recommended findings. Case Review is a tool that provides a clear understanding and inventory of APD's response and investigative actions on sexual assault cases. Due to the inherent lag between case closure and the review process, the full impact of implemented changes may not be immediately apparent.

Reviewing the 2021-2022 Case Review report and data, APD identified the following areas for improvement:

- **Enhanced Patrol Officer Training:** This training will focus on dispatching victim services, coordination with SCU detectives, victim-centered practices, report writing, and resource availability for victims.
- **Establishment of Patrol Response Guidelines:** These guidelines will further enhance the response to sexual assault calls.
- **Implementation of a Detective Checklist:** This checklist will guide detectives through thorough investigative steps.

- **Improved Documentation and Communication Tracking:** This includes improved procedures for documenting and tracking communications with victims, suspects, and witnesses.
- **Implementation of an Evidentiary Inventory:** This will ensure a complete inventory of evidence within case files.
- **Improved Data Collection Systems:** This will focus on comprehensive, consistent, and accurate data capture and analysis.
- **Implementation of Quality Assurance Procedures and Personnel:** These procedures and personnel will help ensure the thorough completion of all investigative steps, the appropriate application of offense codes and clearance statuses, and the verification of evidentiary inventory.
- **Clarification of Expectations and Standards:** This will involve clearer standards in policies, procedures, and training for areas like emergency communication protocols, victim services engagement, communication protocols, supervisory roles, report writing, offense codes, and engagement with prosecutors.

The City of Austin and APD remain committed to providing compassionate and just services to survivors of sexual assault. We acknowledge the trust placed in us by the community and are dedicated to upholding that trust through continuous improvement.

The Austin Police Department Sex Crimes Unit is setting a national model and precedent by conducting a Case Review of this magnitude on an annual basis. We hope our proactive approach and ongoing efforts to improve the experience and outcome for sexual assault survivors will serve as an example to other units and agencies throughout the nation.

We understand the sensitive nature of such Case Reviews and the impact they have on the survivors of our community. We are committed to learning from this review and taking the necessary steps to improve our services.

We welcome feedback from the community which can be directed to the **APD Public Information Office** at police3@austintexas.gov.

cc: T.C. Broadnax, City Manager
Myrna Rios, City Clerk
Corrie Stokes, City Auditor
Judge Sherry Statman, Presiding Judge
Mary Jane Grubb, Municipal Court Clerk
CMO Executive Team
Chris Coppola, General Counsel Division Chief
Nicole Warren, Assistant City Attorney

[enclosure]

AUSTIN POLICE DEPARTMENT

**2021-2022
SEX CRIMES
CASE REVIEW**

FINAL REPORT



**END VIOLENCE AGAINST WOMEN INTERNATIONAL
NOVEMBER 1, 2024**

Table of Contents

EXECUTIVE SUMMARY	3
INTRODUCTION	3
PROJECT METHODOLOGY	5
DATA FINDINGS.....	9
CONCLUSION	20
INTRODUCTION.....	23
PROJECT METHODOLOGY	26
EXPERT CASE REVIEWERS.....	26
INITIAL SITE VISIT	27
CASE SAMPLING.....	29
CASE FILES.....	33
DATA COLLECTION INSTRUMENT.....	35
CASE REVIEWER TRAINING	37
CASE REVIEW	38
REPORT DRAFT	39
FEEDBACK SESSIONS	39
FINAL REPORT	40
DATA FINDINGS	42
CASE REVIEWERS.....	42
INTERPRETING DATA FINDINGS.....	42
CASE INFORMATION.....	44
VICTIM INFORMATION	56
SUSPECT INFORMATION	62
ASSAULT CHARACTERISTICS	67
INITIAL LAW ENFORCEMENT RESPONSE.....	69
MEDICAL FORENSIC EXAMINATION	82
FOLLOW-UP INVESTIGATION: ASSIGNMENT AND VICTIM CONTACTS	87
FOLLOW-UP INVESTIGATION: SUSPECT CONTACTS.....	97
WITNESSES AND CHILDREN	104
INVESTIGATIVE STEPS	107
LABORATORY ANALYSIS	113
PROSECUTOR COMMUNICATIONS AND CASE OUTCOMES.....	122
CONCLUSION	129
APPENDIX A	133
APPENDIX B	135
APPENDIX C	139
APPENDIX D.....	140
APPENDIX E	143
APPENDIX F.....	144
APPENDIX G.....	145

APPENDIX H	147
APPENDIX I	149
APPENDIX J	150

Executive Summary

Introduction

On September 28, 2023, the City of Austin (COA) contracted with End Violence Against Women International (EVAWI) to conduct a review of sex crimes cases reported to the Austin Police Department (APD) between 01/01/2021 and 12/31/2022. Confidential case review is one of 103 recommendations detailed in the final report of the *Austin Police Department Review: Reported Sexual Assault Comprehensive Evaluation*, delivered to APD and the COA in November 2022 by the Police Executive Research Forum (PERF), in collaboration with the Women’s Law Project and the Wellesley Centers for Women (hereinafter referred to as the “PERF Report”).

These recommendations are being executed and implemented via the Collective Sex Crimes Response Model (CSCRM) Project, along with the requirements set forth via the *Smith v COA* and *Senko v COA* settlement terms. The CSCRM Project is comprised of a multidisciplinary team of members that are both internal and external to APD including, but not limited to, survivors, advocates, members of the Austin/Travis County Sexual Assault Response and Resource Team (SARRT), and representatives associated with local non-profit and advocacy groups.

Pioneering Best Practices

EVAWI’s case review methodology was designed to comply with Texas law relating to access for law enforcement files, FBI procedures regarding case clearances, and considerations from documents such as the PERF Report and the Women’s Law Project’s *Annual Advocate Sex Crime Case Review Guidebook: The Philadelphia Model*. However, **a key goal for the current project was to substantially improve upon past practices for conducting sex crimes case review.**

Perhaps most notably, this methodology was designed to review all investigative content in a sex crimes case file, including body worn camera footage and other audio/video recordings. Historically, case review has relied exclusively on written documentation, such as Patrol Officer reports, supplemental reports completed by a Sex Crimes Detective, and other written reports. This is the first known effort to be inclusive of all the materials available in a digital case file.

Because we departed significantly from past practice, every aspect of the methodology was built from the ground up – including the design of a sampling plan, the selection of qualified reviewers, and the development of a comprehensive and customized data collection tool. Only with such a tailored approach is it possible for APD to use the data findings to capitalize on existing strengths, fill gaps, and improve sex crimes investigations and offender accountability.

Annual Case Review

These efforts were critically important because sex crimes case review is now *an annual ongoing initiative* for APD. This recommendation was originally offered in the PERF report, and it was stated explicitly in the Statement of Work for this project; it therefore guided EVAWI's design and implementation from the outset. With the recognition that sex crimes case review will be conducted annually, it was essential for EVAWI to define a repeatable methodology and a replicable base of data that could be compiled and analyzed, providing APD/CSCRM and key stakeholders with essential information that could be compared from year to year.

One implication of this was that that this first year of case review required inordinate attention to detail, as we built from scratch almost every aspect of the case review methodology and process. This meticulous attention to detail is reflected in this Final Report, because it is designed to offer a roadmap for law enforcement agencies and collaborative community partners across the country who might want to adapt the methodology for their own use. It is anticipated that future iterations of APD case review will streamline this process significantly.

Modelling Partnership

One key goal was therefore to pioneer a path for national best practices and new standards for excellence in sex crimes case review. Yet equally important was **our ambition to forge this path with an unprecedented level of collaboration between EVAWI and APD/CSCRM as partners.**

Throughout the project, from the original design through the Final Report, EVAWI frequently consulted with APD/CSCRM, providing updates and requesting approval at key points in the process, in accordance with the Statement of Work executed with the City of Austin. A primary focus was the **collaborative co-creation of the Data Collection Instrument, based on APD-specific terminology, policies, procedures, and data elements that are appropriately defined in the context of state laws, agency policies/procedures, and community resources/systems.**

This comprehensive new Data Collection Instrument was designed to capture the full complexity of a sex crimes investigation. While it was customized for APD, and will be improved upon in subsequent iterations, EVAWI and APD/CSCRM also anticipate that it will be adapted for use by other law enforcement agencies across the country to conduct their own case reviews.

No other tool has the same capacity to document the countless steps that can be taken by a law enforcement agency, to respond professionally to a sex crime report, provide supportive victim services, conduct a thorough investigation, make appropriate case determinations, and keep victims informed. Documenting such steps can contribute to a law enforcement agency's culture of learning and change, driving continued improvements and supporting accountability.

Such data can also highlight the resources needed to conduct an effective sex crimes response and investigation, which may be distinct from the resources needed for other types of crime. To

date, there is extremely limited data to guide determinations regarding the allocation of staff and other resources for Patrol Officers and especially Sex Crimes Detectives to effectively manage caseloads. Ultimately, any improvements in sex crimes response and investigation will likely require additional allocation of resources, especially in the environment of short staffing and rapid turnover which is currently seen in law enforcement agencies across the country.

Public Dissemination

To further the interest of transparency and advance the goal of rebuilding trust with the community, anonymized results from this case review are now being publicly shared in this report, with careful protections to ensure that victims' privacy and rights are not violated.

Project Methodology

Expert Case Reviewers

The first step in the process was to select a team of expert case reviewers. EVAWI began by identifying a team of seven qualified expert case reviewers with background and expertise in:

- Law enforcement response and investigation of sex crimes
- Community- and system-based victim advocacy
- Multidisciplinary collaboration with a broad range of stakeholders, and
- Best practices for conducting trauma-informed sex crimes investigations

All case reviewers also had extensive experience handling confidential criminal justice information; they were therefore accustomed to handling case files with the security and confidentiality required for such sensitive criminal justice information and personal data.

Initial Site Visit

On 11/27/2023, EVAWI's Chief Executive Officer Ann Burdges and Director of Research Dr. Kim Lonsway traveled to Austin, TX for an initial site visit where they met with key personnel within APD, CSCRM, and community partner organizations, including representatives from the Austin/Travis County Sexual Assault Response and Resource Team (SARRT). Lonsway and Burdges also met with the Travis County District Attorney, an Austin City Council member, and several members of the Public Safety Commission and the Commission for Women. A primary goal was to ensure that perspective and insight from the local advocate community was incorporated into the case review project. This was a key guiding principle for the project.

Case Sampling

Based on extensive discussions between EVAWI and APD/CSCRM, the final inclusion criteria for case sampling were specified as **felony-level sex crimes cases** with:

- Clearance Date assigned between 01/01/2021 and 12/31/2022
- One of 11 specified offense codes (as the highest offense code assigned)
- Suspects 17 years of age or older
- Victims 18 years of age or older
- Sex Crimes Unit assigned as Lead Investigator or Secondary Title Code Assignment
- One of 12 specified Internal Clearance Status Descriptions (excluding Open, Pending DNA, and Pending Prosecutorial Review)

Once these inclusion criteria were finalized, the APD Data Team pulled select data on all sex crimes cases meeting the specified criteria and EVAWI developed a proposed Sampling Plan. This plan included 100% of the Exceptionally Cleared cases and 100% of the Unfounded cases, and smaller, varying percentages of the remaining Internal Clearance Status Descriptions (with at least one case sampled from within each of the Internal Clearance Status Descriptions).

The original Sampling Plan included 90 cases, but as work began it became clear this was overly ambitious for the time and resources allocated to this project. EVAWI therefore submitted a revised Sampling Plan for 53 cases (which continued to meet the specified requirements). Yet even this was found to exceed the time and resources allocated for the project.

As the deadline for case review work approached, it became clear that reviewers would not be able to complete all their assigned cases. Ultimately, six cases were left unreviewed. Several of these case files were exceptionally large. For example, one case had 181 attachments, including a 104-page police report and 34 audio/video files; a second case had 157 attachments, including a 204-page report and 39 audio/video files. These six cases were therefore removed from the final sample, along with one additional case that was deemed ineligible because another law enforcement agency had jurisdiction over the incident (APD conducted the initial response). **This left a total of 46 cases available for analysis in the final sample.**

Case Files

APD provided the approved case reviewers restricted access to all case investigation zip files in the Axon records management system, via a time-restricted link sent to the reviewer's authorized email address. Password access was provided for any sub-file contents as needed.

While the specific materials available for each case varied, this could have potentially included:

- 911 call(s) (recording/s)
- Body-worn camera footage from the initial response (often from multiple officers)
- Initial interview with the victim (recording/s)
- Follow-up/detailed interview(s) with the victim (recording/s)
- Interview(s) with the suspect(s) and/or witness(es) (recording/s)
- Phone call(s) (recording/s of any pretext/controlled calls and/or Detective calls made to victims, suspects, and/or witnesses)

- Email communication(s) (file attachment/s)
- Other scanned-in media (file attachment/s)
- Report(s) and other documentation from the victim's medical forensic exam
- Any other report(s) (DNA, toxicology, crime scene)
- Third-party/surveillance video(s)
- Geofencing data
- Search warrant(s)/affidavit(s)

Data Collection Instrument

To prepare for case review, EVAWI project staff created a formal Data Collection Instrument, to guide and capture reviewer feedback in a consistent and organized manner. **The goal was to create a state-of-the-art Data Collection Instrument with an unprecedented level of detail that would not only be used for this APD case review, but also set a national standard for best practice in future efforts.** We also sought to create a document that could be used as a training tool for sex crime investigators and other allied professionals. To date, no such tool exists to demonstrate the full extent and complexity of a thorough sex crimes investigation.

Once an initial draft of this Data Collection Instrument was developed, EVAWI engaged in an iterative process of review and refinement with APD/CSCRM stakeholders to finalize the 66-page document. EVAWI staff then began creating an online data portal for the case reviewers. Once again, the goal was to create an online version of the Data Collection Instrument, in addition to the Word document, that would set the standard for national best practices.

Case Reviewer Training

EVAWI provided various forms of training for case reviewers during the course of the project. After an initial training session, all reviewers were assigned to review the same test case, so their responses could be compared. A second training session allowed reviewers to evaluate their progress and discuss issues and challenges that arose during the case review process.

During a third training session, reviewers compared responses that had been entered for the first test case. Discussion centered on how to interpret specific questions, to ensure their information was recorded consistently. After this, reviewers were assigned their first batch of cases to review, followed by two additional batches assigned over the course of four weeks.

From a research standpoint, it would have been preferable to have more than one reviewer assigned to each case, to evaluate inter-rater reliability during the case review process. Due to time and funding constraints, however, it was determined that this would have limited the sample size prohibitively. The decision was therefore made by EVAWI and APD/CSCRM that this first year of case review would be conducted with only a single reviewer assigned to each case. In future years, it is possible that time and funding will allow for multiple reviewers per case.

Case Review

The case review period began on 03/15/2024 and extended through 07/31/2024. **Overall, the expert case reviewers spent a total of 6-13 hours of time per case.** This calculation includes the time spent reviewing case materials and entering data into the online portal. It also includes the time spent meeting the reviewer clearance requirements, contributing to the development of the Data Collection Instrument, and participating in training sessions and meetings. However, it is difficult to argue that these activities are not a necessary and essential part of case review.

For cases with relatively few supplemental materials (e.g., no detailed interview of the victim, suspect, or witnesses), the actual process of case review took approximately 2-3 hours. For cases with more extensive materials, however, the process could range from 6-12 hours.

Some cases had an extraordinary volume of material, particularly audio/visual recordings. For example, one case had 470 attachments, which required 2 ½ hours for the reviewer simply to *download*, let alone review. Another case had 337 files, including 15 audio/video recordings.

In cases with such extensive materials, most of the time was spent reviewing video footage. This is because many pieces of information needed to complete the Data Collection Instrument were embedded in the body-worn camera footage or video recordings of victim/suspect interviews.

Report Draft

When case review was complete, the process of data analysis and report writing began. Data findings were summarized in a draft report that was submitted before EVAWI's second site visit. The primary purpose of this visit was to review the draft report with members of APD/CSCRM.

Feedback Sessions

Once again, in accordance with the Statement of Work, Ann Burdges and Kim Lonsway participated in several feedback sessions with members of APD Executive Staff, APD Sex Crimes Unit Detectives and leadership, and APD Victim Services Counselors and leadership, as well as members of the CSCRM Steering Committee. These sessions took place during a second on-site visit to Austin from September 23-27, 2024. During these sessions, Burdges and Lonsway reviewed data findings detailed in the draft report and elicited feedback from APD/CSCRM. Additional feedback from APD/CSCRM was compiled and subsequently delivered to EVAWI.

Final Report

In the final phase of this project, EVAWI incorporated any feedback elicited from APD, CSCRM, and other interested parties into the draft report, and delivered a final report on 11/01/2024.

Data Findings

Interpreting Data Findings

Before presenting any of the data findings from the 2021-2022 sex crimes case review, it is essential to place these findings within an appropriate context. Most important, readers must understand that the cases included in this 2021-2022 sex crimes case review were not randomly sampled. They were purposely sampled to meet a number of requirements and shared goals.

Internal Clearance Status Descriptions

First, the Statement of Work required that the sample include 100% of Unfounded cases and 100% of Exceptionally Cleared cases within the selection period. The final sample therefore included 14 cases that were Unfounded or Exceptionally Cleared; this represents 30% of the cases in the final sample. Yet Unfounded and Exceptionally Cleared cases represent only 2% of the 869 cases meeting the final inclusion criteria for this project. It is difficult to overstate the impact of this over-representation on the interpretation of data findings.

The final sample similarly over-represents some Internal Clearance Status Descriptions while under-representing others. This is because the Statement of Work required sampling to include at least one case per Internal Clearance Status Description (excluding Open, Pending DNA, and Pending Prosecutorial Review). For low-frequency Internal Clearance Status Descriptions, this led to some rather dramatic over-representations in the final sample. To illustrate, there was only one case Referred to Municipal Court (Suspended) among the 869 cases meeting the final inclusion criteria; this represents only 0.1% of the eligible cases. Yet the Statement of Work required all Internal Clearance Status Descriptions to be included, so that one case ended up representing 2% of the final sample – a figure that is 20 times higher than its actual occurrence.

On the other hand, there were 423 cases Suspended Pending Victim Readiness in the 869 cases meeting the final inclusion criteria; this is 49% of cases that were eligible for sampling. Yet based on the purposive Sampling Plan, only six cases ended up in the final sample. This is a 13% representation of the final sample, approximately one-quarter of its actual occurrence.

Case Offense Codes

Similarly, the Sampling Plan over-represented some offense codes while under-representing others, because the decision was jointly made between EVAWI and APD/CSCRM that a key goal of this 2021-2022 case review would be to include as broad a representation as possible for both Internal Clearance Status Descriptions and offense codes, rather than sampling randomly.

Again, this means lower-frequency offense codes (including Kidnapping, Serial Sexual Assault, Aggravated Forced Sodomy, and Burglary of Residence – Sexual Nature) are rather dramatically

over-represented in the final sample, while higher-frequency offense codes (like Rape, Sexual Assault with Object, Invasive Visual Recording, and Forced Sodomy) are under-represented.

Other Sampling Decisions

Finally, it is important to keep in mind several decisions that were made throughout the process that further impacted the non-representativeness of the final sample. First is a reminder of the final inclusion criteria, which were established jointly by EVAWI and APD/CSCRM. As described previously, the final inclusion criteria for sampling were felony-level sex crimes cases with:

- Clearance Date assigned between 01/01/2021 and 12/31/2022
- One of 11 specified offense codes (as the highest offense code assigned)
- Suspects 17 years of age or older
- Victims 18 years of age or older
- Sex Crimes Unit assigned as Lead Investigator or Secondary Title Code Assignment
- One of 12 specified Internal Clearance Status Descriptions (excluding Open, Pending DNA, and Pending Prosecutorial Review)

By specifying these inclusion criteria, this means (by definition) that other cases *not* meeting the criteria were excluded from potential sampling. Also, a small number of cases were removed from the sample based on: (a) an older report date (1997-2015), (b) assignment to the Sex Crimes Unit as a Secondary Title Code Assignment, and (c) out-of-jurisdiction incidents.

It is important to have an accurate understanding of the cases included in this review, because this has important ramifications for understanding and interpreting any data findings. This is particularly true because data findings in the final report are only presented in aggregate; they are not broken down by Internal Clearance Status Description, offense code, year, or other variables. Such analysis remains for future case reviews, with additional time and resources.

Case Information

Secondary Title Code Assignment

Two cases in the final sample had SCU listed as a Secondary Title Assignment, which means another investigative unit was assigned as the Lead Investigative Unit (e.g., Homicide) but SCU was asked to investigate sex crimes that may have also been committed during the incident. Yet cases with SCU as a Secondary Title Code Assignment may have incomplete case files materials available, if some materials are stored by SCU while others are stored by another APD unit.

In fact, one of these two cases was lacking a Detective's supplemental report which is a key source of information for the Data Collection Instrument. This is one of several factors from this case review methodology that led to "unknown/unspecified" data in this final report.

Case Materials Available

All but one case in the sample (45 cases) had a patrol report, and the vast majority (43 cases) had a supplemental report completed by a Sex Crimes Detective. Most also had body-worn camera footage (36 cases) and a recording of an interview with the victim (36 cases).

The three cases without a supplemental report included: (a) one that was outside APD jurisdiction, (b) one that was Unfounded because the device in question was misidentified as a recording device, and (c) one where SCU was a Secondary Title Code Assignment not the Lead Investigative Unit. As noted above, a supplemental report contains a great deal of essential information, meaning many data variables were coded “unknown/unspecified” for these cases.

Reporting Information

The **date of the initial report** in the 46 sampled cases ranged from 01/10/2020 to 11/13/2022. The **time of the initial report** varied across virtually all times of the day and night.

Of the 46 cases, 30 were initially **reported by the victim** and 15 were initially **reported by a third party**. The most common **first contact** for victims was 911 communications/dispatch.

Only two reports were made **anonymously** by the victim (e.g., medical forensic exam without law enforcement involvement). In 9 cases, the victim chose to use a **pseudonym** for the report.

Offense Information

Only one case in the sample was recorded as an **attempted offense**, although the incident was recorded as involving acts that were both completed as well as attempted.

Most cases did not have **any additional offenses** reported beyond the highest classified offense (31 cases). However, additional offenses were described in 15 cases.

In 29 cases, reviewers described no **additional cases or events** associated with this report. In 17 cases, additional events or case numbers were noted.

In 33 cases, reviewers found no documentation of any **prior history of physical or sexual violence** committed by the suspect against any victim. In 13 cases, information was noted regarding a prior history of physical or sexual violence committed by the suspect (either documented in a criminal history or in statements provided by the victim or another party).

Six cases were recorded as **multiple incidents**, while 39 cases were coded as a **single incident**.

Of the 39 cases with a **single incident**, the dates ranged from 07/04/2019 to 11/13/2022. The **time between incident and report** ranged from an “immediate” report to “possibly 4 years.”

In the six cases with multiple incidents, the date of the **earliest known incident** ranged from 03/30/2011 to 11/24/2021. The date of the **most recent incident** ranged from 03/12/2021 to 04/22/2022. The timeframes **between the earliest and most recent known incident** were approximately one week, three weeks, five months, and 10 years, respectively. The **time between the most recent incident and report** ranged from “immediate” to “4 weeks, 3 days.”

The time elapsed **between the initial report and APD response** ranged from “immediate” to two hours; however some were unknown based on the documentation available.

The most common responses for the **offense location** were the victim’s residence and/or suspect’s residence (including residential facilities). In some cases this was a shared residence.

Victim Information

Most cases involved **one victim** (42 cases), but four cases involved **more than one victim**.

Gender identification of most victims was female (38 cases), with six males and one “other,” which was selected because the case involved multiple victims (three female and one male).

Victim age at the time of the (single or most recent) incident ranged from 18 to 65. In cases with multiple incidents, the victim’s age at the earliest known incident ranged from 18-28. Victim age at the time of the report similarly ranged from 18 to 65.

Racial/ethnic identification for most victims was White (29 cases), Hispanic/Latino (13 cases), and/or Black/African-American (6 cases); two victims were listed as “other” for this variable.

Some **victim characteristics** that were more commonly noted were mental health condition (10 cases) nonresident of Austin (6 cases), currently unhoused (6 cases), college/university student (5 cases), and/or limited English proficiency/second language spoken (5 cases).

Regarding **drug/alcohol use**, 16 cases had information indicating that the victim had voluntarily ingested alcohol, and two cases involved suspected or confirmed involuntary ingestion. Five cases had documentation indicating that the victim had voluntarily ingested a drug of some kind; 10 cases involved suspected or confirmed involuntary ingestion of a drug. In 15 cases, there was no indication of any drug or alcohol use by the victim (voluntary or involuntary).

Four cases had documentation of a **criminal history/records check** being run on the victim.

Some of the more common **victim-suspect relationships** (if any) were acquaintance/friend (18 cases), brief encounter (9 cases), met online (6 cases), and current spouse/partner/cohabitant (5 cases). Several cases had more than one category noted. Nine cases involved strangers.

In the majority of cases, there was no indication that the victim had any **consensual sexual activity** with the suspect either before or after the incident (28 cases). However, three victims

did reportedly have consensual sex with the suspect more than 24 hours before the incident, and another 10 victims did either within 24 hours of the incident and/or afterward (10 cases).

Suspect Information

Most cases involved **one offender** (37 cases), but four cases were recorded as having **more than one offender**, and the number of offenders was unknown/unspecified in five cases.

In most cases, **at least one suspect was identified** either by the victim (33 cases) and/or as the result of a law enforcement investigation (8 cases). In 11 cases, **no suspect was identified**, and this has important implications for the interpreting the data findings in this report. In cases without an identified suspect, many subsequent data variables were either left blank or coded as “unknown/unspecified” (e.g., suspect gender, age, racial/ethnic identification, drug/alcohol use, etc.). Perhaps more important, the absence of an identified suspect pre-determined negative responses to data variables pertaining to suspect contacts and interviews, investigative steps taken, evidence collected and submitted for analysis, and case outcomes/dispositions.

Where it was recorded, **gender identification** of 39 suspects was male, and one was female.

Suspect age at the time of the incident was recorded in 37 cases as ranging from 20-56.

Racial/ethnic identification for most suspect was White (22 cases), Hispanic/Latino (13 cases), and/or Black/African-American (10 cases); three suspects were coded as “other.”

Some **suspect characteristics** that were more commonly noted were non-US citizen (5 cases), currently unhoused (4 cases) nonresident of Austin (3 cases), and limited English proficiency/second language spoken (3 cases). Most cases had no such suspect characteristics noted.

Regarding **drug/alcohol use**, there was information in nine cases indicating that the suspect used alcohol at the time of the incident, and seven cases with indications of drug use. Three cases had no documentation of suspect drug/alcohol use, and 29 were unknown/unspecified.

Eighteen cases had documentation of a **criminal history/records check being run on the suspect**. No criminal record was found in eight cases. In the other 10 cases: (a) one suspect was recorded in a previous field contact/person of interest, (b) one had been named as a suspect in a previous offense, (c) one had been arrested and convicted of a previous sex offense, and (d) one had an active warrant. Five suspects had been arrested and convicted on other offenses.

Assault Characteristics

Sexual Acts Involved in the Incident

The most common sexual acts were vaginal/anal penetration and/or oral copulation. However, other cases involved invasive photographing/videorecording, sexual acts that were attempted but not completed, other sexual acts, sexual acts not specified, and/or unknown/unspecified.

As with cases involving no identified suspect, this range of sexual offenses is important to keep in mind when reviewing and interpreting subsequent data findings. For example, cases that involve only invasive photographing/videorecording produced very different data findings than cases involving physical/sexual contact or penetration. These differences are reflected in data findings for many other variables, including the type of assault, force/threat/fear used, investigative steps taken, evidence collected and analyzed, and case outcomes/dispositions.

Type of Assault

Most assaults were perpetrated using threat/force/fear (16 cases), while the victim was held/confined/restrained (13 cases), and/or while the victim was incapacitated (13 cases). Many cases involved more than one type of assault, and many were unknown/unspecified.

Use of Force, Threat, or Fear

The most common types of force, threat, or fear were physical/bodily force (19 cases), threats (5 cases), and weapons being either threatened (5 cases) and/or used (4 cases). Once again, cases often involved more than one type, and many cases were unknown/unspecified.

Initial Law Enforcement Response

Crime scenes were frequently the **site of the initial law enforcement response** (14 cases). Others were the victim's residence (9 cases), hospital (6 cases), or SAFE's Eloise House (2 cases).

In most cases, the **first law enforcement responder** was an APD Patrol Officer and/or Sex Crimes Unit Detective (43 cases). One case involved college/university police as first responder.

Thirteen cases had **one law enforcement responder**, and 27 cases had **more than one**.

Most cases had an **APD Victim Services Counselor called out** to meet the victim (28 cases).

Investigative steps taken during the initial response included body worn camera recordings (37 cases), photographs taken (17 cases), crime scene evidence collected (15 cases), and Emergency Medical Services (EMS) called (10 cases). In eight cases the area was canvassed, a crime scene technician was called out in seven cases, and six cases had other video recordings taken.

In 40 cases, a **preliminary interview** was conducted with the victim by APD law enforcement personnel. The dates of these interviews ranged from 01/17/2020 to 11/13/2022.

In 7 cases, a hospital/healthcare facility was the **location of the victim's preliminary interview**. Others were conducted at the crime scene (13 cases) or the victim's residence (7 cases),

Most preliminary interviews were conducted by an **APD Patrol Officer** (35 cases) and/or **Sex Crimes Detective** (6 cases). One case also involved college/university police officers.

Most preliminary interviews had **one law enforcement officer present** (20 cases) or two (15 cases). Three cases had three law enforcement personnel present, and two had five present.

In most cases, the preliminary interview was **video-recorded** (32 cases) or **audio-recorded** (2 cases). This was not done in two cases, and it was unknown/unspecified in four cases.

The **length of preliminary interviews** ranged from 10 minutes to one hour, 20 minutes.

In 23 cases, the victim did not have an **advocate, APD Victim Services Counselor, or other support person** present during the preliminary interview. Eleven victims had an APD Victim Services Counselor present and five had a personal support person (e.g., friend, family). One victim had both an APD Victim Services Counselor and personal support person present.

In three cases, an **interpreter** was provided for the preliminary interview. In two cases, this was an APD officer, and in the third case it was a neighbor who interpreted for the victim.

Medical Forensic Examination

A medical forensic examination was conducted with the victim in 18 of the 46 cases in the sample. The dates of these exams ranged from 07/12/2011 to 11/15/2022.

The **time between the incident and medical forensic exam** ranged from five hours to 23 days.

Fifteen exams were conducted at **SAFE's Eloise House**, and three were conducted at a **hospital**.

Case file materials indicate that victims were at the exam facility for **3-10 hours**.

During their medical forensic examination, many victims had a **community-based (non-APD) advocate** (9 cases), **APD Victim Services Counselor** (5 cases), and/or **support person** present (3 cases). Some had more than one person present, and three cases were unknown/unspecified.

Of the 18 cases with a medical forensic examination, signs of **physical injury** were documented in nine. No such signs were identified in seven cases, and two were unknown/unspecified.

Signs/symptoms of **strangulation** were documented in three cases with a medical forensic examination. No such signs were identified in 13 cases, and two were unknown/unspecified.

Follow-Up Investigation

All 46 cases were assigned to a Sex Crimes Detective for follow-up investigation; the date of this assignment ranged from 01/13/2020 to 11/21/2022. The **time between initial APD response and assignment** to a Sex Crimes Detective ranged from “no time” / “immediate” to 12 days.

Victim Contacts

One case did not involve follow-up contact with the victim, because the case did not occur in Austin and was therefore outside APD jurisdiction. In the remaining 45 cases, the **date of the initial attempt to contact the victim** ranged between 04/21/2021 and 11/21/2022.

In 25 cases, **one attempt to contact the victim** was documented; in many cases this first attempt was successful, so no additional attempts were necessary. Fifteen cases had **2-3 documented attempts** at victim contact, and five cases had as many as **5-7 attempts recorded**.

The most common **method of attempted contact** for the victim was a phone call (37 cases), but email (16 cases), in-person contacts (10 cases), and texts (7 cases) were also relatively frequent.

In 42 cases with **successful victim contact**, the dates ranged from 01/13/2020 to 11/21/2022. The **time between the Sex Crime Detective’s initial attempt to contact the victim and successful victim contact** ranged from “no time” / “immediate” to over a month.

In-Depth Victim Interview

In 30 cases, an in-depth, follow-up interview was conducted with the victim by an APD Sex Crimes Detective. The date of these interviews ranged between 01/17/2020 and 11/30/2022.

Half of the in-depth victim interviews were conducted in the **soft interview room at APD** (15 cases). In two cases, the victim was interviewed **at their own residence**.

Most in-depth victim interviews involved **one APD law enforcement officer**, typically a Sex Crimes Detective (23 cases). However, five interviews involved **two APD officers**.

Most in-depth victim interviews were either **video-recorded** (18 cases) or **audio-recorded** (6 cases). Two victim interviews were not recorded, and four were unknown/unspecified.

The **length of in-depth victim interviews** ranged from six minutes to more than three hours.

In 11 cases, the victim did not have an **advocate, APD Victim Services Counselor, or other support person** present during their in-depth interview. Eleven victims had an APD Victim

Services Counselor present, and one had both an APD Victim Services Counselor and an “other” person present. One victim had a community-based (non-APD) advocate present during the interview and two additional victims had an “other” person present during the interview.

In three cases, an **interpreter** was provided for the in-depth victim interview. In two cases, an APD officer provided the interpretation (one Patrol Officer and one Sex Crimes Detective). In a third case, it was documented that forensic interviewers were Spanish speaking.

In two cases with an in-depth interview, **accommodations** were provided for the victim. One was a private room that was provided for the victim to accommodate physical mobility; the other was a cell phone provided to the victim by APD to address communication needs .

In 13 cases, victims **withdrew their participation** from the investigation at some point.

Suspect Contacts

In 21 cases, there were documented **attempts at suspect contact** between 09/14/2020 to 08/23/2023. The **time between assignment to a Sex Crimes Detective and the initial attempt** to contact the suspect ranged from “immediate” to 15 months.

In 15 cases, **one attempt to contact the suspect** was documented; in many cases this first attempt was successful. Six cases had **2-4 documented attempts** at suspect contact.

The most common **method of attempted contact** for suspects was a phone call (12 cases), but email (2 cases) and in-person contacts (8 cases) were also seen.

In 18 cases with **successful suspect contact**, the dates ranged from 09/14/2020 to 03/13/2023. The **time between the Sex Crime Detective’s initial attempt to contact the suspect and successful suspect contact** ranged from “no time” / “immediate” to three months, six days.

Suspect Interview

Fourteen suspect interviews were conducted between 10/01/2020 and 03/13/2023.

Five suspect interviews were conducted at **APD**, three in **jail/prison**, and one at the **suspect’s residence**. Four were conducted in “other” locations (phone, on scene, and/or in a patrol car).

Most suspect interviews involved either **one APD officer** (4 cases) or **two officers** (6 cases), typically Sex Crimes Detectives. However, three suspect interviews involved **3-5 officers**.

Most suspect interviews were **video-recorded** (10 cases). However, one suspect interview was not recorded, and three were unknown/unspecified.

The **length of suspect interviews** ranged from 11 minutes to one hour, 31 minutes.

Of the 14 cases with a suspect interview, three were **represented by legal counsel**, and eight were not. Two suspects had their attorney present while they were being interviewed.

An **interpreter** was provided for one suspect interview, either an APD or corrections officer.

Witnesses and Children

In 30 cases, **witnesses or other relevant individuals** were identified during the investigation.

Nineteen cases had **documented attempts to contact** witnesses or relevant individuals.

Interviews were conducted with these witnesses or other relevant individuals in 18 cases.

In five cases, documentation indicated that **children may have been present or endangered** in relation to this incident. However, this information was not entirely clear.

No children were interviewed in any of the cases, based on review of case file documentation.

Investigative Steps

In addition to medical forensic examinations and the resulting evidence collection kits, the most common types of **evidence collected from the victim** included items of clothing (16 cases) and photographs taken of the victim (8 cases).

Some type of **digital evidence** was collected in 28 cases.

Twenty-seven cases had at least one type of **suspect identification procedures** conducted.

A total of 12 cases had some type of **evidence collected from the suspect(s)**.

Eleven cases had steps documented related to **suspect history or alibi**.

In 14 cases, investigative steps listed above were taken in relation to **crime scene evidence**.

The dates of the **last investigative action taken** ranged from 12/11/2020 to 01/10/2024, indicating that some cases had an action taken after the Clearance Date was assigned.

Laboratory Analysis

In 18 cases, at least one **sample from the victim's body** was submitted for analysis. In eight cases, a foreign DNA profile was identified from evidence collected from the victim's body.

In six cases, at least one item of **victim clothing** was submitted to the laboratory for analysis; a foreign DNA profile was found in one of these six cases.

No cases had documentation of any items of **victim property** being submitted for analysis.

In nine cases, at least one sample from the **suspect's body** was submitted for analysis; only one resulted in identifying a foreign DNA profile.

In two cases, at least one item of **suspect clothing** was submitted to the laboratory for analysis. No information is available on the results of any analysis conducted on the suspect's clothing.

In three cases, at least one item of **suspect property** was submitted for analysis. One case identified a foreign DNA profile based on an analysis with an item of suspect property.

In three cases, at least one item of evidence from the **crime scene or other location** was submitted for analysis. An abandoned item was analyzed, and a CODIS hit identified the suspect.

A total of five cases had a **submission of an unknown/forensic DNA profile to CODIS**. Two of these resulted in a CODIS hit/match, while two did not, and one was unknown/unspecified.

Prosecutor Communications

In 17 cases, a Sex Crimes Detective contacted a prosecutor at some point to discuss the case.

Most of these 17 cases involved **1-2 communications** (15 cases). However, two cases had **three or more** documented communications between the Sex Crimes Detective and the prosecutor.

Case Outcomes

A total of eight cases resulted in an arrest; seven had one arrest, and one had two arrests.

The **date of the (first) arrest** in these eight cases ranged from 10/01/2020 to 12/09/2023

In 13 cases, a referral was documented for **prosecution** by the Sex Crimes Detective.

Of these 13 cases, **charges** were documented as being filed in three.

In 37 cases, there was documentation that the Internal Clearance Status Description was **reviewed by a Sex Crimes Unit supervisor** prior to case closure. In nine cases, there was no documentation indicating that this step was taken (either "no" or "unknown/unspecified").

In 33 cases, a Sex Crimes Detective notified the victim of the case outcome. Documentation commonly indicated that this was done by phone, with email as a backup.

Conclusion

This Final Report summarizes the findings from the 2021-2022 APD Sex Crimes Case Review, which was conducted by EVAWI in accordance with a contract signed with the City of Austin.

As previously noted, a key goal for this project was to substantially improve upon past practices for conducting sex crimes case review. Perhaps most notably, this methodology was designed to review all investigative content in a sex crimes case file, including body worn camera footage and other audio/video recordings. This is the first known effort to be inclusive of all the materials available in a digital case file. Another goal was to conduct this case review work with an unprecedented level of collaboration between EVAWI and APD/CSCRM as partners.

Both goals were essential because sex crimes case review is now *an annual ongoing initiative* for APD. In light of this fact, it was essential for EVAWI to define a repeatable methodology and a replicable base of data that could be compiled and analyzed, providing APD/CSCRM and key stakeholders with essential information that could be compared from year to year.

This report is therefore designed to provide data-informed observations, insights, and recommendations for APD, CSCRM, Austin/Travis County SARRT, and the wider Austin community. However, it is also intended to offer a roadmap for law enforcement agencies and communities across the country who might want to adapt the methodology for their own use.

With that orientation in mind, we will conclude this report with a summary of best practice recognitions offered to APD throughout this report, as well as EVAWI's recommendations.

Recognition of Best Practices

For more context and detail on these best practice recognitions, please see the associated discussion which appears on the noted page numbers.

- APD does an exceptional job of recording contacts with victims, suspects, witnesses, and other relevant individuals – beginning with the initial response, and extending through the follow-up investigation, interviews, and other contacts (p. 39).
- APD's Victim Services Unit is extraordinarily noteworthy. First created in 1981, the Unit has pioneered the practice of comprehensively integrating victim services within the law enforcement response to victims and witnesses of traumatic crimes. It offers a model of best practice for law enforcement agencies across the country (p. 73).
- APD does not ask sex crimes victims to write a narrative or "sworn statement" detailing the incident. This is a practice that EVAWI does not recommend during the initial law enforcement response or immediately following an interview. APD is therefore recognized for avoiding this non-recommended practice (p. 74).

- APD and community partners conduct sexual assault medical forensic examinations on a case-by-case basis, going beyond the typical cutoff of 120 hours where this is warranted. This decision should be made based on the facts of the specific case, the likelihood of recovering evidence given case circumstances, the victim’s presenting signs, symptoms, or complaints, and the types of evidence needed for a successful investigation and prosecution of a sexual assault. Austin illustrated the value of this practice in a case where an exam was conducted 23 days following a sexual assault, which resulted in the documentation of critical evidence of victim injury (p. 83).
- APD prioritizes interviewing victims in “soft” interview rooms they and Austin partners have created for use with victims of sexual assault and other traumatic crimes. These “soft” interview rooms are designed to be warm and welcoming, with comfortable furniture, art, and other amenities. Per best practices, APD avoids interviewing victims in a room that was originally designed for interrogations (p. 90).
- APD routinely records victim interviews, a recommended practice that offers a number of benefits. Among the advantages, recording provides a more reliable method of documentation than written notes. It also captures more details than can be summarized in a written report. Recordings can better convey the immediate response of victims to prosecutors, judges, and/or jurors. As long as victims are advised that the interview is being recorded, this can be one of the most effective tools in increasing the likelihood of successful investigation and prosecution of these cases (p. 92).
- In no case was a sex crimes victim presented with an investigation/prosecution waiver or “declination form.” This practice is sometimes used in other law enforcement agencies, but it places inappropriate pressure on victims to make an immediate decision about participating in an investigation and possible prosecution, and sidesteps law enforcement’s responsibility by shutting down the investigation from the outset. APD is recognized for avoiding the use of such waivers/forms with sex crimes victims (p. 95).

Recommendations

Again, see the noted page numbers for more context and detail on these recommendations.

- Conduct additional training for Patrol Officers regarding APD policies and procedures governing the use of pseudonyms for victims in sex crimes cases to ensure victim privacy is consistently protected (p. 49).
- Review APD policy and procedures regarding criminal history/records checks being conducted on sex crimes victims. Avoid routine checks on victims, particularly during the initial phases of an investigation (p. 60).

- Complete criminal history/records check on all suspects during a criminal investigation (p. 66).
- Review APD policies, procedures, and training to ensure officers are not instructed to ask sex crimes victims if they want to participate in a prosecution (or “press charges”), especially during the initial response. The question puts an undue burden on victims before they know what prosecution entails or whether the investigation has established probable cause and sufficient evidence to present the case to a prosecutor (p. 76, 94).
- Because preliminary interviews with victims are generally recorded with body-worn cameras, consider reviewing APD policies and procedures to ensure they provide clear guidance on the respectful use of body-worn cameras in interactions with sex crimes victims (p. 78).
- Review APD policies and procedures to identify opportunities to increase sex crimes victims’ access to APD Victim Services Counselors and community-based advocates during the initial law enforcement response and preliminary interviews (p. 80).
- Conduct an internal review of policies around recording victim interviews to ensure APD policies and procedures are consistently applied (p. 92).
- Conduct an internal review of specific cases with unclear documentation regarding whether children were present for any part of a sex crimes incident. Ensure APD personnel conduct all facets of the initial response and follow-up investigation in accordance with relevant APD policies and procedures related to children being present or endangered in such incidents (p. 106).
- To better evaluate the outcomes of case investigations, record information in all case files regarding whether an investigation is complete and the case was referred for prosecution. Alternatively, it can be noted that the facts and evidence in the case did not meet the criteria for referral in accordance with APD policies and procedures (p. 124-5).
- For Unfounded cases, ensure documentation consistently indicates whether the evidence established that a crime did not occur (false) or the elements of the crime were not met (baseless) (p. 125).

