

A Supplemental Report on Survey Results for An Audit of Investigation and Prosecution Processes for Reported Sexual Assaults in Texas

This supplemental web report contains the results of the surveys conducted by the State Auditor's Office as part of the audit report on investigation and prosecution processes for reported sexual assaults in Texas.

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21-303

Summary

As required by House Bill 1, approved by the 86th Texas Legislature in 2019, the State Auditor's Office (SAO) conducted an audit to examine the investigation and prosecution processes for reported adult and child sexual assaults in Texas from January 1, 2014, through December 31, 2018. [An Audit Report on Investigation and Prosecution Processes for Reported Sexual Assaults in Texas \(SAO Report No. 21-002\)](#) is available in the sidebar and on the [SAO Reports page](#). As a part of the audit methodology described in [A Report on The State Auditor's Office's Methodology for Examining the Investigation and Prosecution Processes for Reported Sexual Assaults in Texas \(SAO Report No. 20-014, December 2019\)](#), the SAO conducted a statewide survey and received responses from the following entities:

- **[Local Law Enforcement Agencies](#)** (i.e. city police departments and county sheriff's offices) regarding their processes for investigating sexual assault crimes.
- **[District Attorneys' Offices](#)** regarding their processes for prosecuting sexual assault crimes.
- **[Community-based Advocacy Organizations](#)** regarding feedback from survivors of sexual assaults. The survey includes questions concerning survivors' experiences with the investigation and prosecution processes of sexual assault crimes.
- **[Crime Laboratories](#)** regarding their processing and testing of sexual assault kits, as well as the testing of other forensic evidence related to sexual assault crimes.
- **[District Clerks' Offices](#)** regarding their processes for reporting prosecution and court data related to sexual assault crimes to the Department of Public Safety and the Office of Court Administration.

Of the 1,630 entities surveyed, the SAO received responses from 1,029, a 63 percent response rate.

The following entities did not complete surveys because the information was collected from them during site visits and incorporated in the report:

- Bexar County - Bexar County Sheriff's Office, Bexar County District Attorney's Office, and Bexar County District Clerk's Office.
- Dallas County - Dallas Police Department, Dallas County District Attorney's Office, and Dallas County District Clerk's Office.
- Harris County - Houston Police Department, Harris County District Attorney's Office, and Harris County District Clerk's Office.
- Tarrant County - Fort Worth Police Department, Tarrant County District Attorney's Office, and Tarrant County District Clerk's Office.
- Travis County - Austin Police Department, Travis County Sheriff's Office, Travis County District Attorney's Office, and Travis County District Clerk's Office.

This supplemental web report summarizes the responses at a statewide level based on the type of entity (local law enforcement agency, district attorneys' office, district clerk's office, crime laboratory, and advocacy organization). The summaries for each entity type are available below. This is the print version of this supplementary report. For the web-based version of this report, please visit: <http://www.sao.texas.gov/Reports/Rider5/21-303/Summary.html>

In addition, auditors collected statewide data for calendar years 2014 through 2018 on reported incidents, arrest charges, and court dispositions per county for sexual assaults from the Department of Public Safety. An interactive map (and print version) of this data is available through the link above.

*For more information regarding this report, please contact:
Hillary Eckford, Audit Manager, or Lisa Collier, First Assistant State Auditor, at (512) 936-9500.*

Survey Results



LAW ENFORCEMENT AGENCIES

- [Summary](#)
- [Key Results](#)
- [Background Information](#)
- [Investigation Process](#)
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DISTRICT ATTORNEYS' OFFICES

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ADVOCACY ORGANIZATIONS

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CRIME LABORATORIES

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DISTRICT CLERKS' OFFICES

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Law Enforcement Agencies

Summary

Auditors surveyed 1,054 local law enforcement agencies (Agencies) (803 city police departments and 251 county sheriff's offices) across Texas from February 10, 2020, through May 8, 2020. A total of 566 (54 percent) of the 1,054 Agencies surveyed submitted responses. Of those 566 responses, 518 represented counties with populations of less than 100,000 ("small" counties); 48 represented either counties with population between 100,001 and 1 million ("medium" counties) or counties with populations of more than 1 million ("large" counties). Auditors conducted site visits to certain Agencies in five large counties in Texas; those Agencies are not included in this survey (see [An Audit Report on Investigation and Prosecution Processes for Reported Sexual Assaults in Texas](#)). For the purposes of the survey, auditors used a 5-year annual average population for calendar years 2014 through 2018 for each county. The tables and figures presented summarize the responses received for the 44 survey questions about the agencies' operations, investigation processes, and suggestions on how to improve the investigation process for sexual assault crimes.

Key Results



Specialized Unit

A total of 18 percent of small county Agencies indicated that they had a specialized unit to investigate sexual assault crimes; in contrast, 75 percent of medium and large county Agencies indicated that they had a specialized unit to investigate sexual assault crimes.



