
Women's Justice Center Centro de Justicia Para Mujeres

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August 26, 2013

RE: Santa Rosa Police mishandling of sexual assault cases, and a request to the city council for urgently needed improvements

To Santa Rosa Mayor, Scott Bartley, and City Council Members,

We're writing with and on behalf of two Santa Rosa families and their teen daughters. Both families and the girls are deeply distressed by the treatment they received when they reported their daughters' separate rape cases to Santa Rosa Police. Along with the families we want to protest the police responses, and suggest needed steps toward a solution.

The stories of the two families' experiences - attached to this letter - illustrate the ways in which Santa Rosa Police too often suppress sexual assault cases and bury them in the department without ever sending them to the District Attorney's Office for review.

The SRPD's own statistics over the years, obtained through our public record requests, show that this suppression of sexual assault cases is disturbingly more the SRPD norm than the exception.

In 2011, the most recent year for which we have statistics, there were 98 child sexual assaults reported to SRPD. That same year the department sent only 23 child sexual assault cases to the district attorney's office for review.

Additionally, in 2011, there were 73 adult sexual assaults reported to SRPD and only 19 adult sexual assault cases sent to the district attorney's office for review. This amounts to over 75% of all sexual assault cases reported to SRPD never even being sent to the District Attorney's Office for review.

Despite scores of trainings and rhetoric, this has been the unchanging pattern for decades. It's a systematic denial of equal protection that constitutes a serious threat to the safety of the women and children of the community. The problem is especially rife in communities of color, as in the cases we describe here.

As the following stories show the all too common police responses in these cases serve more to drive victims away and into despair while the standard investigation steps are endlessly delayed

or ignored altogether; common police practices such as the following:

- * Allowing an unbearable amount of time to pass between the victim reporting the crime and the detective carrying out the initial victim interview, leaving the victim confused, frightened, unprotected, and concluding that police deem her assault to be of the lowest priority;

- * Failing to give victims written or verbal information - as is required by law - of their rights, about connections to local services, and to the crime victim compensation office;

- * Failing to maintain communication with the victim, and failing to give the victim sufficient information to easily connect with the investigating officer, forcing victims to have to find their way through the department phone system to a detective's name they are often not given, a near impossibility for immigrant and Spanish-speaking families;

- * Delaying or failing altogether to carry out the essential, standard sexual assault investigatory steps - and then claiming the inevitable that 'there's not enough evidence';

- * Misleading and discouraging victims and their families about the viability of the case. Intimidating them. Mocking their attempts to question or protest the process.

The victims suffer terribly from the injustices and dangers resulting from the denial of essential police services. The community suffers too. Police disregard of sexual assault victims gives rapists the green light signal that in Santa Rosa they can go on raping women and girls with impunity.

We, along with the families, strongly urge,

1. That the city of Santa Rosa issue a formal apology to the families whose cases are outlined here,
2. That the city require that all SRPD sex crime reports be promptly and fully investigated, and that, following investigation, all cases be sent to the district attorney for review,
3. That the city recognize that a central root of the problem is the stark race and sex imbalance of our police force, and that the city intervene to correct it. As of March 2012, SRPD had only 8% female officers, far lower than the national average; had zero Hispanic female officers, though the community is over 25% Hispanic, and had only one female officer of the rank sergeant or above, while 28 males held rank of sergeant or above.

Thank you for your attention,



Marie De Santis, Director
Women's Justice Center



Taylor Anderson, Advocate
Women's Justice Center

The following two case stories are still ongoing as of this writing. But the teens and their parents wanted to tell their stories now in the hopes that it will sooner lead to changes in Santa Rosa Police responses to all sexual assaults. The names have been changed.

Elena's Story

On or about February 25, 2013, then 13-year-old Elena and her mother reported molestation of Elena by an adult male to Santa Rosa Police. They showed the officer the sexual text messages and sexual photos the man had taken of Elena and of himself and which he had sent to Elena's cell phone. The messages the man was sending her also told of other men, too, who wanted to have sex with her.

Elena also told the officer that, in addition, the man had taken her out of school and had sex with her.

Of note is the fact that the officer immediately recognized the identity of the man in the cell phone photos and told the mother that he had previously arrested him.