Introduction

On September 28, 2023, the City of Austin (COA) contracted with End Violence Against Women International (EVAWI) to conduct a review of sex crimes cases reported to the Austin Police Department (APD) between 01/01/2021 and 12/31/2022. Confidential case review is one of 103 recommendations detailed in the final report of the *Austin Police Department Review: Reported Sexual Assault Comprehensive Evaluation*, delivered to APD and the COA in November 2022 by the Police Executive Research Forum (PERF), in collaboration with the Women’s Law Project and the Wellesley Centers for Women (hereinafter referred to as the “PERF Report”).

These recommendations are being executed and implemented via the Collective Sex Crimes Response Model (CSCRM) Project, along with the requirements set forth via the *Smith v COA* and *Senko v COA* settlement terms. The CSCRM Project is comprised of a multidisciplinary team of members that are both internal and external to APD including, but not limited to, survivors, advocates, members of the Austin/Travis County Sexual Assault Response and Resource Team (SARRT), and representatives associated with local non-profit and advocacy groups.

EVAWI’s case review methodology was designed to comply with Texas law relating to access for law enforcement files, FBI procedures regarding case clearances, and considerations from documents such as the PERF Report and the Women’s Law Project’s *Annual Advocate Sex Crime Case Review Guidebook: The Philadelphia Model*.¹ However, **a key goal for the current project was to substantially improve upon past practices for conducting sex crimes case review.**

Perhaps most notably, this methodology was designed to review all investigative content in a sex crimes case file, including body worn camera footage and other audio/video recordings. Historically, case review has relied exclusively on written documentation, such as Patrol Officer reports, supplemental reports completed by a Sex Crimes Detective, and other written reports. This is the first known effort to be inclusive of all the materials available in a digital case file.

Because we departed significantly from past practice, every aspect of the methodology was built from the ground up – including the design of a sampling plan, the selection of qualified reviewers, and the development of a comprehensive and customized data collection tool. Only with such a tailored approach is it possible for APD to use the data findings to capitalize on existing strengths, fill gaps, and improve sex crimes investigations and offender accountability.

¹ Detailed guidance for this case review was provided in a Statement of Work (attached as Exhibit A to the signed and executed contract between EVAWI and the City of Austin). However, once the project was underway, it became clear that some of the definitions, terms, and timelines required modification. Revisions were therefore discussed (both during an initial site visit in November 2023, as well as subsequent meetings between EVAWI and APD/CSCRM), and a revised Statement of Work was accepted and agreed upon by EVAWI and the City of Austin on 01/11/2024. A second revision with additional minor modifications was accepted and agreed upon on 05/03/2024. Hereinafter, this second revised Statement of Work will simply be referred to as the “Statement of Work.”

Annual Case Review

These efforts were critically important because sex crimes case review is now *an annual ongoing initiative* for APD. This recommendation was originally offered in the PERF report, and it was stated explicitly in the Statement of Work for this project; it therefore guided EVAWI's design and implementation from the outset. With the recognition that sex crimes case review will be conducted annually, it was essential for EVAWI to define a repeatable methodology and a replicable base of data that could be compiled and analyzed, providing APD/CSCRM and key stakeholders with essential information that could be compared from year to year.

One implication of this was that that this first year of case review required inordinate attention to detail, as we built from scratch almost every aspect of the case review methodology and process. This meticulous attention to detail is reflected in this Final Report, even the Executive Summary, because it is designed to offer a roadmap for law enforcement agencies and communities across the country who might want to adapt the methodology for their own use. It is anticipated that future iterations of APD case review will streamline this process significantly.

Modelling Partnership

One key goal was therefore to pioneer a path for national best practices and new standards for excellence in sex crimes case review. Yet equally important was **our ambition to forge this path with an unprecedented level of collaboration between EVAWI and APD/CSCRM as partners.**

Throughout the project, from the original design through the Final Report, EVAWI frequently consulted with APD/CSCRM, providing updates and requesting approval at key points in the process, in accordance with the Statement of Work executed with the City of Austin.² A primary focus was the **collaborative co-creation of the Data Collection Instrument, based on APD-specific terminology, policies, procedures, and data elements that are appropriately defined in the context of state laws, agency policies/procedures, and community resources/systems.**

This comprehensive new Data Collection Instrument was designed to capture the full complexity of a sex crimes investigation. While it was customized for APD, and will be improved upon in subsequent iterations, EVAWI and APD/CSCRM also anticipate that it will be adapted for use by other law enforcement agencies across the country to conduct their own case reviews.

No other tool has the same capacity to document the countless steps that can be taken by a law enforcement agency, to respond professionally to a sex crime report, provide supportive victim

² Per the Statement of Work: "The Contracting Entity should work in concert with the CSCRM Project team to address any questions and/or concerns associated with the Case Review. The CSCRM Project team should be consulted and/or informed about key decisions for the Case Review project. The CSCRM Project team is to provide approval on sample size, sample make-up (by Internal Clearance Status Description), and case reviewer selections if not previously defined in the Statement of Work. Additionally, the CSCRM Project team may seek status updates and/or inquiries into the Case Review structure, process, and/or final report." These requirements were all met, with coordinated work and communications facilitated by CSCRM Project Manager Consultant Hanna Senko.

services, conduct a thorough investigation, make appropriate case determinations, and keep victims informed. Documenting such steps can contribute to a law enforcement agency's culture of learning and change, driving continued improvements and supporting accountability.

Such data can also highlight the resources needed to conduct an effective sex crimes response and investigation, which may be distinct from the resources needed for other types of crime. To date, there is extremely limited data to guide determinations regarding the allocation of staff and other resources for Patrol Officers and especially Sex Crimes Detectives to effectively manage caseloads. Ultimately, any improvements in sex crimes response and investigation will likely require additional allocation of resources, especially in the environment of short staffing and rapid turnover which is currently seen in law enforcement agencies across the country.

Improving Metrics

This focus on improving data collection and the resulting metrics did not take place in a vacuum. Rather, it reflects an increasing national emphasis on “improving criminal justice data in a way that fosters transparency, enhances public trust in police, and promotes racial equality.”³

In 2024, the Police Executive Research Forum and RAND Corporation, on behalf of the National Institute of Justice, convened a panel of subject matter experts “to inform efforts to improve data and metrics in policing.” Among the priority needs they identified in their final report (hereinafter the PERF/RAND report), one was “new metrics that capture unmeasured but important aspects of police work, such as what police do with their time, whether public safety resources are equitably allocated and applied, and public perceptions about policing services.”⁴

This APD Sex Crimes Case Review was solidly positioned within this framework; our shared goals extended far beyond data capturing to address broader equity ambitions. As noted in the 2024 report, “As government institutions that are accountable to the public, police agencies must collect the right data in a valid and reliable way to (1) calculate the public's return on public safety investments and (2) ensure that policing aligns with community expectations.”⁵

Public Dissemination

To further the interest of transparency and advance the goal of rebuilding trust with the community, anonymized results from this case review are now being publicly shared in this report, with careful protections to ensure that victims' privacy and rights are not violated.

³ Barnum, J.D., Cahill, M.E., Woods, D., Lucey, K., Vermeer, M.J.D., & Jackson, B.A. (2024). Better Measures of Justice: Identifying High-Priority Needs to Improve Data and Metrics in Policing. A publication of the Priority Criminal Justice Needs Initiative, a project of the RAND Corporation, the Police Executive Research Forum, RTI International, and the University of Denver (p. 6).

⁴ Barnum et al., Better Measures of Justice, p. 1-2.

⁵ Barnum et al., Better Measures of Justice, p. 3.

Project Methodology

Expert Case Reviewers

The first step in the process was to select a team of expert case reviewers.⁶ EVAWI was well positioned to identify qualified individuals, based on an unparalleled level of expertise and experience in the field as demonstrated in Appendix A. Qualified case reviewers were identified with background and expertise in:

- Law enforcement response and investigation of sex crimes
- Community- and system-based victim advocacy
- Multidisciplinary collaboration with a broad range of stakeholders, and
- Best practices for conducting trauma-informed sex crimes investigations

All case reviewers also had extensive experience handling confidential criminal justice information; they were therefore accustomed to handling case files with the security and confidentiality required for such sensitive criminal justice information and personal data.

Contracted Reviewers

EVAWI gathered detailed information from each identified expert, including the number of years in their profession, level of experience in the field (including case review), and any potential conflicts of interest. This information was gathered both in personal interviews conducted by EVAWI's Chief Executive Officer (CEO) Ann Burdges and EVAWI's Director of Research Dr. Kim Lonsway, as well as a standardized questionnaire created by EVAWI specifically for this purpose. As a result of this process, four experts were contracted to join three EVAWI staff members, constituting a 7-member team of expert case reviewers.⁷

APD/CSCRM was provided a list of these expert case reviewers on 11/15/2023.

Reviewer Clearance

In accordance with Texas state laws and APD policies and procedures, each expert case reviewer was required to complete a number of steps before receiving access to APD case files:

⁶ As noted in the Statement of Work, the Contracting Entity (EVAWI) will: (a) "Establish the approach, structure, and methodology to be used for the Case Review including how team members and cases will be selected," and (b) Interview, select, and contract with each case reviewer." Also noted: (c) "Case reviewers are to be selected based on their depth of experience, credentials, and/or certifications," and "A multidisciplinary team should be leveraged to execute the Case Review effort with consideration of backgrounds from the following disciplines: forensic nursing, law enforcement specialist, victim services specialist, legal/prosecutorial specialist, survivor, advocate."

⁷ Per the Statement of Work, "Reviewers are to be paid no less than \$50/hour and no more than \$150/hour for their participation on this project."

- Complete a City of Austin (COA) Applicant History Packet
- Complete the Criminal Justice Information Services (CJIS) Information Security Awareness Training
- Register and be fingerprinted by IdentoGO
- Sign a Non-Disclosure Agreement (NDA) ensuring confidentiality of all case file materials

One NDA was developed by EVAWI, and signed not only by the expert case reviewers, but also by all members of EVAWI’s staff, as a matter of due diligence. EVAWI also signed an NDA with the City of Austin.⁸ These requirements for reviewer clearance were completed by 01/24/2024.

Initial Site Visit

On 11/27/2023, EVAWI’s Chief Executive Officer Ann Burdges and Director of Research Dr. Kim Lonsway traveled to Austin, TX for an initial site visit.⁹ There they met with key personnel within APD, CSCRM, and community partner organizations, including representatives from the Austin/Travis County Sexual Assault Response and Resource Team (SARRT). Lonsway and Burdges also met with the Travis County District Attorney, an Austin City Council member, and several members of the Public Safety Commission and the Commission for Women. A primary goal was to ensure that perspective and insight from the local advocate community was incorporated into the case review project. This was a guiding principle for the project.¹⁰ It is also a recommendation in the PERF/RAND report for improved metrics in policing: “Incorporating the community voice will help prioritize and triage what the data priorities are.”¹¹

Although this initial site visit was not anticipated in the original Statement of Work, it proved to be mutually beneficial for both EVAWI and APD/CSCRM and was extremely valuable in guiding the design, implementation, engagement, and management of this innovative project.

The visit also provided an opportunity for APD and CSCRM members to educate EVAWI about local policies, procedures, and practices, as well as laws/requirements in Texas statute. One example was the education that APD Sex Crimes Unit (SCU) personnel provided to EVAWI on

⁸ Per the Statement of Work: “A Non-Disclosure Agreement (NDA) will be required to be signed by Contracting Entity and Contractors to ensure all records and files received will remain confidential.” Copies of both NDA’s (EVAWI and the City of Austin) are retained by EVAWI and available upon request.

⁹ Per the Statement of Work, travel expenses for the project were “limited to EVAWI management for the purposes of: (a) One-time project implementation meetings with Austin PD, City of Austin, CSCRM, and allied partner agency leadership, and (b) Delivery of the draft report for feedback prior to completing the final report and project completion.” All in-person meetings were arranged, scheduled, and facilitated by CSCRM team members, per the Statement of Work (“In-person meetings in the Austin area can be facilitated via the support of CSCRM team members when/where needed”). Other than these two site visits by Burdges and Lonsway, all other work for this project was performed remotely, per the Statement of Work (“Case review services shall be performed remotely”).

¹⁰ As noted in the Statement of Work: “Perspective and insight from the local advocate community in Austin, TX should be heard and incorporated as appropriate.”

¹¹ Barnum et al., *Better Measures of Justice*, p. 9.

the Internal Clearance Status Descriptions and case classifications that are unique to APD.¹² (For a list of all Internal Clearance Status Descriptions in APD General Orders, see Appendix B.)

Over the course of four days during EVAWI's initial site visit, Burdges and Lonsway followed an intensive schedule of meetings held with many diverse groups of interested parties:

- On the first day, Burdges and Lonsway met with members of APD Executive Staff, SCU leadership, and Victim Services Counselors and leadership (all at APD Headquarters).¹³
- The second day began with a tour of SAFE's Eloise House, which provides 24/7 free sexual assault medical forensic exams and care. Burdges and Lonsway then proceeded to Austin City Hall, where they met with an Austin Council Member¹⁴ and several members of the Public Safety Commission and the Commission for Women.¹⁵
- The day concluded with a meeting with the Travis County District Attorney, one Assistant District Attorney, and the Division Director for Victim Services within the Travis County District Attorney's Office.¹⁶
- Day 3 meetings took place at APD Investigations, with SCU Detectives, Sergeants, and the current and former Lieutenant, as well as APD Victim Services Counselors and the Community Engagement Specialist.¹⁷
- Afternoon meetings focused on the APD Data Team and IT, to prepare for case sampling and access to digital case materials, and to ensure that the project met Texas statutory requirements for data security and confidentiality, as well as background investigations for EVAWI staff and contract case reviewers.¹⁸

¹² Per the Statement of Work: "APD SCU will provide education on any Internal Clearance Status Descriptions and/or case classification unique to APD." Internal Clearance Status Descriptions are referenced in Versadex (APD's records management system), and in APD G.O. 406 Case Clearance.

¹³ Meetings included the following members of APD Executive Staff: Interim Chief Robin Henderson, Assistant Chief Eric Fitzgerald, Assistant Chief Gizette Gaslin, Assistant Chief Jeff Greenwalt, and Victim Services & Employee Wellness Division Manager Kachina Clark. APD SCU Leadership included: Commander Chris Vallejo, Lieutenant Chris Leleux, Sergeant Robert Barger, Sergeant Jennifer Durham, and Sergeant James Turner. Members of the APD Victim Services Leadership team included: Tracy Morris, Stephanie Burgess, Kathryn Herbers, Roxana Ortega-Hart, Connie Geehart, and Jeannie Tomanetz.

¹⁴ The Austin Council Member was Dr. Alison Alter.

¹⁵ Several members of the Public Safety Commission and Commission for Women were included in the meeting: Rebecca Austen, Rebecca Barnhardt, Kristy Orr, Maria Veloz Salas, and Katrina Scheihing.

¹⁶ The meeting included Travis County District Attorney José Garza, Assistant District Attorney Trudy Strassburger, and Neva Fernandez, Division Director, Victim Services, Travis County District Attorney's Office.

¹⁷ The current APD SCU Lieutenant was Chris Leleux. EVAWI staff also met with the former SCU Lieutenant (then-Commander) Patricia Cruz. The Community Engagement Specialist was Marcy Alonzo.

¹⁸ Members of the APD Data Team included: Allison Roper, Auzzie Krobatsch, Michelle Richter, Matthew Frank, Heidi Wittie, Sara Davis, Christy Saevivat, and Stacy Milender. IT staff included Chip Burleson and Sheldon Askew.

- On Day 4, meetings expanded to other members of CSCRM and local advocacy agencies, including the CSCRM Project Steering Committee and SARRT Steering Committee. APD SCU leadership was also in attendance.

In these discussions, EVAWI sought feedback on which aspects of the prior case review and audit (conducted by PERF) were seen as valuable, and what could be improved in this effort. Considerable discussion focused on finalizing details of the proposed Timeline of Milestones.¹⁹

Burdges and Lonsway also sought input on the development of a Data Collection Instrument, and engaged in intensive discussion with the APD Data Team and IT personnel regarding definitions and logistics, both to guide case sample selection and access to digital case files. These discussions helped ensure that the project incorporated local expertise and perspective.

Case Sampling

The next step in the process was specifying the inclusion criteria for case sampling. In the original Statement of Work, these criteria were described as felony-level sex crimes cases with:

- Reporting Date between 01/01/2021 and 12/31/2022
- Victims 18 years of age and older
- Suspects 17 years of age and older
- Closed cases (excluding Open, Pending DNA, and Pending Prosecutorial Review cases)²⁰

On 11/21/2023, EVAWI submitted a draft Case List Request proposing these inclusion criteria to APD/CSCRM. This draft was intensely scrutinized during the initial site visit by Ann Burdges and Kim Lonsway, members of the APD Data Team, and other members of APD and CSCRM. As a result of those conversations, and subsequent exchanges of information, the inclusion criteria were significantly revised and refined. One of the primary modifications was to change the scope of case review from cases that were *reported* in 2021-2022 to those that were *closed* in that same time period. Because this shift is substantive, it merits a brief explanation here.

¹⁹ Per the Statement of Work, EVAWI was required to “provide [a] mutually agreed timeline of milestones to the CSCRM Project team no later than November 1, 2023. Milestone examples include: (a) Project Initiation Date with Named Project Lead, (b) Case Reviewer Assessment and Selection Period, (c) Case Reviewer Training, (d) Case Sample Selection, (e) Case Review Period, (f) Report Drafting and Finalization, and (g) APD & CSCRM Project Feedback Sessions.” Consistent with these requirements, EVAWI delivered a proposed Timeline of Milestones to APD/CSCRM on 11/01/2023, but after discussions taking place during the on-site visit and subsequent exchanges of information, an updated version was mutually accepted on 12/19/2023. As work continued, however, additional modifications were required to the Timeline of Milestones. A final version was mutually accepted on 04/19/2024.

²⁰ Per the Statement of Work: “Case Review is to be conducted on (1) closed cases (this excludes Open, Pending DNA, and Pending Prosecutorial Review cases), (2) felony cases, (3) cases with victims 18 years of age and older, and (4) cases with suspects 17 years of age and older.”

Reported vs. Cleared

One of the key recommendations in the PERF Report was that confidential case review should be conducted with APD sex crimes cases *on an annual basis*.²¹ This recommendation guided the design and implementation of the current case review project, with EVAWI and APD/CSCRM seeking to establish processes and procedures that could be followed on a repeated basis each year. With this in mind, it became clear that any case review conducted only with cases that were *reported* within the timeframe of a single calendar year would limit the sample prohibitively. This is because cases would only be included in the sample if they were both reported *and* investigated or adjudicated to the point of closure within the calendar year.

Such an approach would skew each year's case review sample toward cases that were reported earlier in the calendar year, as well as those requiring less time to complete an investigation and/or adjudication. In other words, cases reported late in the calendar year might never be reviewed, nor would cases with especially lengthy investigations. Also excluded would be many cases prosecuted by the Travis County District Attorney's Office (TCDAO), because the process can take months if not years to conclude, especially if there is a jury trial. With case review conducted annually, these factors would systematically bias each year's sample and exclude from consideration many of the cases that could yield the most instructive findings.

As a result, a decision was made by EVAWI and APD/CSCRM that the inclusion criteria would not be cases *reported* within the specified timeframe (in this case, 01/01/2021 to 12/31/2022), but rather cases that were *assigned a Clearance Date*²² (i.e., closed) within that timeframe.²³

Final Inclusion Criteria

The final inclusion criteria were therefore specified as felony-level sex crimes cases with:

- Clearance Date assigned between 01/01/2021 and 12/31/2022
- One of 11 specified offense codes (as the highest offense code assigned)
- Suspects 17 years of age or older
- Victims 18 years of age or older²⁴

²¹ The Statement of Work makes this point explicitly: "This Statement of Work will cover years 2021 and 2022 while it is anticipated that a new contract will be initiated each subsequent year to review the previous year's cases (i.e. 2023 cases will be reviewed in accordance with a contract initiated in 2024)."

²² The Clearance Date is the date when the case was assigned a final clearance category, and therefore eligible to be reported out (e.g., to the federal National-Incident Based Reporting System, referred to as NIBRS). It is not necessarily the same date that an Internal Clearance Status Description is assigned, adjusted, or finalized.

²³ Per the Statement of Work: "Selection period to include sexual assault cases assigned an External Clearance Date from January 1, 2021 through December 31, 2022." This change was one of the primary modifications made in in the first revised Statement of Work on 01/11/2024.

²⁴ These two inclusion criteria (regarding victim and suspect age) were specified by APD/CSCRM at the outset of the project and agreed upon by EVAWI. However, this means victim age and suspect age *must be known* for a case to

- Sex Crimes Unit assigned as Lead Investigator or Secondary Title Code Assignment²⁵
- One of 12 specified Internal Clearance Status Descriptions (excluding Open, Pending DNA, and Pending Prosecutorial Review)

These criteria were used to submit a revised Case List Request to APD/CSCRM on 12/08/2023.

A list of the final inclusion criteria for case sampling appears in Appendix C. Appendix D provides the total number of cases meeting these criteria (by offense code and year).

Identifying Eligible Cases

Once the inclusion criteria were finalized, the APD Data Team pulled select data on all cases meeting the criteria (and thus eligible for inclusion in the case review sample).²⁶ The resulting Excel spreadsheet (dated 12/08/2023) was emailed to EVAWI, with data in the following fields:

- APD Case Number
- Report Date
- Highest Offense Code (of 11 specified in the inclusion criteria)
- Internal Clearance Status Description (of 12 specified in the inclusion criteria)
- Clearance Date
- Sex Crimes Unit Lead Investigator vs. Secondary Title Code Assignment

Reported Cases for Comparison

For comparison purposes, the APD Data Team also used the same criteria to pull select data on all cases that were *reported* within the same timeframe of 2021-2022²⁷ (see Appendix E for the comparison criteria for reported cases). This second data pull (of reported cases) included cases that were assigned all 15 APD Internal Clearance Status Descriptions, not just the 12 specified for the case review sample. The total count of these reported cases is provided in Appendix F.²⁸

be included in the sample. If either victim or suspect age is unknown, the case was excluded from eligibility, and this has important implications for the sample (e.g., it excludes any case with an unidentified suspect). There were approximately 200 cases that would have otherwise been eligible for the sample that were excluded on this basis. This factor must be kept in mind when interpreting the findings from this case review effort. Also, future case reviews are anticipated to include cases with victims who are 17 years of age or older (rather than 18 years or older, as in the current case review), to include all sex crimes cases involving an adult victim.

²⁵ Secondary Title Code Assignment means that another investigative unit was assigned Lead Investigator (e.g., Homicide), but the Sex Crimes Unit (SCU) was asked to investigate sex crimes that may have also been committed.

²⁶ Per the Statement of Work: “APD will provide a complete listing of sexual assault cases during the review period.”

²⁷ Per the Statement of Work: “A breakdown of open and closed cases by Internal Clearance Status Description code and/or classification unique to APD will be provided to the Contracting Entity for review and assessment.”

²⁸ Please note that all data provided to EVAWI was pulled for case sampling purposes, and it was therefore for informational use only; it may differ from official APD crime data. Also, APD’s crime database is continuously updated, so reports run at different times may produce different results. Care should be taken when comparing one report against others, because different data collection methods and/or data sources may have been used.

As noted above, Appendix F provides the total number of cases meeting the inclusion criteria that were *reported* in 2021-2022, so it can be compared against Appendix D which has the total number of eligible cases that were *closed* (i.e., assigned a Clearance Date) within that same timeframe. However, neither table represents the full range of cases that were assigned to the APD SCU in 2021-2022. To review the entire number of cases with which SCU had some type of involvement, it is necessary to include the full spectrum of roles SCU plays in a case. This comprehensive list includes assigned cases for which SCU had varying levels of engagement, from lead investigator to supplemental review and support. This list appears in Appendix G.

Sampling Plan

Once EVAWI received the spreadsheet with all APD case numbers meeting the inclusion criteria, a Sampling Plan was designed to meet the requirements of the revised Statement of Work.

For example, the Statement of Work specifies that 100% of the Exceptionally Cleared cases and 100% of the Unfounded cases must be included in the sample.²⁹ Beyond this requirement, the percentage for remaining Internal Clearance Status Descriptions were to be determined by the contracting entity (EVAWI), as long as it includes at least one case per each Internal Clearance Status Description excluding Open, Pending DNA, and Pending Prosecutorial Review.³⁰

EVAWI devised a Sampling Plan for 90 cases to meet these criteria; this proposal was submitted to APD/CSCRM on 01/22/2024 for consideration by the CSCRM Project Management Work Group.³¹ During their meeting, EVAWI's Ann Burdges and Kim Lonsway presented information on the proposal, answered questions, and solicited feedback. No revisions were offered, so the proposed Sampling Plan was accepted on 01/24/24 as a starting point for this project.

Final Sample

Once the original Sampling Plan was agreed upon by EVAWI and APD/CSCRM, it was used to guide the random selection of cases (as defined by Internal Clearance Status Description, Year,

²⁹ Per the Statement of Work: (a) "Case Review is to occur on 100% of Exceptionally Cleared cases during the selection period," and (b) "Case Review is to occur on 100% of Unfounded cases during the selection period."

³⁰ Per the Statement of Work: (a) "Cases Cleared by Arrest should be reviewed on a % determined by Contracting Entity," (b) "Suspended Cases should be reviewed on a % determined by Contracting Entity," and (c) "Case Review is to occur on at least one (1) case per each Internal Clearance Status Description excluding Open, Pending DNA, and Pending Prosecutorial Review."

³¹ The Statement of Work notes that an ideal target size for the case review sample is "20% of the annual average of cases over the two-year period" (2021-2022). In 2021, there were a total of 441 cases meeting the inclusion criteria; in 2022, there were 428. The annual average for the two-year period is therefore 434.5, and 20% of this is 86.9. The ideal size for the entire case review sample was therefore originally calculated to be at least 87 cases.

and Highest Offense Code Assigned).³² EVAWI provided the list of sampled cases to APD/CSCRM on 02/01/2024, with a formal request for access to all digital case files and associated reports.³³

As work began, however, it became clear that modifications were required to the original Sampling Plan. Most important, the sample size of 90 cases was recognized as overly ambitious for the amount of time and resources allocated to this project. EVAWI therefore submitted a revised Sampling Plan for 53 cases (which continued to meet the specified requirements) on 04/15/2024. This revised Sampling Plan was accepted by APD/CSCRM on 04/19/2024.

Yet even this Sampling Plan was found to exceed the time and resources allocated for the project. By July 2024, as the deadline for case review work approached, it became clear that reviewers would not be able to complete all of their assigned cases. Ultimately, six cases were left unreviewed. Several of these case files were exceptionally large. For example, one case had a total of 181 attachments, including a 104-page police report and 34 audio/video files; a second case had 157 attachments, including a 204-page report and 39 audio/video files.

These six cases were therefore removed from the Sampling Plan, along with one additional case that was deemed ineligible for review because another law enforcement agency had jurisdiction over the incident (APD conducted the initial response).³⁴ This left a total of 46 cases available for analysis. The final sample for this case review project is detailed in Appendix H.

Case Files

On 02/06/2024, case reviewers received access to the first digital case file. Specifically, APD personnel provided the approved case reviewers restricted access to all case investigation zip files in the Axon records management system, via a time-restricted link sent to the reviewer's authorized email address. Password access was provided for any sub-file contents as needed.

This first digital case file was used as a test case for education and training of the case reviewers, both to examine file contents and companion reports (including various forms,

³² Per the Statement of Work: "The Contracting Entity will identify and select the specific cases to be reviewed with consideration of appropriate random sampling methods and the above-listed guidelines."

³³ At this point, a small number of cases were removed from the sample, based on decisions made jointly between EVAWI and APD/CSCRM. First, ten (10) cases with an initial report date between 1997-2015 were removed, because the handling of these older cases may not reflect current APD policies and practices, thereby limiting their informational value. In fact, the review of such old cases could yield misleading conclusions. Also, three cases were removed because the Sex Crimes Unit (SCU) was listed as a Secondary Title Code Assignment, not the Lead Investigator. While cases with a Secondary Title Code Assignment were originally included in the sampling criteria, EVAWI and APD/CSCRM agreed that these issues would be better explored in future efforts, given current time and funding constraints. Such future efforts could be used to explore and determine whether improvements might be needed in terms of clear guidance, expectations, and monitoring of case files and evidence management for all case types. These cases were therefore removed from eligibility for the final sample, as outlined in Appendix H.

³⁴ Later review indicated that at least one other case outside APD's jurisdiction remained within the final sample.

consents, and audio/video files) and also to evaluate the reviewers' ability to open and access these materials. A number of lessons were learned that informed subsequent efforts.

For example, Mac (Apple) computers were not able to readily open Axon audio/video files. All reviewers therefore had to make arrangements to use a (Microsoft) Windows PC or laptop. Reviewers also found that the time required to open Axon case files varied significantly, based on the extent of the materials included in the digital case file, as well as technological specifications of their computers and operating systems (age, memory, updates, etc.).

Subsequent batches of Axon case files were delivered to the case reviewers on 03/05, 03/06, and 04/04/2024. Unfortunately, these links expired at 30 days, which did not allow sufficient time for case reviewers to thoroughly review the materials and complete the comprehensive Data Collection Instrument, then enter the information into the online data portal. A request was therefore filed on 04/26/2024 with APD/CSCRM to re-send links for 21 (un-reviewed) cases that remained in the sample. These new links were received by the reviewers on 05/15/2024.

Case File Materials

While the specific materials available for each case varied, this could have potentially included:

- 911 call(s) (recording/s)
- Body-worn camera footage from the initial response (often from multiple officers)
- Initial interview with the victim (recording/s)
- Follow-up/detailed interview(s) with the victim (recording/s)
- Interview(s) with the suspect(s) and/or witness(es) (recording/s)
- Phone call(s) (recording/s of any pretext/controlled calls and/or Detective calls made to victims, suspects, and/or witnesses)
- Email communication(s) (file attachment/s)
- Other scanned-in media (file attachment/s)
- Report(s) and other documentation from the victim's medical forensic exam
- Any other report(s) (DNA, toxicology, crime scene)
- Third-party/surveillance video(s)
- Geofencing data
- Search warrant(s)/affidavit(s)^{35 36}

³⁵ Per the Statement of Work: "For the cases selected, APD will digitally share the following details in a confidential and secure manner and in accordance with CJIS and/or any other governing body/requirements: case front page, case report, case supplements, video recordings of interviews, and interrogations, and case attachments including but not limited to SANE, DNA, toxicology, and crime scene reports as well as scanned in media." The Statement of Work clarifies, however, that surveillance video will *not* be provided by APD "due to budgetary constraints."

³⁶ Four cases had digital forensics data (cell phone analysis) that was not shared with case reviewers because it is sufficient to note that the data was collected and reviewed by the SCU Detective as part of the investigation.

During the process of case review, no duplicates or copies were made of these materials, and access for all Axon case files was terminated by APD for all approved case reviewers within 30 days of delivery (via a time-restricted link sent to the reviewer's authorized email address).³⁷

Data Collection Instrument

To prepare for case review, EVAWI project staff needed to create a formal Data Collection Instrument, to guide and capture reviewer feedback in a consistent and organized manner.³⁸ In the initial phase of this process, numerous relevant documents were consulted, including:

- *Austin Police Department Review: Reported Sexual Assault Comprehensive Evaluation (2022)*, Police Executive Research Forum, in collaboration with the Women's Law Project and the Wellesley Centers for Women (i.e., "PERF Report")
- *Smith et al v. City of Austin (2022) and Senko et al v. City of Austin (2022)* settlement agreement and terms.
- *Improving Law Enforcement Response to Sexual Assault and Domestic Violence by Identifying and Preventing Gender Bias (2022)*, US Department of Justice, Office on Violence Against Women
- *Annual Advocate Sex Crime Case Review Guidebook: The Philadelphia Model (2022)*, Women's Law Project
- *Investigation of the Baltimore City Police Department (2016)*, US Department of Justice, Civil Rights Division
- *Baltimore County Sexual Assault Investigations Task Force: Report of Findings and Recommendations (2019)*, Baltimore County Sexual Assault Investigations Task Force
- *Sexual Assault Investigations Report (2020)*, Baltimore Police Department
- *First Comprehensive Re-Assessment (2020)*, Baltimore Police Department Consent Decree Monitoring Team
- *Outcome Assessment and Audit of Sexual Assault Investigations (2023)*, Baltimore Police Department Consent Decree Monitoring Team

Some information was drawn from these materials, and incorporated into a draft version of a Data Collection Instrument. In particular, some data elements were carried over from the prior case review conducted by PERF, to allow comparison of findings where possible.³⁹ However, many of the PERF data elements were not used or were revised for increased precision, and

³⁷ Per the Statement of Work: "Contracting Entity is not the custodian or keeper of any of the law enforcement records it receives from APD. Duplicates and/or copies are not to be made of records. All records must be destroyed or returned within 10 business days after the final report is submitted."

³⁸ Per the Statement of Work: "A formal template should be created to guide and capture reviewer feedback in a consistent and organized manner."

³⁹ Ann Burdges and Kim Lonsway also met (virtually) with two members of the PERF case review team, Dr. Linda Williams and Mary Frederick from the Wellesley Centers for Women, on 03/04/2024. EVAWI convened this meeting with the goal of gathering perspectives and insights from the prior case review to inform the current project.

numerous new data elements were added to increase the comprehensive breadth of the tool. These new elements were drawn from the expertise of EVAWI staff and the case reviewers.

The goal was to create a state-of-the-art Data Collection Instrument with an unprecedented level of detail that would not only be used for this APD case review, but also set a national standard for best practice in future efforts. We also sought to create a document that could be used as a training tool for sex crime investigators and other allied professionals. To date, no such tool exists to demonstrate the full extent and complexity of a thorough sex crimes investigation.

Feedback by APD/CSCRM

Once an initial draft of this Data Collection Instrument was developed, EVAWI engaged in an iterative process of review and refinement with APD/CSCRM stakeholders. A first (40-page) draft of the Data Collection Instrument was submitted to APD/CSCRM on 12/18/2023. This draft was distributed to members of APD and CSCRM with feedback compiled and returned to EVAWI on 01/12/2024. This feedback was then incorporated into a second draft of the (now 42-page) Data Collection Instrument, which was once again returned to APD/CSCRM for review on 01/22/2024. A few additional recommendations were made by APD/CSCRM, which EVAWI incorporated into an initial working version, approved by APD/CSCRM on 01/29/2024.

Online Data Portal

After a working version of the Data Collection Instrument was finalized (in a Word document), EVAWI staff began creating an online data portal for the case reviewers (using Survey Monkey). Once again, the goal was to create an online version of the Data Collection Instrument, in addition to the Word document, that would set the standard for national best practices.

Case reviewers were advised to first record their responses using a paper or Word version of the Data Collection Instrument, and then transpose the information into the online portal. This process allowed the data to be compiled and reviewed by EVAWI in real-time. It also ensured increased consistency and standardization in the information coded by reviewers. The initial version of the online data portal was delivered (via email link) to case reviewers on 03/07/2024.

EVAWI continued to revise the Data Collection Instrument and online data portal based on ongoing feedback offered by the case reviewers. An updated version of the (now 62-page) instrument was given to APD/CSCRM on 03/21/2024. However, small refinements continued to be made, both to the Word version and the online data portal, as case reviewers conducted their work. A final version of the (66-page) Data Collection Instrument is provided Appendix I.

Case Reviewer Training

EVAWI provided various forms of training for case reviewers during the course of the project. This process began with an initial (virtual) meeting for the expert case reviewers on 02/12/2024 where Ann Burdges and Kim Lonsway explained the project's history, goals, methodology, timeline, and deliverables. Discussion also covered the NDA provisions and specific procedures to protect the confidentiality of all case materials. Training then proceeded to familiarize case reviewers with the Data Collection Instrument and the methodology for online data entry.

After this orientation, all reviewers were assigned to review the same test case, so their responses could be compared. This test case was selected by APD from the 12 Unfounded cases identified for the final sample. As noted, reviewers were advised to first record their responses using the Data Collection Instrument, and then transpose the information into the online data portal (in Survey Monkey). The entire process took a great deal of time, given the large volume of audio-visual files (including bodycam footage, recorded interviews, etc.). In fact, the average time spent was approximately *12 hours per reviewer* for this first test case.

A second meeting took place exactly one week later, on 02/19/2024. During that second call, reviewers evaluated their progress to date and discussed the issues and challenges that arose during the case review process. For example, one challenge noted by the case reviewers was how to record information that was mentioned or noted in some communication (e.g., in an email or interview), but lacked any formal documentation. For example, perhaps a report mentioned that a particular investigative step had been taken, or there was information available that suggested the step must have been taken, but no formal documentation of that step was available. In these scenarios, case reviewers were advised to indicate that the investigative step was "unknown/unspecified," since they could not prove with documentation that the step was taken. However, any information or statement suggesting that the step was taken should then be described in the narrative section associated with that particular item.

A third meeting took place on 03/14/2024. During this call, reviewers compared responses that had been entered for the first test case. Discussion centered on how to interpret specific questions, to ensure their information was recorded consistently. After this training with the first test case, each reviewer was assigned their first batch of new cases to review on 03/15/2024. Two additional batches were assigned on 04/06/2024 and 04/15/2024.

From a research standpoint, it would have been preferable to have more than one reviewer assigned to each case, to evaluate inter-rater reliability during the case review process. Due to time and funding constraints, however, it was determined that this would have limited the sample size prohibitively. The decision was therefore made by EVAWI and APD/CSCRM that this first year of case review would be conducted with only a single reviewer assigned to each case. In future years, it is possible that time and funding will allow for multiple reviewers per case.⁴⁰

⁴⁰ Per the Statement of Work, the Contracting Entity (EVAWI) will "provide recommendations as to whether it is

Case Review

Once the Data Collection Instrument and online data portal were finalized, and the initial case reviewer orientation and training was complete, the case reviewers began reviewing cases. Regular meetings were scheduled every few weeks, in addition to frequent email and phone exchanges between EVAWI and the reviewers, to provide ongoing guidance and oversight throughout the case review process, ensuring that data collection was proceeding as expected and all case reviewers' work was thorough, comprehensive, professional, and high quality.⁴¹

The case review period began on 03/15/2024 and extended through 07/31/2024. Overall, the expert case reviewers spent a total of 6-13 hours of time per case. This calculation includes the time spent reviewing case materials and entering data into the online portal. It also includes the time spent meeting the reviewer clearance requirements, contributing to the development of the Data Collection Instrument, and participating in training sessions and meetings. However, it is difficult to argue that these activities are not a necessary and essential part of case review.

For cases with relatively few supplemental materials (e.g., no detailed interview of the victim, suspect, or witnesses), the actual process of case review took approximately 2-3 hours. For cases with more extensive materials, however, the process could range from 6-12 hours.

One factor contributing to the amount of time required by expert case reviewers was the lack of consistency in labelling case file materials. Because attachments were not necessarily filed chronologically nor labelled consistently, reviewers were often required to look through the entire case file to determine which materials were included or not, and then engage in the process of reviewing materials and coding information using the Data Collection Instrument.

In cases with such extensive materials, most of the time was spent reviewing video footage. This is because many pieces of information needed to complete the Data Collection Instrument were embedded in the body-worn camera footage or video recordings of victim/suspect interviews. For example, watching the recording may be the only way to determine which specific questions were asked of a victim or suspect, and what information was provided in response. Recordings may also be the only way to assess what services were offered to the victim and what steps were taken to keep the victim informed of the updated status and outcome of the investigation.

Yet many cases had an extraordinary volume of material, particularly audio/visual recordings. To illustrate, one case had 470 attachments, which required 2 ½ hours for the reviewer simply to *download*, let alone review. Another case had 337 files, including 15 audio/video recordings. Some of these were unduplicated recordings. Yet some recordings were either partially or

recommended to have multiple reviewers on each case with less cases reviewed, or to have more cases reviewed by a single reviewer."

⁴¹ Per the Statement of Work, EVAWI was required to "provide training and guidance to all case reviewers in advance of and throughout the Case Review process to ensure case reviews are conducted as expected" and to "ensure reviewers' Case Review work is comprehensive and of high quality."

totally duplicative, if more than one APD officer responded to a scene. In that scenario, the multiple body-worn camera recordings may be partially duplicative, and partially not, if officers were in different locations at various times, possibly interacting with different individuals. All these factors contributed to the significant amount of time required to review each case.

EVAWI would like to recognize that APD does an exceptional job of recording such contacts.

Report Draft

When case review was complete, the process of data analysis and report writing began.⁴² Dr. Kim Lonsway had primary responsibility for this analysis and drafting of the final report.

Data findings were summarized in a draft report delivered on 09/17/2024.⁴³ This draft report was delivered to both APD and CSCRM; it included only anonymous, aggregate-level data, so a final version could be released to the public without divulging any confidential or private information.⁴⁴ It also included a detailed description of the case review methodology.

A second document with raw data was delivered to APD SCU leadership.⁴⁵ This document presented the expert reviewer comments recorded during the process of case review, along with a complete listing of all individuals involved in the project, including their roles and titles.⁴⁶

Both documents (draft report and raw data) were delivered before EVAWI's second on-site visit. The primary purpose of this visit was to review the draft report with members of APD/CSCRM.

Feedback Sessions

In accordance with the Statement of Work, EVAWI's Ann Burdges and Kim Lonsway participated in several feedback sessions with members of APD Executive Staff, APD SCU Detectives and leadership, APD Victim Services Counselors and leadership, and members of the CSCRM Steering Committee and Project Management Working Group.⁴⁷ These sessions took place during a second on-site visit to Austin on September 23-27, 2024. During these sessions,

⁴² The first step was to clean the data, by: (a) deleting two duplicate entries (which were submitted accidentally by case reviewers), (b) removing one case that was ineligible for inclusion (because another law enforcement agency had jurisdiction over the incident (APD conducted the initial response), and (c) making minor modifications to four cases (based on information that reviewers wanted added or revised after submitting their data entry).

⁴³ Per the Statement of Work, EVAWI was required to deliver a draft report "no later than October 1, 2024."

⁴⁴ Per the Statement of Work, EVAWI will "produce a final report that can be publicly released without confidential information and presumably aggregated (vs raw) data."

⁴⁵ The document with raw data was emailed to APD Commander Deanna Lichter and Lieutenant Chris Leleux.

⁴⁶ Per the Statement of Work, EVAWI will "provide a complete listing of all involved individuals, including their role on the project, their background role/title, and their associated agency (if applicable)."

⁴⁷ Per the Statement of Work, EVAWI was required to "host at least three (3) feedback sessions (in-person or remote via video conference call) upon completion of the draft report. Possible audiences include (1) APD Leadership, (2) APD SCU Leadership, (3) CSCRM Project Team."

Burdges and Lonsway reviewed data findings and elicited feedback for the final report.

- On the first day, Burdges and Lonsway worked intensively with several members of the CSCRМ Project Management Working Group.⁴⁸
- The first meeting on Day 2 began with APD SCU and Victim Services leadership,⁴⁹ then SCU Detectives and Victim Services Counselors were added for a second meeting.⁵⁰
- On Day 3, the first meeting was held to reach members of the CSCRМ/SARRT Steering Committee.⁵¹
- The site visit then concluded with a meeting for APD Executive Staff and other members of APD leadership, as well as members of the CSCRМ Project Management Working Group, and representatives from the APD Data Team.⁵²

Collective feedback from APD/CSCRМ was compiled and returned to EVAWI by 10/15/2024.