[SEE QUESTION 1](#)



Resources

Agencies indicated the following with regard to the sufficiency of resources for investigating sexual assaults:

- A total of 52 percent of Agencies indicated that there were sufficient resources related to sexual assault kit processing and training for sexual assault crimes involving adults or children.
- A total of 53 percent of Agencies indicated that there were not sufficient resources related to offering competitive salaries, and a total of 61 percent of Agencies indicated that there were not sufficient resources related to hiring additional detectives

[SEE QUESTION 11](#)

- Related to the collection, processing, and review of test results for sexual assault kits and other forensic evidence, a total of 53 percent of Agencies indicated that there was not sufficient resources in advanced technology and a total of 83 percent of Agencies indicated that there was not sufficient specialized staffing, support, and transportation resources.

[SEE QUESTION 33](#)



Challenges for Investigations

Agencies indicated that factors that present challenges for investigating Adult and Child sexual assaults from 2014 through 2018 include:

- Lack of victim cooperation.
- Unable to corroborate the victim’s statement.
- Lack of evidence to confirm the suspect’s identity.
- Determining that the suspect acted without the victim’s consent (in Adult cases only).
- Witnesses are unwilling to cooperate in the investigation.

[SEE QUESTION 17 \(FOR ADULT CASES\)](#)

[SEE QUESTION 18 \(FOR CHILD CASES\)](#)



Training and Staffing

The most common recommendations for improving investigations of sexual assault crimes were providing more training, adding staff (including detectives), and increasing wages and benefits for Agency personnel.

[SEE QUESTION 43](#)



Multi-disciplinary Teams (MDTs) and/or Sexual Assault Response Teams (SARTs)

A total of 57 percent of Agencies indicated that they participated in an MDT and/or a SART in the investigation and prosecution of sexual assault crimes from 2014 through 2018.



[SEE QUESTION 35](#)

Survey Results from Local Law Enforcement Agencies (Agencies)

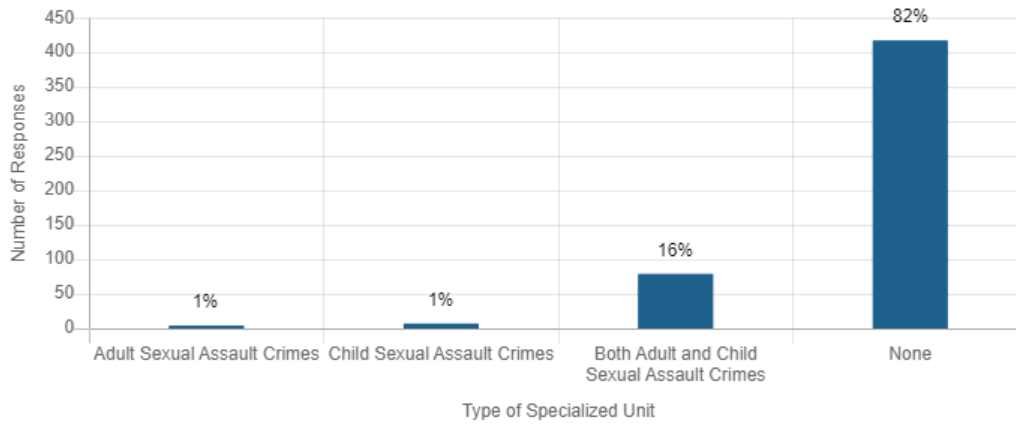
Background Information



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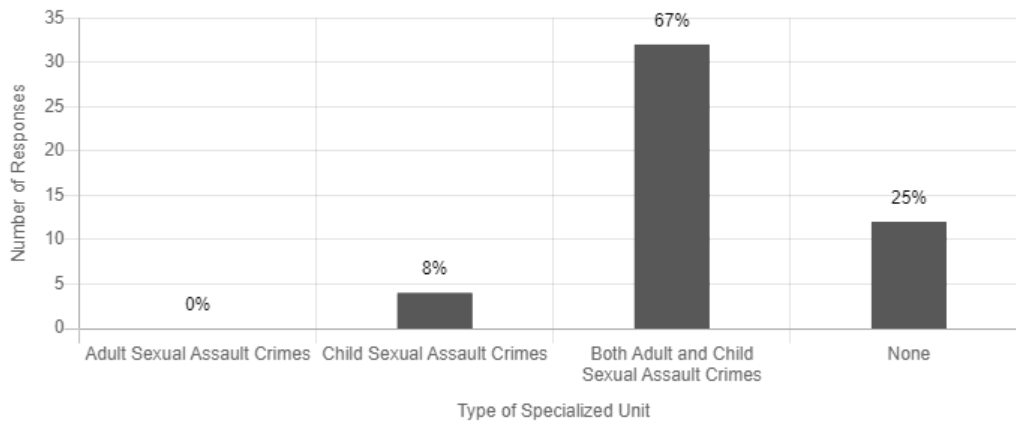
Question 1: Does the Agency have a specialized unit to investigate the following types of sexual assault crimes? (555 Respondents)

Local Law Enforcement Agencies with Specialized Investigation Units (Small Counties)



A total of 507 Agencies located in small counties responded to Question 1.