The officer told the girl and her mother that a detective would be calling them. He did not, however, give them a Marsy card outlining their rights, nor did he give them any information about local victim assistance centers, all of which notification is required by law. Nor did police order a medical rape exam to obtain possible physical evidence though the rape of the girl had occurred within the week of reporting.

Instead, the officer told the mother to get psychological counseling for the girl. And a school official told the mother to take the girl to the hospital for a medical exam. This poor family was left to pay for these expenses on their own because of the police failure to comply with fundamental obligations to victims that have been in place for over a decade.

Days went by and the family did not receive a phone call from a detective. The mother repeatedly went back to the officer to ask what was happening. The officer told her only, "We're investigating." This is outrageous, since the first step in these investigations is the detective doing an in-depth interview with the victim.

It was not until one whole month later in the last week of March, that a detective finally phoned the family and arranged for Elena to be interviewed on April 2, 2013, a date five weeks after the initial report!

On April 2, 2013, as the girl was being interviewed, again no one spoke with Elena's parents informing them of their rights, nor provided them with either verbal or written information of victim services in Sonoma County. Instead, a Spanish-speaking assistant told the parents that, 'Elena will

be fine, she's going to forget it happened.'

Following the interview, the detective never gave the parents a name card. He said he would be calling in a week or two to set up the next investigative step of a pretext call with Elena.

Nine long weeks after the interview and the detective had still not communicated with the family at all, either to continue his investigation nor to keep the family informed. These unforgivable delays and disregard were devastating to Elena and her family.

May 24, 2013 was Elena's 14th birthday. Her mother took her to a movie at the Roxy. The perpetrator was there. The family's fears for their safety and their desperation at not being helped became more acute than ever.

It wasn't until the family by chance found our organization and we made a written complaint to police on June 6, 2013 that the case investigation and communication resumed. Both Elena's mother and father feel certain that prior to the written complaint police did not care about their daughter's victimization, didn't care if the perpetrator was still out there victimizing other Santa Rosa girls and didn't care if the case simply drifted into the void. They don't want other families to suffer what they have suffered.



The Victim's Mother



The Victim's Father

Yolanda's Story

In early April of this year, now 17-year-old Yolanda gathered her courage and for the first time revealed to her mother that she had been raped multiple times as a pre-teen by the man who had rented a room in their home. Yolanda and her mother reported immediately to police.

On April 10, 2013, an SRPD detective asked Yolanda if she wanted to go forward with the case. Yolanda said that she did. The detective then scheduled the initial victim interview for May 16, 2013, a full five weeks later.

As the weeks of waiting for the interview dragged on, Yolanda grew increasingly anxious. She was crying more and more inconsolably. She had trouble sleeping and then she stopped eating.

Yolanda and her mother couldn't understand why police weren't doing anything and didn't seem to care. Yolanda's mother also didn't know where to turn for help. Police hadn't given them any of the written advisements of their rights and to find help as is required by law.

It wasn't until the end of April when they happened to connect with Women's Justice Center that

the family learned of the many local resources that exist to meet their urgent needs and got help voicing their protest to police.

Still, despite the fact that the detective and the head of the sex crimes investigation unit, Sgt. Terry Anderson were now informed in writing of the family's distress, the police mistreatment of the family and of the case continued.

In a phone call days after the May 16 interview, the detective told the family that the next step would be to interrogate the suspect. The detective also stated that given that the suspect was unlikely to confess there wouldn't be enough evidence to go forward with the case.

This was unspeakable as the detective was clearly intending to skip over and omit effective and standard investigative steps of these cases, go directly to a suspect interrogation, setting the case up to fail, and then claiming there wasn't enough evidence.

When we informed Yolanda and her Mom of these vital investigative steps that should precede the suspect investigation, Yolanda and her Mom, themselves, called the detective and insisted that these investigative steps be taken. It wasn't until then that the investigation was put back on track.

The case was finally sent to the district attorney for review, something the family and we believe never would have happened had the family not been willing to push and push and push.

Still Yolanda and her Mom are left feeling drained , disrespected, and defeated, because they say that the police never really cared. They are speaking out because they are fearful, too, for all the other girls in the community who need the police and probably won't find their way to help because police aren't doing their jobs.



Case Victim 'Yolanda'



Case Victim's Mother