Final Report

In the final phase of this project, EVAWI incorporated feedback elicited from APD, CSCRМ, and other interested parties into the draft report, and delivered a final report on 11/01/2024.⁵³ In addition to the content already described in the draft report, this final report also included

⁴⁸ This all-day session included Allison Roper, Business Process Consultant and Supervisor of Research & Planning for APD, APD Victim Services Supervisor Silvana Giono, APD Community Engagement Specialist Marcy Alonzo, and CSCRМ Project Manager Consultant Hanna Senko. (All the on-site meetings were led and facilitated by Senko.)

⁴⁹ This meeting included SCU Sergeant James Turner and Lieutenant Chris Leleux, Victim Services & Employee Wellness Division Manager Kachina Clark, Victim Services Supervisor Silvana Giono, and Victim Services Manager Tracy Morris.

⁵⁰ In addition to members of the SCU and Victim Services leadership team, this second meeting added many of the SCU Detectives and Victim Services Counselors currently assigned to SCU.

⁵¹ This meeting included the current APD SCU Sergeant James Turner as well as retired SCU Sergeant Elizabeth Donegan who is currently serving as a member of the CSCRМ Steering Committee). Also present were two members of the Travis County Assistant District Attorney's Office, Assistant District Attorney Trudy Strassburger and Neva Fernandez, who serves as Division Director for Victim Services. Other representatives from APD included APD Community Engagement Specialist Marcy Alonzo, APD Equity and Inclusion Coordinator Stephanie Gonzales, APD Victim Services Supervisor Tracy Morris, and Jenny Black, Forensic Nursing Director for the Austin SAFE Alliance.

⁵² Members of APD Executive Staff included: Chief of Staff Robin Henderson, Assistant Chief Eric Fitzgerald, Assistant Chief Eric Miesse, and Victim Services & Employee Wellness Division Manager Kachina Clark. APD SCU Leadership was represented by Commander Deanna Lichter. Also present were several members of the CSCRМ Project Management Working Group (Marcy Alonzo, Silvana Giono, Hanna Senko, and Allison Roper who is also a member of the APD Data Team), as well as Data Initiatives & Analytics Strategy Officer Auzzie Krobatsch.

⁵³ Per the Statement of Work, EVAWI was required to deliver the final report "no later than November 1, 2024 (based upon receipt of APD/CSCRМ Project feedback by October 15, 2024)."

concrete feedback and recommendations for improvement in APD’s policies and practices,⁵⁴ and a detailed (monthly) breakdown of financial expenditures resulting from the project.⁵⁵

EVAWI also provided APD with the raw data in the format of an Excel spreadsheet, so additional analyses could be conducted at will. However, the names of case reviewers were not linked to any specific ratings or comments; their feedback was delivered anonymously.⁵⁶

For a summary of all project activities associated with the project, please see Appendix J.

⁵⁴ Per the Statement of Work: “The final report should include all feedback, findings, and recommendations for improvement that can be published for use by APD leadership, APD personnel, and for community and advocate awareness.”

⁵⁵ Per the Statement of Work: “A financial breakdown of actual expenditures is to be provided upon completion of the work.”

⁵⁶ Per the Statement of Work, EVAWI was required to “release raw data, surveys, and/or feedback from reviewers to APD. This level of information is not intended to be publicly released. Reviewer names can be anonymized.”

Data Findings

Case Reviewers

Five experts reviewed a total of 46 cases and entered data between 02/12/2024 and 07/31/2024. Another expert provided secondary review of cases upon request by the original reviewer.⁵⁷ The number of cases completed by each reviewer ranged from 7-15, including an initial test case that was reviewed and entered by all reviewers as part of the training process.

Interpreting Data Findings

Before presenting any of the data findings from the 2021-2022 sex crimes case review, it is essential to place these findings within an appropriate context. Most important, readers must understand that the cases included in this 2021-2022 sex crimes case review were not randomly sampled. They were purposely sampled to meet a number of requirements and shared goals.

Internal Clearance Status Descriptions

First, the Statement of Work required that the sample include 100% of Unfounded cases and 100% of Exceptionally Cleared cases within the selection period. The final sample therefore included 14 cases that were Unfounded or Exceptionally Cleared; this represents 30% of the cases in the final sample. Yet Unfounded and Exceptionally Cleared cases represent only 2% of the 869 cases meeting the final inclusion criteria for this project (see Appendix D). It is difficult to overstate the impact of this over-representation on the interpretation of data findings.

The final sample similarly over-represents some Internal Clearance Status Descriptions while under-representing others. This is because the Statement of Work required sampling to include at least one case per Internal Clearance Status Description (excluding Open, Pending DNA, and Pending Prosecutorial Review). For low-frequency Internal Clearance Status Descriptions, this led to some rather dramatic over-representations in the final sample. To illustrate, there was only one case Referred to Municipal Court (Suspended) among the 869 cases meeting the final inclusion criteria; this represents only 0.1% of the eligible cases. Yet the Statement of Work required all Internal Clearance Status Descriptions to be included, so that one case ended up representing 2% of the final sample – a figure that is 20 times higher than its actual occurrence.

⁵⁷ EVAWI's CEO Ann Burdges and Director of Research Dr. Kim Lonsway were both originally identified as expert case reviewers. However, a decision was made to limit Lonsway's role to project management, with responsibility for research design, methodology, analysis, and report writing. As CEO, Burdges' primary role was leadership, providing guidance, direction, oversight, management, supervision, training, and leading all team communications. Yet she also provided secondary review on a small number of cases to spot-check issues raised by expert case reviewers. Most cases were therefore reviewed by the five remaining members of the expert case review team.

On the other hand, there were 423 cases Suspended Pending Victim Readiness in the 869 cases meeting the final inclusion criteria; this is 49% of cases that were eligible for sampling. Yet based on the purposive Sampling Plan, only six cases ended up in the final sample. This is a 13% representation of the final sample, approximately one-quarter of its actual occurrence.

Case Offense Codes

Similarly, the Sampling Plan over-represented some offense codes while under-representing others, because the decision was jointly made between EVAWI and APD/CSCRM that a key goal of this 2021-2022 case review would be to include as broad a representation as possible for both Internal Clearance Status Descriptions and offense codes, rather than sampling randomly.

Again, this means lower-frequency offense codes (including Kidnapping, Serial Sexual Assault, Aggravated Forced Sodomy, and Burglary of Residence – Sexual Nature) are rather dramatically over-represented in the final sample, while higher-frequency offense codes (like Rape, Sexual Assault with Object, Invasive Visual Recording, and Forced Sodomy) are under-represented.⁵⁸

Other Sampling Decisions

Finally, it is important to keep in mind several decisions that were made throughout the process that further impacted the non-representativeness of the final sample. First is a reminder of the final inclusion criteria, which were established jointly by EVAWI and APD/CSCRM. As detailed in Appendix C, the final inclusion criteria for sampling were felony-level sex crimes cases with:

- Clearance Date assigned between 01/01/2021 and 12/31/2022
- One of 11 specified offense codes (as the highest offense code assigned)
- Suspects 17 years of age or older
- Victims 18 years of age or older
- Sex Crimes Unit assigned as Lead Investigator or Secondary Title Code Assignment
- One of 12 specified Internal Clearance Status Descriptions (excluding Open, Pending DNA, and Pending Prosecutorial Review)

By specifying these inclusion criteria, this means (by definition) that other cases *not* meeting the criteria were excluded from potential sampling. Also, a small number of cases were removed from the sample based on: (a) an older report date (1997-2015), (b) assignment to the Sex Crimes Unit as a Secondary Title Code Assignment, and (c) out-of-jurisdiction incidents. (Please see the relevant notes in earlier sections of the report, describing the Project Methodology.)

⁵⁸ An attempt was also made to sample 2021 and 2022 cases in roughly equal proportion within each category, as defined by Internal Clearance Status Description and highest offense code assigned. Yet this sampling of cases was again not always directly proportionate to the representation of eligible cases for each year. This factor was not likely as impactful on the representativeness of the final sample as compared with others, but it is worth noting.

The final sample is presented in detail in Appendix H, but it is summarized here to ensure readers have an accurate understanding of the sex crimes cases included in this review, because this has important ramifications for understanding and interpreting any data findings. This is particularly true because the data findings in this report are only presented in aggregate; they are not broken down by Internal Clearance Status Description, offense code, year, or other variables. Such analysis remains for future case reviews, with additional time and resources.

Case Information

Sex Crimes Unit: Lead Investigative Unit or Secondary Title Assignment

# Cases	Lead Investigative Unit or Secondary Title Code Assignment
44	Lead Investigative Unit
2	Secondary Title Code Assignment

Of the 46 cases in the final sample, 44 had the APD Sex Crimes Unit (SCU) assigned as the Lead Investigative Unit. Two cases had SCU listed as a Secondary Title Assignment, which means another investigative unit was assigned as the Lead Investigative Unit (e.g., Homicide) but SCU was asked to investigate sex crimes that may have also been committed during the incident.⁵⁹

Incomplete Case Files

It is important to note that cases with SCU as a Secondary Title Code Assignment may have incomplete case files materials available for review. This is because some materials may be stored by SCU while others may be stored by another APD unit assigned as Lead Investigator. In fact, one of the two cases with Secondary Title Code Assignment in the final sample was lacking a Detective’s supplemental report which is a key source of information for the Data Collection Instrument (it was likely stored by the Lead Investigative Unit). This is one of several factors from this case review methodology that led to “unknown/unspecified” data in this final report.

This is not a problem unique to APD. As noted in the PERF/RAND report on policing, “Data are often stored across multiple systems and are difficult to export or link; contain incomplete or inaccurate information; and are practically impossible to compare between agencies (and sometimes within a single agency) over time because of a lack of standardization.”⁶⁰

⁵⁹ The initial inclusion criteria specified that SCU could have been assigned either as the Lead Investigative Unit or Secondary Title Assignment. However, as described in an earlier footnote, a decision was jointly made by EVAWI and APD/CSCRM to remove a small number of cases, including three cases that were removed specifically because the Sex Crimes Unit (SCU) was listed as a Secondary Title Code Assignment, not the Lead Investigative Unit.

⁶⁰ Barnum et al., *Better Measures of Justice*, p. 3.

Case Materials Available

Case materials available for review (mark all that apply):

# Cases	Case Materials Available
21	911 call recording
45	Initial report (patrol)
43	Supplemental report/s by Sex Crimes Detective
14	SANE report from the victim's medical forensic examination
8	Photographs from victim's medical forensic examination
19	Photographs of victim (other than medical forensic exam)
0	Report from forensic examination of the suspect/s
0	Photographs from forensic examination of the suspect/s
17	Photographs of suspect/s (other than forensic exam)
10	Photographs of crime scene
5	Report from crime scene technician
1	Toxicology report/s from laboratory
18	DNA report/s from laboratory
9	LDIS submission [Local DNA Index System]
8	SDIS submission [State DNA Index System]
8	NDIS submission [National DNA Index System]
36	Body-worn camera recording/s
36	Recording of victim interview/s
12	Recording of suspect interview/s
21	Recording of interview/s with witnesses or other relevant individuals
19	Other audio/video recording/s, including pretext calls, etc.
24	Screenshot/s of text messages, social media posts, chats, or other cell phone content
17	Search warrant/s
27	Inventory of evidence collected
8	ViCAP data form [Violent Crime Apprehension Program]
7	Other (please describe)
0	None (please explain)

All but one case in the sample (45 cases) had a patrol report, and the vast majority (43 cases) had a supplemental report completed by a Sex Crimes Detective. Most also had body-worn camera footage (36 cases) and a recording of an interview with the victim (36 cases).

Other common materials available for review included: an inventory of evidence collected (27 cases), screenshots of text messages or other digital content (24 cases), 911 recordings (21 cases), and recordings of interviews with witnesses or other relevant individuals (21 cases).

“Unknown/Unspecified” Data

The three cases without a supplemental report included: (a) one that was outside APD jurisdiction, (b) one that was Unfounded because the device in question was misidentified as a recording device, and (c) one where SCU was a Secondary Title Code Assignment not the Lead Investigative Unit. Because a supplemental report contains a great deal of essential information, this meant many data variables were coded “unknown/unspecified” for these cases.

Other factors also contributed to the recording of data variables as “unknown/unspecified.” In some instances, this was because a report involved multiple incidents which were separated into different case numbers. In other cases, a separate APD unit assisted SCU in the investigation of the report, or the other unit had responsibility for investigating associated offenses. One common example was seen in cases where offenses were investigated by the Family Violence Protection Team (FVPT). In these situations, it was common for some case file materials to be stored by an investigative unit other than SCU. A third factor was seen in cases where any of the recorded interviews or other interactions (e.g., body-worn camera footage) were in Spanish; none of the expert case reviewers were bilingual. All these factors contributed to case reviewers coding many data variables as “unknown/unspecified” in these cases.

Other Case Materials

In their narrative responses, the expert case reviewers described other case materials that were available for review in certain cases. These included:

- Emergency Medical Services (EMS) reports
- Medical records
- Criminal histories
- Police reports from another agency
- Written statements by victim
- Emails
- Recorded phone calls / voicemails
- Service logs
- Digital forensics report
- Arrest warrants
- Photo arrays
- Geo fence warrant items
- Surveillance videos
- Audit logs

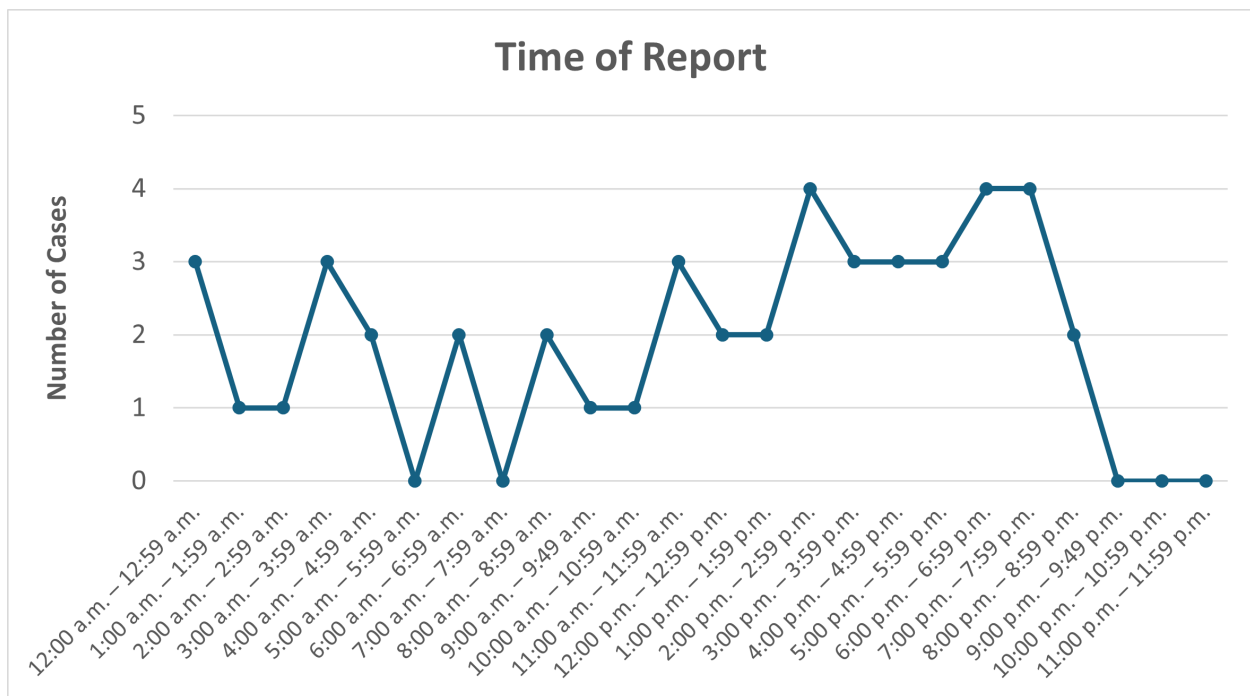
Date of Report

# Cases	Year of Report
5	2020
26	2021
15	2022

The date of the initial report in the 46 sampled cases ranged from 01/10/2020 to 11/13/2022. Five reports were made in 2020, 26 were made in 2021, and 15 were made in 2022.

Time of Report

The time of the initial report varied across day and night, as illustrated in the following graph.



Party Who Made Initial Report

Report initially made by:

# Cases	Initial Report
30	Victim
15	Third party (please describe)
1	Unknown/Unspecified

Of the 46 cases in the final sample, 30 cases were initially reported by the victim and 15 cases were initially reported by third parties. One case was unknown/unspecified.

In their narrative responses, expert case reviewers described a wide range of third parties:

- 911 call from witness
- Emergency Medical Services (EMS)
- Hospital staff
- Staff at residential facility
- Parent, sibling, or other family member
- Another law enforcement agency
- Neighbor
- Friend
- Employer
- Hotel staff

First Agency / Entity Contact by Victim

Please indicate which agency / entity was the first contact by the victim:

# Cases	First Contact of Victim
3	Hospital or other health care facility (please specify)
1	SAFE Alliance/Eloise House
0	Other community-based advocacy agency (please specify)
16	911 communications/dispatch
2	APD non-emergency/business line
3	APD walk-in/field contact (please specify)
0	APD online contact (website, email, social media, etc.) (please specify)
1	Other law enforcement agency (please specify)
1	Other agency/entity (please specify)
19	Unknown/Unspecified

The most common first contact for victims was 911 communications/dispatch. However, a wide range of alternatives were seen, and the most common response was “unknown/unspecified.”

Some of the other first contacts described in narrative responses included:

- Emergency Medical Services (EMS)
- Parent
- Human Resources (HR) professional from workplace
- Off-duty APD officer
- Hotel staff

Nineteen cases were unknown/unspecified for the agency/entity of first contact by the victim.

Anonymous Reports

Was the report initially made anonymously by the victim?

# Cases	Anonymous Report?
43	No
2	Yes
1	Unknown/Unspecified

Only two reports were initially made anonymously by the victim (e.g., a medical forensic exam without law enforcement report or involvement); 43 reports identified the victim by name, and one was unknown/unspecified for this variable.

In one case, the reviewer noted that the victim initially reported anonymously (i.e., “non-report”) but later converted to an “official report” by connecting their name with the report.

Pseudonyms

Did the victim choose to use a pseudonym for the report?

# Cases	Victim Pseudonym?
37	No
9	Yes
0	Unknown/Unspecified

In nine of the 46 cases, the victim chose to use a pseudonym for the report; in 37 they did not.

In one case, the reviewer noted that a pseudonym was used for all but one part of the case file. In a second case, the reviewer noted that the victim requested a pseudonym, but their real name was used, perhaps because responding officers were not familiar with the procedure.

Additional training is recommended for Patrol Officers regarding APD policies and procedures governing the use of pseudonyms for victims in sex crimes cases.

Case Offense Codes

Offense code (highest classified offense associated with the case):

# Cases	Offense Codes (Recorded in Versadex)
11	0200 Rape
3	0202 Aggravated Rape

2	0500-9 Burglary of Residence with the Intent to Commit Sexual Assault
10	1700 Sexual Assault with an Object
3	1701 Aggravated Sexual Assault with an Object
6	1716 Forced Sodomy
1	1718 Aggravated Forced Sodomy
0	1797 Sexual Assault (Serial)
9	2609 Invasive Visual Recording
0	2800 Kidnapping
1	4207 Serial Rape

Offense codes (for the highest classified offense) were recorded in Versadex and used as the basis for sampling. More detail is provided in Appendix H, which outlines the final sample.

Attempted vs. Completed Offenses

# Cases	Attempted vs. Completed
1	Attempted
39	Completed
6	Unknown/Unspecified

Only one case was recorded as an attempted offense, although the incident involved acts that were both completed as well as attempted. In the six cases coded “unknown/unspecified,” four involved Invasive Visual Recording, and it was either: (a) unknown whether anyone was recorded, or (b) established on the basis of evidence that they were not recorded. The remaining two “unknown/unspecified” cases were Suspended – Pending Victim Readiness because the victim did not respond to the Detective’s repeated attempts to contact them.

Additional Offenses

Any additional offenses reported in connection with this incident (beyond the highest classified offense code selected above)?

# Cases	Additional Offenses?
31	No
15	Yes
0	Unknown/Unspecified

Most cases did not have any additional offenses reported beyond the highest classified offense (31 cases). However, additional offenses were described in 15 cases. In their narrative responses, reviewers provided additional detail on these offenses, which included:

- Invasive Visual Recording (as a lesser classified offense)
- Aggravated Kidnapping
- Burglary with Intent to Commit Felony
- Firearms violations
- Domestic violence
- Terrorist threats
- Narcotics
- Vehicle theft
- Other theft
- Credit card abuse
- Providing alcohol to a minor
- Window peeping
- Indecent assault

Additional Cases or Events

Are there any additional events or case numbers associated with this report? If so, please list/describe:

In 29 cases, reviewers described no other cases or events associated with this report. In 17 cases, additional events or case numbers were noted. These additional cases/events included:

- Internal case numbers for additional APD units that responded
- Case numbers for the associated offenses described above
- Other law enforcement agency reports
- Additional reports by victim or third party (involving the victim)
- Past reports against suspect

Prior History of Violence

Any prior history of physical or sexual violence committed by the suspect (against any victim)? If so, please list/describe:

In 33 cases, reviewers found no documentation in the case file materials of any prior history of physical or sexual violence committed by the suspect against any victim. In many instances, this was because: (a) the case had no identified suspect, (b) occurred outside APD jurisdiction, or (c) a determination was made on the basis of evidence that no crime occurred (Unfounded). In other cases, there was no information available to make a determination about prior history.

In 13 cases, reviewers noted information regarding a prior history of physical or sexual violence committed by the suspect. This information was either documented in a criminal history and/or mentioned in statements provided by the victim or another party. This prior history included:

- Prior physical/sexual abuse (of this victim or others)
- Video recordings (of additional victims)
- Window peeping
- Indecent exposure
- Inappropriate touching

Single vs. Multiple Incidents

Did this report involve a **SINGLE INCIDENT (1 event with a specific date/time range)** or **MULTIPLE INCIDENTS (2 or more events on different dates/times)?**

# Cases	Single vs. Multiple Incidents
39	Single incident
6	Multiple incidents
1	Unknown/Unspecified

Six cases were recorded as multiple incidents, while 39 cases were coded as a single incident.

One case was recorded “unknown/unspecified,” because the report involved Invasive Visual Recording, and it was unknown how many incidents of recording might have taken place.

Single Incidents: Dates and Reporting Timelines

Date of incident (if known): [39 cases]

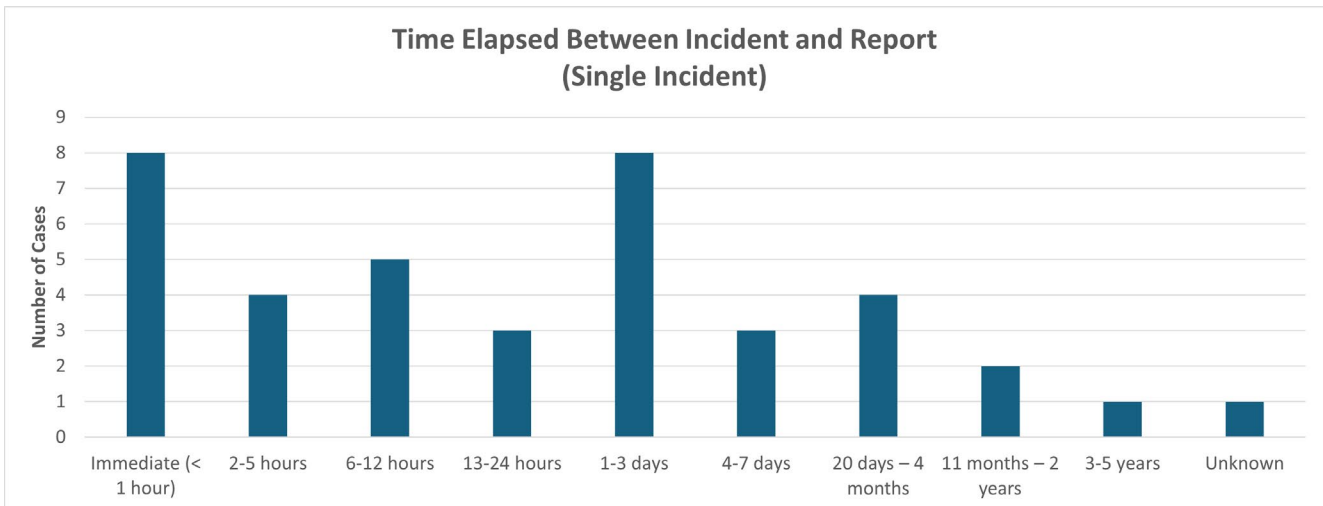
# Cases	Year of Incident (Single)
1	2019
4	2020
19	2021
13	2022

Of the 39 cases involving a single incident, the date was coded in 37 cases. These dates ranged from 07/04/2019 to 11/13/2022, with one incident taking place in 2019, four in 2020, 19 in 2021, and 13 in 2022. However, a few cases noted that there was some degree of uncertainty regarding the exact date of the incident. This occurred, for example when victims had unclear memories of the incident and/or when it occurred around the time when the date changed.

Some dates were also uncertain or unknown because they involved Invasive Visual Recording.

Time elapsed between incident and report (indicate hours, days, weeks, months, and/or years): [39 cases]

For the 39 cases involving a single incident, the time between the incident and report ranged from no time (i.e., an “immediate” report) to “possibly 4 years.” The time elapsed between the incident and report is summarized in the following graph.⁶¹ However, there was often a degree of uncertainty about reporting timelines, if the exact time of the incident was unknown.



Multiple Incidents: Dates and Reporting Timelines

Date of the EARLIEST incident (if known): [6 cases]

# Cases	Year of Earliest Incident
1	2011
1	2020
2	2021

In the six cases involving multiple incidents, the date of the earliest incident was recorded for four; they ranged from 03/30/2011 to 11/24/2021 (one in 2011, one in 2020, and two in 2021).

Date of the MOST RECENT incident (if known): [6 cases]

# Cases	Year of Earliest Incident
5	2021
1	2022

All six cases had a date recorded for the most recent incident; these ranged from 03/12/2021 to

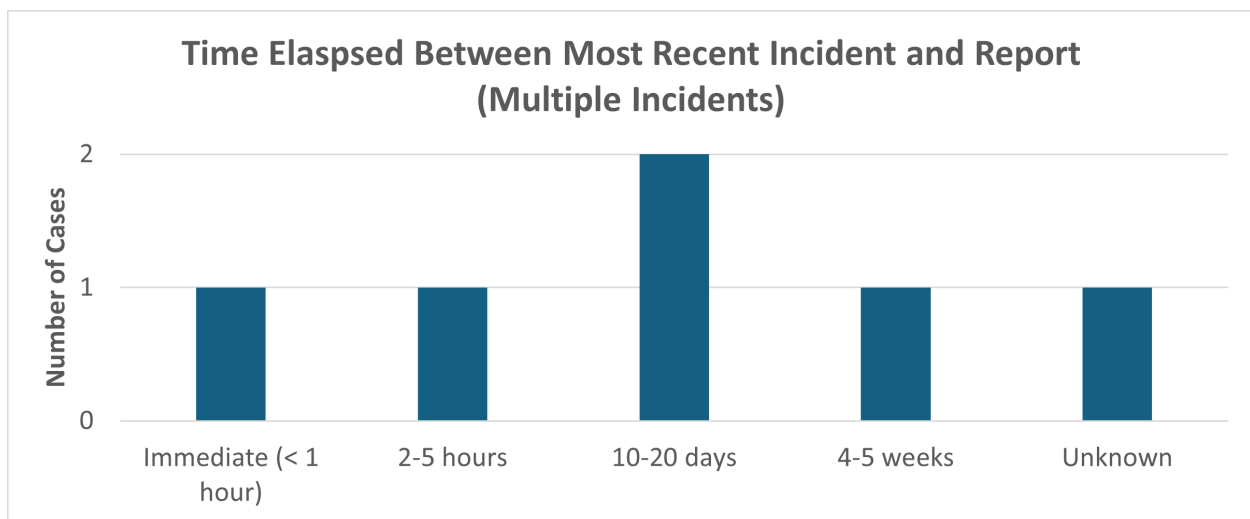
⁶¹ Given the wide range of possible responses, data was recorded in narrative format and grouped manually.

04/22/2022 (five in 2021 and one in 2022).

For the four cases with both dates recorded, it was possible to calculate the time between the earliest known incident and the most recent known incident. These timeframes were approximately one week, three weeks, five months, and 10 years, respectively.

Time elapsed between most recent incident and report (indicate hours, days, weeks, months, and/or years): [6 cases]

For the six cases involving multiple incidents, the time elapsed between the most recent incident and report ranged from “immediate” to “4 weeks, 3 days.” This is presented in the following graph.⁶²

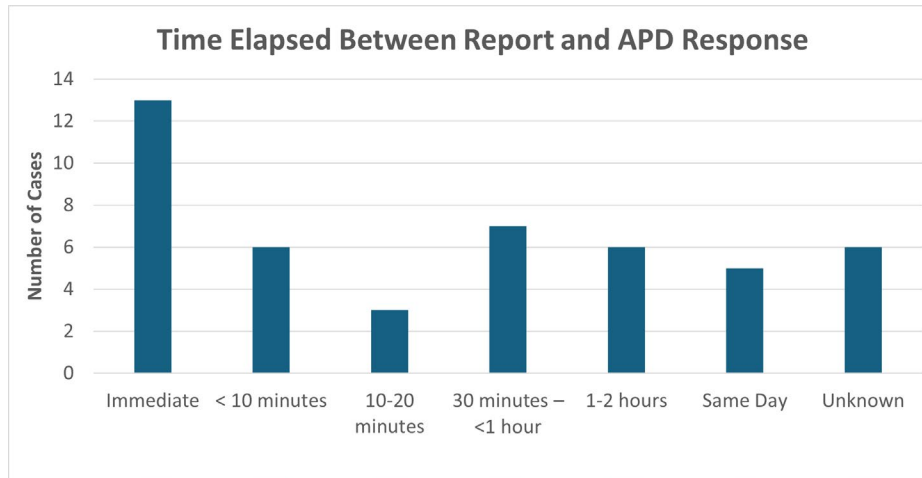


APD Response Time

Time elapsed between report and APD response (indicate minutes, hours, and/or days):

APD response times ranged from “immediate” to two hours; however some were unknown based on the documentation available. The range of times between the report and APD response are summarized in the graph below.⁶³

⁶² Again, data was recorded in narrative format and grouped manually, given the wide range of possible responses.
⁶³ Data was recorded in narrative format and grouped manually, given the wide range of possible responses. For example, some responses could only be recorded as “a few minutes,” “less than one hour,” or “over an hour,” given the case file materials available (e.g., a timestamped 911 call was not available). Unfortunately, there was often insufficient context to interpret these results, including the reasons for particularly lengthy response times. We hope to improve the precision of measurement in future case reviews, given the critical importance of this variable.



Location of Offense

Where was the offense committed? (for multiple offenses or locations, mark all that apply)

# Cases	Location of Offense
15	Victim’s residence (please describe)
16	Suspect’s residence (please describe)
3	Other residence (e.g., house party, unoccupied residence) (please describe)
5	At a business (please describe)
8	In a vehicle (car/truck) (please describe)
5	Outdoors (please describe)
0	On public transport (bus, train) (please describe)
2	Other (please describe)
2	Unknown/Unspecified

The most common responses for the offense location were the victim’s residence and/or suspect’s residence (including residential facilities, transitional living facilities, or host families). In cases involving multiple incidents, offenses might have occurred at one or both locations.

In their narrative responses, reviewers described some of the other locations, including:

- Hotel
- Street

Two cases were unknown/unspecified for the location of the offense.

Victim Information

Number of Victims

How many victims were involved in the reported incident(s)?

# Cases	Number of Victims
42	1 victim
4	More than 1 victim
0	Unknown/Unspecified

Most cases involved one victim (42 cases), but four involved more than one victim. In two of these four cases, there were two victims involved; for the other two cases, it was unclear how many victims were potentially involved because the case involved Invasive Visual Recording.

Victim Gender Identification

Gender identification of the victim at the time of the incident:

# Cases	Victim Gender at Incident
38	Female
6	Male
1	Other
1	Unknown/Unspecified

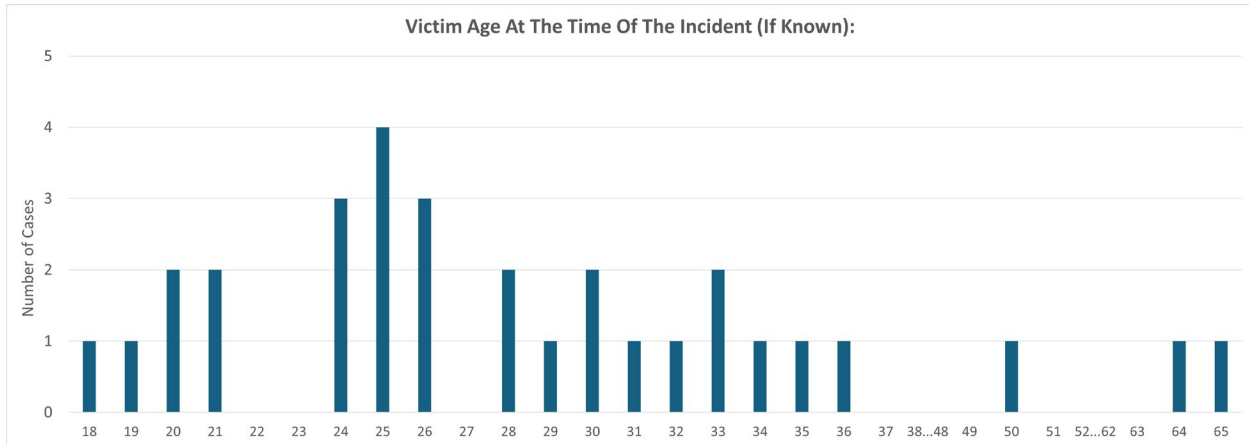
Most victims were female (38 cases), with six males and one “other” gender identification, which was selected because the case involved multiple victims (three female and one male).

Victim Age

Victim age at the time of the incident (if known):

If more than 1 incident, give the victim’s age at the time of the most recent incident

Victim age at the time of the incident ranged from 18 to 65, as illustrated in the following graph. (Please note that some ages are collapsed in the graph, to fit within page margins.)



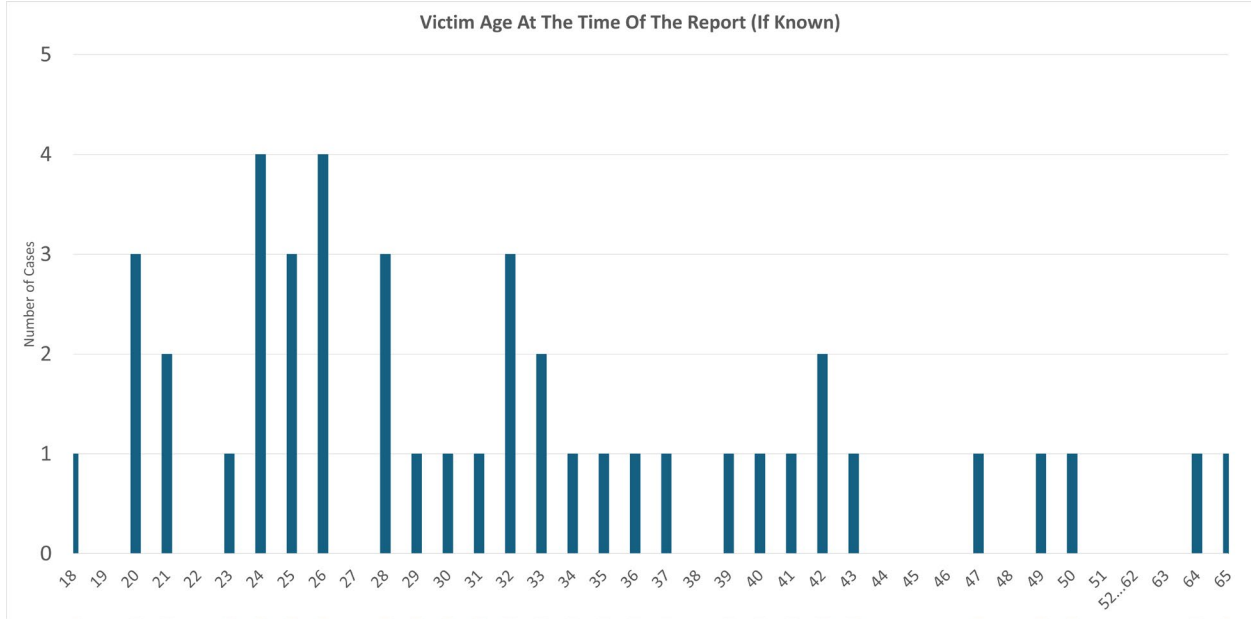
If more than 1 incident, give the victim’s age at the time of the earliest known incident (if known). [6 cases]

# Cases	Victim Age at Earliest Incident
1	18
1	19
1	24
1	25
1	28
1	Unknown/Unspecified

In cases with multiple incidents, the victim’s age at the earliest incident (if known) ranged from 18-28. In one case, the victim’s age at the earliest incident was unknown/unspecified.

Victim age at the time of the report (if known).

Victim age at the time of the report ranged from 18 to 65, as illustrated in the graph below. (Again, some ages are collapsed in the graph, in order to fit within the page margins.)



Victim Racial / Ethnic Identification

Racial/ethnic identification of the victim (mark all that apply):

# Cases	Victim Racial / Ethnic Identification
29	White
13	Hispanic or Latino
6	Black or African-American
0	Asian
0	American Indian or Alaska Native
0	Native Hawaiian or Pacific Islander
0	Middle Eastern or North African
2	Other (please describe)
1	Unknown/Unspecified

Based on review of case file documentation, most victims were identified as White (29 cases), Hispanic/Latino (13 cases), or Black/African-American (6 cases); two victims were listed as “other” racial/ethnic identification. Several victims had more than one identification recorded.

Victim Characteristics

Characteristics of the victim at the time of the incident (mark all that apply):

# Cases	Victim Characteristics
5	Limited English proficiency (second language spoken) (please indicate language, if known)
0	Not a U.S. citizen (please indicate nationality, if known)
0	Incarcerated (jail, prison, etc.) (please describe)
3	Incident occurred at a facility where victim was receiving services (e.g. for mental health, substance abuse, or other issues) (please describe)
6	Currently unhoused (please describe)
6	Nonresident of Austin (please indicate, if known) (please describe)
1	LGBTQ+ (please describe)
0	Physical disability (please describe)
2	Mental disability ⁶⁴ (victim incapable of providing consent) (please describe)
10	Mental health condition (please describe)
2	Involved in commercial sexual activity at time of incident (please describe)
5	College/university student (please indicate school, if known)
1	Military service member (please indicate branch, if known)
0	Sworn law enforcement (please describe)
0	Known gang member (please describe)
4	Prior report/s made to law enforcement (sexual assault or other) (please describe)
7	Other (please describe)
13	Unknown/Unspecified

Some of the more commonly noted victim characteristics noted by mental health condition (10 cases) nonresident of Austin (6 cases), currently unhoused (6 cases), college/university student (5 cases), and limited English proficiency/second language spoken (5 cases).

Please note: The determination that a victim had a specific characteristic was based on review of case file materials available. For example, something could have been stated by the victim during a recorded interaction with APD personnel or recorded in other case file materials. Some characteristics were also determined based on the victim's residence (e.g., transitional living facility for individuals with mental health issues or who have been previously incarcerated).

⁶⁴ Per TX penal code, this was defined: "as a result of mental disease or defect the person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it." Reviewers were advised to only select this characteristic if it was evident from information in the case file that the victim met this criteria.

Victim Drug / Alcohol Use

Victim drug/alcohol use at the time of the incident (mark all that apply):

# Cases	Victim Drug / Alcohol Use
15	None
16	Alcohol – voluntary ingestion (please describe)
2	Alcohol – suspected or confirmed involuntary ingestion (administered covertly without knowledge/consent of victim) (please describe)
5	Drugs – voluntary ingestion (please describe)
10	Drugs – suspected or confirmed involuntary ingestion (administered covertly without knowledge/consent of victim) (please describe)
14	Unknown/Unspecified

In 16 cases, there was information in the case file materials indicating that the victim had voluntarily ingested alcohol; two cases involved suspected or confirmed involuntary ingestion. In addition, five cases had documentation indicating that the victim had voluntarily ingested a drug of some kind; 10 cases involved suspected or confirmed involuntary ingestion of a drug.

In 15 cases, there was no indication of any drug or alcohol use by the victim (whether voluntary or involuntary) in the case file materials. Fourteen cases were unknown/unspecified.

Again, the determination of victim drug and/or alcohol use was based on review of case file materials available. For example, the victim could have described voluntary or involuntary consumption of drugs/alcohol during a recorded interaction with APD personnel or such information could have been documented in other case file materials (e.g., SANE report).

Victim Criminal History

Was a criminal history/Versadex records check run on the victim?

# Cases	Victim Criminal History?
4	Yes
42	No/Unknown/Unspecified

Only four cases had documentation of a criminal history/records check being run on the victim at some point in the investigation process. APD may wish to assess the purpose for the actions taken. EVAWI does not generally recommend routinely conducting a criminal history/records check on sex crimes victims, particularly during the initial phases of an investigation.

For this variable, cases that were recorded “no” or “unknown/unspecified” were combined, because both responses indicate that there was no documentation that this step was taken.

Victim’s Relationship to Suspect

Relationship (if any) with the suspect(s) (mark all that apply):

# Cases	Relationship with Suspect
9	Brief encounter (met within 24 hours of the assault) (please describe)
18	Acquaintance/friend (please describe)
6	Met online (please describe)
5	Current spouse/partner/cohabitant (please describe)
2	Former spouse/partner/cohabitant (please describe)
0	Dependent/elder (please describe)
2	Employer/employee/coworker (please describe)
1	Non-spouse family member or other relative (please describe)
9	Stranger (never met) (please describe)
5	Other (please describe)
5	Unknown/Unspecified

Most common relationships were acquaintance/friend (18 cases), brief encounter (9 cases), met online (6 cases), and current spouse/partner/cohabitant (5 cases). Nine cases involved strangers. Yet many cases were recorded with more than one descriptor. For example, of the 18 cases coded “acquaintance/friend,” many were also categorized under “brief encounter,” “met online,” “former spouses/partners/cohabitants,” “co-workers,” and other categories.

In the five cases recorded as current spouses or partners, the degree of the relationships ranged from casually dating or dating for a month, to sharing two children and living together.

Prior Consensual Sex Between Victim and Suspect

Did the victim have any consensual sexual activity with the suspect(s), either before and/or after this assault? (mark all that apply)

# Cases	Prior Consensual Sex?
28	No
3	Yes, more than 24 hours prior to assault
5	Yes, within 24 hours leading up to the assault
5	Yes, after the assault
7	Unknown/Unspecified

In the majority of cases, there was no indication that the victim had any consensual sexual activity with the suspect either before or after the incident (28 cases). However, three victims did reportedly have consensual sex with the suspect more than 24 hours before the incident,

and another eight victims did either within 24 hours of the incident and/or afterward (8 cases). Seven cases were recorded as “unknown/unspecified” for this variable.

Once again, this determination was based on the review of materials available in the case file. For example, either the victim made a statement during a recorded interaction with APD personnel or such statements were recorded in other case file materials (e.g., SANE report).

Suspect Information

Number of Suspects

How many offenders did the victim state were involved in the reported incident(s)?

# Cases	Number of Suspects
37	1 offender
4	More than 1 offender
5	Unknown/Unspecified

Most cases involved one offender (37 cases), but four cases were recorded as having more than one offender, and the number of offenders was unknown/unspecified in five cases. This included cases where the victim was incapacitated or otherwise has no memory of the incident, and cases where the evidence established that no crime was committed (Unfounded).