Local Law Enforcement Agencies with Specialized Investigation Units (Medium and Large Counties)



A total of 48 Agencies located in medium and large counties responded to Question 1.

Question 2: Please provide the average annual number of staff that investigate and/or assist in the following types of sexual assault crimes for calendar years 2014 through 2018.

Adult and Child Sexual Assault -- No Specialized Units

Number of Staff That Investigated and/or Assisted In the Investigation of Sexual Assault Crimes		
Response	Number of Responses	Average Number of Staff
Detectives	311	2.9
Victim Services Counselors	61	1.5
Supervisors	319	1.6
Volunteers	10	2.5
Contract Workers	9	2.3

Adult Sexual Assault -- Specialized Unit

Number of Staff That Investigated and/or Assisted In the Investigation of Adult Sexual Assault Crimes		
Response	Number of Responses	Average Number of Staff
Detectives	114	3.3
Victim Services Counselors	49	1.6
Supervisors	94	1.4
Volunteers	10	2.6
Contract Workers	6	2.3

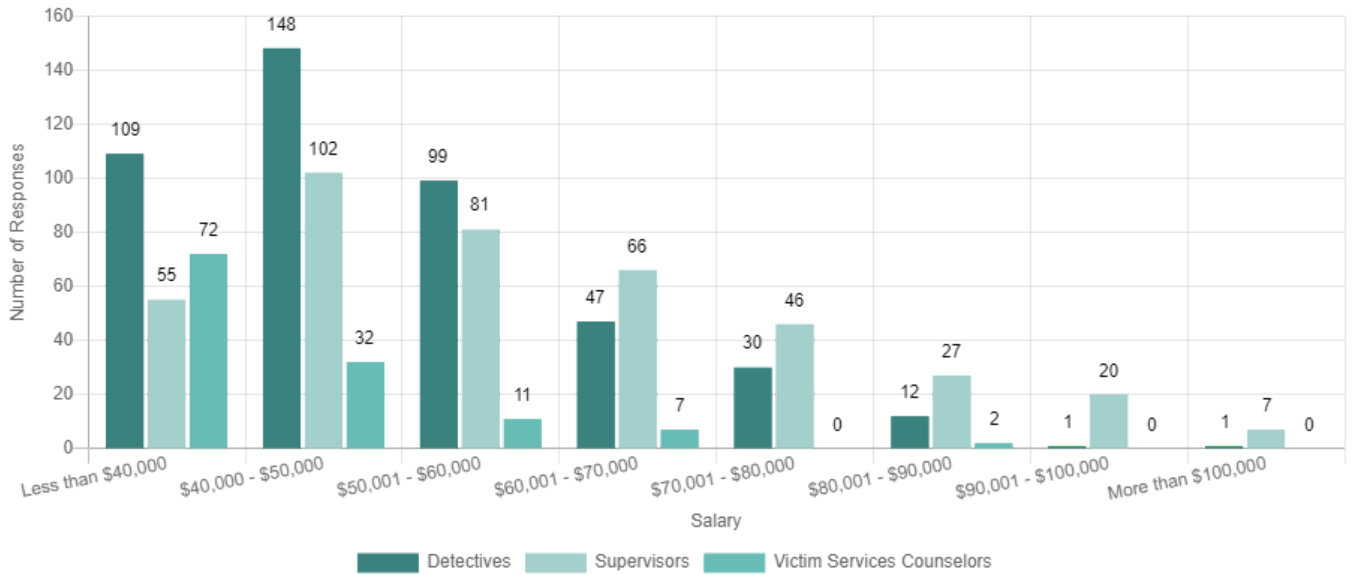
Child Sexual Assault -- Specialized Unit

Number of Staff That Investigated and/or Assisted In the Investigation of Child Sexual Assault Crimes		
Response	Number of Responses	Average Number of Staff
Detectives	119	3.0
Victim Services Counselors	46	1.8
Supervisors	96	1.4
Volunteers	11	3.4
Contract Workers	11	2.7