Identified Suspects

Were any suspects identified? (mark all that apply)

# Cases	Identified Suspects?
11	No suspect was identified
33	Yes, at least 1 suspect was identified by the victim
8	Yes, at least 1 suspect was identified as the result of a law enforcement investigation
0	Unknown/Unspecified

In most cases, at least one suspect was identified either by the victim (33 cases) or as the result of a law enforcement investigation (8 cases). Of the eight cases where suspects were identified as the result of a law enforcement investigation, only one was *not* recorded as being identified by the victim. In other words, seven cases were recorded as having the suspect identified both by the victim and law enforcement. Only one case involved the identification of any suspects by law enforcement without the victim identifying them (the case involved multiple suspects).

No Identified Suspect

In 11 cases, no suspect was identified, and this has important implications for the understanding and interpretation of data findings throughout this entire report.

In cases without an identified suspect, many subsequent data variables were either left blank or coded by expert case reviewers as “unknown/unspecified.” This was done for several suspect characteristics (including gender, age, racial/ethnic identification, and drug/alcohol use).

Perhaps more important, the absence of an identified suspect influenced many subsequent data variables, including suspect contacts and interviews, investigative steps taken, evidence collected and submitted for analysis, and case outcomes/dispositions. To illustrate, when no suspect has been identified, Sex Crimes Detectives are unable to attempt or make any contact with a suspect, collect evidence from a suspect’s body/clothing/property, or take investigative steps such as a photo array or lineup, DNA reference sample, or suspect interview. All these data variables will therefore be (a) left blank or (b) coded “no” or “unknown/unspecified.”

Readers are advised to keep this in mind when reviewing and interpreting all data findings.

Suspect Gender Identification

Gender identification of the suspect at the time of the incident:

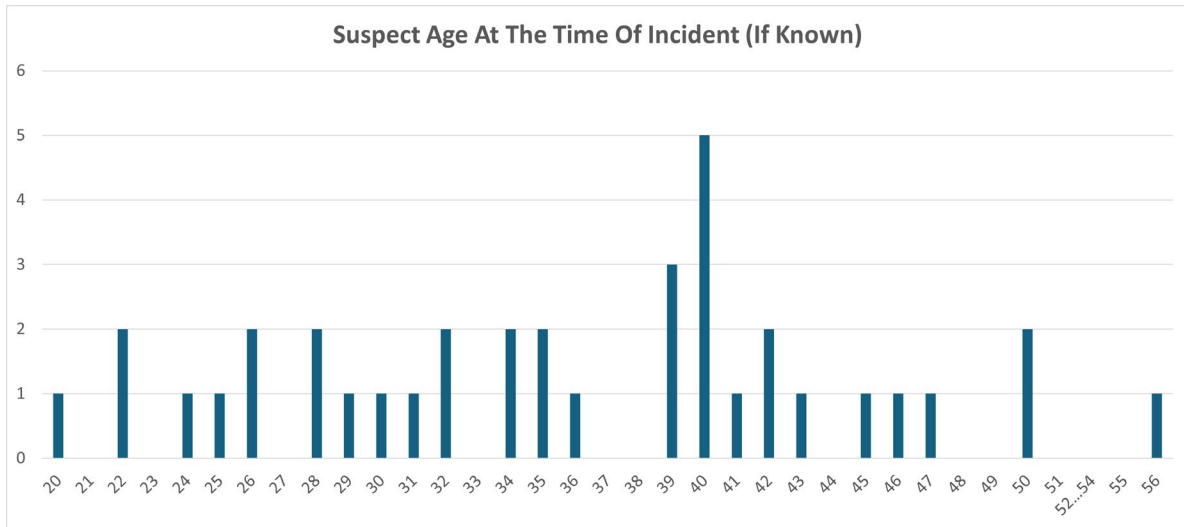
# Cases	Suspect Gender at Incident
1	Female
39	Male
0	Other
6	Unknown/Unspecified

Most suspects were male (39 cases), with one female, and six unknown/unspecified (no “other” genders). Recall, however, that 11 cases had no identified suspect. In these cases, the suspect’s gender identification could only be provided by the victim or another party, if at all.

Suspect Age

Suspect age at the time of the incident (if known)? *If more than 1 incident, give the suspect’s age at the time of the time of the most recent incident.*

Suspect age at the time of the incident was recorded in 37 cases, ranging from 20-56; see graph below. However, some ages were approximate, based on victim statements or information provided on social media. (Again note that some ages are collapsed in the graph, for fit.)



Suspect Racial / Ethnic Identification

Racial/ethnic identification of the suspect (mark all that apply):

# Cases	Suspect Racial / Ethnic Identification
22	White
13	Hispanic or Latino
10	Black or African-American
1	Asian
0	American Indian or Alaska Native
0	Native Hawaiian or Pacific Islander
1	Middle Eastern or North African
3	Other (please describe)
5	Unknown/Unspecified

Based on the review of case file documentation, most suspects were identified as White (22 cases), Hispanic/Latino (13 cases), or Black/African-American (10 cases); three were listed as “other.” Several suspects had more than one racial/ethnic identification recorded.

Because many cases had no identified suspect, any information about suspect racial/ethnic identification could only be provided by the victim or another party, if at all.

Suspect Characteristics

Characteristics of the suspect at the time of the incident (mark all that apply):

# Cases	Suspect Characteristics
3	Limited English proficiency (second language spoken) (please indicate language, if known)
5	Not a U.S. citizen (please indicate nationality, if known)
1	Incarcerated (jail, prison, etc.) (please describe)
2	Incident occurred at a facility where victim was receiving services (e.g. for mental health, substance abuse, or other issues) (please describe)
4	Currently unhoused (please describe)
3	Nonresident of Austin (please indicate, if known) (please describe)
1	LGBTQ+ (please describe)
0	Physical disability (please describe)
1	Mental disability (please describe)
1	Mental health condition (please describe)
1	Involved in commercial sexual activity at time of incident (please describe)
0	College/university student (please indicate school, if known)
0	Military service member (please indicate branch, if known)
0	Sworn law enforcement (please describe)
0	Known gang member (please describe)
4	Other (please describe)
26	Unknown/Unspecified

Some of the suspect characteristics noted were non-US citizen (5 cases), currently unhoused (4 cases) nonresident of Austin (3 cases), and limited English proficiency/second language spoken (3 cases). However, most cases had no suspect characteristics coded by expert case reviewers.

As with victims, the determination that a suspect had certain characteristics was based on the review of case file materials. For example, something could have been described by the victim, suspect, or witness during a recorded interaction with APD personnel or otherwise recorded in case file materials. Of course, in cases with no identified suspect, any information about suspect characteristics could only be provided by the victim or another party, if at all.

Suspect Drug / Alcohol Use

Suspect drug/alcohol use at the time of the incident (mark all that apply):

# Cases	Suspect Drug / Alcohol Use
3	None
9	Alcohol
7	Drugs (please specify)
29	Unknown/Unspecified

In nine cases, there was information in the case file materials indicating that the suspect used alcohol at the time of the incident, and seven cases with indications of drug use. Three cases had no documentation of suspect drug/alcohol use, and 29 cases were unknown/unspecified.

Once again, the determination of suspect drug and/or alcohol use was based on the review of materials available in the case file. For example, the victim, suspect, or a witness could have described drug/alcohol use by the suspect during a recorded interaction with APD personnel or it could have been otherwise documented in case file materials. In at least one case, however, it was based on Patrol Officers administering sobriety testing with the suspect on-scene.

Suspect Criminal History

Was a criminal history/Versadex records check run on the suspect?

# Cases	Suspect Criminal History?
18	Yes
28	No/Unknown/Unspecified

Eighteen cases had documentation of a criminal history/records check being run on the suspect. The remaining 28 cases were either recorded “no” or “unknown/unspecified,” which were combined because both responses indicate no documentation that this step was taken.

This finding may warrant additional inquiry by APD, because EVAWI recommends a criminal history/records check should be completed on all suspects during a criminal investigation.

Of the 18 cases where a criminal history/records check was conducted on the suspect, no criminal record was found in eight. In the 10 remaining cases: (a) one suspect was recorded in a previous field contact/person of interest, (b) one had been named as a suspect in a previous offense, (c) one had been arrested and convicted of a previous sex offense, and (d) one had an active warrant. Five suspects had been arrested and convicted on other offenses, including:

- Sexual assault
- Domestic violence
- Felony strangulation
- Other assault charges
- Unlawful restraint
- Weapons charges
- Driving while intoxicated
- Drug offenses
- Vehicle theft
- Arson
- Probation violations

Assault Characteristics

Sexual Acts Involved in the Incident

Sexual act(s) involved (mark all that apply):

# Cases	Sexual Acts
3	Sexual act/s attempted but not completed (please describe)
15	Vaginal penetration by penis
12	Vaginal penetration by anything other than a penis (e.g., finger, foreign object) (please specify)
7	Anal penetration by penis
3	Anal penetration by anything other than a penis (e.g., finger, foreign object) (please specify)
11	Oral copulation (any type of oral-anogenital contact) (please specify)
8	Invasive visual photographing or videorecording (please describe)
2	Sexual act/s not specified
7	Other (please describe)
3	Unknown/Unspecified

The most common sexual acts were vaginal/anal penetration and/or oral copulation. However, other cases involved invasive photographing/videorecording, sexual acts that were attempted but not completed, other sexual acts, sexual acts not specified, or unknown/unspecified. Many cases were documented as involving more than one of the sexual acts listed above.

Of the cases that were unknown/unspecified, one involved a victim who was incapacitated at the time of the incident, another victim was unconscious, and a third involved Invasive Visual Recording, and it was unknown whether any other sexual acts might have been committed.

Reminder: Interpreting Data Findings

As with cases involving no identified suspect, this range of sexual offenses is important to keep in mind when reviewing and interpreting subsequent data findings. For example, cases that involve only invasive photographing/videorecording produced very different data findings than cases involving physical/sexual contact or penetration. These differences are reflected in data findings for many other variables, including the type of assault, force/threat/fear used, investigative steps taken, evidence collected and analyzed, and case outcomes/dispositions. Readers are again advised to remember this when reviewing and interpreting all data findings.

Type of Assault

Type of assault(s) (mark all that apply):

# Cases	Type of Assault
16	Perpetrated using threat/force/fear (please describe)
13	Perpetrated while victim was held/confined/restrained (please describe)
13	Incapacitated victim (drugs, alcohol, or other reasons) (please describe)
4	Unconscious victim (drugs, alcohol, or other reasons) (please describe)
1	Victim unable to consent due to severe physical or mental disability (please describe)
0	Victim unable to consent due to age ⁶⁵ (please describe)
	Victim unable to consent based on institutionalization (ward, arrestee, prisoner, resident of a nursing home, residential treatment facility, etc.) (please describe)
0	Victim unable to consent due to professional relationship with suspect (suspect is a public official, police officer, medical professional, counselor, clergy member, etc.) (please describe)
0	Other (please describe)
3	Unknown/Unspecified

The most common assault types were perpetrated using threat/force/fear (16 cases), while the victim was held/confined/restrained (13 cases), or while the victim was incapacitated (13 cases). However, many cases involved more than one of these assault types. For example, six of the 16 cases perpetrated using force/threat/fear also had a victim who was held/confined/restrained, and three also involved an incapacitated victim (due to drugs, alcohol, or other reasons).

Of the 13 cases perpetrated while the victim was held/confined/restrained, two also involved an incapacitated victim and one was additionally characterized as “other.” Of the 13 cases involving an incapacitated victim, two were also documented as involving an unconscious victim.

Then cases were coded as “other” type of assault, this included cases involving Invasive Visual Recording. Of the three cases coded “unknown/unspecified,” one case also involved Invasive Visual Recording, but it was unknown whether any other acts might have been committed. A second involved a victim who was unconscious during parts of the assault, so again some acts may have remained unknown. The third was a report of Invasive Visual Recording but the device in question was misidentified; it was not a recording device, so the report was Unfounded.

⁶⁵ None of the cases in this sample were based on the victim’s inability to consent based on age. This is appropriate, given the inclusion criteria for the sample (victims 17 years of age or older).

Use of Force, Threat, or Fear

Type(s) of force / threat / fear used (mark all that apply): [19 cases]

# Cases	Force, Threat, or Fear
14	None (victim inability to consent) (see previous response)
19	Physical/bodily force (please describe)
5	Weapon threatened (please specify below)
4	Weapon used (please specify below)
5	Threats (please describe)
8	Other (please describe)
6	Unknown/Unspecified

The most common types of force, threat, or fear were physical/bodily force (19 cases), threats (5 cases), and weapons being either threatened (5 cases) and/or used (4 cases). Once again, cases often involved more than one type of force/threat/fear. For example, of the 19 cases involving physical/bodily force, several were also coded as involving the threat of a weapon (3 cases), use of a weapon (2 cases), other threats (3 cases), and “other” (1 case).

Of the five cases involving threat of a weapon, a weapon was used in three cases and other threats were applied in two cases. Finally, in the four cases where a weapon was reportedly used, there was only one case where it was not also described as being threatened.

Finally, in six cases it was unknown/unspecified which types of force/threat/fear may have been used. This was due to various reasons, including the fact that: (a) the victim was incapacitated or unconscious at the time, (b) the investigation established that no assault was committed (i.e., the case was Unfounded), and/or (c) the case involved Invasive Visual Recording.

Initial Law Enforcement Response

Site of Initial Law Enforcement Response

Where did the initial law enforcement response take place?

# Cases	Site of Initial Response
14	Crime scene (please specify)
6	Hospital (please specify)
2	SAFE’s Eloise House
9	Victim’s residence
15	Other location (please specify)
0	Unknown/Unspecified

Crime scenes were frequently recorded as the site of the initial law enforcement response (14 cases). Other locations included the victim’s residence (9 cases), hospital (6 cases), or SAFE’s Eloise House (2 cases). In their narrative responses, reviewers described some “other” locations:

- Victim’s location after escape
- APD station
- Campus building
- Workplace
- Convenience store
- Bus stop

In several cases, the initial law enforcement response was conducted over the phone. Keep in mind that the timing of sampled cases included periods of COVID lockdowns/restrictions.

Transportation To / From Initial Response

Was the victim transported TO the site of the initial law enforcement response (e.g., hospital, residence, or other location)? If so, please indicate who provided this transportation:

# Cases	Transportation To Initial Response
32	No transportation TO the site of initial law enforcement response
3	Ambulance/EMS
1	APD law enforcement transported (please specify)
0	APD Victim Services Counselor transported
0	Community-based (non-APD) advocate transported (please specify)
8	Victim transported self
1	Support person transported (please specify)
0	Taxi/rideshare (please specify)
0	Other (please specify)
1	Unknown/Unspecified

In eight cases, victims transported themselves to the site of the initial law enforcement response. In three cases, this transportation was provided by ambulance/EMA, one was by APD law enforcement, one was by a support person, and one case was unknown/unspecified.

Please note: If there was no transportation documented to the site of the initial law enforcement response, this could have been because the victim was already present in that location, or because the initial response took place over the phone, among other reasons.

Was the victim transported FROM the site of the initial law enforcement response (e.g., hospital, residence, or other location)? If so, please indicate who provided this transportation:

# Cases	Transportation From Initial Response
25	No transportation FROM the site of initial law enforcement response
3	Ambulance/EMS
0	APD law enforcement transported (please specify)
2	APD Victim Services Counselor transported
0	Community-based (non-APD) advocate transported (please specify)
5	Victim transported self
1	Support person transported (please specify)
0	Taxi/rideshare (please specify)
1	Other (please specify)
9	Unknown/Unspecified

In five cases, victims transported themselves from the site of the initial law enforcement response. In three cases, this transportation was provided by ambulance/EMA, two victims were transported by an APD Victim Services Counselor, one was transported by a support person, one used another mode of transportation, and nine cases were unknown/unspecified.

Again, if there was no transportation from the site of the initial law enforcement response, this could have been because the victim planned to remain at the location, or because the initial response took place over the phone, among other possible reasons.

First Law Enforcement Responder

First law enforcement responder(s) (mark all that apply):

Do not include victim services as a first law enforcement responder.

# Cases	First Law Enforcement Responder
40	APD – Patrol Officer
4	APD – Sex Crimes Unit Detective
1	APD – Other Officer or Detective
0	Texas Department of Public Safety
1	College/University police (please specify)
0	Federal law enforcement (please specify)
0	Military police (please specify)
0	Other law enforcement agency (please specify)
1	Unknown/Unspecified

In most cases, the first law enforcement responder was an APD Patrol Officer and/or Sex Crimes Unit Detective (43 cases). One case was recorded as having both an APD Patrol Officer and an APD Sex Crimes Unit Detective as the first responders. Other possibilities were another APD Officer/Detective (1 case), college/university police (1 case), or unknown/unspecified (1 case)

Number of Law Enforcement Responders

How many law enforcement personnel were present during the initial response?

# Cases	Number of Law Enforcement Responders
13	1 law enforcement responder
27	More than 1 law enforcement responder
6	Unknown/Unspecified

Thirteen cases were documented as having one law enforcement responder, and 27 cases had more than one. This was typically 2-3 officers, although a few cases had five, six, or more responders, including APD Patrol Officers and Sex Crimes Detectives. One case had several APD officers, a Detective, a supervisor, a counselor, a crime scene technician, and some K9 officers.

Victim Services Callout

Was an APD Victim Services Counselor called out to meet with the victim during the initial response (on-scene or at the hospital)?

# Cases	Victim Services Callout?
17	No (please explain)
28	Yes (please describe)
1	Unknown/Unspecified

In a majority of cases, documentation indicated that an APD Victim Services Counselor was called out to meet the victim during the initial response (28 cases). In 17 cases there was no documentation in the case file materials that this happened. In some of these cases, the initial contact with APD was conducted over the phone; in some the victim declined these services.

Victim Services Referrals / Resources

Was the victim referred to an APD Victim Services Counselor for follow-up after the initial response?

# Cases	Victim Services Referral?
36	Yes
10	No/Unknown/Unspecified

In most cases, the case file materials indicate that the victim was referred to an APD Victim Services Counselor for follow-up after the initial response (36 cases). The remaining 10 cases were either recorded “no” or “unknown/unspecified,” which were combined because both responses indicate that there was no documentation indicating that this step was taken.

EVAWI would like to highlight the extraordinary nature of APD’s Victim Services Unit. First created in 1981, the Unit has pioneered the practice of comprehensively integrating victim services within the law enforcement response to victims of crime and trauma, witnesses, and the community. It offers a model of best practice for the nation.

Was the victim provided written or digital information about APD Victim Services?

# Cases	Written / Digital Information Provided?
30	Yes
16	No/Unknown/Unspecified

In a majority of cases, documentation indicated that the victim was provided written or digital information about APD Victim Services (30 cases). The remaining 16 cases were either recorded “no” or “unknown/unspecified,” which were again combined because both responses indicate that there was no documentation indicating that this step was taken.

Initial Steps by Law Enforcement

Steps taken during the initial law enforcement response (mark all that apply):

# Cases	Initial Steps by Law Enforcement
10	EMS called
37	Body-worn camera recording/s (please describe)
6	Other video recording/s taken (please describe, including who made the recording)
17	Photographs taken (please describe, including who took the photographs)
7	Crime scene technician/s called out (please describe)
15	Evidence collected from the crime scene/s (e.g., clothing, bedding, condom, towel, trash, other objects/items) (please describe)
8	Area canvassed to identify potential witnesses, security cameras, etc. (please describe)
1	Victim was asked to write a statement documenting the incident (please describe)
0	Victim was asked to sign an investigation / prosecution waiver (written form documenting the victim’s request to suspend or terminate the investigation, sometimes referred to as a “Declination Form”(please describe)
6	Other (please describe)
7	Unknown/Unspecified

Investigative steps taken during the initial response included body-worn camera recordings (37 cases), photographs taken (17 cases), crime scene evidence collected (15 cases), and Emergency Medical Services (EMS) called (10 cases). In eight cases the area was canvassed, a crime scene technician was called out in seven cases, and six cases had other video recordings taken.

Please note: This is not an exhaustive checklist nor are all items applicable to all cases.

As with other variables, the determination that a certain investigative step was taken was based on review of case file materials. Expert case reviewers were advised to only indicate that an investigative step was taken if it was explicitly documented in the case file.

In addition to the investigative steps listed above, reviewers noted some others that were documented in the case file materials:

- Victim interviewed
- Victim injuries photographed
- Victim clothing secured
- Suspect identified
- Suspect interviewed
- Witness(es) interviewed
- Vehicle processed and documented
- Captured social media posts and videos
- Surveillance footage obtained
- Swabs to secure biological evidence (DNA)
- Adult Protective Services consulted
- Forensic interviewer contacted

Please note: In the one case where the victim was asked to write a statement, this was described as a family violence questionnaire that the Patrol Officer filled out based on the victim's responses. This victim was not asked to write a narrative or "sworn statement" recounting the incident, a practice EVAWI does not recommend during the initial law enforcement response or immediately following an interview with a sex crimes victim.

APD is recognized for not asking sex crimes victims to write a narrative or "sworn statement" detailing the incident during the initial response or immediately following an interview.

There are a number of reasons why EVAWI does not recommend asking sex crimes victims to write a "sworn statement" detailing the incident. This is especially true during the initial response, given the well-documented effects of trauma. First, requiring victims to sign a sworn statement typically means that the investigator must take detailed notes during the interview, immediately type them up, and then get the victim to sign it before they leave. This seriously limits their ability to conduct an effective interview, by listening carefully, asking appropriate follow-up prompts, and later compiling the information into a thorough, well-written report.

Second, the practice communicates a fundamental distrust in the victim's information, and it is frankly frightening to many victims – especially if it contains a perjury clause (i.e., a statement that all information contained in the written statement is accurate under penalty of perjury). Third, if any inaccuracy in the statement is later discovered, it can be very difficult to correct. The practice also makes it more difficult to add information later, when the victim recalls additional details and/or additional information is revealed as a result of the investigation.

Without a sworn statement, it is a rather straightforward matter to return to the victim with follow-up questions to add information and/or clarify any inconsistencies or inaccuracies.⁶⁶

However, it is important to distinguish this practice from the increasing trend toward alternative reporting options like Seek Then Speak. Seek Then Speak is a free public website created by EVAWI that offers a self-guided investigative interview that survivors can use to begin the process of reporting to law enforcement, if they choose. The “Speak” feature of the website guides survivors through a series of interview questions designed to collect critical information about their sexual assault. At any point, survivors can generate a PDF report with their information, which they can save for themselves or provide to law enforcement as an initial step in reporting the crime. Alternative reporting options like Seek Then Speak can provide many survivors with a safer, more comfortable way to begin to engage with the criminal justice system, minimizing many of the barriers that have so often closed off this path.⁶⁷

Responding Officer Questions

During the initial law enforcement response, did a responding officer ask the victim about any of the following? (mark all that apply)

# Cases	Responding Officer Questions
19	If the victim was physically injured, in pain, or needing medical attention
6	If the victim was strangled during the assault
8	If the victim lost consciousness at any point during the assault
11	The victim’s current level of safety and/or fear
10	Any history of previous violence against the victim by the suspect (if known suspect)
2	Any threats made by the suspect to harm family or pets (if known suspect)
0	If the suspect is known to own or have access to firearms (if known suspect)
9	If the victim wants to pursue prosecution or “press charges” against the suspect
7	None of the above
10	Unknown/Unspecified

In 19 cases, documentation indicated that the responding officer asked if the victim was physically injured, in pain, or needing medical attention. In 11 cases, the officer asked about the victim’s current level of safety/fear, and in 10 cases about any history of previous violence against the victim by the suspect. Eight cases included questions about whether the victim lost consciousness at any point during the assault, and six cases whether the victim was strangled.

⁶⁶ For more information, see Sworn Statements, a training bulletin produced by EVAWI and available at https://evawintl.org/wp-content/uploads/2012-12_TB-Sworn-Statements-1.pdf.

⁶⁷ For more information on Seek Then Speak, see <https://evawintl.org/seek-then-speak/>.

The determination that a responding officer asked any of these questions could only be made based on review of materials available in the case file. In many cases, this determination was made based on the body-worn camera recording. If this recording was unavailable, it might not have been possible to determine whether any such questions were asked.

Please note that EVAWI does *not* recommend asking victims if they want to participate in a prosecution (or “press charges”), especially during the initial response to a sexual assault report. Most victims have a limited understanding about what prosecution involves, let alone the steps that are needed to get to that point. This question is also technically incorrect – prosecutors, not victims, make charging decisions. Most important, this question places an unfair and inappropriate burden on victims, particularly during the early stages of an investigation, before a Detective even knows if there is evidence required to establish probable cause and present a case to the prosecutor. The appropriate time for law enforcement to ask victims about their ability to participate in a criminal prosecution is at the end of a thorough, evidence-based investigation. Only then will Detectives know whether they have sufficient evidence collected and documented to make an arrest or refer the case for prosecution.

This finding that nine victims were asked whether they wanted to pursue prosecution (“press charges”) during the initial response merits further inquiry by APD. Review may be needed to ensure that APD policies, procedures, and training offer clarity on this issue and appropriate guidance and training for APD personnel that specifically relates to sex crimes investigations.

Medical Care

Did the victim receive any medical care/treatment (other than a medical forensic exam)?

# Cases	Medical Care?
17	No
18	Yes (please describe)
11	Unknown/Unspecified

In 18 cases, the victim received medical care/treatment (other than a medical forensic examination). This was described as including Emergency Medical Services (EMS) response, a physical exam at an Urgent Care facility or hospital, or mental health treatment at a hospital.

In the 17 cases where the victim did not receive medical care/treatment, this could have been because: (a) the incident involved no physical contact (e.g., Invasive Visual Recording), (b) no injuries were sustained during the incident, (c) the victim declined medical care, and/or (d) the incident happened some time ago. Eleven cases were unknown/unspecified for this variable.

Preliminary Interview

Was a preliminary interview conducted with the victim by APD law enforcement personnel?

# Cases	Preliminary Interview?
6	No (please explain)
40	Yes (enter date)
0	Unknown/Unspecified

In 40 cases, a preliminary interview was conducted with the victim by APD law enforcement personnel. The dates of these interviews ranged from 01/17/2020 to 11/13/2022.

Location of Preliminary Interview

Where did the preliminary interview take place? [40 cases]

# Cases	Location of Preliminary Interview
13	Crime scene (please specify)
7	Hospital (please specify)
1	SAFE's Eloise House
7	Victim's residence
12	Other location (please specify)
0	Unknown/Unspecified

In 7 cases, a hospital or other healthcare facility was the location of the victim's preliminary interview. Others were conducted at the crime scene (13 cases) or the victim's residence (7 cases), which may have also been the crime scene. Other locations noted by reviewers included an APD substation or over the phone (recall COVID lockdowns/restrictions).

Preliminary Interviewers

Who conducted a preliminary interview with the victim? (mark all that apply) [40 cases]

# Cases	Preliminary Interviewers
35	APD – Patrol Officer
6	APD – Sex Crimes Unit Detective
1	APD – Other Officer or Detective
0	Texas Department of Public Safety
1	College/University police (please specify)
0	Federal law enforcement (please specify)
0	Military police (please specify)
0	Other law enforcement agency (please specify)

0	Unknown/Unspecified
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Most preliminary interviews were conducted by an APD Patrol Officer (35 cases) and/or Sex Crimes Detective (6 cases); two cases involved both a Patrol Officer and Sex Crimes Detective. Another two cases involved both an APD Patrol Officer and college/university police officers.

How many law enforcement personnel were present during the preliminary interview? [40 cases]

# Cases	Number of Preliminary Interviewers
20	1 law enforcement personnel
15	2 law enforcement personnel
3	3 law enforcement personnel
2	5 law enforcement personnel

Most preliminary interviews had one law enforcement officer present (20 cases) or two (15 cases). Three cases had three law enforcement personnel present, and two had five present.

As noted above, most of the law enforcement personnel present during the preliminary interview were APD Patrol Officers or Sex Crimes Detectives. In one of the cases with five personnel present, this was a mix of APD personnel; the other case had two APD Patrol Officers, one APD Sex Crimes Detective, and two officers from another law enforcement agency present.

Recording of Preliminary Interview

Was the preliminary interview recorded (audio or video)? [40 cases]

# Cases	Recording of Preliminary Interview?
2	No (please explain)
2	Yes, audio-recorded
32	Yes, video-recorded
4	Unknown/Unspecified

In most cases, the preliminary interview was either video-recorded (32 cases) or audio-recorded (2 cases). This was not done in two cases, and it was unknown/unspecified in four cases.

While “preliminary interviews” were not defined within EVAWI’s Data Collection Instrument, the variables were coded within the context of an initial response, which is typically conducted by Patrol Officers – sometimes in combination with Sex Crimes Detectives and/or other personnel. In this context, interviews will generally be recorded with body-worn cameras on APD officers.

An internal review might be recommended to ensure APD policies and procedures provide clarity on the respectful use of body-worn cameras in interactions with sex crimes victims.

Length of Preliminary Interview

How long was the preliminary interview? (indicate minutes and/or hours) [40 cases]

The length of the preliminary interviews ranged from 10 minutes to one hour, 20 minutes. While some times were approximate, documentation indicated the following breakdown:⁶⁸

# Cases	Length of Preliminary Interview
13	10-20 minutes
4	21-30 minutes
6	31-40 minutes
5	41-50 minutes
3	51-60 minutes
5	60-80 minutes
4	Unknown

Advocacy Presence at Preliminary Interview

Please indicate if an advocate, APD Victim Services Counselor, and/or other support person was present with the victim during the preliminary interview (mark all that apply): [40 cases]

# Cases	Advocate Present at Preliminary Interview
11	APD Victim Services Counselor
0	Community-based (non-APD) advocate (please specify)
5	Support person (friend/family) (please specify)
1	Other (please specify)
23	No advocate or support person was present with the victim
2	Unknown/Unspecified

In a majority of preliminary interviews (23 cases), the victim did not have an advocate, APD Victim Services Counselor, or other support person present during the preliminary interview. Eleven victims had an APD Victim Services Counselor present and five had a personal support person (e.g., friend, family). One victim had both an APD Victim Services Counselor and personal support person present.

One case was coded “other,” because an APD Victim Services Counselor responded to the scene but there was no body-worn camera footage available to review, to determine whether they were present during the interview. Two cases were unknown/unspecified for this variable.

⁶⁸ Given some level of approximation, this data was recorded in narrative format and grouped manually.

This finding that victims did not have an advocate, APD Victim Services Counselor, or other support person present during the preliminary interview in 23 cases may warrant further review by APD. EVAWI recommends notifying an advocate any time a medical forensic examination or preliminary investigation is going to be conducted with a victim of sexual assault. The presence of support personnel can help victims draw the emotional resources they need to participate in the process of an investigation and remain engaged to the point of possible prosecution. An advocate can also provide information about the criminal justice process and offer various forms of tangible assistance, including transportation by APD Victim Services Counselors.

An evaluation of APD policies and procedures may identify opportunities to increase victims' access to victim services during initial law enforcement response and preliminary interviews.

Interpreter for Preliminary Interview

Was an interpreter required to conduct the preliminary interview with the victim? [40 cases]

# Cases	Interpreter for Preliminary Interview?
37	No
3	Yes (please specify)
0	Unknown/Unspecified

In most cases with a preliminary interview, no interpreter was required for the victim (37 cases). In three cases, however, an interpreter was provided. In two cases, this was an APD officer, and in the third case it was a neighbor who provided assistance with the interpretation.

Accommodations for Preliminary Interview

Were any accommodations provided for the victim to participate in the preliminary interview? (mark all that apply) [40 cases]

# Cases	Accommodations for Preliminary Interview?
38	No
0	Yes, accommodations for physical mobility (choice of location, use of device, assistance of caregiver, etc.) (please describe)
1	Yes, accommodations for communication (communication aid, assistive device, assistance of caregiver, etc.) (please describe)
2	Unknown/Unspecified

In most cases with a preliminary interview, no accommodations were required for the victim (38 cases). In one case, the accommodation provided to the victim was a Spanish-speaking APD officer who responded to the scene to conduct a preliminary interview.⁶⁹

Quoted Statements by Responding Officer

Does the report narrative by the responding officer contain any quoted statements from the VICTIM (i.e., exact wording used by the victim to describe what happened)?

# Cases	Quoted Statements from VICTIM?
24	No
21	Yes
1	Unknown/Unspecified

In 21 cases, the responding officer’s report did contain quoted statements from the victim. In 24 cases, the report did not include such statements, and one case was unknown/unspecified.

Does the report narrative by the responding officer contain any quoted statements from the SUSPECT? (mark all that apply)

# Cases	Quoted Statements from SUSPECT?
32	No quoted statements made by the suspect during the initial response
4	Quoted statements made by the suspect during the initial response (e.g., on-scene)
9	Quoted statements relayed by the victim during the initial response
1	Quoted statements relayed by a witness/relevant person during the initial response
1	Unknown/Unspecified

In 32 cases, the responding officer’s report did not contain any quoted statements from the suspect made during the initial response. In four cases, the report did include statements made directly by the suspect, nine reports included suspect statements relayed by the victim, and one report included suspect statements relayed by a witness or other relevant party. One report had statements both made directly by the suspect and also relayed by a witness or other party. Another was unknown/unspecified because documentation was not available to determine.

⁶⁹ The determination of whether any accommodations were provided was based on review of case file materials. No standardized definitions for accommodations were provided beyond the response options listed above.

Medical Forensic Examination

Did the victim have a medical forensic examination (SANE exam)?

# Cases	Medical Forensic Examination?
18	Yes (enter date)
4	No, victim refused exam
3	No exam conducted because of timelines (e.g., too many hours elapsed since time of assault) (please describe)
9	No exam conducted because of nature of assault (e.g., offense does not indicate need for exam) (please describe)
6	No exam for other reasons (please describe)
3	No exam conducted, but reason unspecified
3	Unknown/Unspecified

A medical forensic examination was conducted with the victim in 18 of the 46 cases in the sample. The dates of these exams ranged from 07/12/2011 to 11/15/2022.

Of the 28 cases without a medical forensic examination, the reasons varied: (a) in four cases the victim refused an exam, (b) in three cases an exam was not conducted based on the time elapsed since the assault, (c) in nine cases it was not conducted based on the nature of the assault, (d) in six cases it was not conducted for other reasons, and (e) in three cases the reason for no examination was unspecified. Three cases were unknown/unspecified for this variable.

Timing of Exam

Time elapsed between the incident and medical forensic examination (indicate hours, days, and/or weeks): [18 cases]

The time between the incident and medical forensic exam ranged from five hours to 23 days. Among the cases with narrative responses provided, 10 medical forensic exams were conducted within 24 hours of the incident, and seven were conducted between 1-3 days. One exam was conducted 23 days following the incident, with signs of trauma still documented.

As this case illustrates, signs of trauma can often be documented well beyond the historical 72-, 96-, or 120-hour timeframes that have been used in many jurisdictions as the cutoff for conducting a victim forensic examination. In general, EVAWI recommends victims obtain a medical forensic examination as soon as possible after the sexual assault, both to address medical issues and to maximize evidence collection and documentation. However, advancing technologies and emerging research demonstrate that it is now possible to obtain results from ever-smaller DNA samples, within ever-increasing timeframes. For instance, a 7-day (168-hour) guideline is now being used in some jurisdictions. A 10-day timeframe is being used in others.

Yet the determination of when to conduct a medical forensic examination should not be based solely on a jurisdiction’s timeframe cutoff. Rather, the answer should also be influenced by the facts of the specific case, the likelihood of recovering evidence given case circumstances, the victim’s presenting signs, symptoms, or complaints, and the types of evidence needed for a successful investigation and prosecution of a sexual assault – as it was in this particular case.

EVAWI would like to recognize APD and community partners for conducting medical forensic examinations on a case-by-case basis. In this case, an examination was conducted 23 days following the assault, allowing documentation of this critical evidence of victim injury.⁷⁰

Exam Site

Where was the medical forensic examination conducted? [18 cases]

# Cases	Exam Site
15	SAFE’s Eloise House
3	Hospital (please specify)
0	Other (please specify)
0	Unknown/Unspecified

Of the 18 medical forensic examinations documented in the sample, 15 were conducted at SAFE’s Eloise House and three were conducted at a hospital.

Transportation To Exam

How was the victim transported TO the medical forensic exam facility? [18 cases]

# Cases	Transportation To Exam
0	APD law enforcement transported (please specify)
2	APD Victim Services Counselor transported
0	Community-based (non-APD) advocate transported (please specify)
8	Victim transported self
0	Support person transported (please specify)
2	Taxi/rideshare (please specify)
3	Other (please specify)
3	Unknown/Unspecified

Of the 18 cases with a medical forensic examination, transportation to the exam varied: (a) victims transported themselves in eight cases, (b) an APD Victim Services Counselor transported

⁷⁰ For more information, see A National Protocol for Sexual Assault Medical Forensic Examinations: Adults/Adolescents (Third Edition), published in 2024 by the US Department of Justice, Office on Violence Against Women. It is available at <https://www.justice.gov/ovw/media/1367191/dl?inline>.

in two cases, (c) the victim took a taxi or rideshare in two cases, (d) three victims used other modes of transportation, and (e) three cases were unknown/unspecified for this variable.⁷¹

Law Enforcement Response at Exam

Please indicate if any APD law enforcement personnel responded to the medical forensic exam facility (mark all that apply): [18 cases]

# Cases	Law Enforcement Response at Exam
15	None
2	APD – Patrol Officer
0	APD – Sex Crimes Unit Detective
1	APD – Other Officer or Detective
0	Other law enforcement agency (please specify)
0	Unknown/Unspecified

In 15 cases, no APD law enforcement personnel responded to the medical forensic exam facility. Two cases had an APD Patrol Officer respond, and one had another officer or Detective respond.

Length of Exam

How long was the victim at the medical forensic exam facility (including wait time)? (indicate minutes and/or hours): [18 cases]

Case file materials indicate that victims were at the exam facility for 3-10 hours. Of the 15 cases with narrative responses: (a) four were between 3-4 hours, (b) four were between 4-5 hours, (c) two were between 5-6 hours, (d) two were between 8-9 hours, and (e) one was 10 hours, 15 minutes. One case involved two visits over two days, for 3.5 hours and 2.5 hours.

Advocacy Presence at Medical Forensic Exam

Please indicate if an advocate, APD Victim Services Counselor, and/or other support person accompanied the victim at the medical forensic exam facility (mark all that apply): [18 cases]

# Cases	Advocate Present at Exam Facility
5	APD Victim Services Counselor
9	Community-based (non-APD) advocate (please specify)
3	Support person (friend/family) (please specify)
1	Other (please specify)
3	No advocate or support person accompanied the victim
3	Unknown/Unspecified

⁷¹ There was a data entry error for the variable of transportation from the exam, and no responses were recorded.

During their medical forensic examination, many victims had a community-based (non-APD) advocate (9 cases), APD Victim Services Counselor (5 cases), or support person present (3 cases). In the five cases where the victim had an APD Victim Services Counselor present at the exam facility, two also had a community-based (non-APD) advocate, and one had another personal support person. Two victims had both a community-based (non-APD) advocate and another support person present at the exam facility. Three cases were unknown/unspecified.

Please indicate if the advocate, APD Victim Services Counselor, and/or other support person was present IN THE ROOM during the medical forensic exam (mark all that apply): [18 cases]

# Cases	Advocate Present in Exam Room
1	APD Victim Services Counselor
1	Community-based (non-APD) advocate (please specify)
1	Support person (friend/family) (please specify)
0	Other (please specify)
3	No advocate or support person accompanied the victim
13	Unknown/Unspecified

One victim had both an APD Victim Services Counselor and a community-based (non-APD) advocate present in the room during their medical forensic examination. Another victim had a support person, and the remainder either had no support person present in the room during the exam (3 cases) or this variable was unknown/unspecified (13 cases).

Complete SANE Report

Is a complete SANE [sexual assault nurse examiner] report from the medical forensic exam available in the case file? [18 cases]

# Cases	SANE Report?
3	No
15	Yes
0	Unknown/Unspecified

Of the 18 cases with a medical forensic examination, 15 had a complete SANE [sexual assault nurse examiner] report in the case file. This report is completed by a licensed health care professional who may have specialized training and/or certification to conduct a sexual assault medical forensic examination. The report is then provided to APD, so this variable was designed to determine whether all the components of the report were available in the case file (e.g., standardized report form, accompanying narrative, photographs, body diagrams, etc.).

In three cases, a complete SANE report was not included in the APD case file materials.

Evidence Collection Kit

Was an evidence collection kit completed? [18 cases]

# Cases	Evidence Collection Kit?
1	No
16	Yes
1	Unknown/Unspecified

Of the 18 cases with a medical forensic exam, 16 had an evidence collection kit completed. One case did not have an evidence collection kit completed, and one was unknown/unspecified.

Signs of Physical Injury / Strangulation

Did the SANE identify any signs of physical injury of the victim (other than the sexual assault)? [18 cases]

# Cases	Signs of Physical Injury?
7	No
9	Yes (please specify)
2	Unknown/Unspecified

Of the 18 cases with a medical forensic examination, signs of physical injury were documented in nine. No such signs were identified in seven cases, and two were unknown/unspecified.

Did the SANE document any signs or symptoms of strangulation? [18 cases]

# Cases	Signs or Symptoms of Strangulation?
13	No
3	Yes (please specify)
2	Unknown/Unspecified

Signs/symptoms of strangulation were documented in three cases with a medical forensic examination. No such signs were identified in 13 cases, and two were unknown/unspecified.

Follow-Up Investigation: Assignment and Victim Contacts

Assignment to Sex Crimes Detective

Was the case assigned to an APD Sex Crimes Detective for investigation?

# Cases	Assignment to Sex Crimes Detective?
0	No (please explain)
46	Yes (enter date)
0	Unknown/Unspecified

The dates of the assignment to a Sex Crimes Detective ranged from 01/13/2020 to 11/21/2022.

Time elapsed between initial APD response and assignment to Sex Crimes Detective (indicate hours, days, and/or weeks):

The time between initial APD response and assignment to a Sex Crimes Detective ranged from “no time” / “immediate” to 12 days. Of the 46 total cases, more than half were assigned the same day as the report (28 cases); an additional five cases were assigned within two days, and five within four days. A small number ranged from 4-12 days, and in the case that wasn’t officially assigned for 12 days, the Detective reportedly began working the case immediately.

Attempted Victim Contact

Did a Sex Crimes Detective attempt to follow up with the victim?

# Cases	Attempted Victim Contact?
1	No (please explain)
45	Yes (enter date)
0	Unknown/Unspecified

One case did not involve follow-up contact with the victim, because the case did not occur in Austin and was therefore outside APD jurisdiction. In the remaining 45 cases, the initial attempts to contact the victim took place between 04/21/2021 and 11/21/2022.

Time elapsed between assignment to Sex Crimes Detective and initial attempt to contact victim (indicate hours, days, and/or weeks):

Based on the review of case file materials, the time between assignment to a Sex Crimes Detective and the initial attempt to contact the victim ranged from “no time” / “immediate” to 62 days. Among the cases with narrative responses for this variable, many attempts took place on the same day (19 cases), or within 2-3 days (7 cases). Also common were four days (4 cases)

and six days (4 cases). Seven cases ranged from 8-24 days, and one case was recorded as taking 62 days for the initial attempt at victim contact, with the delay described in the case file as being due to COVID restrictions.

Number of Attempts to Contact Victim

How many attempts were made by Sex Crimes Detective to contact the victim? [45 cases]

# Cases	Number of Attempts to Contact Victim
25	1 attempt
8	2 attempts
7	3 attempts
3	5 attempts
1	6 attempts
1	7 attempts

In 25 cases, one attempt to contact the victim was documented; in many cases this first attempt was successful, so no additional attempts were necessary. Fifteen cases had 2-3 documented attempts at victim contact, and five cases had as many as 5-7 attempts recorded.