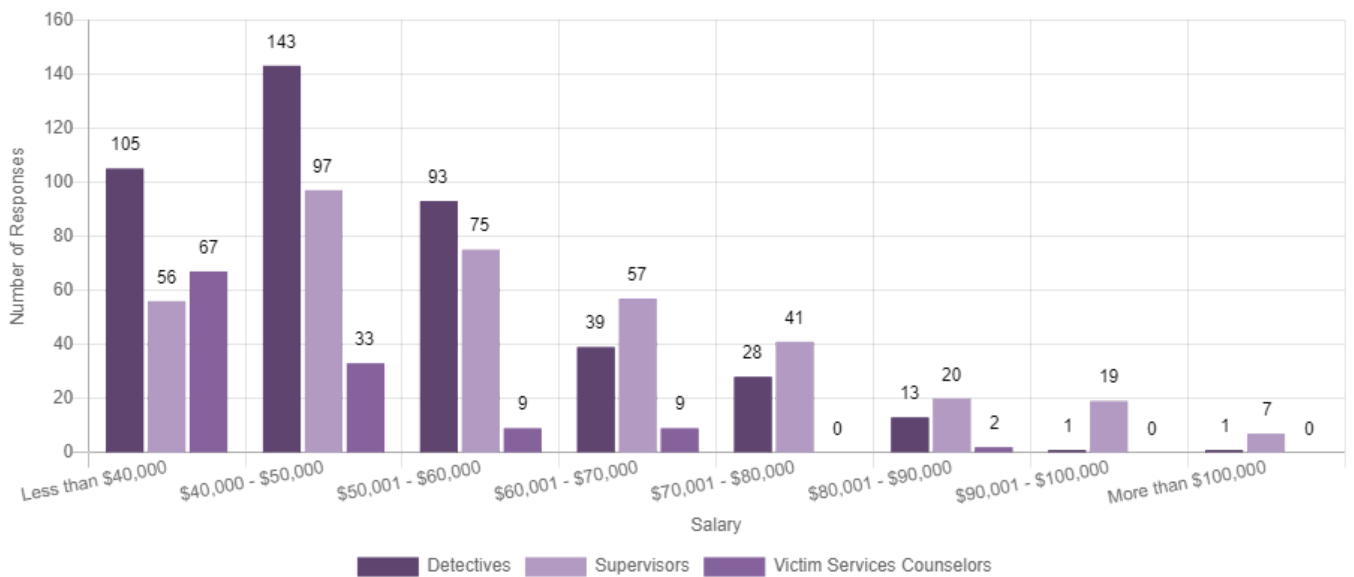


Question 3: What was the average annual salary for the following personnel that conducted and assisted in the investigation of a sexual assault crime from 2014 through 2018? (447 Respondents)

Reported Average Annual Salary for Select Adult Sexual Assault Investigation Staff

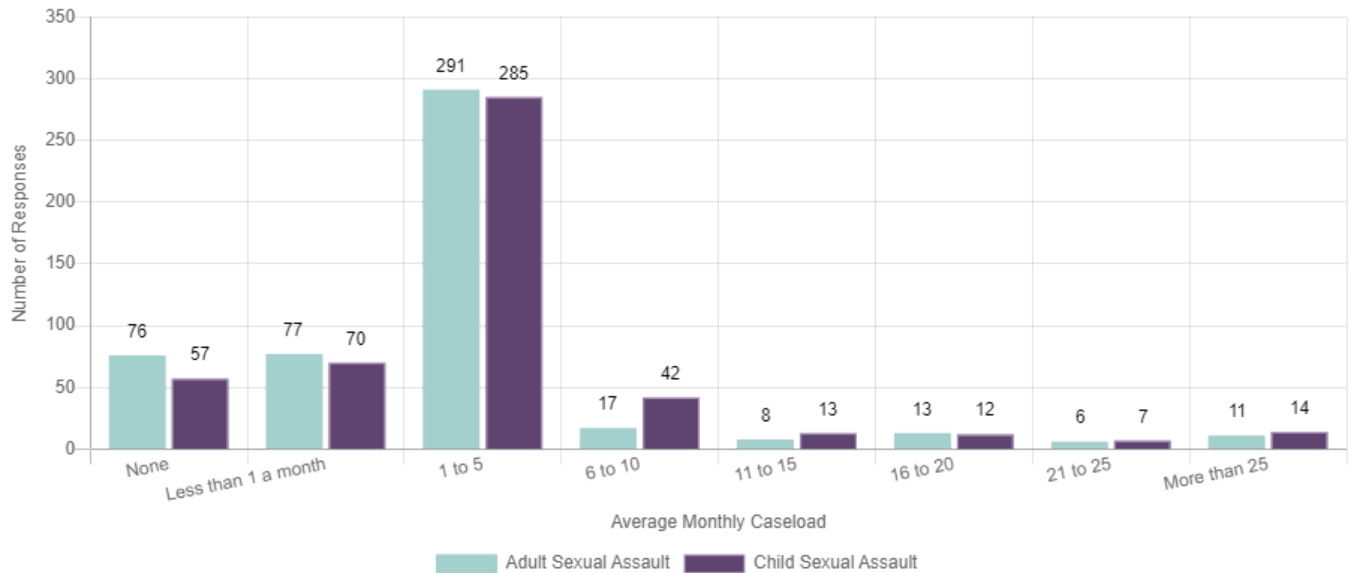


Reported Average Annual Salary for Select Child Sexual Assault Investigation Staff



Question 4: From 2014 through 2018, what was the average monthly caseload per detective investigating the following types of sexual assault crimes? (503 Respondents)

Reported Average Monthly Caseload Per Detective Investigating Sexual Assaults



A total of four Agencies indicated that the number of caseloads for their detectives investigating sexual assaults was unknown.