Method of Attempted Contact with Victim

Which method(s) were used by the Sex Crimes Detective to try to contact the victim? (mark all that apply) [45 cases]

# Cases	Methods of Attempted Contact for Victim
37	Phone call/s
16	Email/s
7	Text message/s
0	Mail
10	In-person contact/s
2	BOLO issued (“Be on the Lookout”)
2	Unknown/Unspecified

The most common method of attempted contact for the victim was a phone call (37 cases), but email (16 cases), in-person contacts (10 cases), and texts (7 cases) were also relatively frequent. Two cases had a BOLO (“Be on the Lookout”) issued by APD in an attempt to locate/contact the victim, and two cases were unknown/unspecified for this variable.

Successful Victim Contact

Did Sex Crimes Detective succeed in making contact with the victim? [45 cases]

# Cases	Successful Victim Contact?
3	No (please explain)
42	Yes (enter date)
0	Unknown/Unspecified

In 42 cases with successful victim contact, the dates ranged from 01/13/2020 to 11/21/2022.

Time elapsed between initial attempt by Sex Crimes Detective to contact victim and the first successful contact (indicate hours, days, and/or weeks): [42 cases]

The time between the sex crime Detective's initial attempt to contact the victim and successful victim contact ranged from "no time" / "immediate" to over a month. Among the cases with responses for this variable, more than half of the attempts were successful within a day (26 days). Another six were successful within a week (2-7 days). Three cases took a longer time for successful contact (9 days to one month, 11 days), or they were unknown for this variable.

In-Depth Victim Interview

Was an in-depth, follow-up interview with the victim conducted by a Sex Crimes Detective?

# Cases	In-Depth Victim Interview?
16	No (please explain)
30	Yes (enter date)
0	Unknown/Unspecified

The 30 in-depth victim interviews took place between 01/17/2020 and 11/30/2022. Of the 16 cases where no such interview was conducted, two were because the incident took place outside APD jurisdiction. In several other cases, victim contact was not successful, the victim withdrew participation from the investigation, or other factors accounted for this outcome.

Location of Victim Interview

Where was the in-depth interview with the victim conducted? [30 cases]

# Cases	Location of Victim Interview
15	Soft interview room at APD
0	Other location at APD (please specify)
2	Victim's residence
12	Other location (please specify)

1	Unknown/Unspecified
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Half of the in-depth victim interviews were conducted in the soft interview room at APD (15 cases). In two cases, the victim was interviewed at their own residence. Among the 12 interviews conducted at other locations, several took place over the phone (e.g., COVID restrictions). Additional locations included a hospital and Center for Child Protection.

Victims should not be interviewed in a room that was originally designed for interrogations, and there is an increasing trend for law enforcement agencies to design such “soft” interview rooms that are warm and welcoming, with comfortable furniture, art, and other amenities like snacks and beverages. They can also be equipped to meet the victim’s needs for accessibility and support, and the investigator’s requirement for videorecording and other equipment.

[EVAWI recognizes the efforts of APD and partners \(including Project Beloved\) to create “soft” interview rooms for use with victims of sexual assault and other traumatic crimes.](#)

Transportation To / From Victim Interview

How was the victim transported TO the in-depth interview? [30 cases]

# Cases	Transportation To Victim Interview
12	No transportation TO the in-depth interview (please explain)
2	APD law enforcement transported (please specify)
0	APD Victim Services Counselor transported
0	Community-based (non-APD) advocate transported (please specify)
4	Victim transported self
0	Support person transported (please specify)
1	Taxi/rideshare (please specify)
0	Other (please specify)
11	Unknown/Unspecified

In 23 cases, transportation to the in-depth victim interview was either not required (e.g., phone interview) (12 cases) or the mode of transportation was unknown/unspecified (11 cases). In the remaining cases, victims were either transported by themselves (4 cases), by APD law enforcement (2 cases), or by taxi/rideshare (1 case).

How was the victim transported FROM the in-depth interview? [30 cases]

# Cases	Transportation From Victim Interview
11	No transportation FROM the in-depth interview (please explain)
2	APD law enforcement transported (please specify)
0	APD Victim Services Counselor transported
0	Community-based (non-APD) advocate transported (please specify)

5	Victim transported self
0	Support person transported (please specify)
1	Taxi/rideshare (please specify)
0	Other (please specify)
11	Unknown/Unspecified

In 22 cases, transportation from the in-depth victim interview was either not required (11 cases) or unknown/unspecified (11 cases). In the remaining cases, victims were either transported by themselves (5 cases), by APD law enforcement (2 cases), or by taxi/rideshare (1 case).

Number of Interviewers (Victim)

How many APD law enforcement personnel were present during the in-depth interview? [30 cases]

# Cases	Number of Interviewers (Victim)
23	1 APD law enforcement officer
5	2 APD law enforcement officers
2	Unknown/Unspecified

Most in-depth victim interviews involved one APD law enforcement officer, typically a Sex Crimes Detective (23 cases). However, five interviews involved two APD officers (again, typically at least one Sex Crimes Detective, with the other being either another Detective or a Patrol Officer). One case had an APD Sex Crimes Detective and Patrol Officer translating into Spanish.

Recording of Victim Interview

Was the in-depth interview with the victim recorded (audio or video)? [30 cases]

# Cases	Recording of Victim Interview?
2	No (please explain)
6	Yes, audio-recorded
18	Yes, video-recorded
4	Unknown/Unspecified

Most in-depth victim interviews were either video-recorded (18 cases) or audio-recorded (6 cases). Two victim interviews were not recorded, and four were unknown/unspecified for this variable. However, recordings of the victim interview were not available in all case files, requiring reviewers to code many subsequent data variables as “unknown/unspecified.”

EVAWI strongly recommends the practice of recording victim interviews (preferably video-recording), because it offers a number of important benefits. The primary advantage of recording a victim interview is that it provides a more reliable method of documentation than

written notes. Recording also captures more details than could be summarized in a written police report, which increases the amount of information gathered, and can often reduce any redundancy in follow-up interviews. When the interview is being recorded, investigators are better able to listen carefully to the victim, because they are not also trying to take notes and/or write a report at the same time. In addition, recordings can make it possible to determine the source of any inconsistent information, which could be the investigator. Finally, recordings can better convey the immediate response of victims to prosecutors, judges, and/or jurors. As long as victims are advised that the interview is being recorded, this can be one of the most effective tools in increasing the likelihood of successful investigation and prosecution of these cases.⁷²

EVAWI would like to recognize APD for their routine practice of recording victim interviews. Internal review may identify ways to increase consistency in the application of this practice.

Length of Victim Interview

How long did the Detective spend with the victim before, during, and immediately after the in-depth interview (not including other contacts)? (indicate minutes and/or hours) [30 cases]

Case file materials indicate that Detectives spent anywhere from six minutes to more than three hours with victims before, during, and immediately after their interview. Among cases with narrative responses, many interviews (15 cases) were an hour or less. Seven interviews were between 1-3 hours. However, many of the remaining cases were unknown for this variable.

Advocacy Presence at Victim Interview

Please indicate if an advocate, APD Victim Services Counselor, and/or other support person accompanied the victim to the-depth interview (mark all that apply): [30 cases]

# Cases	Advocate Present at Victim Interview
11	APD Victim Services Counselor
1	Community-based (non-APD) advocate (please specify)
0	Support person (friend/family) (please specify)
3	Other (please specify)
11	No advocate or support person was present with the victim
5	Unknown/Unspecified

Of the 30 cases with an in-depth victim interview, the victim had an APD Victim Services Counselor present in 11 cases; one of these had another person present as well (“other”). One victim had a community-based (non-APD) advocate present during the interview and two additional victims had an “other” person present as their source of support in the interview.

⁷² For more information, see Recording Victim Interviews, a training bulletin produced by EVAWI and available at https://evawintl.org/wp-content/uploads/2012-12_TB-Recording-Victim-Interviews-1.pdf.

Another 11 cases had no advocate or support person present with the victim; several of these interviews were conducted over the phone, due to COVID restrictions or other reasons.

Please indicate if the advocate, APD Victim Services Counselor, and/or support person was present IN THE ROOM during the in-depth interview (mark all that apply): [30 cases]

# Cases	Advocate Present in Interview Room (Victim)
11	APD Victim Services Counselor
0	Community-based (non-APD) advocate (please specify)
0	Support person (friend/family) (please specify)
2	Other (please specify)
12	No advocate or support person accompanied the victim
3	Unknown/Unspecified

In the 11 cases where an APD Victim Services Counselor was present for the in-depth interview, they remained in the room with the victim. One of these 11 victims also had another (“other”) person present in the room with them as well. Another victim had only one “other” person in the room with the victim, and 12 victims had no advocate or support person in the room.

Interpreter: Victim Interview

Was an interpreter required to conduct the in-depth interview with the victim? [30 cases]

# Cases	Interpreter for Victim Interview?
26	No
3	Yes (please specify)
1	Unknown/Unspecified

In three of the 30 cases with an in-depth interview, an interpreter was provided for the victim. In two cases, an APD officer provided the interpretation (one Patrol Officer and one Sex Crimes Detective). In a third case, it was documented that forensic interviewers were Spanish speaking.

Accommodations: Victim Interview

Were any accommodations provided for the victim to participate in the in-depth interview? (mark all that apply) [30 cases]

# Cases	Accommodations for Victim Interview?
25	No
1	Yes, accommodations for physical mobility (choice of location, use of device, assistance of caregiver, etc.) (please describe)
1	Yes, accommodations for communication (communication aid, assistive device, assistance of caregiver, etc.) (please describe)

3	Unknown/Unspecified
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In two cases with an in-depth interview, accommodations were provided for the victim. One was a private room that was provided for the victim to accommodate physical mobility; the other was a cell phone provided to the victim by APD to address communication needs.

Questions During Victim Interview

During the in-depth interview, did the Sex Crimes Detective ask the victim about any of the following? (mark all that apply) [30 cases]

# Cases	Questions During Victim Interview
5	If the victim was physically injured, in pain, or needing medical attention
4	If the victim was strangled during the assault
8	If the victim lost consciousness at any point during the assault
5	The victim's current level of safety and/or fear
5	Any history of previous violence against the victim by the suspect (if known suspect)
1	Any threats made by the suspect to harm family or pets (if known suspect)
1	If the suspect is known to own or have access to firearms (if known suspect)
8	If the victim wants to pursue prosecution or "press charges" against the suspect
15	Unknown/Unspecified

As with the preliminary interview, the determination that a Detective asked any of these questions was based on the available case file materials. In many cases, this determination was made by reviewing the recording of the victim interview. If this recording was unavailable for any reason, it might not be possible to determine whether any such questions were asked.

As a reminder, EVAWI does *not* recommend asking victims if they want to participate in a prosecution (or "press charges") until a thorough, evidence-based investigation has been concluded. Only then will Sex Crimes Detectives know whether they have sufficient evidence collected and documented to make an arrest or refer the case for prosecution.

This finding that eight victims were asked during their in-depth interview whether they wanted to pursue prosecution ("press charges") therefore merits further inquiry by APD.

Declination Form (Victim)

At any point during the follow-up investigation did a Sex Crimes Detective ask the victim to sign an investigation/prosecution waiver (written form documenting the victim's request to suspend or terminate the investigation, sometimes referred to as a "Declination Form")?

# Cases	Declination Form (Victim)?
0	Yes

46	No/Unknown/Unspecified
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In no case was a “declination form” signed by the victim. This is encouraging, because EVAWI does not recommend this practice with sex crimes victims. To understand why, it is important to explain what these forms are and how they are sometimes used by law enforcement.

When sexual assault victims are asked by a responding officer or investigator if they want to press charges, and they say “no,” or simply express reluctance at the prospect, some law enforcement agencies have a policy or practice of presenting an investigation/prosecution waiver to document the victim’s “request” to terminate or unfound the investigation. A few such waivers go even further by preventing victims from making any further inquiries or cooperating with any future investigation or possible prosecution. Some agencies erroneously believe this type of waiver protects them from liability for failing to pursue an investigation.

Yet these waivers place unfair and inappropriate pressure on victims to make an immediate decision about participating in an investigation and possible prosecution, and they sidestep law enforcement’s responsibility by shutting down the investigation right from the outset. This is why EVAWI cautions against using such waivers or “declination forms” with victims.

A better approach is for officers and investigators to courteously inform victims about their reporting options, and then document the victim’s decision in the report. In their conversations with victims, officers and investigators can explain that the door to an investigation remains open, if victims later decide that they *are* able to participate in the investigative process.⁷³

APD is recognized for avoiding the use of such waivers/forms with sex crimes victims.

Quoted Statements: Victim Interview

Does the report narrative by the Sex Crimes Detective contain any quoted statements from the VICTIM (i.e., exact wording used by the victim to describe what happened)?

# Cases	Quoted Statements from VICTIM?
34	No
11	Yes
1	Unknown/Unspecified

In 11 cases, the Detective’s report did contain quoted statements from the victim. In 34 cases, the report did not include such statements. The one case recorded “unknown/unspecified” was outside APD jurisdiction, so no supplemental report was available in the APD case file materials.

⁷³ For more information, see Effective Victim Interviewing: Helping Victims Retrieve and Disclose Memories of Sexual Assault, an Online Training Institute module produced by EVAWI and available at <https://evawintl.org/wp-content/uploads/Victim-Interview.pdf>.

Does the report narrative by the Sex Crimes Detective contain any quoted statements from the SUSPECT (as relayed by the victim during the in-depth interview)?

# Cases	Quoted Statements from SUSPECT?
35	No
10	Yes
1	Unknown/Unspecified

In 10 cases, the Detective’s report did contain quoted statements from the suspect. In 35 cases, the report did not include such statements. Again, the one case coded “unknown/unspecified” was outside APD jurisdiction, so no supplemental report was available in the case file materials.

Additional Contacts with Victim

Did a Sex Crimes Detective have any additional contacts/interviews with the victim (other than the in-depth interview), whether in-person, on the phone, etc.? Please describe:

In 34 cases where reviewers noted that a Sex Crimes Detective had additional contact with the victims, this often took the form of phone calls, either to provide updates and/or obtain additional information. Contacts were also via email and text, as well as in-person meetings.

In seven cases, no additional contact between the victim and Detective was documented; in some cases, this was because the incident took place outside APD jurisdiction or the victim withdrew participation. In the remaining five cases, this variable was unknown.

Withdraw Participation?

At any point during the follow-up investigation, did the victim withdraw their participation and/or stop returning contacts from the Sex Crimes Detective?

# Cases	Withdraw Participation?
32	No
13	Yes (please explain)
1	Unknown/Unspecified

In 13 of the 46 cases in the sample, victims withdrew their participation in the investigation at some point. In some instances, reviewers noted that this took the form of not returning phone calls or other contact. In other cases, there was some documented discussion between the victim and the Sex Crimes Detective regarding the victim’s withdrawal from the investigation.

Follow-Up Investigation: Suspect Contacts

Attempted Suspect Contact

Did a Sex Crimes Detective attempt to contact the suspect?

# Cases	Attempted Suspect Contact?
25	No (please explain)
21	Yes (enter date)
0	Unknown/Unspecified

Twenty-five cases had no documentation of any attempt by the Sex Crimes Detective to contact the suspect. However, readers are advised to recall that many cases had no identified suspect, occurred outside APD jurisdiction, and/or were determined that no crime occurred.

The 21 attempted suspect contacts took place between 09/14/2020 to 08/23/2023.

Time elapsed between assignment to the Sex Crimes Detective and the initial attempt to contact the suspect (indicate hours, days, and/or weeks): [21 cases]

The time between assignment to a Sex Crimes Detective and the initial attempt to contact the suspect ranged from “immediate” to 15 months. In seven cases, it was noted that the suspect was either on-scene when APD initially responded, or was contacted on the same day. In 14 cases, this time ranged from approximately six weeks to 15 months, with some delays due to additional investigative steps being taken prior to suspect contact, waiting on DNA testing results, COVID lockdowns/restrictions, and/or victim readiness. The remaining cases were either unknown for this variable, or not applicable because the case had no identified suspect, occurred outside APD jurisdiction, and/or was determined that no crime occurred.

Number of Attempts to Contact Suspect

How many attempts were made by Sex Crimes Detective to contact the suspect? [21 cases]

# Cases	Number of Attempts to Contact Suspect
15	1 attempt
4	2 attempts
1	3 attempts
1	4 attempts

In the 21 cases with attempted suspect contact, 15 cases involved one attempt by the Sex Crimes Detective; in many cases this first attempt was successful, so no additional attempts were necessary. Four cases had two attempts, one had three, and one had four.

Method of Attempted Contact with Suspect

Which method(s) were used by the Sex Crimes Detective to try to contact the suspect? (mark all that apply) [21 cases]

# Cases	Methods of Attempted Contact for Suspect
12	Phone call/s
2	Email/s
0	Text message/s
0	Mail
8	In-person contact/s
0	BOLO issued (“Be on the Lookout”)
3	Unknown/Unspecified

As with victims, the most common method of attempted contact for suspects was a phone call (12 cases). However, in-person contacts appeared to be disproportionately more frequent for suspects than victims (8 of 21 cases for suspects, versus 10 of 45 cases for victims). Of the remaining cases, two involved attempted email contacts and three were unknown/unspecified.

Successful Suspect Contact

Did Sex Crimes Detective succeed in making contact with the suspect? [21 cases]

# Cases	Successful Suspect Contact?
3	No (please explain)
18	Yes (enter date)
0	Unknown/Unspecified

In the 18 cases with successful contact, the dates ranged from 09/14/2020 to 03/13/2023.

Time elapsed between initial attempt by Sex Crimes Detective to contact suspect and the first successful contact (indicate hours, days, and/or weeks): [18 cases]

The time between the initial attempt by a Sex Crimes Detective to contact the suspect and the first successful contact ranged from “no time” to three months, six days.

Among the cases with responses for this variable, 12 attempts were successful within a day. Recall that some suspects were on-scene when APD responded or were contacted that day. Four cases took longer, from two days to over three months; the remaining were unknown.

Some delays were noted as being due to victim readiness, COVID lockdowns, DNA testing, and/or the pursuit of either an arrest warrant or a search warrant for the suspect’s residence.

Suspect Interview

Was a suspect interview conducted by a Sex Crimes Detective?

# Cases	Suspect Interview?
14	Yes (enter date)
29	No attempt made to interview suspect (please explain)
0	Sex Crimes Detective attempted to interview suspect, but suspect did not return contact by Detective (please explain)
1	Sex Crimes Detective attempted to interview suspect, but suspect declined interview (please explain)
2	Sex Crimes Detective attempted to interview suspect, but suspect invoked Miranda rights (please explain)
0	Unknown/Unspecified

In 29 cases there was no documented attempt by the Sex Crimes Detective to interview a suspect. Recall that many cases had no identified suspect, occurred outside APD jurisdiction, and/or were determined based on evidence that no crime occurred. In others, the suspect invoked Miranda rights (2 cases) or declined to be interviewed (1 case).

Fourteen suspect interviews were conducted between 10/01/2020 and 03/13/2023.

Location of Suspect Interview

Where was the suspect interview conducted? [14 cases]

# Cases	Location of Suspect Interview
3	Jail/prison
5	Interview room at APD
0	Other location at APD (please specify)
1	Suspect's residence
4	Other location (please specify)
1	Unknown/Unspecified

Five suspect interviews were conducted at APD, three in jail/prison, and one at the suspect's residence. Four interviews were conducted in "other" locations, which reviewers noted as including over the phone, on scene, and/or in a patrol car. One was unknown/unspecified.

Transportation To / From Suspect Interview

How was the suspect transported TO the interview? [14 cases]

# Cases	Transportation To Suspect Interview
7	No transportation TO the suspect interview (please explain)
3	APD law enforcement transported (please specify)
0	Suspect transported self
0	Support person transported (please specify)
0	Taxi/rideshare (please specify)
1	Other (please specify)
3	Unknown/Unspecified

In seven cases, no transportation was required to the suspect interview (e.g., the suspect was already incarcerated or at their residence). When transportation was required, it was typically provided by APD law enforcement personnel (3 cases). One suspect used another mode of transportation (not described), and three cases were unknown/unspecified for this variable.

How was the suspect transported FROM the interview? [14 cases]

# Cases	Transportation To/From Suspect Interview
7	No transportation FROM the suspect interview (please explain)
2	APD law enforcement transported (please specify)
0	Suspect transported self
0	Support person transported (please specify)
0	Taxi/rideshare (please specify)
2	Other (please specify)
3	Unknown/Unspecified

In seven cases, no transportation was required from the suspect interview (e.g., the suspect was incarcerated or at their residence). When transportation was required from the suspect interview, it was provided by APD law enforcement personnel (2 cases) or “other” mode of transportation (2 cases) Again, three cases were unknown/unspecified for this variable.

Number of Interviewers (Suspect)

How many APD law enforcement personnel were present during the suspect interview? [14 cases]

# Cases	Number of Interviewers (Suspect)
4	1 APD law enforcement officer
6	2 APD law enforcement officers
2	3 APD law enforcement officers
1	5 APD law enforcement officers
1	Unknown/Unspecified

Most suspect interviews involved either one APD law enforcement officer (4 cases) or two officers (6 cases), but three cases involved 3-5 APD law enforcement officers. Interviews were typically conducted by Sex Crimes Detectives, but Patrol Officers may have also been present. One case was unknown/unspecified for this variable.

Recording of Suspect Interview

Was the suspect interview recorded (audio or video)? [14 cases]

# Cases	Recording of Suspect Interview?
1	No (please explain)
0	Yes, audio-recorded
10	Yes, video-recorded
3	Unknown/Unspecified

Ten of the 14 suspect interviews were video-recorded; only one was not. In the one case with no recording, the Detective’s initial call to the suspect was recorded (voicemail message), but the callback and conversation between the Detective and suspect was not recorded. For the three cases recorded “unknown/unspecified,” no recording was available in the case file.

Length of Suspect Interview

How long was the suspect interview? (indicate minutes and/or hours) [14 cases]

Case file materials indicate that suspect interviews ranged from 11 minutes to one hour, 31 minutes. Of the cases with narrative responses recorded, four interviews were less than 20 minutes, four were between 21 minutes and an hour, and three were approximately 1 ½ hours.

Legal Counsel for Suspect

Was the suspect represented by legal counsel at the time of the interview? [14 cases]

# Cases	Suspect Represented by Legal Counsel?
8	No
3	Yes
3	Unknown/Unspecified

Of the 14 cases with a suspect interview, three were represented by legal counsel, and eight were not. Three cases were unknown/unspecified, based on review of case file documentation.

Was the suspect’s attorney present during the interview? [3 cases]

# Cases	Suspect’s Attorney Present During Interview?
0	No
2	Yes
1	Unknown/Unspecified

Of the three cases where the suspect was represented by legal counsel, the attorney was present during the suspect’s interview in two. The remaining case was unknown/unspecified for this variable, based on the review of case file documentation available.

Support Person for Suspect

Was anyone else (other than legal counsel) present at the location while the suspect was being interviewed by the Sex Crimes Detective? (mark all that apply) [14 cases]

# Cases	Support Person for Suspect?
0	Support person (friend/family) (please specify)
6	Other (please specify)
8	Unknown/Unspecified

In six cases, the suspect had someone present while they were being interviewed. These “other” people included Patrol Officers, additional APD personnel, or the suspect’s attorney(s). In eight cases, it was unknown/unspecified whether anyone else was present at the time.

Interpreter: Suspect Interview

Was an interpreter required to conduct the suspect interview? [14 cases]

# Cases	Interpreter for Suspect Interview?
10	No
1	Yes (please specify)
3	Unknown/Unspecified

In one of the 14 cases with a suspect interview, an interpreter was required for the suspect. It was reportedly unclear from the case file materials whether this was an APD or corrections officer. Based on review case file documentation, 10 cases did not require interpretation for the suspect interview, and three cases were unknown/unspecified for this variable.

Accommodations: Suspect Interview

Were any accommodations provided for the suspect to participate in the interview? (mark all that apply) [14 cases]

# Cases	Accommodations for Suspect Interview?
11	No
0	Yes, accommodations for physical mobility (physical device, caregiver assistance for physical mobility, etc.) (please describe)
0	Yes, accommodations for communication (communication aid/device, caregiver assistance for communications, etc.) (please describe)
3	Unknown/Unspecified

In 11 of 14 cases with a suspect interview, no accommodations were provided for the suspect. In three cases, this variable was recorded as “unknown/unspecified” because there was no documentation available to determine whether any such accommodations were provided.

Additional Contacts with Suspect

Did a Sex Crimes Detective have any additional contacts/interviews with the victim (other than the in-depth interview), whether in-person, on the phone, etc.? Please describe:

In 27 cases, reviewers noted that there was no additional contact with the suspect beyond the in-depth interview. Many of these cases were either outside APD jurisdiction, had no identified suspect, were determined that no crime occurred, and/or involved a victim who said that they did not want the suspect contacted or withdrew participation before such contact was made.

In five cases, such contact was documented; in four of these, contact took the form of a phone call, and in one case the suspect was arrested on the night of the incident. In four additional cases, all subsequent contact was made with the suspect’s attorney, not the suspect. The remaining cases were unknown for this variable of additional suspect contact.

Quoted Statements from Suspect

Does the report narrative by the Sex Crimes Detective contain any quoted statements from the suspect?

# Cases	Quoted Statements from Suspect?
38	No
6	Yes
2	Unknown/Unspecified

In the whole sample of 46 cases, six of the Sex Crimes Detective's reports included quoted statements from the suspect and 38 did not. Two cases were unknown/unspecified for this variable, because documentation was not available to make the determination. One of these cases was outside APD jurisdiction, and the other had no documentation of a suspect interview.

When the 14 cases with a suspect interview were specifically examined, six involved quoted statements from the suspect in the Detective's narrative report, and eight did not.

Witnesses and Children

Witnesses Identified

Were any witnesses (including outcry witnesses) or other relevant individuals identified?

# Cases	Witnesses Identified?
16	No (please explain)
30	Yes (please describe)
0	Unknown/Unspecified

In 30 of the 46 cases, case file materials indicated that there were witnesses (including outcry witnesses) or other relevant individuals identified during the course of the investigation.

Outcry Witness

Who was the initial outcry witness (the first person the victim told of the assault)? [30 cases]

Of the 30 cases with narrative responses provided, these outcry witnesses included:

- Roommate
- Friend
- Boyfriend
- Parent
- Other relative
- Neighbor
- 911
- Nurse
- Manager at work
- Staff at club
- Resident of group home
- Convenience store clerk

Other Witnesses

Please describe any other witnesses or relevant individuals (other than the initial outcry witness) that were identified (or not):

Other witnesses were described as people who happened to be on-scene (e.g., drivers, staff at hotel or club) as well as friends, family members, and other significant people in the victim's life:

- Roommate
- Sibling
- Friend
- Boyfriend
- Coworker
- Apartment manager
- Children on scene

Attempts to Contact Witnesses

Were any attempts made by a Sex Crimes Detective to contact/interview any witnesses or relevant individuals identified during the investigation (including the initial outcry witness)?

# Cases	Attempts to Contact Witnesses?
10	No
19	Yes (please describe)
1	Unknown/Unspecified

In 19 cases, the Sex Crimes Detective attempted to contact/interview at least one witness or other relevant individual. In some of the 10 cases where this was not done, the incident was outside APD jurisdiction, determined not to be a crime, or involved a non-participating victim.

Interviews with Witnesses

How many interviews were conducted by Sex Crimes Detective with witnesses or other relevant individuals (including the initial outcry witness)? [19 cases]

# Cases	Number of Interviews
1	None
7	1 witness interview
5	2 witness interviews
4	3 witness interviews
1	4 witness interviews
1	5 witness interviews

In 18 of the 19 cases where a Sex Crimes Detective attempted to contact/interview a witness or other relevant individual, at least one interview was ultimately conducted. In most cases, 1-3 interviews were conducted (16 cases). However, two cases involved four or more interviews.

Recording of Witness Interviews

Were any of the interviews with witnesses or other relevant individuals recorded (audio or video)? (mark all that apply) [18 cases]

# Cases	Recording of Witness Interview?
1	No interviews with witnesses or relevant individuals recorded (please explain)
10	Yes, at least 1 interview audio-recorded
7	Yes, at least 1 interview video-recorded
0	Unknown/Unspecified

All but one of the interviews with witnesses or other relevant individuals were recorded, whether they were audio-recorded (10 cases) or video-recorded (7 cases).

Children Present or Endangered

Were any children present or endangered in relation to this incident?

# Cases	Children Present or Endangered?
38	No
5	Yes (please describe)
3	Unknown/Unspecified

In five of the 46 cases, documentation indicated that children may have been present or endangered in relation to this incident. However, this information was not always clear. For example, children may have been present in the location of the incident (e.g., the victim's and/or suspect's residence), but it was unclear whether or how much they witnessed.

Internal inquiry is recommended for these five cases, to determine whether children were present for any part of the incident, and evaluate whether all facets of the initial response and follow-up investigation were conducted in accordance with APD policies and procedures.

Children Interviewed

Were any children interviewed in relation to this incident?

# Cases	Children Interviewed?
46	No (please explain)
0	Yes (please describe)

0	Unknown/Unspecified
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No children were interviewed in any of the cases, based on review of case file documentation.

Investigative Steps

Victim Body / Clothing / Property / Photographs / Statements

Which of the following investigative steps were taken in this case related to evidence collection from the victim’s body, clothing, property, photographs, or statements? (mark all that apply)

# Cases	Victim Body / Clothing / Property / Photographs / Statements
15	Medical forensic examination conducted with victim
13	Evidence collection kit completed (as part of medical forensic exam)
4	Other evidence collected from the victim’s body (please specify)
16	Victim clothing collected (please specify item/s)
3	Victim property collected (please specify item/s)
8	Photographs taken of victim (please describe)
0	Victim was asked to write statement documenting the incident (please describe)
4	Other evidence collected from the victim (please describe)
20	None/Unknown/Unspecified

In addition to medical forensic examinations and the resulting evidence collection kits, the most common types of evidence collected from the victim included items of clothing (16 cases) and photographs taken of the victim (8 cases). In their narrative responses, reviewers described some of the other types of evidence collected from victims, including the victim’s cell phone, digital captures of social media posts, and screenshots/videos of text messages. Several cases had more than one type of evidence collected from the victim’s body, clothing, or property.

For this variable, cases that were recorded “unknown/unspecified” or “none” were combined, because both responses indicate that there was no documentation that this step was taken.

Digital Evidence Collected

Which of the following investigative steps were taken in this case? (mark all that apply)

# Cases	Digital Evidence Collected
0	Victim cell phone collected
3	Victim records/data obtained from cell phone carrier
5	Suspect cell phone collected
2	Suspect records/data obtained from cell phone carrier

8	Video or camera footage collected (security cameras, CCTV, Real Time Crime Center, Automated License Plate Readers, etc.) (please describe)
23	Other digital evidence collected (any evidence stored or transmitted in digital form, including photos, videos, emails, social media posts, cell phone data, etc.) (please describe)
18	None/Unknown/Unspecified

A total of 28 cases had some type of digital evidence collected. Most common were video or camera footage (8 cases), the suspect’s cell phone (5 cases), and records/data obtained from a cell phone carrier for the victim (3 cases) and/or suspect (2 cases). Some cases had more than one type of digital evidence collected, and 18 cases were coded either “unknown/unspecified” or “none” indicating that there was no documentation that this step was taken.

Narrative responses described some of the other types of digital evidence collected, including:

- Screenshots/videos of text messages
- Photographs/videos
- Social media posts
- Digital storage devices
- Computer/laptop
- Information on rideshare activity
- Security camera footage

How was digital evidence obtained? (mark all that apply) [28 cases]

# Cases	Method of Obtaining Digital Evidence
18	Victim consent
1	Suspect consent
5	Consent from other person (e.g., resident, business owner)
6	Search warrant
1	Subpoena
2	Real Time Crime Center (RTCC) or other law enforcement source
2	Unknown/Unspecified

For the 23 cases where digital evidence was collected, the method of obtaining it was most commonly victim consent (18 cases), search warrant (6 cases), or consent from another person (5 cases). Several had more than one method recorded for how digital evidence was obtained.

Suspect Identification Procedures

Which of the following suspect identification procedures were taken in this case? (mark all that apply)

# Cases	Suspect Identification Procedures
6	Photograph array/lineup of the suspect/s (please describe)
0	Physical (in person) lineup/show-up of the suspect/s (please describe)
0	Composite sketch created with police-authorized sketch artist (please describe)
8	Suspect/s identified from social media account/s or photo/s (please describe)
9	Suspect/s identified by witness (please describe)
0	Suspect identified by CCTV or photo identification from or near crime scene (please describe)
1	Suspect vehicle identified / Automated License Plate Reader (ALPR)
12	Other identification procedures (please describe)
19	None/Unknown/Unspecified

A total of 27 cases had at least one type of suspect identification procedures conducted. Most common were “other” identification methods, which included being identified by the victim (12 cases). Other common procedures were witness identifications (9 cases), identification from a social media account or photographs (8 cases), and photograph arrays/lineups (6 cases). A total of 19 cases were coded “unknown/unspecified” or “none;” many had no identified suspect, occurred outside APD jurisdiction, or/or were determined that no crime occurred.

If a photograph array/lineup, physical lineup/show-up, or composite sketch was conducted, please indicate if the victim had an advocate, APD Victim Services Counselor, and/or other support person present. (mark all that apply) [6 cases]

# Cases	Advocacy Presence for Suspect Identification Procedures
2	APD Victim Services Counselor was present
0	Community-based (non-APD) victim advocate was present (please specify)
0	Other support person was present (please specify)
3	No advocate or support person was present with the victim
1	Unknown/Unspecified

Six cases had a photograph array/lineup conducted. In these six cases, two victims had an APD Victim Services Counselor present, three had no advocate or support person present, and one case was unknown/unspecified for this variable based on review of case file documentation.

BOLO (“Be on the Lookout”) / Request to Apprehend

Which of the following steps were taken in the case, to issue a BOLO and/or Request to Apprehend? (mark all that apply)

# Cases	BOLO (“Be on the Lookout”) / Request to Apprehend
2	BOLO issued for victim (please describe)
3	BOLO issued for suspect (please describe)
0	BOLO issued for another individual (please describe)
4	Request to Apprehend issued for suspect (please describe)
38	None/Unknown/Unspecified

In four cases, a Request to Apprehend was issued for the suspect. In another three cases a BOLO was issued for the suspect, and two cases had a BOLO issued for the victim. In one of these cases, a BOLO was issued both for the victim and for the suspect. In two cases, narrative responses indicated that assistance was requested from the Violent Crimes Task Force (VCTF),

There was no documentation of a BOLO and/or Request to Apprehend being issued in 38 of the 46 cases. Recall that many cases lacked an identified suspect, occurred outside APD jurisdiction, involved a non-participating victim, and/or were determined that no crime occurred.

Suspect Body / Clothing / Property / Photographs

Which of the following investigative steps were taken in this case related to evidence collection from the suspect’s body, clothing, property, or photographs? (mark all that apply)

# Cases	Suspect Body / Clothing / Property / Photographs
0	Forensic examination (evidence collection kit) conducted with suspect/s
7	DNA reference sample (buccal swab) taken from the suspect/s
2	Penile swabs collected from the suspect/s
1	Hand swabs collected from the suspect/s
0	Hair samples collected from the suspect/s
1	Other evidence collected from the body of the suspect/s (please describe)
1	DNA reference sample taken by other individual (e.g., nurse)
0	Suspect/s clothing collected (please specify item/s)
2	Photographs taken of suspect/s (please describe)
3	Evidence collected from suspect/s residence, vehicle, property, etc. (please describe)
0	Abandoned property of suspect/s collected (e.g., trash, cigarette butts, drink cup) (please describe)
4	Other evidence collected from the suspect/s (please describe)
34	None/Unknown/Unspecified

A total of 12 cases had some type of evidence collected from the body, clothing, property, or photographs of the suspect(s). Most common were DNA reference samples (7 cases), and several cases had more than one type of evidence collected from the suspect.

Thirty-four cases had no evidence collected from the suspect(s) or were unknown/unspecified.

Who collected evidence from the suspect(s)? (mark all that apply) [14 cases]

# Cases	Who Collected Evidence from Suspect(s)?
2	APD Patrol Officer
4	APD Sex Crimes Detective
3	APD forensic crime scene technician
0	Corrections officer
0	Health care provider
2	Other (please specify)
4	Unknown/Unspecified

Of the 14 cases with evidence collected from the suspect(s), it was usually collected by a Sex Crimes Detective (4 cases), forensic crime scene technician (3 cases), or Patrol Officer (2 cases). One case had evidence collected both by a Patrol Officer and forensic crime scene technician.

How was evidence obtained from the suspect(s)? (mark all that apply) [14 cases]

# Cases	Method of Obtaining Evidence from Suspect(s)
1	Exigent circumstances
3	Suspect consent
0	Consent from other person (e.g., resident, business owner)
6	Search warrant
0	Subpoena
0	Real Time Crime Center (RTCC) or other law enforcement source
0	Other (please specify)
5	Unknown/Unspecified

In the 14 cases where evidence was collected from the suspect(s), it was usually obtained with a search warrant (6 cases) or suspect (consent). One case had more than one method listed.

Suspect History / Alibi

Which of the following investigative steps were taken in this case related to suspect history or alibi? (mark all that apply)

# Cases	Suspect History / Alibi
1	Verification sought for suspect/s alibi (please describe)
4	Prior abuse/assault history of suspect/s explored (please describe)
5	Social media or other online research on suspect/s (please describe)
7	Other suspect history research conducted (please describe)
35	None/Unknown/Unspecified

Eleven cases had steps documented related to suspect history or alibi. Most often, this involved social media or other online research (5 cases) or other suspect history research (7 cases). Some cases had more than one step taken. Narrative responses detailed what some of these were:

- Review text messages
- Witness interview
- Criminal history check
- National Crime Information Center (NCIC)
- Confirmation of suspect incarceration
- Social media search

There was no documentation of any steps being taken to verify the suspect’s history or alibi in 35 cases; these cases were either coded as “none” or “unknown/unspecified.”

Crime Scene Evidence

Which of the following investigative steps were taken in this case related to crime scene evidence? (mark all that apply)

# Cases	Crime Scene Evidence
1	Victim taken back to crime scene (to identify possible evidence, security cameras, etc.) (please describe)
11	Crime scene photographs taken (please describe)
6	Crime scene evidence collected (e.g., bedding, condom, towel, trash) (please describe)
6	Other evidence collected from crime scene (please describe)
32	None/Unknown/Unspecified

In 14 cases, some of the investigative steps listed above were taken in relation to crime scene evidence. Most common were crime scene photographs (11 cases), but several cases had more than one type of step taken. Narrative responses described these steps as including:

- Surveillance footage
- Clothing items
- Bedding
- Latent fingerprints
- Recording device with storage card

In the one case where the victim was taken back to the crime scene, the reviewer noted that no advocate or other support person was present with the victim.

Last Investigative Action Taken

What was the date of the last investigative action taken?

The dates of the last investigative action taken ranged from 12/11/2020 to 01/10/2024. One was in December 2020, 23 were in 2021, 14 were in 2022, five were in 2023, and two were in 2024, indicating that some cases had an action taken after the Clearance Date was assigned.

When the time between the date of the report and the last investigative action was calculated, the breakdown was as follows (one case had an unknown date for last investigation action):

# Cases	Time Between Date of Report and Last Investigative Action
2	Less than 1 week (1-7 days)
4	1-2 weeks (8-14 days)
7	2 weeks to <1 month (15-31 days)
6	1 to <2 months
5	2 to <3 months
4	3 to <4 months
3	4 to <5 months
3	5 to <6 months
2	6 to <8 months
1	8 to <12 months
5	1 to <1 ½ years
1	1 ½ to <2 years
2	2 to <2 ½ years

Laboratory Analysis

Samples from Victim’s Body

Were any samples from the VICTIM’S BODY submitted to the laboratory for analysis? (This is most likely to be collected during a medical forensic exam, but could be another sample.)

# Cases	Laboratory Analysis of Samples from Victim's Body?
18	Yes
28	No/Unknown/Unspecified

In 18 cases, at least one sample from the victim's body was submitted for analysis. In 28 cases, there was no documentation that this step was taken (either "no" or "unknown/unspecified").

Which sample(s) from the victim's body were submitted for analysis? (mark all that apply) [18 cases]

# Cases	Which Samples from Victim's Body Submitted for Analysis?
10	Buccal swab for standard/exemplar DNA profile
1	Blood
1	Urine
10	Oral swab/s to collect foreign biological material
14	External genital swab/s (please specify)
10	Internal genital swab/s
10	Anal swab/s
2	Fingernail clippings / scrapings / swabbings (please specify)
10	Other evidence collected from the victim (please describe)
1	Trace evidence (hairs, fibers, debris, foreign substances, etc.) (please describe)
3	Other sample/s collected from the victim's body (please describe)
0	Unknown/Unspecified

Of the 18 cases with samples from the victim's body submitted for analysis, most were swabs: buccal (i.e., cheek) swabs (10 cases), external genital swabs (14 cases), internal genital swabs (10 cases), oral swabs (10 cases), anal swabs (10 cases), and/or other evidence collected from the victim's body (10 cases). Several cases had more than one type submitted for analysis.

Which type(s) of analysis were conducted on any sample(s) from the victim's body, in an effort to identify/match a suspect and/or to corroborate sexual act(s)? (mark all that apply) [18 cases]

# Cases	Which Type(s) of Analysis on Samples from Victim's Body?
1	Toxicology
16	STR [short tandem repeat]
5	Y-STR [short tandem repeat on Y chromosome]
3	Touch DNA
2	Other type/s of analysis (please specify)
0	Unknown/Unspecified

Of the 18 cases with samples from the victim’s body submitted for analysis, most were analyzed using STR (short tandem repeat) DNA testing (16 cases). Five cases involved Y-STR (short tandem repeat on the Y chromosome), and three cases had analysis for Touch DNA. Some cases had more than one type of analysis conducted on samples from the victim’s body.

Were any foreign (unknown/forensic) DNA profile(s) identified from evidence collected from the victim’s body? [18 cases]

# Cases	Foreign DNA Profiles Identified from Evidence Collected from Victim’s Body?
9	No
8	Yes
1	Unknown/Unspecified

In eight cases, a foreign DNA profile was identified from evidence collected from the victim’s body. In two of these, the reviewer noted that this DNA profile was not a match to the suspect.

Victim Clothing

Were any items of VICTIM CLOTHING submitted to the laboratory for analysis?

# Cases	Laboratory Analysis for Items of Victim Clothing?
6	Yes
40	No/Unknown/Unspecified

In six cases, at least one item of victim clothing was submitted to the laboratory for analysis; in 40 cases, there was no documentation that this was done (“no” or “unknown/unspecified”).

Which item(s) of victim clothing were submitted for analysis? (mark all that apply) [6 cases]

# Cases	Which Items of Victim Clothing?
6	Underwear
0	Bra
1	Pants
2	Shirt
2	Other item/s of victim clothing (please specify)
0	Unknown/Unspecified

In the six cases where items of victim clothing were submitted to the laboratory for analysis, this was most often underwear (6 cases), shirt (2 cases), and/or pants (2 cases). Some cases had more than one item of victim clothing submitted for analysis.

Which type(s) of analysis were conducted on the item(s) of victim clothing? (mark all that apply) [6 cases]

# Cases	Which Type(s) of Analysis on Items of Victim Clothing?
4	STR [short tandem repeat]
1	Y-STR [short tandem repeat on Y chromosome]
1	Touch DNA
0	Other type/s of analysis (please specify)
2	Unknown/Unspecified

Of the six cases where items of victim clothing were submitted for analysis, four were analyzed using STR (short tandem repeat) DNA testing (4 cases). One of these cases also had Y-STR analysis (short tandem repeat on the Y chromosome), and one also had Touch DNA analysis. Two cases were unknown/unspecified for the type of analysis conducted on victim clothing.

Were any unknown/forensic DNA profile(s) identified from evidence collected from the victim’s clothing? [6 cases]

# Cases	Foreign DNA Profiles Identified from Items of Victim Clothing
3	No
1	Yes
2	Unknown/Unspecified

In one of the six cases where items of victim clothing were submitted for analysis, foreign DNA was found. The reviewer noted that this was likely a mixture of the victim’s and suspect’s DNA.

Victim Property

Were any items of VICTIM PROPERTY submitted to the laboratory for analysis?

# Cases	Laboratory Analysis for Items of Victim Property?
0	Yes
46	No/Unknown/Unspecified

None of the cases had documentation of any items of victim property being submitted to the laboratory for analysis. This included responses coded both “no” and “unknown/unspecified.”

Samples from Suspect's Body

Were any samples from the SUSPECT'S BODY submitted to the laboratory for analysis?

# Cases	Laboratory Analysis of Samples from Suspect's Body?
9	Yes
37	No/Unknown/Unspecified

In nine cases, at least one sample from the suspect's body was submitted for analysis. In 37 cases, there was no documentation in the case file indicating that this step had been taken (combining "no" and "unknown/unspecified").

Which sample(s) from the suspect's body were submitted for analysis? (mark all that apply) [9 cases]

# Cases	Which Samples from Suspect's Body Submitted for Analysis?
8	Buccal swab for known DNA profile
1	Blood
0	Urine
1	Oral swab/s to collect foreign biological material
3	Genital swab/s (please specify)
1	Anal swab/s
0	Fingernail clippings / scrapings / swabbings (please specify)
1	Other body swab/s (please describe)
0	Trace evidence (hairs, fibers, debris, foreign substances, etc.) (please describe)
0	Other sample/s collected from the suspect's body (please describe)
0	Unknown/Unspecified

Of the nine cases with samples from the suspect's body submitted to the laboratory for analysis, the most common samples were buccal (i.e., cheek) swabs (8 cases) and genital swabs (3 cases). Some cases had more than one type of sample from the suspect's body submitted for analysis.

Which type(s) of analysis were conducted on sample(s) from the suspect's body? (mark all that apply) [9 cases]

# Cases	Which Type(s) of Analysis on Samples from Suspect's Body?
0	Toxicology
7	STR
1	Touch DNA
0	Other type/s of analysis (please specify)
2	Unknown/Unspecified

Of the nine cases with samples from the suspect’s body submitted for analysis, seven were analyzed using STR (short tandem repeat) DNA testing (7 cases). One case had both STR and Touch DNA analysis conducted on samples from the suspect’s body.

Did any biological evidence collected from the suspect’s body match the victim’s DNA profile? [9 cases]

# Cases	Foreign DNA Profiles Identified from Evidence Collected from Suspect’s Body?
7	No
1	Yes
1	Unknown/Unspecified

Of the nine cases with samples from the suspect’s body submitted for analysis, only one resulted in identifying a foreign DNA profile.

Suspect Clothing

Were any items of SUSPECT CLOTHING submitted to the laboratory for analysis?

# Cases	Laboratory Analysis for Items of Suspect Clothing?
2	Yes
44	No/Unknown/Unspecified

In two cases, at least one item of suspect clothing was submitted to the laboratory for analysis; in the remaining 44 cases, there was no documentation that any such items were submitted.

Which item(s) of suspect clothing were submitted for analysis? (mark all that apply) [2 cases]

# Cases	Which Items of Suspect Clothing?
1	Underwear
0	Pants
0	Shirt
1	Other item/s of victim clothing (please specify)
0	Unknown/Unspecified

In the two cases where items of suspect clothing were submitted to the laboratory for analysis, one was a pair of underwear and the other included several items (socks, shoes, and a jacket).

Which type(s) of analysis were conducted on the item(s) of suspect clothing? (mark all that apply) [2 cases]

# Cases	Which Type(s) of Analysis on Items of Suspect Clothing?
0	STR
0	Touch DNA
0	Other type/s of analysis (please specify)
2	Unknown/Unspecified

In the two cases where suspect clothing was submitted for analysis, it was unknown/unspecified what type of analysis was conducted on the items.

Were any unknown/forensic DNA profile(s) identified from the item(s) of suspect clothing? [2 cases]

# Cases	Foreign DNA Profiles Identified from Items of Suspect Clothing
0	No
0	Yes
2	Unknown/Unspecified

No information is available on the results of any analysis conducted on the suspect's clothing.

Suspect Property

Were any items of SUSPECT PROPERTY submitted to the laboratory for analysis?

# Cases	Laboratory Analysis for Items of Suspect Property?
3	Yes
43	No/Unknown/Unspecified

In three cases, at least one item of suspect property was submitted for analysis. In the remaining 43 cases, there was no documentation that any such items were submitted.

Which item(s) of suspect property were submitted for analysis? (mark all that apply) [3 cases]

# Cases	Which Items of Suspect Property?
0	Bedding (please describe)
0	Towel, tissue, etc. (please describe)
0	Carpet, upholstery, etc. (please describe)
1	Abandoned property of suspect/s (please describe)
2	Other objects or items of suspect property (please describe)

0	Unknown/Unspecified
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In the three cases with suspect property submitted to the laboratory for analysis, one involved an item that was abandoned by the suspect and the others involved weapons and a cell phone.

Which type(s) of analysis were conducted on the item(s) of suspect property? (mark all that apply) [3 cases]

# Cases	Which Type(s) of Analysis on Items of Suspect Property?
1	STR [short tandem repeat]
0	Y-STR [short tandem repeat on Y chromosome]
0	Touch DNA
3	Other type/s of analysis (please specify)
0	Unknown/Unspecified

In the three cases with suspect property submitted for analysis, one item was analyzed using STR (short tandem repeat) DNA testing and the others were submitted to weapons testing and forensic digital analysis. One case was coded as involving both STR and “other” type of analysis.

Were any unknown/forensic DNA profile(s) identified from the item(s) of suspect property? [3 cases]

# Cases	Foreign DNA Profiles Identified from Items of Suspect Property
2	No
1	Yes
0	Unknown/Unspecified

One case identified a foreign DNA profile based on an analysis with an item of suspect property. The other two cases involved weapons testing and forensic digital analysis, not DNA testing.

Crime Scene Evidence

Was any evidence from the CRIME SCENE or OTHER LOCATION submitted to the laboratory for analysis?

# Cases	Laboratory Analysis of Crime Scene Evidence?
3	Yes
43	No/Unknown/Unspecified

In three cases, at least one item of evidence from the crime scene or other location was submitted to the laboratory for analysis. The expert case reviewers noted that these items

included clothing items, a beverage can, and a vehicle. In the remaining 43 cases, there was no documentation that any such items were submitted (“no” and “unknown/unspecified”).

Which type(s) of analysis were conducted on the evidence collected from the crime scene or other location? (mark all that apply) [3 cases]

# Cases	Which Type(s) of Analysis on Crime Scene Evidence?
1	STR [short tandem repeat]
0	Y-STR [short tandem repeat on Y chromosome]
0	Touch DNA
2	Other type/s of analysis (please specify)
0	Unknown/Unspecified

In the three cases with crime scene evidence submitted to the laboratory for analysis, one was analyzed using STR (short tandem repeat) DNA testing. Two involved another type of analysis.

Were any unknown/forensic DNA profile(s) identified from the item(s) collected from the crime scene or other location? [3 cases]

# Cases	Foreign DNA Profiles Identified from Crime Scene Evidence?
0	No
1	Yes
2	Unknown/Unspecified

In the case where an abandoned item was analyzed, a CODIS hit identified the suspect. The other two cases were “unknown/unspecified” for this variable.

DNA Profiles Submitted to CODIS

Were any unknown/forensic DNA profile(s) successfully submitted to CODIS (LDIS, SDIS, and/or NDIS)? (mark all that apply)

# Cases	Foreign DNA Profiles Submitted to CODIS?
1	Yes, LDIS [Local DNA Index System] submission
1	Yes, SDIS [State DNA Index System] submission
5	Yes, NDIS/CODIS [National DNA Index System/Combined DNA Index System] submission
39	No/Unknown/Unspecified

One case had a submission of an unknown/forensic DNA profile to LDIS, SDIS, and NDIS/CODIS. Another four cases were coded as being submitted only to NDIS/CODIS. The remaining 39 cases were either coded “no” or “unknown/unspecified,” meaning there was no documentation in the case file indicating that this step had been taken.

Did any unknown/forensic DNA profile(s) result in a CODIS hit (match)? [5 cases]

# Cases	Foreign DNA Profiles Result in CODIS Hit?
2	No
2	Yes, hit/match in NDIS/CODIS [National DNA Index System/Combined DNA Index System]
1	Unknown/Unspecified

Of the five cases coded as having a successful submission to NDIS/CODIS, two reportedly resulted in a CODIS hit/match, while two did not, and one was unknown/unspecified.

Prosecutor Communications and Case Outcomes

Prosecutor Communications

Did a Sex Crimes Detective contact a prosecutor at any time to discuss the case?

# Cases	Communications with Prosecutor?
17	Yes
29	No/Unknown/Unspecified

In 17 cases, a Sex Crimes Detective contacted a prosecutor at some point to discuss the case. In 29 cases, there were no such communications documented (“no” or “unknown/unspecified”).

How many times did the Detective communicate with a prosecutor about the case? [17 cases]

# Cases	Number of Communications with Prosecutor
11	1 communication
4	2 communications
1	3 communications
1	7 communications

In most of the 17 cases with communications documented between the Sex Crimes Detective and the prosecutor, most involved 1-2 communications (15 cases). Two cases had three or more documented communications between the Sex Crimes Detective and the prosecutor.

Arrests Made

Were any arrests made on charges specific to the complaint in this investigation? (mark all that apply)

Please indicate any complaints of a sexual offense or other felony/misdemeanor offense reported by the victim. Do NOT include any ancillary charges resulting from law enforcement contact (e.g., active warrant, resisting arrest, fleeing or assaulting an officer, etc.).

# Cases	Number of Arrests Made
7	1 arrest on sexual offense/s (please identify)
0	2 or more arrests on sexual offense/s (please identify)
4	1 arrest on other felony/misdemeanor offense/s (please identify)
0	2 or more arrests on other felony/misdemeanor offense/s (please identify)
39	No/Unknown/Unspecified

A total of eight cases had one or more arrests made. Three cases had an arrest on both sexual and other felony/misdemeanor offenses. In the remaining 39 cases, there were no documentation that any arrests were made (coded either “no” or “unknown/unspecified”).

How many (total) arrests were made? [8 cases]

# Cases	Number of Arrests Made
7	1 arrest
1	2 arrests
0	Unknown/Unspecified

In seven of the eight cases with an arrest, one arrest was made; one case had two arrests.

Arrest type(s) (mark all that apply): [8 cases]

# Cases	Arrest Type(s)
3	On-View
2	Direct file (PC) [probable cause]
3	Warrant
0	Grand jury indictment
0	Already in custody or incarcerated

Of the eight cases where an arrest was made, three were made based on a warrant and three were made “on-view,” meaning a law enforcement officer arrests the suspect upon arriving on-scene. Two arrests were “direct file,” meaning probable cause was established and an officer exercised their arrest authority prior to a court review.

Who made the arrest(s)? (mark all that apply) [8 cases]

# Cases	Who Made the Arrest(s)
5	APD – Patrol Officer
4	APD – Sex Crimes Unit Detective
2	APD – Other Officer or Detective (please specify by title/unit, not name)
0	Texas Department of Public Safety
0	College/University police (please specify)
0	Federal law enforcement (please specify)
0	Military police (please specify)
0	Other law enforcement agency (please specify)
0	Unknown/Unspecified

Of the eight cases where an arrest was made, an APD Patrol Officer was involved in five, an APD Sex Crimes Detective participated in four, and another APD officer or Detective was involved in two. In three cases, the arrest was made by more than one APD officer or Detective.

Date of arrest: [8 cases]

If more than 1 arrest, give date for the FIRST arrest.

The date of the (first) arrest in these eight cases ranged from 10/01/2020 to 12/09/2023

Referral for Prosecution

Was the case referred to a prosecutor?

# Cases	Referral for Prosecution?
13	Yes
33	No/Unknown/Unspecified

In 13 of the 46 cases, a referral was made for prosecution by the Sex Crimes Detective. In 33 cases, this variable was coded either as “no” or “unknown” based on case file documentation.

Once again, readers are cautioned to recall that there are multiple reasons for cases being coded as “no” or “unknown/unspecified” for certain variables. This may include any or all of the following factors: (a) The case was outside APD jurisdiction, (b) No suspect was identified in the case, (c) The case involved a victim who withdrew participation from the investigation, and/ or (d) The investigation determined that no crime occurred (Unfounded).

Keeping these factors in mind, EVAWI recommends recording information in all case files regarding whether an investigation is complete and the case is referred for prosecution. Alternatively, it can be noted that the facts and evidence in the case did not meet the criteria

for referral in accordance with APD policies and procedures. Without routine data tracking, it is difficult if not impossible to evaluate such important outcomes of case investigations.

Did the prosecutor file charges in the case? [13 cases]

# Cases	Prosecutor File Charges?
3	Yes
10	No/Unknown/Unspecified

Of the 13 cases with a prosecution referral, charges were filed in three. In 10 cases, there was no documentation indicating that any charges were filed (“no” or “unknown/unspecified”).

Were any reasons documented for why the prosecutor didn’t file charges? [8 cases]

# Cases	Reason Documented for Prosecutor Declining to File Charges?
7	Yes
1	No/Unknown/Unspecified

In the eight cases where charges were not filed, the reason was documented in seven. Based on reviewer notes, a common reason given was insufficient evidence to establish probable cause.

Internal Clearance Status Description

Unfounded Cases

If the case was Unfounded, do the investigative findings indicate either that: (a) The crime did not occur (false), or (b) The elements of the crime were not met (baseless)? [11 cases]

# Cases	Unfounded Cases: Investigative Findings Indicate False or Baseless?
5	Yes, evidence indicates that that crime did not occur (false) (please describe)
5	Yes, evidence indicates that the elements of the crime were not met (baseless) (please describe)
1	No/Unknown/Unspecified

In 10 of the 11 cases that were Unfounded, case file materials indicate that the crime did not occur (false) or the elements of the crime were not met (baseless).

The single remaining case merits further examination by APD, to determine what the basis was for Unfounding the report.

Exceptional Clearance

If the case was Exceptionally Cleared, please indicate which of the following conditions were met (mark all that apply): [1 case]

# Cases	Exceptional Clearance: Which of the Following Conditions Were Met?
1	Did the investigation definitively establish the identity of the offender?
1	Was there enough information to support an arrest, charge, and turning over to the court for prosecution?
1	Was the exact location of the offender known so that the subject could be taken into custody?
1	Was there some reason outside law enforcement control that precluded arresting, charging, and prosecuting the offender?
0	Unknown/Unspecified

There was only one Exceptionally Cleared case in the sample, and review of case file materials indicated that the four requisite conditions were met to assign this clearance category. The reason selected for this Exceptional Clearance was: "Victim's 'refusal to cooperate' (AFTER the offender was identified, and could be located, arrested, and referred to the prosecutor if the victim had been participating in the investigation)."

Administrative Clearance

If the case was Administratively Cleared, was the determination made before any investigation was conducted, or after an investigation? [2 cases]

# Cases	Timing of Administrative Clearance
1	Case was Administratively Cleared prior to any investigation (please describe)
1	Case was Administratively Cleared following an investigation (please describe)
0	Unknown/Unspecified

Although one case was coded as being Administratively Cleared prior to any investigation and the other following an investigation, both involved incidents that were outside APD jurisdiction.

Cleared by Arrest

If the case was Cleared by Arrest, please indicate which of the following conditions were met (mark all that apply): [6 cases]

# Cases	Cleared by Arrest: Which of the Following Conditions were Met
4	Suspect/s arrested
0	Suspect/s charged

0	Case referred for prosecution
2	Unknown/Unspecified

There were six cases Cleared by Arrest, which means all four conditions (listed above) should have been met. The pattern of responses therefore suggests an error in the data entry system.

Case Suspended – Prosecution Declined

If the case was Suspended – Prosecution Declined, was there any documentation of the prosecutor’s reason(s) for declining the case? [3 cases]

# Cases	Reason Documented for Suspended – Prosecution Declined?
3	Yes
0	No/Unknown/Unspecified

Of the three cases that were Suspended – Prosecution Declined, the prosecutor’s reason(s) for declining the case were documented in all three. Narrative responses by the expert case reviewers suggested that the reasons given were all closely related: “elements of crime not met,” “no probable cause for sexual assault charge,” and “insufficient evidence.”

Cases Suspended Pending Victim Readiness

If the case was Suspended – Pending Victim Readiness, please summarize (a) at what point during the investigative process this determination was made, (b) how the lack of readiness was expressed by the victim (e.g., verbally, non-responsive to Detective contacts), and (c) what reasons were documented for this decision: [7 cases]

In the seven cases that were Suspended – Pending Victim Readiness, the most common reason given in narrative responses was that the victim withdrew participation from the investigation.

Suspended Cases - Other

If the case was Suspended for any reason other than Pending Victim Readiness or Prosecutor Declined, was the determination made before any investigation was conducted, or after an investigation? [15 cases]

# Cases	Timing of Suspended Cases
2	Case was Suspended prior to any investigation (please describe)
13	Case was Suspended following an investigation (please describe)
0	Unknown/Unspecified

Fifteen cases were suspended for some reason other than Pending Victim Readiness or Prosecutor Declined. This includes cases that were Suspended: (a) Closed, (b) Pending Follow-Up, (c) No Leads/Evidence, (d) Referred to Municipal Court, and (e) Warrant Issued.

Of these 15 cases, 13 were suspended following an investigation and two were prior to any investigation. In one of the two cases, this was because the victim did not choose to participate in the investigation. In the other, there was an initial response but no follow-up investigation.

Supervisory Review of Internal Clearance Status Description

Was the Internal Clearance Status Description reviewed by a Sex Crimes Unit supervisor prior to case closure?

# Cases	Supervisory Review of Internal Clearance Status Description?
37	Yes (please describe)
9	No/Unknown/Unspecified

In 37 of the 46 cases, documentation indicated that the Internal Clearance Status Description was reviewed by a Sex Crimes Unit supervisor prior to case closure. In nine cases, there was no documentation indicating that this step was taken (either “no” or “unknown/unspecified”).

Victim Notification of Case Outcome

Did a Sex Crimes Detective, or someone else, notify the victim of the case outcome?

# Cases	Sex Crimes Detective Notify Victim Case Outcome?
33	Yes, Sex Crimes Detective notified victim of case outcome (please describe)
1	No, someone else notified victim of case outcome (please specify)
9	No indication that anyone notified victim of case outcome
12	No/Unknown/Unspecified

In 33 of the 46 cases, a Sex Crimes Detective notified the victim of the case outcome. Documentation commonly indicated that this was done by phone, with email as a backup.

Someone else notified the victim of the case outcome in one case, and 12 cases had either no indication that anyone notified the victim of case outcome or this was unknown/unspecified.

Conclusion

This Final Report summarizes the findings from the 2021-2022 APD Sex Crimes Case Review, which was conducted by EVAWI in accordance with a contract signed with the City of Austin.

As previously noted, a key goal for this project was to substantially improve upon past practices for conducting sex crimes case review. Perhaps most notably, this methodology was designed to review all investigative content in a sex crimes case file, including body worn camera footage and other audio/video recordings. This is the first known effort to be inclusive of all the materials available in a digital case file. Another goal was to conduct this case review work with an unprecedented level of collaboration between EVAWI and APD/CSCRM as partners.

Both goals were essential because sex crimes case review is now *an annual ongoing initiative* for APD. In light of this fact, it was essential for EVAWI to define a repeatable methodology and a replicable base of data that could be compiled and analyzed, providing APD/CSCRM and key stakeholders with essential information that could be compared from year to year.

This report is therefore designed to provide data-informed observations, insights, and recommendations for APD, CSCRM, Austin/Travis County SARRT, and the wider Austin community. However, it is also intended to offer a roadmap for law enforcement agencies and communities across the country who might want to adapt the methodology for their own use.

With that orientation in mind, we will conclude this report with a summary of best practice recognitions offered to APD throughout this report, as well as EVAWI's recommendations.

Recognition of Best Practices

For more context and detail on these best practice recognitions, please see the associated discussion which appears on the noted page numbers.

- APD does an exceptional job of recording contacts with victims, suspects, witnesses, and other relevant individuals – beginning with the initial response, and extending through the follow-up investigation, interviews, and other contacts (p. 39).
- APD's Victim Services Unit is extraordinarily noteworthy. First created in 1981, the Unit has pioneered the practice of comprehensively integrating victim services within the law enforcement response to victims and witnesses of traumatic crimes. It offers a model of best practice for law enforcement agencies across the country (p. 73).
- APD does not ask sex crimes victims to write a narrative or "sworn statement" detailing the incident. This is a practice that EVAWI does not recommend during the initial law enforcement response or immediately following an interview. APD is therefore

recognized for avoiding this non-recommended practice (p. 74).

- APD and community partners conduct sexual assault medical forensic examinations on a case-by-case basis, going beyond the typical cutoff of 120 hours where this is warranted. This decision should be made based on the facts of the specific case, the likelihood of recovering evidence given case circumstances, the victim's presenting signs, symptoms, or complaints, and the types of evidence needed for a successful investigation and prosecution of a sexual assault. Austin illustrated the value of this practice in a case where an exam was conducted 23 days following a sexual assault, which resulted in the documentation of critical evidence of victim injury (p. 83).
- APD prioritizes interviewing victims in "soft" interview rooms they and Austin partners have created for use with victims of sexual assault and other traumatic crimes. These "soft" interview rooms are designed to be warm and welcoming, with comfortable furniture, art, and other amenities. Per best practices, APD avoids interviewing victims in a room that was originally designed for interrogations (p. 90).
- APD routinely records victim interviews, a recommended practice that offers a number of benefits. Among the advantages, recording provides a more reliable method of documentation than written notes. It also captures more details than can be summarized in a written report. Recordings can better convey the immediate response of victims to prosecutors, judges, and/or jurors. As long as victims are advised that the interview is being recorded, this can be one of the most effective tools in increasing the likelihood of successful investigation and prosecution of these cases (p. 92).
- In no case was a sex crimes victim presented with an investigation/prosecution waiver or "declination form." This practice is sometimes used in other law enforcement agencies, but it places inappropriate pressure on victims to make an immediate decision about participating in an investigation and possible prosecution, and sidesteps law enforcement's responsibility by shutting down the investigation from the outset. APD is recognized for avoiding the use of such waivers/forms with sex crimes victims (p. 95).

Recommendations

Again, see the noted page numbers for more context and detail on these recommendations.

- Conduct additional training for Patrol Officers regarding APD policies and procedures governing the use of pseudonyms for victims in sex crimes cases to ensure victim privacy is consistently protected (p. 49).
- Review APD policy and procedures regarding criminal history/records checks being conducted on sex crimes victims. Avoid routine checks on victims, particularly during the initial phases of an investigation (p. 60).

- Complete criminal history/records check on all suspects during a criminal investigation (p. 66).
- Review APD policies, procedures, and training to ensure officers are not instructed to ask sex crimes victims if they want to participate in a prosecution (or “press charges”), especially during the initial response. The question puts an undue burden on victims before they know what prosecution entails or whether the investigation has established probable cause and sufficient evidence to present the case to a prosecutor (p. 76, 94).
- Because preliminary interviews with victims are generally recorded with body-worn cameras, consider reviewing APD policies and procedures to ensure they provide clear guidance on the respectful use of body-worn cameras in interactions with sex crimes victims (p. 78).
- Review APD policies and procedures to identify opportunities to increase sex crimes victims’ access to APD Victim Services Counselors and community-based advocates during the initial law enforcement response and preliminary interviews (p. 80).
- Conduct an internal review of policies around recording victim interviews to ensure APD policies and procedures are consistently applied (p. 92).
- Conduct an internal review of specific cases with unclear documentation regarding whether children were present for any part of a sex crimes incident. Ensure APD personnel conduct all facets of the initial response and follow-up investigation in accordance with relevant APD policies and procedures related to children being present or endangered in such incidents (p. 106).
- To better evaluate the outcomes of case investigations, record information in all case files regarding whether an investigation is complete and the case was referred for prosecution. Alternatively, it can be noted that the facts and evidence in the case did not meet the criteria for referral in accordance with APD policies and procedures (p. 124-5).
- For Unfounded cases, ensure documentation consistently indicates whether the evidence established that a crime did not occur (false) or the elements of the crime were not met (baseless) (p. 125).

Looking Forward

When the Police Executive Research Forum and RAND Corporation convened a panel of subject matter experts to inform improvements in policing data, they pointed to a need beyond simple data collection to instilling a culture of improvement toward better service and greater equity:

Instilling a culture that values data and building the infrastructure to support it are important steps toward achieving better measures of justice. A data culture would position law enforcement agencies to more effectively harness the vast amount of information already at their disposal to derive more accurate, timely, and meaningful insights that can lead to better public safety in the short term.

However, long-term improvements will necessitate careful thought about the development of new metrics that capture unmeasured but important aspects of police work, such as what police do with their time, whether public safety resources are equitably allocated and fairly applied, and public perceptions about policing services.”⁷⁴

EVAWI looks forward to future partnership with APD/CSCRM to continue working toward such aims, through an annual APD Sex Crimes Case Review initiative leading the way for the nation.

⁷⁴ Barnum et al., *Better Measures of Justice*, p. 17.

APPENDIX A

End Violence Against Women International

End Violence Against Women International (EVAWI) was founded in 2003 to provide criminal justice practitioners the training and support needed to conduct high quality investigations and meet crime victims' needs. There had previously been a void in this area, and EVAWI has now grown into the premiere criminal justice training organization on sexual assault investigations, providing superior training and resources, influencing national policy, and mentoring a new generation of leaders. Positive outcomes for survivors also require everyone working together, so EVAWI additionally champions collaborative practices, with multidisciplinary training for health care providers, prosecutors, advocates, and others who respond to crime victims.

To date, EVAWI has received more than \$12.5 million in public and private grants, which have supported support improvements in criminal justice and community responses to sexual assault and other gender-based crimes, with particular focus on law enforcement investigations.

Training Professionals

Over two decades, EVAWI's pioneering training and technical assistance programs have transformed how law enforcement, victim services, and allied disciplines respond to crime victims, especially victims of sexual assault, intimate partner violence, and other gender-based crimes. In 2023 alone, 9,305 professionals invested 374,752 hours in EVAWI's training programs to improve services for crime victims. This includes: (a) 2,480 professionals who attended EVAWI's International Conference in Chicago, Illinois; (b) 2,999 people who completed courses in the Online Training Institute (OLTI); (c) 1,806 individuals who attended live or recorded webinars; and (d) 578 people who honed their interviewing and investigation skills through one of three Advanced Training Institutes or the Comprehensive Victim Interviewing (CVI) course.

Leading Best Practices

EVAWI also creates policies and best practices that lead the nation toward positive reforms. This includes hundreds of training modules, bulletins, and other resources, including concrete tools and templates that law enforcement, victim services, and other allied disciplines can use to upgrade their skills. These resources are accessed with astonishing frequency.

In 2023, EVAWI's website saw 624,551 unique visitors and 8 million page views. In addition, 404,527 resources were downloaded; this is an average of 1,108 resources *per day*. There is no question this level of reach has moved the field forward and improved service delivery, by enhancing skills, promoting cross-training, and deepening multidisciplinary collaboration.

New Pathways for Survivors

Yet survivors can only benefit from enhanced services if they are able to reach out for help. This is why EVAWI also creates new pathways for victims to access justice and services. Seek Then Speak is an online tool that allows sexual assault survivors and support people a way to gather information and explore options for medical care, victim services, and reporting to police. If they choose, survivors can then begin the process of reporting to police by completing a detailed, self-guided interview and creating a PDF that they can either provide to law enforcement or save while they make a decision about reporting. No other tool exists that gives survivors such extensive information about their options, rights, and services, and a way to begin reporting to law enforcement at a time and place of their choosing.

Improving Responses

EVAWI also teaches professionals and loved ones how to respond supportively when someone discloses that they have been sexually assaulted or physically abused. EVAWI first launched the Start by Believing campaign in 2011, and over the last 13 years it has made a profound difference in survivors' lives, by helping to foster a safe and supportive environment for survivors to share their experiences. Hundreds of communities have participated in campaigns, more than a dozen states have formally proclaimed their commitment, and tens of thousands of individuals have taken the pledge to Start by Believing.

Conclusion

In sum, EVAWI is uniquely qualified to carry out the Scope of Work outlined for this project. No other organization has played a greater role in improving law enforcement's response to sexual assault, and encouraging meaningful collaboration between all the professionals who serve crime victims. The difference EVAWI has made in survivors' lives is immeasurable.

APPENDIX B

Internal Clearance Status Descriptions

Austin Police Department

General Orders

Defined as the department's internal status of cases for operational and tracking purposes.

Reports shall be given one of the following clearance statuses as outlined in this section.

- (a) Cleared Administratively
- (b) Cleared Exceptionally
- (c) Cleared by Arrest
- (d) Field Release Citation
- (e) Suspended (Closed)
- (f) Suspended (Pending Prosecutorial Review)
- (g) Unfounded
- (h) Warrant Issued (Suspended)
- (i) Referred to Municipal Court (Suspended)
- (j) Open
- (k) Suspended Pending DNA
- (l) Suspended Pending Follow-up
- (m) Suspended Pending Victim Readiness
- (n) Suspended Prosecutor Declined
- (o) Suspended No Leads/Evidence

406.3.1 CLEARED ADMINISTRATIVELY

This status is used to clear non-criminal reports such as the following:

- (a) Missing persons that are found or returned home.
- (b) Juvenile runaways who are found or returned home without law enforcement involvement.
- (c) Found property that is returned to the owner.
- (d) Request to locate where the subject is found.
- (e) Accidental injuries when no crime is involved.
- (f) Suicides where no crime has occurred.
- (g) Dependent/neglected children when there is no criminal element.

406.3.2 CLEARED EXCEPTIONALLY

This status is used, when approved by the investigative supervisor, to clear incidents that meet all the following criteria:

- (a) The investigation has established the identity of the offender; and
- (b) There is sufficient information to support an arrest, charge, and prosecution; and
- (c) The exact location of the offender is known so that the offender could be taken into custody; and
- (d) There is some reason outside law enforcement control that prevents arresting, charging, and prosecuting the offender, such as:
 - 1. The victim will not cooperate with the investigation or does not wish to pursue the case;
 - 2. A prosecuting attorney has reviewed the case and declines prosecution;
 - 3. The suspect is a juvenile and committed a status offense;
 - 4. The suspect is under the age of criminal responsibility;
 - 5. The suspect dies;
 - 6. Extradition of the suspect is denied.

An investigative supplement describing how each of the above criteria is met is required on all cases that are cleared exceptionally.

If the case is Cleared Exceptionally, the IBR Cleared Exceptionally status reason must be chosen.

- (a) Death of Offender
- (b) Prosecution Declined
- (c) Extradition Denied
- (d) Victim Refused to Cooperate
- (e) Juvenile, No Custody

406.3.3 CLEARED BY ARREST

This status should be used if any person involved in the report meets the following criteria, regardless of the disposition of other persons involved or the status of other offenses alleged in the same report.

- (a) This status is used to clear criminal cases involving adult offenders when a suspect is arrested and charged with the commission of one of the offenses from the initial incident and the case is referred to court for prosecution, whether following an arrest or cite and release. An unrelated warrant arrest does not clear the case by arrest.

(b) This status is used to clear criminal cases involving juvenile offenders when:

1. The suspect is physically taken into custody and transported to a juvenile facility or home with pending charges from the initial incident; or
2. The suspect is processed for an offense from the initial incident and the case referred to Juvenile Court, whether or not the suspect was actually taken into custody.

406.3.4 FIELD RELEASE CITATION

This status is used in misdemeanor cases where all arrested persons are issued a field release citation instead of a custody arrest.

406.3.5 SUSPENDED (CLOSED)

This status is used when approved by the Investigative Unit supervisor and:

- (a) When the determination is made that any further investment of time would be inefficient or unproductive; or
- (b) After 30 days from the date of assignment and the case has not progressed to the point that it can be cleared by any other means described in this section.

406.3.6 SUSPENDED (PENDING PROSECUTORIAL REVIEW)

This is a temporary clearance status to indicate that the case is being reviewed by the Grand Jury.

- (a) Upon a Grand Jury decision, the status will be changed to reflect the correct final disposition:
 1. "True bill" will use the status Cleared Exceptionally-Extradition Denied.
 2. "No bill" will use the internal status Suspended. No IBR/external clearance.

406.3.7 UNFOUNDED

This status is used with the approval of the Investigative Unit supervisor if the investigation shows that no offense occurred or was attempted.

- (a) If the facts of a case indicate that an offense occurred but not the offense indicated by the title code of the report, the supervisor will change the title code.

(b) This status shall not be used when a report includes multiple title codes where at least one of the offenses listed is supported by the facts of the case.

406.3.8 WARRANT ISSUED (SUSPENDED)

This is a temporary internal status to indicate that a warrant is outstanding for the arrest of one or more suspects. When all suspects have been arrested the internal status shall be changed to Cleared by Arrest.

406.3.9 REFERRED TO MUNICIPAL COURT (SUSPENDED)

This status is used with class C offenses to reflect the victim or complainant was instructed on how to personally direct-file with the municipal court.

406.3.10 OPEN

This internal status is used to show that a case is still unsolved, leads are being worked, and the case hasn't met suspended status.

406.3.11 SUSPENDED PENDING DNA

This internal status is used to show that a case is awaiting evidence sent for DNA analysis.

406.3.12 SUSPENDED PENDING FOLLOW-UP

This internal status is used to show that a case is suspended with anticipation of additional information or leads.

406.3.13 SUSPENDED PENDING VICTIM READINESS

This internal status is used for cases that do not meet the requirements for exceptional clearance to show that a case is suspended due to the victim being unavailable, requesting to drop the charges, or is not ready to move forward with the investigation.

406.3.14 SUSPENDED PROSECUTOR DECLINED

This internal status is used for cases that do not meet the requirements for exceptional clearance to show that a case is suspended due to the prosecuting attorney's office declining to prosecute for various reasons.

406.3.15 SUSPENDED NO LEADS/EVIDENCE

This internal status is used to show that a case is suspended due to lack of suspect information or lack of evidence to further the investigation.

APPENDIX C

Inclusion Criteria for Case Review Sample (2021-2022)

1. Felony sex crimes cases
2. One of the following 11 offense codes (as the highest offense code assigned):
 - 0200 Rape
 - 0202 Aggravated Rape
 - 0500-9 Burglary of Residence with the Intent to Commit Sexual Assault
 - 1700 Sexual Assault with an Object
 - 1701 Aggravated Sexual Assault with an Object
 - 1716 Forced Sodomy
 - 1718 Aggravated Forced Sodomy
 - 1797 Sexual Assault (Serial)
 - 2609 Invasive Visual Recording
 - 2800 Kidnapping⁷⁵
 - 4207 Serial Rape
3. Suspect 17 years old or older
4. Victim 18 years old or older
5. Sex Crimes Unit assigned as Lead Investigator or Secondary Title Code Assignment
6. **Clearance Date** assigned between 01/01/2021 and 12/31/2022
7. One of the following 12 (of 15) APD Internal Clearance Status Descriptions:
 - Unfounded
 - Cleared Administratively
 - Cleared Exceptionally
 - Cleared by Arrest
 - Field Release Citation⁷⁶
 - Warrant Issued (Suspended)
 - Referred to Municipal Court (Suspended)
 - Suspended – Closed
 - Suspended – Pending Follow-Up
 - Suspended – Pending Victim Readiness
 - Suspended – Prosecutor Declined
 - Suspended – No Leads/Evidence

⁷⁵ Many cases with a 2800 Kidnapping offense code do not involve a sex crimes component; these cases were therefore only included in the case review sample when the APD Sex Crimes Unit was assigned as Lead Investigator.

⁷⁶ There were no cases in the selection period with an Internal Clearance Status Description of Field Release Citation.

APPENDIX D

Cases Meeting Inclusion Criteria for Case Review Sample (By Highest Offense Code Assigned)⁷⁷

	2021	2022	Total
UNFOUNDED	9	3	12
0200 – RAPE	4	1	5
17000 – SEXUAL ASSAULT W/OBJECT	4	0	4
26090 – INVASIVE VISUAL RECORDING	1	2	3
CLEARED ADMINISTRATIVELY	9	5	14
0200 – RAPE	3	2	5
17000 – SEXUAL ASSAULT W/OBJECT	2	1	3
26090 – INVASIVE VISUAL RECORDING	4	2	6
CLEARED EXCEPTIONALLY	1	4	5
0200 – RAPE	0	2	2
02020 – AGGRAVATED RAPE	1	0	1
17000 – SEXUAL ASSAULT W/OBJECT	0	1	1
17160 – FORCED SODOMY	0	1	1
CLEARED BY ARREST	52	65	117
0200 – RAPE	27	39	66
02020 – AGGRAVATED RAPE	4	4	8
05009 – BURGLARY OF RESIDENCE – SEXUAL NATURE	3	1	4
17000 – SEXUAL ASSAULT W/OBJECT	10	13	23
17010 – AGGRAVATED SEXUAL ASSAULT W/OBJECT	2	1	3
17160 – FORCED SODOMY	4	3	7
17180 – AGGRAVATED FORCED SODOMY	1	1	2
26090 – INVASIVE VISUAL RECORDING	1	3	4

⁷⁷Please note that all data provided to EVAWI was pulled for case sampling purposes, and it was therefore for informational use only; it may differ from official APD crime data. Also, APD’s crime database is continuously updated, so reports run at different times may produce different results. Care should be taken when comparing one report against others, because different data collection methods and/or data sources may have been used.

	2021	2022	Total
WARRANT ISSUED (SUSPENDED)	32	39	71
0200 – RAPE	7	20	27
02020 – AGGRAVATED RAPE	2	4	6
05009 – BURGLARY OF RESIDENCE – SEXUAL NATURE	0	2	2
17000 – SEXUAL ASSAULT W/OBJECT	5	5	10
17010 – AGGRAVATED SEXUAL ASSAULT W/OBJECT	2	1	3
17160 – FORCED SODOMY	2	3	5
26090 – INVASIVE VISUAL RECORDING	14	4	18

REFERRED TO MUNICIPAL COURT (SUSPENDED)	0	1	1
26090 – INVASIVE VISUAL RECORDING	0	1	1
SUSPENDED – CLOSED	54	33	87
0200 – RAPE	36	21	57
02020 – AGGRAVATED RAPE	3	0	3
17000 – SEXUAL ASSAULT W/OBJECT	12	3	15
17010 – AGGRAVATED SEXUAL ASSAULT W/OBJECT	1	0	1
17160 – FORCED SODOMY	0	4	4
26090 – INVASIVE VISUAL RECORDING	2	5	7
SUSPENDED – PENDING FOLLOWUP	4	0	4
0200 – RAPE	3	0	3
02020 – AGGRAVATED RAPE	1	0	1
SUSPENDED – PENDING VICTIM READINESS	211	212	423
0200 – RAPE	123	142	265
02020 – AGGRAVATED RAPE	7	7	14
17000 – SEXUAL ASSAULT W/OBJECT	40	31	71
17010 – AGGRAVATED SEXUAL ASSAULT W/OBJECT	1	3	4
17160 – FORCED SODOMY	20	17	37
17180 – AGGRAVATED FORCED SODOMY	1	2	3
17970 – SEXUAL ASSAULT (SERIAL)	1	0	1
26090 – INVASIVE VISUAL RECORDING	18	9	27
28000 – KIDNAPPING	0	1	1
SUSPENDED – PROSECUTOR DECLINED	37	31	68
0200 – RAPE	26	27	53
17000 – SEXUAL ASSAULT W/OBJECT	6	3	9
17160 – FORCED SODOMY	3	1	4
26090 – INVASIVE VISUAL RECORDING	2	0	2

	2021	2022	Total
SUSPENDED – NO LEADS/EVIDENCE	32	35	67
0200 – RAPE	12	21	33
02020 – AGGRAVATED RAPE	0	2	2
17000 – SEXUAL ASSAULT W/OBJECT	6	3	9
17010 – AGGRAVATED SEXUAL ASSAULT W/OBJECT	2	0	2
17160 – FORCED SODOMY	5	2	7
26090 – INVASIVE VISUAL RECORDING	7	7	14
GRAND TOTAL	441	428	869

APPENDIX E

Comparison Criteria for Reported Cases (2021-2022)

1. Felony sex crimes cases
2. One of the following 11 offense codes (as the highest offense code assigned):
 - 0200 Rape
 - 0202 Aggravated Rape
 - 0500-9 Burglary of Residence with the Intent to Commit Sexual Assault
 - 1700 Sexual Assault with an Object
 - 1701 Aggravated Sexual Assault with an Object
 - 1716 Forced Sodomy
 - 1718 Aggravated Forced Sodomy
 - 1797 Sexual Assault (Serial)
 - 2609 Invasive Visual Recording
 - 2800 Kidnapping
 - 4207 Serial Rape
3. Suspect 17 years old or older
4. Victim 18 years old or older
5. Sex Crimes Unit assigned as Lead or Secondary Title Code Assignment
6. **Reported** between 01/01/2021 and 12/31/2022
7. Any of the 15 APD Internal Clearance Status Descriptions:
 - Open
 - Unfounded
 - Cleared Administratively
 - Cleared Exceptionally
 - Cleared by Arrest
 - Field Release Citation
 - Warrant Issued (Suspended)
 - Referred to Municipal Court (Suspended)
 - Suspended – Closed
 - Suspended – Pending Follow-Up
 - Suspended – Pending Victim Readiness
 - Suspended – Prosecutor Declined
 - Suspended – No Leads/Evidence
 - Suspended – Pending DNA
 - Suspended – Pending Prosecutorial Review

APPENDIX F

Total Count of Reported Cases Meeting Comparison Criteria (2021-2022)⁷⁸

	2021	2022	Total
OPEN	13	22	35
UNFOUNDED	9	2	11
CLEARED ADMINISTRATIVELY	8	5	13
CLEARED EXCEPTIONALLY	2	1	3
CLEARED BY ARREST	56	56	112
WARRANT ISSUED (SUSPENDED)	37	33	70
REFERRED TO MUNICIPAL COURT (SUSPENDED)	0	1	1
SUSPENDED – CLOSED	28	22	50
SUSPENDED – PENDING FOLLOW-UP	2	1	3
SUSPENDED – PENDING VICTIM READINESS	213	190	403
SUSPENDED – PROSECUTOR DECLINED	36	32	68
SUSPENDED – NO LEADS/EVIDENCE	34	35	69
SUSPENDED – PENDING DNA	6	7	13
SUSPENDED – PENDING PROSECUTORIAL REVIEW	0	3	3
GRAND TOTAL	444	410	854

⁷⁸ Please note that all data provided to EVAWI was pulled for case sampling purposes, and it was therefore for informational use only; it may differ from official APD crime data. Also, APD's crime database is continuously updated, so reports run at different times may produce different results. Care should be taken when comparing one report against others, because different data collection methods and/or data sources may have been used.