Question 5: Does the Agency use a computerized case management system for managing its investigation records? (554 Respondents)

Use a Case Management System

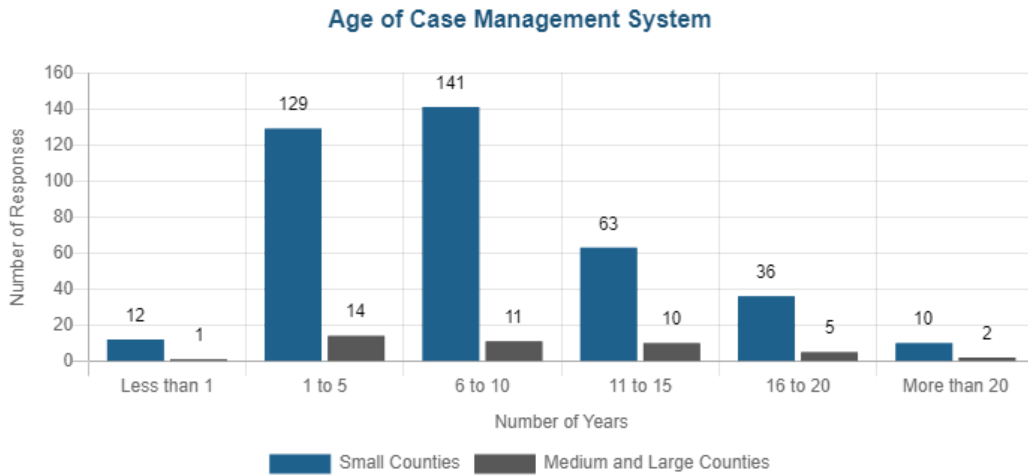
Response	Number of Respondents	Percent
Yes	451	81%
No	103	19%

Most common responses for type of system used include: Kologik (86 responses), Tyler Technologies (77 responses), eForce Software (31 responses), CentralSquare Technologies (26 responses), Cardinal Tracking Inc. (25 responses), Justice Technology Information System (24 responses), Motorola Solutions (22 responses), Crimestar Corp. (19 responses), internal system or "RMS" (17 responses), Sungard Bi-Tech (17 responses), Net Data Corp. (13 responses), Southern Software, Inc. (13 responses), Justice Solutions (12 responses), Hexagon (12 responses), and Integrated Computer Systems (9 responses).



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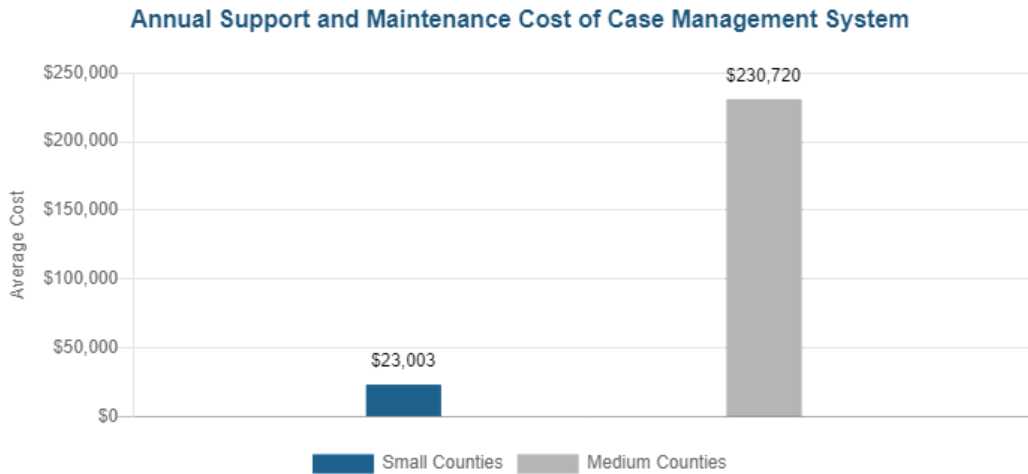
Question 6: How long has the Agency had the case management system? (444 Respondents)



A total of 391 Agencies in small counties, and 43 Agencies in medium and large counties responded and are included in the chart for Question 6.

A total of 10 Agencies in small counties indicated that they did not know the age of their case management systems and are not included in the chart.

Question 7: What is the annual maintenance and support cost for the case management system? (399 Respondents)



A total of 313 Agencies in small counties and 21 Agencies in medium counties responded to Question 7. None of the Agencies located in large counties responded to Question 7.

The following responses were not included in the chart for Question 7:

1. A total of 12 Agencies in small counties indicated that there was \$0 in support and maintenance costs.
2. A total of 39 Agencies in small counties, 7 Agencies in medium counties, and 1 Agency in a large county indicated that they did not know the annual support and maintenance cost for their case management system.



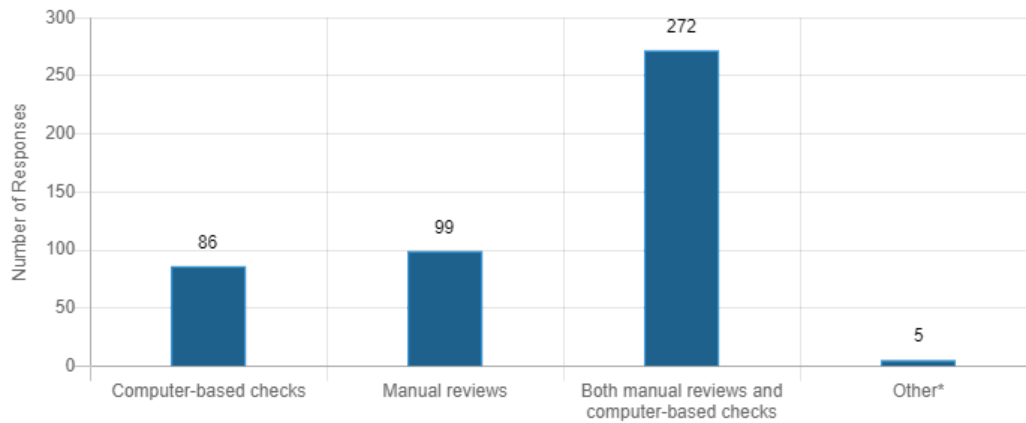
Question 8: Did the Agency have a process to ensure that information it reported to the Department of Public Safety (DPS) about sexual assault crimes was accurate from 2014 through 2018? (546 Respondents)

Process to Verify Accuracy of Information Reported to DPS?

Response	Number of Responses	Percent
Yes	470	86%
No	76	14%

Question 9: How did the Agency verify that the information it reported to the Department of Public Safety (DPS) about sexual assault crimes was accurate? (462 Respondents)

Reported Methods to Verify Accuracy of Information Reported to DPS



*Other responses included relying on other agencies to verify the information reported.

Question 10: For each of the funding sources listed below, please estimate the percentage of funds spent by the Agency to investigate sexual assault crimes from 2014 through 2018. (485 Respondents)

Percentage of Funding Sources Used to Investigate Sexual Assault Crimes

Response	100-76%	75-51%	50-26%	25-0%	Total Responses
Local Government Funding	345	27	26	26	424
State Funding	22	6	28	102	158
Federal Funding	6	0	4	29	39
Non-Profit Grants	4	0	8	23	35
Other	32	0	3	11	46

0-20 Responses
21-80 Responses
81-240 Responses
> 240 Responses



Question 11: Please state whether you agree or disagree that the Agency had sufficient resources in the following areas to support the investigation of Adult and Child sexual assault cases. (554 Respondents)

Does the Agency Have Sufficient Resources for the Following Areas?

	Strongly Agree or Agree	Neither Disagree nor Agree	Disagree or Strongly Disagree
Funding - Sexual Assault Kit Processing	52%	22%	27%
Personnel - Competitive Salaries	27%	20%	53%
Personnel - Additional Detectives	17%	23%	61%
Personnel - Victim Advocates	30%	30%	40%
Technology - Digital Evidence Analysis	25%	25%	50%
Technology - Modern Case Management System	45%	27%	28%
Training - Engaging With Victims	43%	25%	31%
Training - Investigating Adult Sexual Assault Crimes	52%	21%	27%
Training - Investigating Child Sexual Assault Crimes	52%	22%	27%
Training - Understanding Crime Lab Reports	40%	31%	29%
Transportation - Vehicles	48%	28%	25%

< 20%
20 – 35%
36 – 50%
> 50%

Other resources identified, but excluded due to a low response rate, were (1) outside resources (4 responses), (2) internal resources (2 responses), and (3) funding for local training (1 response).

Percentages for each row may not sum to 100% due to rounding.