APPENDIX G

All Cases Routed to Sex Crimes Unit (2021-2022)⁷⁹

	2021	2022	Total
OPEN			789
LEAD INVESTIGATOR	19	43	62
SECONDARY TITLE CODE ASSIGNMENT	11	12	23
OTHER CAPACITY	403	301	704
UNFOUNDED			65
LEAD INVESTIGATOR	23	12	35
SECONDARY TITLE CODE ASSIGNMENT	2	2	4
OTHER CAPACITY	14	12	26
CLEARED ADMINISTRATIVELY			984
LEAD INVESTIGATOR	163	128	291
SECONDARY TITLE CODE ASSIGNMENT	20	6	26
OTHER CAPACITY	412	255	667
CLEARED EXCEPTIONALLY			15
LEAD INVESTIGATOR	8	3	11
SECONDARY TITLE CODE ASSIGNMENT	2	0	2
OTHER CAPACITY	0	2	2
CLEARED BY ARREST			609
LEAD INVESTIGATOR	177	191	368
SECONDARY TITLE CODE ASSIGNMENT	45	63	108
OTHER CAPACITY	69	64	133
FIELD RELEASE CITATION			10
LEAD INVESTIGATOR	2	1	3
SECONDARY TITLE CODE ASSIGNMENT	1	1	2
OTHER CAPACITY	3	2	5

⁷⁹ Please note that all data provided to EVAWI was pulled for case sampling purposes, and it was therefore for informational use only; it may differ from official APD crime data. Also, APD's crime database is continuously updated, so reports run at different times may produce different results. Care should be taken when comparing one report against others, because different data collection methods and/or data sources may have been used.

	2021	2022	Total
WARRANT ISSUED (SUSPENDED)			196
LEAD INVESTIGATOR	86	70	156
SECONDARY TITLE CODE ASSIGNMENT	10	22	32
OTHER CAPACITY	7	1	8
REFERRED TO MUNICIPAL COURT (SUSPENDED)			168
LEAD INVESTIGATOR	58	32	90
SECONDARY TITLE CODE ASSIGNMENT	2	3	5
OTHER CAPACITY	31	42	73
SUSPENDED – CLOSED			536
LEAD INVESTIGATOR	136	91	227
SECONDARY TITLE CODE ASSIGNMENT	29	19	48
OTHER CAPACITY	168	93	261

SUSPENDED – PENDING FOLLOWUP			51
LEAD INVESTIGATOR	6	9	15
SECONDARY TITLE CODE ASSIGNMENT	4	5	9
OTHER CAPACITY	15	12	27
SUSPENDED – PENDING VICTIM READINESS			1,347
LEAD INVESTIGATOR	603	543	1,146
SECONDARY TITLE CODE ASSIGNMENT	40	43	83
OTHER CAPACITY	68	50	118
SUSPENDED – PROSECUTOR DECLINED			128
LEAD INVESTIGATOR	63	50	113
SECONDARY TITLE CODE ASSIGNMENT	3	2	5
OTHER CAPACITY	5	5	10
SUSPENDED – NO LEADS/EVIDENCE			638
LEAD INVESTIGATOR	238	214	452
SECONDARY TITLE CODE ASSIGNMENT	12	11	23
OTHER CAPACITY	77	86	163
SUSPENDED – PENDING DNA			15
LEAD INVESTIGATOR	7	7	14
SECONDARY TITLE CODE ASSIGNMENT	0	0	0
OTHER CAPACITY	0	1	1

APPENDIX H

Final Case Review Sample (2021-2022)

	2021	2022	Total
UNFOUNDED	9	3	12
0200 – RAPE	4	1	5
17000 – SEXUAL ASSAULT W/OBJECT	4	0	4
26090 – INVASIVE VISUAL RECORDING	1	2	3
CLEARED ADMINISTRATIVELY	1	1	2
0200 – RAPE	1	0	1
26090 – INVASIVE VISUAL RECORDING	0	1	1
CLEARED EXCEPTIONALLY	1	1	2
0200 – RAPE	0	1	1
02020 – AGGRAVATED RAPE	1	0	1
CLEARED BY ARREST	4	4	8
0200 – RAPE	0	1	1
02020 – AGGRAVATED RAPE	1	0	1
05009 – BURGLARY OF RESIDENCE – SEXUAL NATURE	0	1	1
17000 – SEXUAL ASSAULT W/OBJECT	1	0	1
17010 – AGGRAVATED SEXUAL ASSAULT W/OBJECT	1	0	1
17160 – FORCED SODOMY	0	1	1
17180 – AGGRAVATED FORCED SODOMY	1	0	1
26090 – INVASIVE VISUAL RECORDING	0	1	1
WARRANT ISSUED (SUSPENDED)	1	3	4
05009 – BURGLARY OF RESIDENCE – SEXUAL NATURE	0	1	1
17000 – SEXUAL ASSAULT W/OBJECT	0	1	1
17160 – FORCED SODOMY	0	1	1
26090 – INVASIVE VISUAL RECORDING	1	0	1
REFERRED TO MUNICIPAL COURT (SUSPENDED)	0	1	1
26090 – INVASIVE VISUAL RECORDING	0	1	1
SUSPENDED – CLOSED	1	1	2
17000 – SEXUAL ASSAULT W/OBJECT	1	0	1
17160 – FORCED SODOMY	0	1	1

	2021	2022	Total
SUSPENDED – PENDING VICTIM READINESS	4	2	6
0200 – RAPE	0	1	1
17000 – SEXUAL ASSAULT W/OBJECT	1	0	1
17010 – AGGRAVATED SEXUAL ASSAULT W/OBJECT	0	1	1
17160 – FORCED SODOMY	1	0	1
17970 – SEXUAL ASSAULT (SERIAL)	1	0	1
26090 – INVASIVE VISUAL RECORDING	1	0	1
SUSPENDED – PROSECUTOR DECLINED	1	2	3
0200 – RAPE	0	1	1
17000 – SEXUAL ASSAULT W/OBJECT	1	0	1
17160 – FORCED SODOMY	0	1	1
SUSPENDED – NO LEADS/EVIDENCE	3	3	6
0200 – RAPE	0	1	1
02020 – AGGRAVATED RAPE	0	1	1
17000 – SEXUAL ASSAULT W/OBJECT	1	0	1
17010 – AGGRAVATED SEXUAL ASSAULT W/OBJECT	1	0	1
17160 – FORCED SODOMY	0	1	1
26090 – INVASIVE VISUAL RECORDING	1	0	1
GRAND TOTAL	25	21	46

APPENDIX I

Data Collection Instrument

DATA COLLECTION INSTRUMENT

Table of Contents

CASE INFORMATION	2
VICTIM INFORMATION.....	7
SUSPECT INFORMATION	12
ASSAULT CHARACTERISTICS	16
INITIAL LAW ENFORCEMENT RESPONSE	18
MEDICAL FORENSIC EXAMINATION.....	25
FOLLOW-UP INVESTIGATION: ASSIGNMENT AND VICTIM CONTACTS	29
FOLLOW-UP INVESTIGATION: SUSPECT CONTACTS.....	35
WITNESSES AND CHILDREN.....	42
INVESTIGATIVE STEPS	44
LABORATORY ANALYSIS	50
PROSECUTOR COMMUNICATION AND CASE OUTCOMES	57

CASE INFORMATION

04/25/2024

*Name of Reviewer: [DROPDOWN]

*Date Review Completed: [DATE]

CASE INFORMATION

*1a. Case Number: [NUMBER]

*1b. Sex Crimes Unit: Lead Investigative Unit or Secondary Title Assignment [DROPDOWN]

*2a. Case materials available for review (mark all that apply):

- 911 call recording
- Initial report (patrol)
- Supplemental report/s by sex crimes detective
- SANE report from the victim's medical forensic examination
- Photographs from victim's medical forensic examination
- Photographs of victim (other than medical forensic exam)
- Report from forensic examination of the suspect/s
- Photographs from forensic examination of the suspect/s
- Photographs of suspect/s (other than forensic exam)
- Photographs of crime scene
- Report from crime scene technician
- Toxicology report/s from laboratory
- DNA report/s from laboratory
- LDIS submission
- SDIS submission
- NDIS submission
- Body worn camera recording/s
- Recording of victim interview/s
- Transcript of victim interview/s
- Recording of suspect interview/s
- Transcript of suspect interview/s
- Recording of interview/s with witnesses or other relevant individuals
- Transcript of interview/s with witnesses or other relevant individuals
- Other audio/video recording/s including pretext calls, etc.
- Screenshot/s of text messages, social media posts, chats, or other cell phone content
- Search warrant/s
- Inventory of evidence collected
- ViCAP data form
- None (please explain)
- Other (please describe)

CASE INFORMATION

2b. Please provide any additional information regarding the case materials available (or not):
[NARRATIVE]

*3a. Date of report: [DATE]

*3b. Time of report: [NARRATIVE]

*4a. Report initially made by:

- Victim [skip to 5a]
- Third party (please describe) [go to 4b]
- Unknown/Unspecified [go to 4b]

4b. Please describe the third party who initially reported to APD and/or provide any additional information regarding the initial report to APD: [NARRATIVE] [skip to 7a]

*5a. Please indicate which agency/entity was the first contact by the victim:

- Hospital or other health care facility (please specify)
- SAFE Alliance / Eloise House
- Other community-based advocacy agency (please specify)
- 911 communications/dispatch
- APD non-emergency/business line
- APD walk-in/field contact (please specify)
- APD online contact (website, email, social media, etc.) (please specify)
- Other law enforcement agency (please specify)
- Other agency/entity (please specify)
- Unknown/Unspecified

5b. Please specify and/or provide any additional information regarding the agency/entity that was the first contact by the victim: [NARRATIVE]

CASE INFORMATION

*6a. Was the report initially made anonymously by the victim (e.g., medical forensic exam without law enforcement report or involvement)?

- No
- Yes
- Unknown/Unspecified

*6b. Did the victim choose to use a pseudonym for the report?

- No
- Yes
- Unknown/Unspecified

6c. Please provide any additional information regarding the report initially being made anonymously and/or the use of a pseudonym for the report: [NARRATIVE]

*7a. Offense code (highest classified offense associated with the case):

- 0200 Rape
- 0202 Aggravated Rape
- 0500-9 Burglary of Residence with the Intent to Commit Sexual Assault
- 1700 Sexual Assault with an Object
- 1701 Aggravated Sexual Assault with an Object
- 1716 Forced Sodomy
- 1718 Aggravated Forced Sodomy
- 1797 Sexual Assault (Serial)
- 2609 Invasive Visual Recording
- 2800 Kidnapping
- 4207 Serial Rape

*7b. The offense (above) was:

- Attempted
- Completed
- Unknown/Unspecified

*7c. Any additional offenses reported in connection with this incident (beyond the highest classified offense code selected above)?

- No [skip to 8a]
- Yes [go to 7d]
- Unknown/Unspecified

CASE INFORMATION

7d. Please list any additional offenses reported in connection with this incident: [NARRATIVE]

*8a. Did this report involve a SINGLE INCIDENT (1 event with a specific date/time range) or MULTIPLE INCIDENTS (2 or more events on different dates/times)?

- Single incident [go to 8b]
- Multiple incidents [skip to 8e]
- Unknown/Unspecified [skip to 8e]

8b. Date of incident (if known): [DATE]

8c. If the exact date is unknown, please provide any information available regarding the date of this incident: [NARRATIVE]

8d. Time elapsed between INCIDENT and REPORT (indicate hours, days, weeks, months, and/or years): [NARRATIVE] [skip to 9]

8e. Date of the EARLIEST incident (if known): [DATE]

8f. Date of the MOST RECENT incident (if known): [DATE]

8g. If the exact dates are unknown, please provide any information available regarding the dates of these incidents: [NARRATIVE]

8h. Time elapsed between MOST RECENT INCIDENT and REPORT (indicate hours, days, weeks, months, and/or years): [NARRATIVE]

CASE INFORMATION

*9. Time elapsed between REPORT and APD RESPONSE (indicate minutes, hours, and/or days):
[NARRATIVE]

*10a. Where was the offense committed? (for multiple offenses or locations, mark all that apply)

- Victim's residence (please describe)
- Suspect's residence (please describe)
- Other residence (e.g., house party, unoccupied residence) (please describe)
- At a business (please describe)
- In a vehicle (car/truck) (please describe)
- Outdoors (please describe)
- On public transport (bus, train) (please describe)
- Other (please describe)
- Unknown/Unspecified

10b. Please provide any additional information regarding the offense location/s: [NARRATIVE]

*11a. Are there any additional events or case numbers associated with this report? If so, please list/describe: [NARRATIVE]

*11b. Any prior history of physical or sexual violence committed by the suspect (against any victim)? If so, please list/describe: [NARRATIVE]

VICTIM INFORMATION

12. Comments, questions, or observations regarding CASE INFORMATION: [NARRATIVE]

VICTIM INFORMATION

*13a. How many victims were involved in the reported incident/s?

- 1 victim [skip to 14a]
- More than 1 victim [go to 13b]
- Unknown/Unspecified [go to 13b]

13b. If more than one victim was involved in the incident/s (or the number of victims is unknown), please describe: [NARRATIVE]

The following questions pertain to the PRIMARY VICTIM in the case. Information on additional victims can be provided in the narrative question at the end of this section.

*14a. Gender identification of the victim AT THE TIME OF THE INCIDENT:

- Female [skip to 14c]
- Male [skip to 14c]
- Other (please describe) [go to 14b]
- Unknown/Unspecified [go to 14b]

14b. Describe or provide any additional information regarding the gender identification of the victim AT THE TIME OF THE INCIDENT: [NARRATIVE]

VICTIM INFORMATION

***14c. Gender identification of the victim AT BIRTH:**

- Female [skip to 15a]
- Male [skip to 15a]
- Other (please describe) [go to 14d]
- Unknown/Unspecified [go to 14d]

14d. Describe or provide any additional information regarding the gender identification of the victim AT BIRTH: [NARRATIVE]

***15a. Victim age at the time of the incident (if known): [NUMBER]**

If more than 1 incident, give the victim's age at the time of the MOST RECENT incident.

15b. If more than 1 incident, give the victim's age at the time of the EARLIEST known incident (if known): [NUMBER]

15c. Victim age at the time of the REPORT (if known): [NUMBER]

15d. Any other information you'd like to provide about victim age? [NARRATIVE]

***16a. Racial/ethnic identification of the victim (mark all that apply):**

- White
- Hispanic or Latino
- Black or African-American
- Asian
- American Indian or Alaska Native
- Native Hawaiian or Pacific Islander
- Middle Eastern or North African
- Other (please describe)
- Unknown/Unspecified

16b. Please provide any additional information regarding the racial/ethnic identification of the victim: [NARRATIVE]

VICTIM INFORMATION

***17a. Characteristics of the victim at the time of the incident (mark all that apply):**

- Limited English proficiency (second language spoken) (please indicate language, if known)
- Not a U.S. citizen (please indicate nationality, if known)
- Incarcerated (jail, prison, etc.) (please describe)
- Incident occurred at a facility where victim was receiving services (e.g. for mental health, substance abuse, or other issues) (please describe)
- Currently unhoused (please describe)
- Nonresident of Austin (please indicate, if known)
- LGBTQ+ (please describe)
- Physical disability (please describe)
- Mental disability* (victim incapable of providing consent) (please describe)
- Mental health condition (please describe)
- Involved in commercial sexual activity at time of incident (please describe)
- College/university student (please indicate school, if known)
- Military service member (please indicate branch, if known)
- Sworn law enforcement (please describe)
- Known gang member (please describe)
- Prior report/s made to law enforcement (sexual assault or other) (please describe)
- Other (please describe)
- Unknown/Unspecified
- None of the above

**Per TX penal code: "as a result of mental disease or defect the person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it." Only select this option if it is evident from the information in the case file that the victim meets this criteria.*

17b. Please provide any additional information regarding the victim characteristics selected above and/or other significant characteristics of the victim worth noting: [NARRATIVE]

***18a. Victim drug/alcohol use at the time of the incident (mark all that apply):**

- None
- Alcohol – voluntary ingestion (please describe)
- Alcohol – suspected or confirmed involuntary ingestion (administered covertly without knowledge/consent of victim) (please describe)
- Drugs – voluntary ingestion (please describe)
- Drugs – suspected or confirmed involuntary ingestion (administered covertly without knowledge/consent of victim) (please describe)
- Unknown/Unspecified

VICTIM INFORMATION

18b. Please provide any additional information regarding victim drug/alcohol use: [NARRATIVE]

*19a. Was a criminal history / Versadex records check run on the victim?

- No [skip to 20a]
- Yes [go to 19b]
- Unknown/Unspecified [skip to 20a]

19b. Results of the criminal history / Versadex check on the victim (mark all that apply):

- No criminal record found
- Active warrant found
- On probation or parole
- Active or history of protection order
- Field contact / person of interest

- Previous sex offense (please identify)
 - Named as suspect
 - Arrested, not convicted
 - Arrested, convicted
 - Arrested, unknown outcome

- Previous other felony or misdemeanor offense (please identify)
 - Named as suspect
 - Arrested, not convicted
 - Arrested, convicted
 - Arrested, unknown outcome

19c. Please list any offenses and/or provide other information regarding the criminal history / Versadex check of the victim: [NARRATIVE]

VICTIM INFORMATION

*20a. Relationship (if any) with the suspect/s (mark all that apply):

- Brief encounter (met within 24 hours of the assault) (please describe)
- Acquaintance/friend (please describe)
- Met online (please describe)
- Current spouse/partner/cohabitant (please describe)
- Former spouse/partner/cohabitant (please describe)
- Dependent/child (please describe)
- Dependent/elder (please describe)
- Employer/employee/coworker (please describe)
- Non-spouse family member or other relative (please describe)
- Stranger (never met) (please describe)
- Other (please describe)
- Unknown/Unspecified

20b. Please provide any additional information regarding victim-suspect relationship: [NARRATIVE]

*21a. Did the victim have any consensual sexual activity with the suspect/s, either before and/or after this assault? (mark all that apply)

- No
- Yes, more than 24 hours prior to assault
- Yes, within 24 hours leading up to the assault
- Yes, after the assault
- Unknown/Unspecified

21b. Please provide any additional information regarding consensual sexual activity with the suspect/s: [NARRATIVE]

SUSPECT INFORMATION

22. Comments, questions, or observations regarding VICTIM INFORMATION: [NARRATIVE]

SUSPECT INFORMATION

*23a. How many offenders did the victim state was involved in the reported incident/s?

- 1 offender [skip to 24a]
- More than 1 offender [go to 23b]
- Unknown/Unspecified [go to 23b]

23b. Please provide any information regarding the number of offenders described by the victim (regardless of whether any suspects were identified, contacted, or charged): [NARRATIVE]

*24a. Were any suspects identified? (mark all that apply)

- No suspect was identified
- Yes, at least 1 suspect was identified by the victim
- Yes, at least 1 suspect was identified as the result of a law enforcement investigation
- Unknown/Unspecified

24b. Please provide any additional information regarding suspect identification: [NARRATIVE]

SUSPECT INFORMATION

The following questions pertain to the PRIMARY SUSPECT in the case. Information on additional suspects can be provided in the narrative question at the end of this section.

*25a. Gender identification of the suspect AT THE TIME OF THE INCIDENT:

- Female [skip to 25c]
- Male [skip to 25c]
- Other (please describe) [go to 25b]
- Unknown/Unspecified [go to 25b]

25b. Describe or provide any additional information regarding the gender identification of the suspect AT THE TIME OF THE INCIDENT: [NARRATIVE]

*25c. Gender identification of the suspect AT BIRTH:

- Female [skip to 26a]
- Male [skip to 26a]
- Other (please describe) [go to 25d]
- Unknown/Unspecified [go to 25d]

25d. Describe or provide any additional information regarding the gender identification of the suspect AT BIRTH: [NARRATIVE]

*26a. Suspect age at the time of the incident (if known): [NUMBER]

If more than 1 incident, give the suspect's age at the time of the MOST RECENT incident.

26b. Any other information you'd like to provide about suspect age? [NARRATIVE]

*27a. Racial/ethnic identification of the suspect (mark all that apply):

- White
- Hispanic or Latino
- Black or African-American
- Asian
- American Indian or Alaska Native
- Native Hawaiian or Pacific Islander
- Middle Eastern or North African
- Other (please describe)
- Unknown/Unspecified

SUSPECT INFORMATION

27b. Please provide any additional information regarding the racial/ethnic identification of the suspect: [NARRATIVE]

*28a. Characteristics of the suspect at the time of the incident (mark all that apply):

- Limited English proficiency (second language spoken) (please indicate language, if known)
- Not a U.S. citizen (please indicate nationality, if known)
- Incarcerated (jail, prison, etc.) (please describe)
- Incident occurred at a facility where victim was receiving services (e.g., for mental health, substance abuse, or other issues) (please describe)
- Currently unhoused (please describe)
- Nonresident of Austin (please indicate, if known)
- LGBTQ+ (please describe)
- Physical disability (please describe)
- Mental disability (please describe)
- Mental health condition (please describe)
- Involved in commercial sexual activity at time of incident (please describe)
- College/university student (please indicate school, if known)
- Military service member (please indicate branch, if known)
- Sworn law enforcement (please describe)
- Known gang member (please describe)
- Other (please describe)
- Unknown/Unspecified
- None of the above

28b. Please provide any additional information regarding the suspect characteristics selected above and/or other significant characteristics of the suspect worth noting: [NARRATIVE]

*29a. Suspect drug/alcohol use at the time of the incident (mark all that apply):

- None
- Alcohol
- Drugs (please specify)
- Unknown/Unspecified

SUSPECT INFORMATION

29b. Please provide any additional information regarding drug/alcohol use by the suspect:
[NARRATIVE]

*30a. Was a criminal history / Versadex records check run on the suspect?

- No [skip to 31]
- Yes [go to 30b]
- Unknown/Unspecified [skip to 31]

30b. Results of the criminal history / Versadex check on the suspect (mark all that apply):

- No criminal record found
- Active warrant found
- On probation or parole
- Active or history of protection order
- Field contact / person of interest

- Previous sex offense (please identify)
 - Named as suspect
 - Arrested, not convicted
 - Arrested, convicted
 - Arrested, unknown outcome

- Previous other felony or misdemeanor offense (please identify)
 - Named as suspect
 - Arrested, not convicted
 - Arrested, convicted
 - Arrested, unknown outcome

30c. Please list any offenses and/or provide other information regarding the criminal history / Versadex check of the suspect: [NARRATIVE]

ASSAULT CHARACTERISTICS

31. Comments, questions, or observations regarding SUSPECT INFORMATION: [NARRATIVE]
Please provide any information on additional suspects beyond the primary suspect.

ASSAULT CHARACTERISTICS

- *32a. Sexual act/s involved (mark all that apply):

- Sexual act/s attempted but not completed (please describe)
- Vaginal penetration by penis
- Vaginal penetration by anything other than a penis (e.g., finger, foreign object) (please specify)
- Anal penetration by penis
- Anal penetration by anything other than a penis (e.g., finger, foreign object) (please specify)
- Oral copulation (any type of oral-anogenital contact) (please specify)
- Invasive visual photographing or videorecording (please describe)
- Sexual act/s not specified
- Other (please describe)
- Unknown/Unspecified

- 32b. Please provide any additional information regarding the sexual act/s involved: [NARRATIVE]

ASSAULT CHARACTERISTICS

*33a. Type of assault/s (mark all that apply):

- Perpetrated using threat/force/fear (please describe)
- Perpetrated while victim was held/confined/restrained (please describe)
- Incapacitated victim (drugs, alcohol, or other reasons) (please describe)
- Unconscious victim (drugs, alcohol, or other reasons) (please describe)
- Victim unable to consent due to severe physical or mental disability (please describe)
- Victim unable to consent due to age (please describe)
- Victim unable to consent based on institutionalization (ward, arrestee, prisoner, resident of a nursing home, residential treatment facility, etc.) (please describe)
- Victim unable to consent due to professional relationship with suspect (suspect is a public official, police officer, medical professional, counselor, clergy member, etc.) (please describe)
- Other (please describe)
- Unknown/Unspecified

33b. Please provide any additional information regarding the type of assault/s: [NARRATIVE]

*34a. Type/s of force/threat used (mark all that apply):

- None (victim inability to consent) (see previous response)
- Physical/bodily force (please describe)
- Weapon threatened (please specify below)
- Weapon used (please specify below)
- Threats (please describe)
- Other (please describe)
- Unknown/Unspecified

*34b. Type/s of weapon used/threatened (mark all that apply):

- None
- Blunt object (please describe)
- Edged weapon (please describe)
- Firearm (please describe)
- Other (please describe)
- Unknown/Unspecified

INITIAL LAW ENFORCEMENT RESPONSE

34c. Please provide any additional information regarding the type/s of force/threat used, including any weapons used/threatened: [NARRATIVE]

35. Comments, questions, or observations regarding ASSAULT CHARACTERISTICS: [NARRATIVE]

INITIAL LAW ENFORCEMENT RESPONSE

*36a. Where did the initial law enforcement response take place?

- Crime scene (please specify)
- Hospital (please specify)
- SAFE's Eloise House
- Victim's residence
- Other location (please specify)
- Unknown/Unspecified

36b. Please specify the location of the initial law enforcement response: [NARRATIVE]

INITIAL LAW ENFORCEMENT RESPONSE

*36c. Was the victim transported TO the site of the initial law enforcement response (e.g., hospital, residence, or other location)? If so, please indicate who provided this transportation:

- No transportation TO the site of initial law enforcement response
- Ambulance/EMS
- APD law enforcement transported (please specify)
- APD Victim Services Counselor transported
- Community-based (non-APD) advocate transported (please specify)
- Victim transported self
- Support person transported (please specify)
- Taxi/rideshare (please specify)
- Other (please specify)
- Unknown/Unspecified

*36d. Was the victim transported FROM the site of the initial response after initial response procedures were completed (e.g., taken to the hospital, home, or to the house of a friend or family member)? If so, please indicate who provided this transportation:

- No transportation FROM the site of initial law enforcement response
- Ambulance/EMS
- APD law enforcement transported (please specify)
- APD Victim Services Counselor transported
- Community-based (non-APD) advocate transported (please specify)
- Victim transported self
- Support person transported (please specify)
- Taxi/rideshare (please specify)
- Other (please specify)
- Unknown/Unspecified

36e. Please provide any additional information regarding victim transportation to/from the site of the initial response: [NARRATIVE]

*37a. First law enforcement responder/s (mark all that apply):

Do not include victim services as a first law enforcement responder.

- APD – Patrol officer
- APD – Sex Crimes Unit detective
- APD – Other officer or detective (please specify by title/unit, not name)
- Texas Department of Public Safety
- College/University police (please specify)
- Federal law enforcement (please specify)
- Military police (please specify)
- Other law enforcement agency (please specify)
- Unknown/Unspecified

INITIAL LAW ENFORCEMENT RESPONSE

37b. How many law enforcement personnel were present during the initial response?

- 1 law enforcement responder
- More than 1 law enforcement responder
- Unknown/Unspecified

37c Please provide a total number of law enforcement personnel present during the initial response (if known), along with a breakdown for each of the categories listed above (APD Patrol officer, APD Sex Crimes Unit detective, etc.). If an exact count and/or breakdown is not known, please provide any information available about the number and type of law enforcement personnel present during the initial response. [NARRATIVE]

*38a. Was an APD Victim Services Counselor called out to meet with the victim during the initial response (on-scene or at the hospital)?

- No (please explain) [go to 38b]
- Yes (please describe) [skip to 38c]
- Unknown/Unspecified [skip to 38c]

38b. Please provide any information available regarding why an APD Victim Services Counselor was not called out (or the callout was cancelled) during the initial response: [NARRATIVE]
[skip to 38d]

38c. Please provide any information available about when, where, and how the APD Victim Services Counselor met with the victim (or not) during the initial response: [NARRATIVE]

INITIAL LAW ENFORCEMENT RESPONSE

*38d. Was the victim referred to an APD Victim Services Counselor for follow-up after the initial response?

- No
- Yes
- Unknown/Unspecified

*38e. Was the victim provided written or digital information about APD Victim Services?

- No
- Yes
- Unknown/Unspecified

38f. Please provide any additional information regarding victim contact, referral, or information regarding APD Victim Services, including when materials were provided (or not): [NARRATIVE]

*39a. Steps taken during the initial law enforcement response (mark all that apply):

- EMS called
- Body worn camera recording/s (please describe)
- Other video recording/s taken (please describe, including who made the recording)
- Photographs taken (please describe, including who took the photographs)
- Crime scene technician/s called out
- Evidence collected from the crime scene/s (e.g., clothing, bedding, condom, towel, trash, other objects/items) (please describe)
- Area canvassed to identify potential witnesses, security cameras, etc. (please describe)
- Victim was asked to write a statement documenting the incident (please describe)
- Victim was asked to sign an investigation / prosecution waiver (written form documenting the victim's request to suspend or terminate the investigation, sometimes referred to as a "Declination Form") (please describe)
- Other (please describe)
- Unknown/Unspecified

39b. Any other information you'd like to provide about steps taken (or not) during the initial law enforcement response? [NARRATIVE]

INITIAL LAW ENFORCEMENT RESPONSE

*40a. During the initial law enforcement response, did a responding officer ask the victim about any of the following? (mark all that apply)

- If the victim was physically injured, in pain, or needing medical attention
- If the victim was strangled during the assault
- If the victim lost consciousness at any point during the assault
- The victim's current level of safety and/or fear
- Any history of previous violence against the victim by the suspect (if known suspect)
- Any threats made by the suspect to harm family or pets (if known suspect)
- If the suspect is known to own or have access to firearms (if known suspect)
- If the victim wants to pursue prosecution or "press charges" against the suspect
- None of the above
- Unknown/Unspecified

40b. Any other information you'd like to provide about questions asked of the victim (or not) during the initial law enforcement response? [NARRATIVE]

*41a. Did the victim receive any medical care/treatment (other than a medical forensic exam)?

- No
- Yes (please describe)
- Unknown/Unspecified

41b. Please provide any additional information regarding medical care/treatment received (or not) by the victim (other than a medical forensic exam): [NARRATIVE]

*42a. Was a preliminary interview conducted with the victim by APD law enforcement personnel?

- No (please explain) [skip to 42r]
- Yes (enter date) [go to 42b]
- Unknown/Unspecified [skip to 42r]

42b. Date of preliminary interview: [DATE]

42c. Where did the preliminary interview take place?

- Crime scene (please specify)
- Hospital (please specify)
- SAFE's Eloise House
- Victim's residence
- Other location (please specify)
- Unknown/Unspecified

INITIAL LAW ENFORCEMENT RESPONSE

42d. Please specify the location of the preliminary interview: [NARRATIVE]

42e. Who conducted a preliminary interview with the victim? (mark all that apply)

- APD – Patrol officer
- APD – Sex Crimes Unit detective
- APD – Other officer or detective (please specify by title/unit, not name)
- Texas Department of Public Safety
- College/University police (please specify)
- Federal law enforcement (please specify)
- Military police (please specify)
- Other law enforcement agency (please specify)
- Unknown/Unspecified

42f. How many law enforcement personnel were present during the preliminary interview?
[NUMBER]

42g. Please provide any additional information regarding who conducted the preliminary interview and/or law enforcement personnel who were present: [NARRATIVE]

42h. Was the preliminary interview recorded (audio or video)?

- No [go to 42i]
- Yes, audio-recorded [skip to 42j]
- Yes, video-recorded [skip to 42j]
- Unknown/Unspecified [skip to 42j]

42i. If the preliminary interview was not recorded, please provide any information available regarding why not: [NARRATIVE]

42j. How long was the preliminary interview? (indicate minutes and/or hours) [NARRATIVE]

42k. Please indicate if an advocate, APD Victim Services Counselor, and/or other support person was present with the victim during the preliminary interview (mark all that apply):

- APD Victim Services Counselor
- Community-based (non-APD) advocate (please specify)
- Support person (friend/family) (please specify)
- Other (please specify)
- No advocate or support person was present with the victim
- Unknown/Unspecified

INITIAL LAW ENFORCEMENT RESPONSE

42l. Please provide any additional information regarding an advocate, APD Victim Service Counselor, and/or other support person being present (or not) with the victim during the preliminary interview: [NARRATIVE]

42m. Was an interpreter required to conduct the preliminary interview with the victim?

- No [skip to 42p]
- Yes (please specify) [go to 42n]
- Unknown/Unspecified [skip to 42o]

42n. Who interpreted for the victim during the preliminary interview?

- APD police officer (please specify)
- APD civilian staff (please specify)
- Professional interpreter – in person (please specify)
- Professional interpreter – phone service (please specify)
- Mobile app on cell phone/tablet/computer (please specify)
- Family member, friend, or other person 18 YEARS OR OLDER (please specify)
- Family member, friend, or other person UNDER AGE 18 (please specify)
- Other (please specify)
- Unknown/Unspecified

42o. Please provide any information available regarding who interpreted for the victim during the preliminary interview (or not): [NARRATIVE]

42p. Were any accommodations provided for the victim to participate in the preliminary interview? (mark all that apply)

- No
- Yes, accommodations for physical mobility (physical device, caregiver assistance for physical mobility, etc.) (please describe)
- Yes, accommodations for communication (communication aid/device, caregiver assistance for communications, etc.) (please describe)
- Unknown/Unspecified

42q. Please provide any additional information regarding accommodations needed, requested, or provided for the victim to participate in the preliminary interview: [NARRATIVE]

MEDICAL FORENSIC EXAMINATION

42r. Please provide any additional information regarding the preliminary interview being conducted (or not) with the victim: [NARRATIVE]

*43a. Does the report narrative by the responding officer contain any quoted statements from the VICTIM (i.e., exact wording used by the victim to describe what happened)?

- No
- Yes
- Unknown/Unspecified

*43b. Does the report narrative by the responding officer contain any quoted statements from the SUSPECT? (mark all that apply)

- No quoted statements made by the suspect during the initial response
- Quoted statements made by the suspect during the initial response (e.g., on-scene)
- Quoted statements relayed by the victim during the initial response
- Quoted statements relayed by a witness/relevant person during the initial response
- Unknown/Unspecified

44. Comments, questions, or observations regarding INITIAL LAW ENFORCEMENT RESPONSE: [NARRATIVE]

MEDICAL FORENSIC EXAMINATION

*45a. Did the victim have a medical forensic examination (SANE exam)?

- Yes (enter date) [go to 45b]
- No, victim refused exam [skip to 45u]
- No exam conducted because of timelines (e.g., too many hours elapsed since time of assault) (please describe) [skip to 45u]
- No exam conducted because of nature of assault (e.g., offense does not indicate need for exam) (please describe) [skip to 45u]
- No exam for other reasons (please describe) [skip to 45u]
- No exam conducted, but reason unspecified [skip to 45u]
- Unknown/Unspecified [skip to 45u]

MEDICAL FORENSIC EXAMINATION

45b. Date of the victim's medical forensic examination: [DATE]

45c. Time elapsed between the incident and medical forensic examination (indicate hours, days, and/or weeks): [NARRATIVE]

45d. Where was the medical forensic examination conducted?

- SAFE's Eloise House
- Hospital (please specify)
- Other (please specify)
- Unknown/Unspecified

45e. Please specify where the medical forensic examination was conducted: [NARRATIVE]

45f. How was the victim transported TO the medical forensic exam facility?

- APD law enforcement transported (please specify)
- APD Victim Services Counselor transported
- Community-based (non-APD) advocate transported (please specify)
- Victim transported self
- Support person transported (please specify)
- Taxi/rideshare (please specify)
- Other (please specify)
- Unknown/Unspecified

45g. How was the victim transported FROM the medical forensic exam facility (after the exam process was complete)?

- APD law enforcement transported (please specify)
- APD Victim Services Counselor transported
- Community-based (non-APD) advocate transported (please specify)
- Victim transported self
- Support person transported (please specify)
- Taxi/rideshare (please specify)
- Other (please specify)
- Unknown/Unspecified

45h. Please provide any additional information regarding victim transportation to/from the medical forensic exam facility: [NARRATIVE]

MEDICAL FORENSIC EXAMINATION

45i. Please indicate if any APD law enforcement personnel responded to the medical forensic exam facility. (mark all that apply):

- None [skip to 45l]
- APD – Patrol officer [go to 45j]
- APD – Sex Crimes Unit detective [go to 45j]
- APD – Other officer or detective (please specify by title/unit, not name) [go to 45j]
- Other law enforcement agency (please specify) [go to 45j]
- Unknown/Unspecified [go to 45j]

45j. Please provide any additional information regarding which law enforcement personnel responded to the medical forensic exam facility (or not): [NARRATIVE]

45k. How long were any APD law enforcement personnel (if any) at the medical forensic exam facility? (indicate minutes and/or hours) [NARRATIVE]

45l. How long was the victim at the medical forensic exam facility (including wait time)? (indicate minutes and/or hours) [NARRATIVE]

45m. Please indicate if an advocate, APD Victim Services Counselor, and/or other support person accompanied the victim at the medical forensic exam facility (mark all that apply):

- APD Victim Services Counselor
- Community-based (non-APD) advocate (please specify)
- Support person (friend/family) (please specify)
- Other (please specify)
- No advocate or support person accompanied the victim
- Unknown/Unspecified

45n. Please indicate if the advocate, APD Victim Services Counselor, and/or other support person was present IN THE ROOM during the medical forensic exam (mark all that apply):

- APD Victim Services Counselor
- Community-based (non-APD) advocate (please specify)
- Support person (friend/family) (please specify)
- Other (please specify)
- No advocate or support person was present in the room
- Unknown/Unspecified

MEDICAL FORENSIC EXAMINATION

45o. Please provide any additional information regarding an advocate, APD Victim Services Counselor, and/or other support person being present (or not) with the victim (including in the room) during the medical forensic examination: [NARRATIVE]

45p. Is a complete SANE report from the medical forensic exam available in the case file?

- No
- Yes
- Unknown/Unspecified

45q. Was an evidence collection kit completed?

- No
- Yes
- Unknown/Unspecified

45r. Did the SANE identify any signs of physical injury of the victim (other than the sexual assault)?

- No
- Yes (please specify)
- Unknown/Unspecified

45s. Did the SANE document any signs or symptoms of strangulation?

- No
- Yes (please specify)
- Unknown/Unspecified

45t. Please provide any information available regarding victim physical injury, including signs or symptoms of strangulation, documented from the medical forensic examination: [NARRATIVE]

45u. Please provide any additional information regarding a medical forensic examination being conducted (or not). Include any questions, comments, or observations: [NARRATIVE]

FOLLOW-UP INVESTIGATION: ASSIGNMENT AND VICTIM CONTACTS

*46a. Was the case assigned to an APD Sex Crimes Detective for investigation?

- No (please explain) [go to 46b]
- Yes (enter date) [skip to 46c]
- Unknown/Unspecified [go to 46b]

46b. Please provide any information available regarding why the case was not assigned to a sex crimes detective for investigation: [NARRATIVE] [skip to 48a]

46c. Date the initial sex crimes detective was assigned to the case: [DATE]

46d. Time elapsed between initial APD response and assignment to sex crimes detective (indicate hours, days, and/or weeks): [NARRATIVE]

46e. Please provide any additional information regarding the assignment of this case to a sex crimes detective for investigation: [NARRATIVE]

*47a: Did a sex crimes detective attempt to follow up with the victim?

- No (please explain) [skip to 47i]
- Yes (enter date) [go to 47b]
- Unknown/Unspecified [skip to 47i]

47b. Date of initial attempt by sex crimes detective to contact victim: [DATE]

47c. Time elapsed between assignment to sex crimes detective and initial attempt to contact victim (indicate hours, days, and/or weeks): [NARRATIVE]

FOLLOW-UP INVESTIGATION: ASSIGNMENT AND VICTIM CONTACTS

47d. How many attempts were made by sex crimes detective to contact the victim? [NUMBER]

47e. Which method/s were used by sex crimes detective to try to contact the victim?

(mark all that apply)

- Phone call/s
- Email/s
- Text message/s
- Mail
- In-person contact/s
- BOLO issued ("Be on the Lookout")
- Unknown/Unspecified

47f. Did sex crimes detective succeed in making contact with the victim?

- No (please explain) [skip to 47i]
- Yes (enter date) [go to 47g]
- Unknown/Unspecified [skip to 47i]

47g. Date of first successful contact between sex crimes detective and victim: [DATE]

47h. Time elapsed between initial attempt by sex crimes detective to contact victim and the first successful contact (indicate hours, days, and/or weeks): [NARRATIVE]

47i. Please provide any additional information regarding a sex crimes detective attempting to make contact (or not) with the victim: [NARRATIVE]

*48a. Was an in-depth, follow-up interview with the victim conducted by a sex crimes detective?

- No (please explain) [skip to 48v]
- Yes (enter date) [go to 48b]
- Unknown/Unspecified [skip to 48v]

48b. Date of in-depth interview: [DATE]

48c. Where was the in-depth interview conducted?

- Soft interview room at APD
- Other location at APD (please specify)
- Victim's residence
- Other location (please specify)
- Unknown/Unspecified

FOLLOW-UP INVESTIGATION: ASSIGNMENT AND VICTIM CONTACTS

48d. Please specify the location of the in-depth interview: [NARRATIVE]

48e. How was the victim transported TO the in-depth interview?

- No transportation TO the in-depth interview (please explain)
- APD law enforcement transported (please specify)
- APD Victim Services Counselor transported
- Community-based (non-APD) advocate transported (please specify)
- Victim transported self
- Support person transported (please specify)
- Taxi/rideshare (please specify)
- Other (please specify)
- Unknown/Unspecified

48f. How was the victim transported FROM the in-depth interview?

- No transportation FROM the in-depth interview (please explain)
- APD law enforcement transported (please specify)
- APD Victim Services Counselor transported
- Community-based (non-APD) advocate transported (please specify)
- Victim transported self
- Support person transported (please specify)
- Taxi/rideshare (please specify)
- Other (please specify)
- Unknown/Unspecified

48g. Please provide any information available regarding victim transportation to/from the in-depth interview: [NARRATIVE]

48h. How many APD law enforcement personnel were present during the in-depth interview?
[NUMBER]

48i. Please provide any additional information regarding who conducted the in-depth interview with the victim and/or which APD law enforcement personnel were present: [NARRATIVE]

48j. Was the in-depth interview with the victim recorded (audio or video)?

- No (please explain) [go to 48kj]
- Yes, audio-recorded [skip to 48l]
- Yes, video-recorded [skip to 48l]
- Unknown/Unspecified [skip to 48l]

FOLLOW-UP INVESTIGATION: ASSIGNMENT AND VICTIM CONTACTS

48k. If the in-depth interview was not recorded, please provide any information available regarding why not: [NARRATIVE]

48l. How long did the detective spend with the victim before, during, and immediately after the in-depth interview (not including other contacts)? (indicate minutes and/or hours) [NARRATIVE]

48m. Please indicate if an advocate, APD Victim Services Counselor, and/or other support person accompanied the victim to the in-depth interview (mark all that apply):

- APD Victim Services Counselor
- Community-based (non-APD) advocate (please specify)
- Support person (friend/family) (please specify)
- Other (please specify)
- No advocate or support person accompanied the victim
- Unknown/Unspecified

48n. Please indicate if the advocate, APD Victim Services Counselor, and/or support person was present IN THE ROOM during the in-depth interview (mark all that apply):

- APD Victim Services Counselor
- Community-based (non-APD) advocate (please specify)
- Support person (friend/family) (please specify)
- Other (please specify)
- No advocate or support person was present in the room
- Unknown/Unspecified

48o. Please provide any additional information regarding an advocate, APD Victim Service Counselor, and/or other support person being present with the victim (including in the room) during the in-depth interview (or not): [NARRATIVE]

48p. Was an interpreter required to conduct the in-depth interview with the victim?

- No [skip to 48s]
- Yes (please specify) [go to 48q]
- Unknown/Unspecified [skip to 48r]

FOLLOW-UP INVESTIGATION: ASSIGNMENT AND VICTIM CONTACTS

48q. Who interpreted for the victim during the in-depth interview?