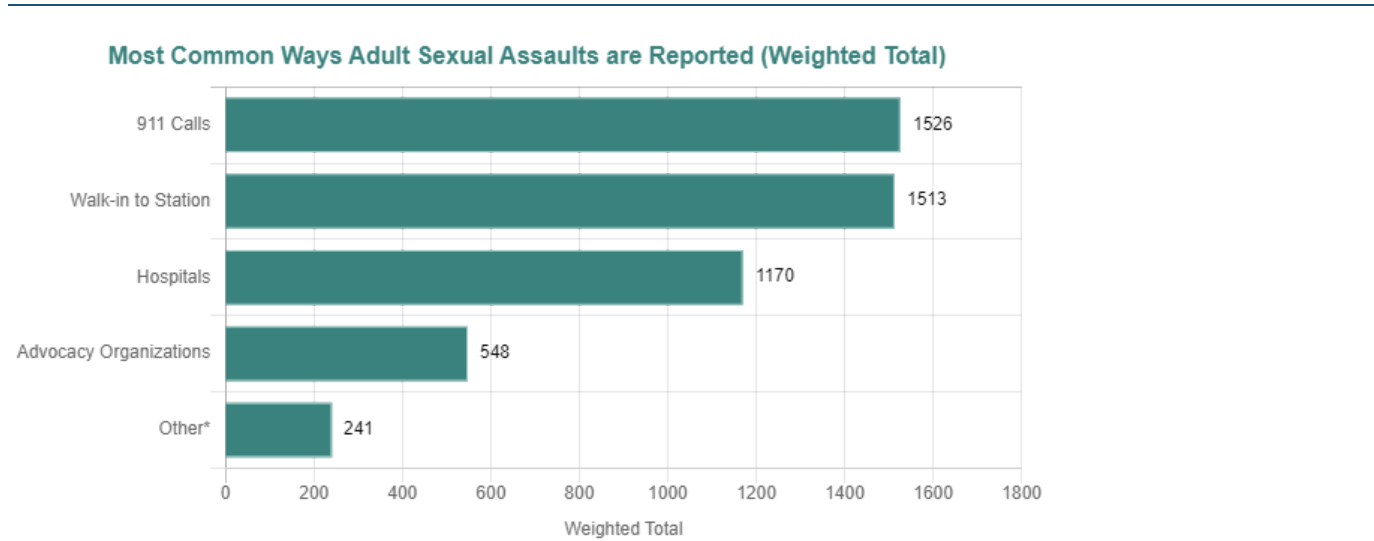


Question 12: Does the Agency have an ethics policy that its detectives must follow? (514 Respondents)

Ethics Policy		
Response	Number of Responses	Percent
Yes	446	87%
No	68	13%

Investigation Process

Question 13: Please rank the ways the Agency received reported incidents of Adult sexual assault from 2014 through 2018 from most to least common. (542 Respondents)

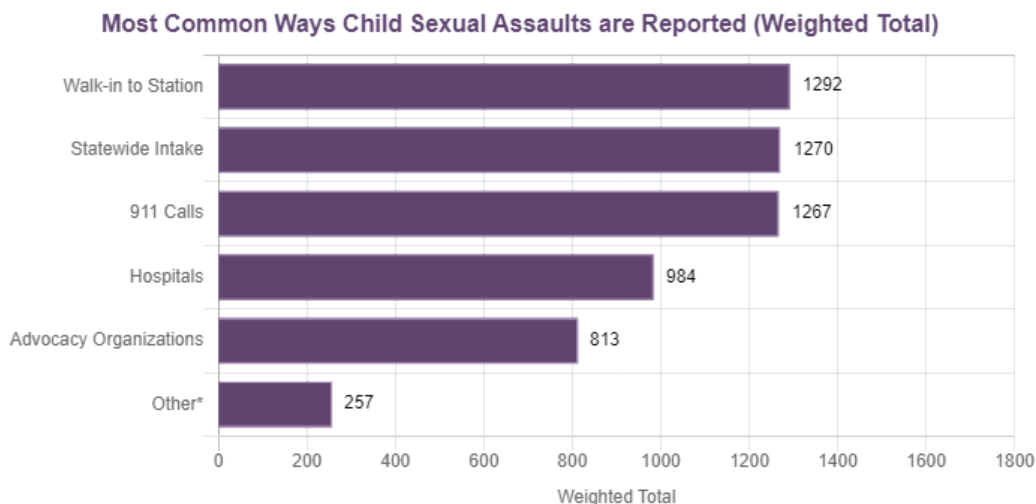


*Other responses included (1) statewide intake, (2) regular call for non-emergency services, (3) from third party entities such as schools, family members and friends, and (4) transferred from other entities such as District Attorneys' (DA) offices, Agencies, etc.

Data presented is a weighted total of the responses for this question. See Analysis of Survey Responses in the Methodology section for more information about ranking question processes.



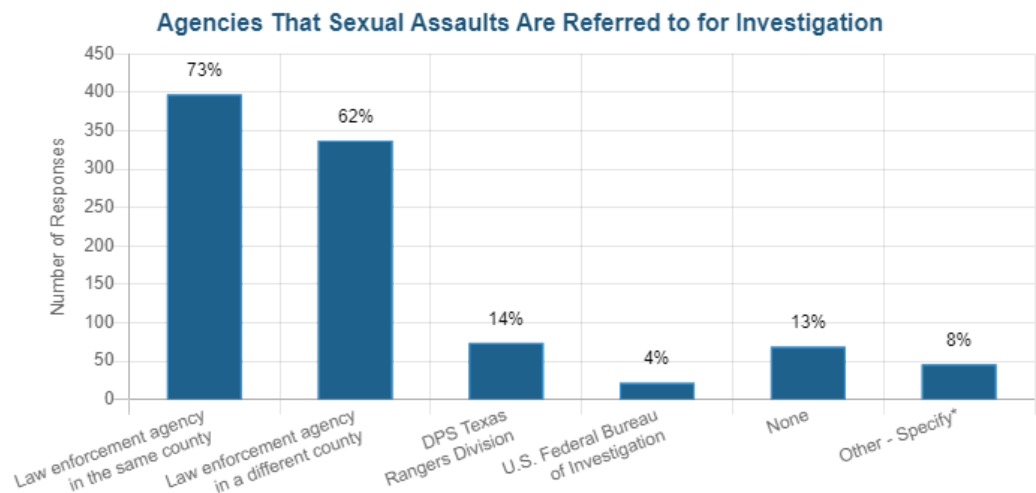
Question 14: Please rank the ways the Agency received reported incidents of Child sexual assault from 2014 through 2018 from most to least common. (547 Respondents)



*Other responses included (1) regular call for non-emergency services, (2) from third party entities such as schools, family members, and friends, and (3) transferred from other entities such as DA offices, Agencies, etc.