- APD police officer (please specify)
- APD civilian staff (please specify)
- Professional interpreter – in person (please specify)
- Professional interpreter – phone service (please specify)
- Mobile app on cell phone/tablet/computer (please specify)
- Family member, friend, or other support person (please specify)
- Other (please specify)
- Unknown/Unspecified

48r. Please provide any information available regarding who interpreted for the victim during the in-depth interview (or not): [NARRATIVE]

48s. Were any accommodations provided for the victim to participate in the in-depth interview? (mark all that apply)

- No
- Yes, accommodations for physical mobility (choice of location, use of device, assistance of caregiver, etc.) (please describe)
- Yes, accommodations for communication (communication aid, assistive device, assistance of caregiver, etc.) (please describe)
- Unknown/Unspecified

48t. Please provide any additional information regarding accommodations needed, requested, or provided for the victim to participate in the in-depth interview: [NARRATIVE]

48u. During the in-depth interview, did the sex crimes detective ask the victim about any of the following? (mark all that apply)

- If the victim was physically injured, in pain, or needing medical attention
- If the victim was strangled during the assault
- If the victim lost consciousness at any point during the assault
- The victim's current level of safety and/or fear
- Any history of previous violence against the victim by the suspect (if known suspect)
- Any threats made by the suspect to harm family or pets (if known suspect)
- If the suspect is known to own or have access to firearms (if known suspect)
- If the victim wants to pursue prosecution or "press charges" against the suspect
- Unknown/Unspecified

FOLLOW-UP INVESTIGATION: ASSIGNMENT AND VICTIM CONTACTS

48v. Please provide any additional information regarding the in-depth interview being conducted (or not) with the victim: [NARRATIVE]

*49. At any point during the follow-up investigation did a sex crimes detective ask the victim to sign an investigation / prosecution waiver (written form documenting the victim's request to suspend or terminate the investigation, sometimes referred to as a "Declination Form")?

- No
- Yes
- Unknown/Unspecified

*50a. Does the report narrative by the sex crimes detective contain any quoted statements from the VICTIM (i.e., exact wording used by the victim to describe what happened)?

- No
- Yes
- Unknown/Unspecified

*50b. Does the report narrative by the sex crimes detective contain any quoted statements from the SUSPECT (as relayed by the victim during the in-depth interview)?

- No
- Yes
- Unknown/Unspecified

51a. Did a sex crimes detective have any additional contacts/interviews with the victim (other than the in-depth interview), whether in-person, on the phone, etc.? Please describe: [NARRATIVE]

*51b. At any point during the follow-up investigation, did the victim withdraw their participation and/or stop returning contacts from the sex crimes detective?

- No [skip to 52]
- Yes (please explain) [go to 51c]
- Unknown/Unspecified [skip to 51c]

FOLLOW-UP INVESTIGATION: SUSPECT CONTACTS

51c. Please provide any information available regarding WHEN and WHY the victim withdrew their participation during the follow-up investigation and/or stopped returning contacts from the sex crimes detective (or not): [NARRATIVE]

52. Comments, questions, or observations regarding the FOLLOW-UP INVESTIGATION: ASSIGNMENT AND VICTIM CONTACTS: [NARRATIVE]

FOLLOW-UP INVESTIGATION: SUSPECT CONTACTS

The following questions pertain to the PRIMARY SUSPECT in the case; the purpose is to measure investigative follow-up. If more than 1 suspect was identified, please provide information on additional suspects in the narrative question at the end of this section.

*53a: Did a sex crimes detective attempt to contact the suspect?

- No (please explain) [skip to 54]
- Yes (enter date) [go to 53b]
- Unknown/Unspecified [skip to 54]

53b. Date of initial attempt by sex crimes detective to contact suspect: [DATE]

53c. Time elapsed between assignment to sex crimes detective and initial attempt to contact suspect (indicate hours, days, and/or weeks): [NARRATIVE]

FOLLOW-UP INVESTIGATION: SUSPECT CONTACTS

53d. How many attempts were made by sex crimes detective to contact the suspect? [NUMBER]

53e. Which method/s were used by sex crimes detective to try to contact the suspect?

(mark all that apply)

- Phone call/s
- Email/s
- Text message/s
- Mail
- In-person contact/s
- BOLO ("Be on the Lookout")
- Unknown/Unspecified

53f. Did sex crimes detective succeed in making contact with the suspect?

- No (please explain) [skip to 54]
- Yes (enter date) [go to 53g]
- Unknown/Unspecified [skip to 54]

53g. Date of first successful contact between sex crimes detective and suspect: [DATE]

53h. Time elapsed between initial attempt by sex crimes detective to contact suspect and the first successful contact (indicate hours, days, and/or weeks): [NARRATIVE]

54. Please provide any additional information regarding a sex crimes detective attempting to make contact (or not) with the suspect: [NARRATIVE]

*55a. Was a suspect interview conducted by a sex crimes detective?

- Yes (enter date) [go to 55b]
- No attempt made to interview suspect (please explain) [skip to 55z]
- Sex crimes detective attempted to interview suspect, but suspect did not return contact by detective (please explain) [skip to 55z]
- Sex crimes detective attempted to interview suspect, but suspect declined interview (please explain) [skip to 55z]
- Sex crimes detective attempted to interview suspect, but suspect invoked Miranda rights (please explain) [skip to 55z]
- Unknown/Unspecified [skip to 55z]

FOLLOW-UP INVESTIGATION: SUSPECT CONTACTS

55b. Date suspect interview conducted: [DATE]

55c. Where was the suspect interview conducted?

- Jail/prison
- Interview room at APD
- Other location at APD (please specify)
- Suspect's residence
- Other location (please specify)
- Unknown/Unspecified

55d. Please specify the location of the suspect interview: [NARRATIVE]

55e. How was the suspect transported TO the interview?

- No transportation TO the suspect interview (please explain)
- APD law enforcement transported (please specify)
- Suspect transported self
- Support person transported (please specify)
- Taxi/rideshare (please specify)
- Other (please specify)
- Unknown/Unspecified

55f. How was the suspect transported FROM the interview?

- No transportation FROM the suspect interview (please explain)
- APD law enforcement transported (please specify)
- Suspect transported self
- Support person transported (please specify)
- Taxi/rideshare (please specify)
- Other (please specify)
- Unknown/Unspecified

55g. Please provide any information available regarding suspect transportation to/from the interview: [NARRATIVE]

FOLLOW-UP INVESTIGATION: SUSPECT CONTACTS

55h. How many APD law enforcement personnel were present during the suspect interview?
[NUMBER]

55i. Please provide any additional information regarding who conducted the suspect interview and/or which APD law enforcement personnel were present: [NARRATIVE]

55j. The suspect interview was:

- Non-custodial
- Custodial
- Unknown/Unspecified

55k. Were Miranda rights read to the suspect at the beginning of the interview?

- No
- Yes
- Unknown/Unspecified

55l. Please provide any additional information regarding the custodial/noncustodial nature of the suspect interview, and whether (or not) the suspect was read Miranda rights: [NARRATIVE]

55m. Was the suspect interview recorded (audio or video)?

- No (please explain) [go to 55n]
- Yes, audio-recorded [skip to 55o]
- Yes, video-recorded [skip to 55o]
- Unknown/Unspecified [skip to 55o]

FOLLOW-UP INVESTIGATION: SUSPECT CONTACTS

55n. If the suspect interview was not recorded, please provide any information available regarding why not: [NARRATIVE]

55o. How long was the suspect interview? (indicate minutes and/or hours) [NARRATIVE]

55p. Was the suspect represented by legal counsel at the time of the interview?

- No [skip to 55s]
- Yes [go to 55q]
- Unknown/Unspecified [skip to 55s]

55q. Was the suspect's attorney present during the interview?

- No
- Yes
- Unknown/Unspecified

55r. Please provide any additional information regarding suspect's legal counsel, or presence of the suspect's attorney during the interview with the sex crimes detective: [NARRATIVE]

55s. Was anyone else (other than legal counsel) present at the location while the suspect was being interviewed by the sex crimes detective? (mark all that apply)

- Support person (friend/family) (please specify)
- Other (please specify)
- Unknown/Unspecified

55t. Please provide any additional information regarding anyone (other than legal counsel) being present (or not) while the suspect was being interviewed: [NARRATIVE]

FOLLOW-UP INVESTIGATION: SUSPECT CONTACTS

55u. Was an interpreter required to conduct the suspect interview?

- No [skip to 55x]
- Yes (please specify) [go to 55v]
- Unknown/Unspecified [skip to 55w]

55v. Who interpreted for the suspect during the interview?

- APD police officer (please specify)
- APD civilian staff (please specify)
- Professional interpreter – in person (please specify)
- Professional interpreter – phone service (please specify)
- Mobile app on cell phone/tablet/computer (please specify)
- Family member, friend, or other support person (please specify)
- Other (please specify)
- Unknown/Unspecified

55w. Please provide any information available regarding who interpreted for the suspect during the interview (or not): [NARRATIVE]

55x. Were any accommodations provided for the suspect to participate in the interview?

(mark all that apply)

- No
- Yes, accommodations for physical mobility (physical device, caregiver assistance for physical mobility, etc.) (please describe)
- Yes, accommodations for communication (communication aid/device, caregiver assistance for communications, etc.) (please describe)
- Unknown/Unspecified

55y. Please provide any additional information regarding accommodations needed, requested, or provided for the suspect to participate in the interview with a sex crimes detective:
[NARRATIVE]

FOLLOW-UP INVESTIGATION: SUSPECT CONTACTS

55z. Please provide any additional information regarding the suspect interview being conducted (or not) by a sex crimes detective: [NARRATIVE]

56. Did a sex crimes detective have any additional contacts/interviews with the suspect, whether in-person, on the phone, etc.? Please describe: [NARRATIVE]

*57a. What was the suspect's explanation (defense) for the reported incident? (mark all that apply)

- None
- Denied knowing the victim
- Denied involvement
- Alibi for date/time
- Unable to remember
- Victim fabricated report
- Stated that victim consented to sexual act/s
- N/A (suspect confessed)
- Unknown/Unspecified

57b. Please provide any additional information regarding the suspect's explanation (defense) for the reported incident: [NARRATIVE]

WITNESSES AND CHILDREN

*57c. Does the report narrative by the sex crimes detective contain any quoted statements from the suspect?

- No
- Yes
- Unknown/Unspecified

58. Comments, questions, or observations regarding the FOLLOW-UP INVESTIGATION: SUSPECT CONTACTS: [NARRATIVE]

WITNESSES AND CHILDREN

*59a. Were any witnesses (including outcry witnesses) or other relevant individuals identified?

- No (please explain) [skip to 59d]
- Yes (please describe) [go to 59b]
- Unknown/Unspecified [skip to 59c]

59b. Who was the initial outcry witness (the first person the victim told of the assault)?
[NARRATIVE]

59c. Please describe any other witnesses or relevant individuals (other than the initial outcry witness) that were identified (or not): [NARRATIVE]

*59d. Were any attempts made by a sex crimes detective to contact/interview any witnesses or relevant individuals identified during the investigation (including the initial outcry witness)?

- No [skip to 59g]
- Yes (please describe) [go to 59e]
- Unknown/Unspecified [skip to 59g]

WITNESSES AND CHILDREN

59e. How many interviews were conducted by sex crimes detective with witnesses or other relevant individuals (including the initial outcry witness)? [NUMBER]

59f. Were any of the interviews with witnesses or other relevant individuals recorded (audio or video)? (mark all that apply)

- No interviews with witnesses or relevant individuals recorded (please explain)
- Yes, at least 1 interview audio-recorded
- Yes, at least 1 interview video-recorded
- Unknown/Unspecified

59g. Please provide any additional information regarding witnesses or other relevant individuals (including the initial outcry witness), such as attempts to contact (or not), interviews conducted (or not), and recording (or not): [NARRATIVE]

*60a. Were any children present or endangered in relation to this incident?

- No
- Yes (please describe)
- Unknown/Unspecified

*60b. Were any children interviewed in relation to this incident?

- No (please explain)
- Yes (please describe)
- Unknown/Unspecified

60c. Please provide any information regarding children being present, endangered and/or interviewed in relation to this incident (or not): [NARRATIVE]

INVESTIGATIVE STEPS

Which of the following investigative steps were taken in this case? (mark all that apply)

***61a. Victim Body / Clothing / Property / Photographs / Statements (mark all that apply)**

- Medical forensic examination conducted with victim [go to 61b]
- Evidence collection kit completed (as part of medical forensic exam) [go to 61b]
- Other evidence collected from the victim's body (please specify) [go to 61b]
- Victim clothing collected (please specify item/s) [go to 61b]
- Victim property collected (please specify item/s) [go to 61b]
- Photographs taken of victim (please describe) [go to 61b]
- Victim was asked to write statement documenting the incident (please describe) [go to 61b]
- Other evidence collected from the victim (please describe) [go to 61b]
- No evidence collected from the victim [skip to 61c]
- Unknown/Unspecified [go to 61b]

61b. Please provide any additional information about evidence collected (or not) from the victim: [NARRATIVE]

***61c. Controlled Contacts (mark all that apply)**

- Pretext phone call/s by victim or other person (please describe) [go to 61d]
- Pretext text message/s by victim or other person (please describe) [go to 61d]
- Controlled in-person contact/s by victim or other person (please describe) [go to 61d]
- Other controlled contact/s (please describe) [go to 61d]
- No controlled contacts [skip to 61h]
- Unknown/Unspecified [skip to 61g]

61d. If a pretext phone call, text message, or other type of controlled contact was conducted, please indicate which of the following steps were taken (mark all that apply):

- Victim was briefed/prepared (please describe)
- Victim signed written consent
- Exchange was scripted (please describe)
- Exchange was audio-recorded
- Exchange was video-recorded
- Exchange was screen-shotted or printed (please describe)
- Other steps were taken (please specify)
- None of these steps were taken
- Unknown/Unspecified

INVESTIGATIVE STEPS

61e. If a pretext phone call, text message, or other type of controlled contact was conducted, please indicate if the victim had an advocate, APD Victim Services Counselor, and/or other support person present (mark all that apply):

- APD Victim Services counselor was present
- Community-based (non-APD) victim advocate was present (please specify)
- Other support person was present (please specify)
- No advocate or support person was present with the victim
- Unknown/Unspecified

61f. Please describe the nature and context of the pretext phone call, when it was conducted during the course of the investigation, and the results that were obtained. [NARRATIVE]

61g. Please provide any additional information about controlled contacts conducted (or not):
[NARRATIVE]

INVESTIGATIVE STEPS

*61h. Digital Evidence (mark all that apply)

- Victim cell phone collected [go to 61i]
- Victim records/data obtained from cell phone carrier [go to 61i]
- Suspect cell phone collected [go to 61i]
- Suspect records/data obtained from cell phone carrier [go to 61i]
- Video or camera footage collected (security cameras, CCTV, Real Time Crime Center, Automated License Plate Readers, etc.) (please describe) [go to 61i]
- Other digital evidence collected (any evidence stored or transmitted in digital form, including photos, videos, emails, social media posts, cell phone data, etc.) (please describe) [go to 61i]
- No digital evidence collected [skip to 61k]
- Unknown/Unspecified [skip to 61j]

61i. How was digital evidence obtained? (mark all that apply)

- Victim consent
- Suspect consent
- Consent from other person (e.g., resident, business owner)
- Search warrant
- Subpoena
- Real Time Crime Center (RTCC) or other law enforcement source
- Unknown/Unspecified

61j. Please provide any additional information about digital evidence collected (or not): [NARRATIVE]

*61k. Identification Procedures (mark all that apply)

- Photograph array/lineup of the suspect/s (please describe) [go to 61l]
- Physical (in person) lineup/show-up of the suspect/s (please describe) [go to 61l]
- Composite sketch created with police-authorized sketch artist (please describe) [go to 61l]
- Suspect/s identified from social media account/s or photo/s (please describe) [go to 61m]
- Suspect/s identified by witness (please describe) [go to 61m]
- Suspect identified by CCTV or photo identification from/near crime scene (please describe) [go to 61m]
- Suspect vehicle identified / Automated License Plate Reader (ALPR) [go to 61m]
- Other identification procedures conducted (please describe) [go to 61m]
- None of these identification procedures conducted [skip to 61n]
- Unknown/Unspecified [go to 61m]

INVESTIGATIVE STEPS

61l. If a photograph array/lineup, physical lineup/show-up, or composite sketch was conducted, please indicate if the victim had an advocate, APD Victim Services Counselor, and/or other support person present (mark all that apply):

- APD Victim Services counselor was present
- Community-based (non-APD) victim advocate was present (please specify)
- Other support person was present (please specify)
- No advocate or support person was present with the victim
- Unknown/Unspecified

61m. Please provide any additional information about identification procedures conducted (or not):
[NARRATIVE]

*61n. BOLO ("Be on the Lookout") / Request to Apprehend (mark all that apply)

- BOLO issued for victim (please describe) [go to 61o]
- BOLO issued for suspect (please describe) [go to 61o]
- BOLO issued for another individual (please describe) [go to 61o]
- Request to Apprehend issued for suspect (please describe) [go to 61o]
- No BOLO or Request to Apprehend issued [skip to 61p]
- Unknown/Unspecified [go to 61o]

61o. Please provide any additional information about a BOLO or Request to Apprehend being issued (or not): [NARRATIVE]

INVESTIGATIVE STEPS

*61p. Suspect Body / Clothing / Property / Photographs (mark all that apply)

- Forensic examination (evidence collection kit) conducted with suspect/s [go to 61q]
- DNA reference sample (buccal swab) taken from the suspect/s [go to 61q]
- Penile swabs collected from the suspect/s [go to 61q]
- Hand swabs collected from the suspect/s [go to 61q]
- Hair samples collected from the suspect/s [go to 61q]
- Other evidence collected from the body of the suspect/s (please describe) [go to 61q]
- Suspect/s clothing collected (please specify item/s) [go to 61q]
- Photographs taken of suspect/s (please describe) [go to 61q]
- Evidence collected from suspect/s residence, vehicle, property, etc. (please describe) [go to 61q]
- Abandoned property of suspect/s collected (e.g., trash, cigarette butts, drink cup) (please describe) [go to 61q]
- Other evidence collected from the suspect/s (please describe) [go to 61q]
- No evidence collected from the suspect/s [skip to 61t]
- Unknown/Unspecified [skip to 61s]

61q. Who collected evidence from the suspect/s? (mark all that apply)

- APD patrol officer
- APD sex crimes detective
- APD forensic crime scene technician
- Corrections officer
- Health care provider
- Other (please specify)
- Unknown/Unspecified

61r. How was evidence obtained from the suspect/s? (mark all that apply)

- Exigent circumstances
- Suspect consent
- Consent from other person (e.g., resident, business owner)
- Search warrant
- Subpoena
- Real Time Crime Center (RTCC) or other law enforcement source
- Other (please specify)
- Unknown/Unspecified

61s. Please provide any additional information about evidence collected (or not) from the suspect/s: [NARRATIVE]

INVESTIGATIVE STEPS

*61t. Suspect History / Alibi (mark all that apply)

- Verification sought for suspect/s alibi (please describe) [go to 61u]
- Prior abuse/assault history of suspect/s explored (please describe) [go to 61u]
- Social media or other online research on suspect/s (please describe) [go to 61u]
- Other suspect history research conducted (please describe) [go to 61u]
- No steps taken to investigate suspect/s history or alibi [skip to 61v]
- Unknown/Unspecified [go to 61u]

61u. Please provide any additional information about steps taken (or not) to investigate suspect/s history or alibi: [NARRATIVE]

*61v. Crime Scene (mark all that apply)

- Victim taken back to crime scene (to identify possible evidence, security cameras, etc.) (please describe) [go to 61w]
- Crime scene photographs taken (please describe) [skip to 61x]
- Crime scene evidence collected (e.g., bedding, condom, towel, trash) (please describe) [skip to 61x]
- Other evidence collected from crime scene (please describe) [skip to 61x]
- No evidence collected from the crime scene [skip to 61y]
- Unknown/Unspecified [skip to 61x]

61w. If the victim was taken back to the crime scene, please indicate if an advocate, APD Victim Services Counselor, and/or other support person was present (mark all that apply):

- APD Victim Services counselor was present
- Community-based (non-APD) victim advocate was present (please specify)
- Other support person was present (please specify)
- No advocate or support person was present with the victim
- Unknown/Unspecified

61x. Please provide any additional information about evidence collected (or not) from the crime scene: [NARRATIVE]

LABORATORY ANALYSIS

61y. What was the date of the last investigative action taken? [DATE]

61z. Please provide any additional information regarding the investigative steps taken (or not) in this case: [NARRATIVE]

LABORATORY ANALYSIS

Please indicate whether any of the following evidentiary items were submitted to a laboratory for analysis, and which type of analyses were requested (mark all that apply):

*62a. Were any samples from the VICTIM'S BODY submitted to the laboratory for analysis? (This is most likely to be collected during a medical forensic exam, but could be another sample)

- No [skip to 63a]
- Yes [go to 62b]
- Unknown/Unspecified [skip to 62e]

62b. Which sample/s from the victim's body were submitted for analysis? (mark all that apply)

- Buccal swab for standard/exemplar DNA profile
- Blood
- Urine
- Oral swab/s to collect foreign biological material
- External genital swab/s (please specify)
- Internal genital swab/s
- Anal swab/s
- Fingernail clippings/scrapings/swabbings (please specify)
- Other body swab/s (please describe)
- Trace evidence (hairs, fibers, debris, foreign substances, etc.) (please describe)
- Other sample/s collected from the victim's body (please describe)
- Unknown/Unspecified

62c. Which type/s of analysis were conducted on any sample/s from the victim's body, in an effort to identify/match a suspect and/or to corroborate sexual act/s? (mark all that apply)

- Toxicology
- STR
- Y-STR
- Touch DNA
- Other type/s of analysis (please specify)
- Unknown/Unspecified

LABORATORY ANALYSIS

62d. Were any foreign (unknown/forensic) DNA profile/s identified from evidence collected from the victim's body?

- No
- Yes
- Unknown/Unspecified

62e. Please provide any additional information regarding the laboratory analysis (or not) of sample/s collected from the victim's body: [NARRATIVE]

*63a. Were any items of VICTIM CLOTHING submitted to the laboratory for analysis?

- No [skip to 64a]
- Yes [go to 63b]
- Unknown/Unspecified [skip to 63e]

63b. Which item/s of victim clothing were submitted for analysis? (mark all that apply)

- Underwear
- Bra
- Pants
- Shirt
- Other item/s of victim clothing (please specify)
- Unknown/Unspecified

63c. Which type/s of analysis were conducted on the item/s of victim clothing? (mark all that apply)

- STR
- Y-STR
- Touch DNA
- Other type/s of analysis (please specify)
- Unknown/Unspecified

63d. Were any unknown/forensic DNA profile/s identified from evidence collected from the victim's clothing?

- No
- Yes
- Unknown/Unspecified

LABORATORY ANALYSIS

63e. Please provide any additional information regarding the laboratory analysis (or not) of sample/s collected from the victim's clothing: [NARRATIVE]

*64a. Were any items of VICTIM PROPERTY submitted to the laboratory for analysis?

- No [skip to 65a]
- Yes [go to 64b]
- Unknown/Unspecified [skip to 64e]

64b. Which item/s of victim property were submitted for analysis? (mark all that apply)

- Bedding (please describe)
- Towel, tissue, etc. (please describe)
- Carpet, upholstery, etc. (please describe)
- Other objects or items of victim property (please describe)
- Unknown/Unspecified

64c. Which type/s of analysis were conducted on the item/s of victim property? (mark all that apply)

- STR
- Y-STR
- Touch DNA
- Other type/s of analysis (please specify)
- Unknown/Unspecified

64d. Were any unknown/forensic DNA profile/s identified from the item/s of victim property?

- No
- Yes
- Unknown/Unspecified

64e. Please provide any additional information regarding the laboratory analysis (or not) of item/s of victim property: [NARRATIVE]

LABORATORY ANALYSIS

*65a. Were any samples from the SUSPECT'S BODY submitted to the laboratory for analysis?

- No [skip to 66a]
- Yes [go to 65b]
- Unknown/Unspecified [skip to 65e]

65b. Which sample/s from the suspect's body were submitted for analysis? (mark all that apply)

- Buccal swab for known DNA profile
- Blood
- Urine
- Oral swab/s to collect foreign biological material
- Genital swab/s (please specify)
- Anal swab/s
- Fingernail clippings/scrapings/swabbings (please specify)
- Other body swab/s (please describe)
- Trace evidence (hairs, fibers, debris, foreign substances, etc.) (please describe)
- Other sample/s collected from the suspect's body (please describe)
- Unknown/Unspecified

65c. Which type/s of analysis were conducted on sample/s from the suspect's body? (mark all that apply)

- Toxicology
- STR
- Touch DNA
- Other type/s of analysis (please specify)
- Unspecified

65d. Did any biological evidence collected from the suspect's body match the victim's DNA profile?

- No
- Yes
- Unknown/Unspecified

65e. Please provide any additional information regarding the laboratory analysis (or not) of sample/s collected from the suspect's body: [NARRATIVE]

LABORATORY ANALYSIS

*66a. Were any items of SUSPECT CLOTHING submitted to the laboratory for analysis?

- No [skip to 67a]
- Yes [go to 66b]
- Unknown/Unspecified [skip to 66e]

66b. Which item/s of suspect clothing were submitted for analysis? (mark all that apply)

- Underwear
- Pants
- Shirt
- Other item/s of suspect clothing (please specify)
- Unknown/Unspecified

66c. Which type/s of analysis were conducted on the item/s of suspect clothing? (mark all that apply)

- Touch DNA
- STR
- Other type/s of analysis (please specify)
- Unknown/Unspecified

66d. Were any unknown/forensic DNA profile/s identified from the item/s of suspect clothing?

- No
- Yes
- Unknown/Unspecified

66e. Please provide any additional information regarding the laboratory analysis (or not) of item/s of suspect clothing: [NARRATIVE]

*67a. Were any items of SUSPECT PROPERTY submitted to the laboratory for analysis?

- No [skip to 68a]
- Yes [go to 67b]
- Unknown/Unspecified [skip to 67e]

67b. Which item/s of suspect property were submitted for analysis? (mark all that apply)

- Bedding (please describe)
- Towel, tissue, etc. (please describe)
- Carpet, upholstery, etc. (please describe)
- Abandoned property of suspect/s (please describe)
- Other objects or items of suspect property (please describe)
- Unknown/Unspecified

LABORATORY ANALYSIS

67c. Which type/s of analysis were conducted on the item/s of suspect property? (mark all that apply)

- STR
- Y-STR
- Touch DNA
- Other type/s of analysis (please specify)
- Unknown/Unspecified

67d. Were any unknown/forensic DNA profile/s identified from the item/s of suspect property?

- No
- Yes
- Unknown/Unspecified

67e. Please provide any additional information regarding the laboratory analysis (or not) of item/s of suspect property: [NARRATIVE]

*68a. Was any evidence from the CRIME SCENE or OTHER LOCATION submitted to the laboratory for analysis?

- No [skip to 69a]
- Yes [go to 68b]
- Unknown/Unspecified [skip to 68e]

68b. Please describe the item/s of evidence collected from the crime scene or other location that were submitted for analysis. [NARRATIVE]

68c. Which type/s of analysis were conducted on the evidence collected from the crime scene or other location? (mark all that apply)

- STR
- Y-STR
- Touch DNA
- Other type/s of analysis (please specify)

LABORATORY ANALYSIS

68d. Were any unknown/forensic DNA profile/s identified from the item/s collected from the crime scene or other location?

- No
- Yes
- Unknown/Unspecified

68e. Please provide any additional information regarding the laboratory analysis (or not) of item/s collected from the crime scene or other location: [NARRATIVE]

*69a. Were any unknown/forensic DNA profile/s successfully submitted to CODIS (LDIS, SDIS, and/or NDIS)? (mark all that apply)

- No [skip to 70]
- Yes, LDIS submission [go to 69b]
- Yes, SDIS submission [go to 69b]
- Yes, NDIS/CODIS submission [go to 69b]
- Unknown/Unspecified [skip to 69c]

69b. Did any unknown/forensic DNA profile/s result in a CODIS hit (match)?

- No [skip to 70]
- Yes, hit/match in LDIS [go to 69c]
- Yes, hit/match in SDIS [go to 69c]
- Yes, hit/match in NDIS/CODIS [go to 69c]
- Unknown/Unspecified [skip to 69c]

69c. Were any other types of DNA analysis conducted in an effort to identify an unknown suspect (e.g., SNP, forensic genetic genealogy)? If so, were any DNA profile/s obtained? Please describe. [NARRATIVE]

69d. Please provide any additional information regarding unknown/forensic DNA profiles resulting in a hit/match to a known offender (or not): [NARRATIVE]

PROSECUTOR COMMUNICATION AND CASE OUTCOMES

70. Comments, questions, or observations regarding the FOLLOW-UP INVESTIGATION:
WITNESSES AND EVIDENCE: [NARRATIVE]

PROSECUTOR COMMUNICATION AND CASE OUTCOMES

*71a. Did a sex crimes detective contact a prosecutor at any time to discuss the case?

- No [skip to 72a]
- Yes (please describe) [go to 71b]
- Unknown/Unspecified [skip to 71d]

71b. At what point during the investigation did the detective contact a prosecutor to discuss the case? [NARRATIVE]

71c. How many times did the detective communicate with a prosecutor about the case? [NUMBER]

71d. Please provide any additional information regarding a sex crimes detective communicating with the prosecutor about the case (or not). If the information is available, please note whether the prosecutor's name was recorded in the file (but do NOT include the prosecutor's name in this data form), the date/s of communication, and any notes and/or direct quotes: [NARRATIVE]

PROSECUTOR COMMUNICATION AND CASE OUTCOMES

*72a. Were any arrests made on charges specific to the complaint in this investigation? (mark all that apply) *Please indicate any complaints of a sexual offense or other felony/misdemeanor offense reported by the victim. Do NOT include any ancillary charges resulting from law enforcement contact (e.g., active warrant, resisting arrest, fleeing or assaulting an officer, etc.).*

- No [skip to 72f]
- 1 arrest on sexual offense/s (please identify) [go to 72b]
- 2 or more arrests on sexual offense/s (please identify) [go to 72b]
- 1 arrest on other felony/misdemeanor offense/s (please identify) [go to 72b]
- 2 or more arrests on other felony/misdemeanor offense/s (please identify) [go to 72b]
- Unknown/Unspecified [skip to 72f]

72b. How many (total) arrests were made? [NUMBER]

72c. Arrest type/s (mark all that apply):

- On-View
- Direct file (PC)
- Warrant
- Grand jury indictment
- Already in custody or incarcerated

72d. Who made the arrest/s? (mark all that apply)

- APD – Patrol officer
- APD – Sex Crimes Unit detective
- APD – Other officer or detective (please specify by title/unit, not name)
- Texas Department of Public Safety
- College/University police (please specify)
- Federal law enforcement (please specify)
- Military police (please specify)
- Other law enforcement agency (please specify)
- Unknown/Unspecified

72e. Date of arrest: [DATE]

If more than 1 arrest, give date for the FIRST arrest.

72f. Please provide any additional information regarding arrest/s being made (or not): [NARRATIVE]

PROSECUTOR COMMUNICATION AND CASE OUTCOMES

*73a. Was the case referred to a prosecutor?

- No [skip to 73e]
- Yes [go to 73b]
- Unknown/Unspecified [skip to 73e]

73b. Did the prosecutor file charges in the case?

- No [go to 73c]
- Yes [skip to 73e]
- Unknown/Unspecified [skip to 73e]

73c. Were any reasons documented for why the prosecutor didn't file charges?

- No [skip to 73e]
- Yes [go to 73d]
- Unknown/Unspecified [skip to 73e]

73d. Please provide the reason/s documented for why the prosecutor didn't file charges:
[NARRATIVE]

73e. Please provide any additional information regarding the case being referred to a prosecutor (or not), and charges being filed (or not): [NARRATIVE]

*73f. What was the outcome of any charges filed in this case?

- No charges filed
- Charge/s dismissed
- Guilty or "no contest" plea (on at least 1 charge)
- Guilty verdict at trial (on at least 1 charge)
- Not guilty verdict at trial (acquittal)
- Other (please specify)
- Unknown/Unspecified
- N/A

PROSECUTOR COMMUNICATION AND CASE OUTCOMES

73g. Please provide any additional information regarding the outcome of charges filed in this case: [NARRATIVE]

***74a. Internal Clearance Status Description**

- Unfounded [go to 74b]
- Cleared Exceptionally [skip to 74d]
- Cleared Administratively [skip to 74g]
- Cleared by Arrest [skip to 74i]
- Warrant Issued (Suspended) [skip to 74k]
- Referred to Municipal Court (Suspended) [skip to 74k]
- Suspended – Closed [skip to 74k]
- Suspended – Pending Follow-Up [skip to 74k]
- Suspended – No Leads/Evidence [skip to 74k]
- Suspended – Pending Victim Readiness [skip to 74m]
- Suspended – Prosecutor Declined [skip to 74n]
- Field Release Citation [skip to 75]
- Unknown/Unspecified [skip to 75]

74b. If the case was Unfounded, do the investigative findings indicate either that: (a) The crime did not occur (false), or (b) The elements of the crime were not met (baseless)?

- No (please explain) [go to 74c]
- Yes, evidence indicates that that crime did not occur (false) (please describe) [go to 74c]
- Yes, evidence indicates that the elements of the crime were not met (baseless) (please describe) [go to 74c]
- Unknown/Unspecified [go to 74c]

74c. Please provide any additional information about Unfounding the case: [NARRATIVE]
[skip to 75]

PROSECUTOR COMMUNICATION AND CASE OUTCOMES

74d. If the case was Exceptionally Cleared, please indicate which of the following conditions were met (mark all that apply):

- Did the investigation definitively establish the identity of the offender?
- Was there enough information to support an arrest, charge, and turning over to the court for prosecution?
- Was the exact location of the offender known so that the subject could be taken into custody?
- Was there some reason outside law enforcement control that precluded arresting, charging, and prosecuting the offender?
- Unknown/Unspecified

74e. Reason given for Exceptional Clearance:

- No reason given
- Victim's "refusal to cooperate" (AFTER the offender was identified, and could be located, arrested, and referred to the prosecutor if the victim had been participating in the investigation) (please describe)
- Prosecution declined (by prosecutor for other than lack of probable cause) (please indicate reason given by prosecutor, if available)
- Death of offender (please explain)
- Offender in custody of other jurisdiction (includes extradition denied) (please specify)
- Other (please describe)
- Unknown/Unspecified

74f. Please provide any additional information about Exceptionally Clearing the case, including the reason/s given by the prosecutor for declining prosecution (if available) and/or how the victim's "refusal to cooperate" was expressed/determined: [NARRATIVE] [skip to 75]

74g. If the case was Administratively Cleared, was the determination made before any investigation was conducted, or after an investigation?

- Case was Administratively Cleared prior to any investigation (please describe)
- Case was Administratively Cleared following an investigation (please describe)
- Unknown/Unspecified

PROSECUTOR COMMUNICATION AND CASE OUTCOMES

74h. Please provide any additional information about Administratively Clearing the case, including the basis for the decision and any investigation conducted prior to making the determination: [NARRATIVE] [skip to 75]

74i. If the case was Cleared by Arrest, please indicate which of the following conditions were met (mark all that apply):

- Suspect/s arrested
- Suspect/s charged
- Case referred for prosecution
- Unknown/Unspecified

74j. Please provide any additional information about Clearance by Arrest in the case: [NARRATIVE] [skip to 75]

74k. If the case was Suspended for any reason other than Pending Victim Readiness or Prosecutor Declined, was the determination made before any investigation was conducted, or after an investigation?

- Case was Suspended prior to any investigation (please describe)
- Case was Suspended following an investigation (please describe)
- Unknown/Unspecified

PROSECUTOR COMMUNICATION AND CASE OUTCOMES

74l. Please indicate the reason/s given for Suspending the case (if documented), and any other information regarding the timing and basis for this decision: [NARRATIVE] [skip to 75]

74m. If the case was Suspended – Pending Victim Readiness, please summarize (a) at what point during the investigative process this determination was made, (b) how the lack of readiness was expressed by the victim (e.g., verbally, non-responsive to detective contacts), and (c) what reasons were documented for this decision: [NARRATIVE] [skip to 75]

74n. If the case was Suspended – Prosecution Declined, was there any documentation of the prosecutor's reason/s for declining the case?

- No [skip to 75]
- Yes (please describe) [go to 74n]
- Unknown/Unspecified [skip to 74n]

PROSECUTOR COMMUNICATION AND CASE OUTCOMES

74o. Please describe the prosecutor's reasons for Declining Prosecution, if documented (or not):
[NARRATIVE]

*75. Date of Internal Clearance Status Description: [DATE]

*76a. Is the Internal Clearance Status Description different from the status described in the report narrative?

- No [skip to 77a]
- Yes (please describe) [go to 76b]
- Unknown/Unspecified [go to 76b]

76b. Please provide any additional information regarding how the Internal Clearance Status Description differs from the status described in the report narrative: [NARRATIVE]

*77a. Was the Internal Clearance Status Description reviewed by a Sex Crimes Unit supervisor prior to case closure?

- No
- Yes
- Unknown/Unspecified

77b. Please provide any information available about supervisory review of the Internal Clearance Status Description: [NARRATIVE]

PROSECUTOR COMMUNICATION AND CASE OUTCOMES

*78a. Did a sex crimes detective, or someone else, notify the victim of the case outcome?

- Yes, sex crimes detective notified victim of case outcome (please describe)
- No, someone else notified victim of case outcome (please specify)
- No indication that anyone notified victim of case outcome
- Unknown/Unspecified

78b. Please provide any information available regarding a sex crimes detective, or someone else, notifying the victim (or not) of the case outcome: [NARRATIVE]

*79a. Did a prosecutor discuss the case outcome with the victim?

- No [skip to 86]
- Yes (please describe) [go to 80b]
- Unknown/Unspecified [skip to 80c]

79b. Was anyone present with the victim during this discussion with a prosecutor? (mark all that apply)

- APD Victim Services Counselor
- Community-based (non-APD) advocate (please specify)
- APD Sex Crimes Unit detective
- APD Sex Crimes Unit supervisor
- Other (please specify)
- Unknown/Unspecified

79c. Please provide any additional information about the prosecutor discussing case outcome with the victim (or not), and who else was present (if any): [NARRATIVE]

CONCLUSION

80. Comments, questions, or observations regarding PROSECUTOR COMMUNICATIONS AND CASE OUTCOMES: [NARRATIVE]

CONCLUSION

81. Approximately how many hours did this case review take you? (Please include all time spent reviewing case materials, recording data, and entering information into the online portal.)
[NUMBER]

82. Any final comments, questions, or observations before concluding this case review? Please enter them here. [NARRATIVE]

APPENDIX J

Summary of Project Activities

Project Activities and Milestones

2021-2022 Sex Crimes Case Review

Project Initiation Date

September 2023

Contract / Statement of Work signed (9/28)

Case Reviewer Assessment and Selection (10/1 - 1/31)

October 2023

- Work begins (10/1)
- Review materials, including PERF Report
- Strategy / planning meetings with APD/CSCRM
- Begin drafting Timeline of Milestones
- Collect material for Data Collection Instrument
- Plan initial site visit for November 2023
- Begin identifying expert case reviewer candidates

Case Sample Selection and Access to Case Files (11/1 - 1/31)

November 2023

- Timeline of Milestones delivered (11/1)
- Strategy / planning meetings with APD/CSCRM
- Begin drafting project design / methodology
- Begin drafting Data Collection Instrument
- Identify / screen expert case reviewer candidates
- List of expert case reviewers delivered (11/15)
- Draft Case List Request submitted (11/21)
- 4-day site visit in Austin (11/28 - 12/1)

Develop Data Collection Instrument (11/1 - 1/31)

On-Site Visit (11/28 - 12/1)

December 2023

- Modifications to Statement of Work negotiated
- Revised Case List Request delivered (12/8)
- APD provided data on selected case files (12/8)
- Data Collection Instrument - 1st draft (12/18)
- Revised Timeline of Milestones accepted (12/19)
- EVAWI signs APD's NDA for case review project
- Case reviewers / staff sign EVAWI's NDA
- Case reviewers begin APD screening procedures

January 2024

- Revised Statement of Work accepted (1/11)
- Feedback on Data Collection Instrument (1/12)
- Data Collection Instrument - 2nd draft (1/22)
- Proposed Sampling Plan accepted (1/24)
- Cases selected for Proposed Sampling Plan
- Case reviewers complete APD screening (1/24)
- Data Collection Instrument - 3rd draft (1/29)
- Regular meetings between EVAWI and APD/CSCRM

February 2024

- List of selected cases delivered to APD (2/1)
- Begin developing online data portal
- Data Collection Instrument - 3rd draft (2/6)
- APD access to first digital case file (2/6)
- Manage case reviewer access to case files
- First training meeting for case reviewers (2/12)
- Case reviewers assigned first test case
- Second training meeting for case reviewers (2/19)
- Refine Data Collection Instrument / online portal
- Regular meetings between EVAWI and APD/CSCRM

**Case Reviewer
Training (2/1 - 3/14)**

March 2024

- Meet with PERF researchers (3/4)
- Access to two batches of digital case files (3/5 & 3/6)
- Online data portal completed (3/7)
- Third training meeting for case reviewers (3/14)
- First batch of cases assigned to reviewers (3/15)
- Data Collection Instrument - 4th draft (3/21)
- Fourth training meeting for case reviewers (3/26)
- Manage reviewer access to digital case files
- Training, monitoring, supervision of case reviewers
- Refine Data Collection Instrument / online portal
- Plan second site visit (proposed June 2024)
- Regular meetings between EVAWI and APD/CSCRM

**Case Review Period
(3/15 - 7/31)**

April 2024

- Access to third batch of digital case files (4/4)
- Reviewers assigned new cases in batches (4/6 & 4/15)
- Manage reviewer access to digital case files
- Training, monitoring, supervision of case reviewers
- Meetings with case reviewers (4/11 & 4/25)
- Refine Data Collection Instrument / online portal
- Begin drafting Introduction & Methodology sections
- Begin drafting Breakdown of Financial Expenditures
- Revised Sampling Plan accepted (4/19)
- Revised Timeline of Milestones accepted (4/19)
- Requested new links for 21 expired cases (4/26)
- Modifications to Statement of Work negotiated
- Regular meetings between EVAWI and APD/CSCRM

May 2024

- Draft Introduction & Methodology delivered (5/2)
- Revised Statement of Work accepted (5/3)
- Reviewers received new links for 21 cases (5/15)
- Meeting with expert case reviewers (5/16)
- Manage reviewer access to digital case files
- Training, monitoring, supervision of case reviewers
- Plan second site visit (scheduled for 9/23 - 9/27)
- Continue drafting Breakdown of Financial Expenditures
- Adapt 2023 Case Review SOW for 2024 SOW
- Regular meetings between EVAWI and APD/CSCRM

June 2024

- Meeting with expert case reviewers (6/20)
- Training, monitoring, supervision of case reviewers
- Data exports to evaluate alignment with case review
- Regular meetings between EVAWI and APD/CSCRM

Analyze Data & Write
Draft Report (8/1 - 9/17)

On-Site Feedback
Sessions (9/24 - 9/26)

APD/CSCRM
Feedback Due (10/15)

Incorporate Feedback into
Draft Report (10/15 - 10/31)

Final Report (11/1)

July 2024

- Meeting with expert case reviewers (7/25)
- Training, monitoring, supervision of case reviewers
- Data exports to evaluate alignment with case review
- Deadline for case review work (7/31)
- Regular meetings between EVAWI and APD/CSCRM

August 2024

- Revise Introduction & Methodology sections
- Revise Breakdown of Financial Expenditures
- Case reviewers submit final comments/conclusions
- Final data export (8/2), begin data analysis
- Begin drafting Data Findings & Conclusions

September 2024

- Continue drafting Data Findings & Conclusions
- Consult with case reviewers and APD/CSCRM
- Draft Report delivered (9/17)
- 3-day site visit in Austin (9/24 - 9/26)

October 2024

- APD/CSCRM feedback received (10/15)
- Incorporate feedback into Draft Report

November 2024

- Final Report delivered (11/1)