Data presented is a weighted total of the responses for this question. See Analysis of Survey Responses in the Methodology section for more information about the ranking question process.

Question 15: From 2014 through 2018, if the Agency referred reported incidents of sexual assault to other law enforcement agencies, please indicate which other law enforcement agencies you referred the incident(s) for investigation? (547 Respondents)



*Other responses included (1) out-of-state Agency, (2) other state entities, such as the Department of Family and Protective Services-Child Protective Services, (3) Health and Human Services Office of the Inspector General, (4) Office of the Attorney General, (5) Department of Homeland Security, and (6) Child Advocacy Centers.

Agencies could respond with multiple selections.



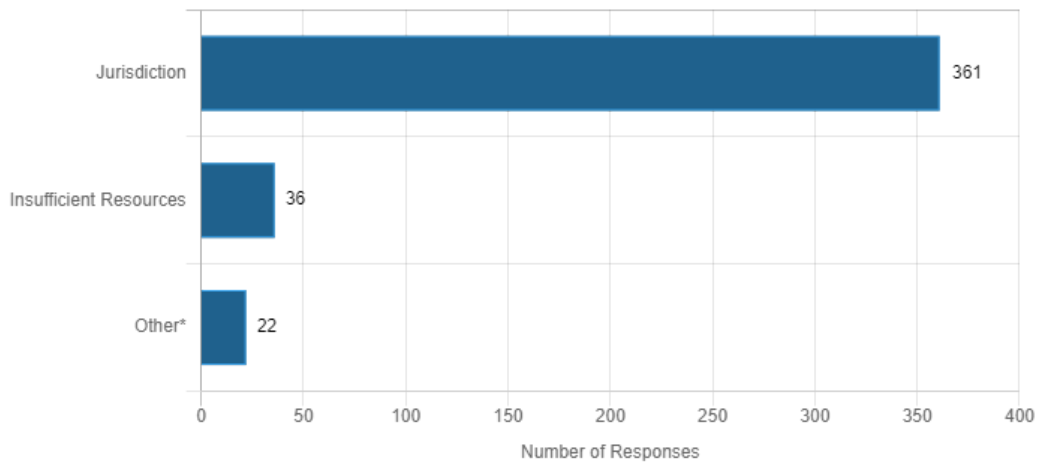
Question 16: Please describe how often, including the reasons, reported incidents of sexual assault were referred to different law enforcement agencies. (453 Respondents)

How Often Were Reported Incidents Referred to a Different Agency?

Response	Percent
A few cases per year were referred	83%
A few cases per month were referred	12%
Multiple cases per month were referred	4%
Most or majority of cases were referred	1%
All cases were referred	1%

Percentages do not sum to 100% due to rounding.

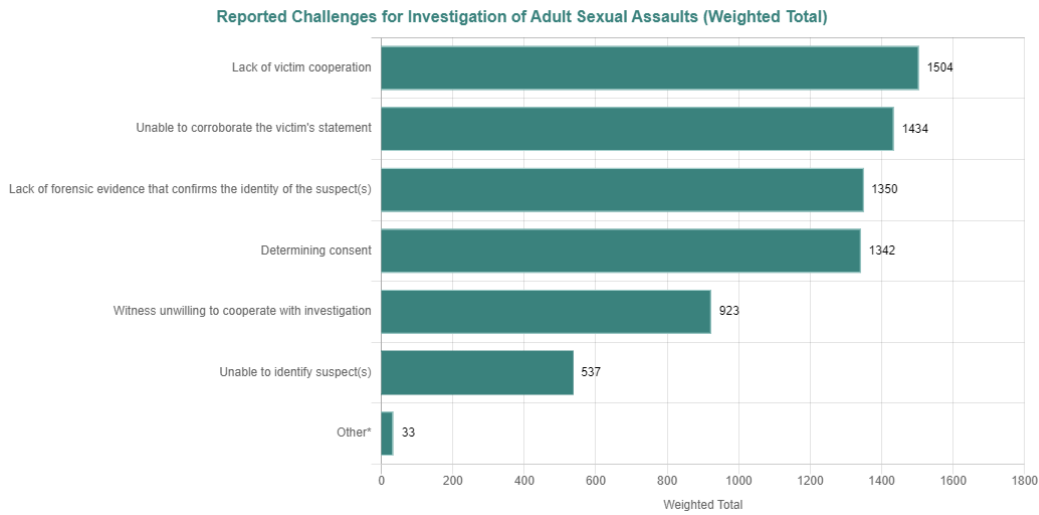
Reasons Sexual Assaults Were Referred to Other Law Enforcement Agencies for Investigation



*Other responses included either (1) an Agency had a conflict of interest or (2) an Agency always referred sexual assault cases to other Agencies.



Question 17: Please rank the factors that presented challenges to the Agency for investigating a reported incident of an Adult sexual assault from 2014 through 2018 from most to least significant. (529 Respondents)

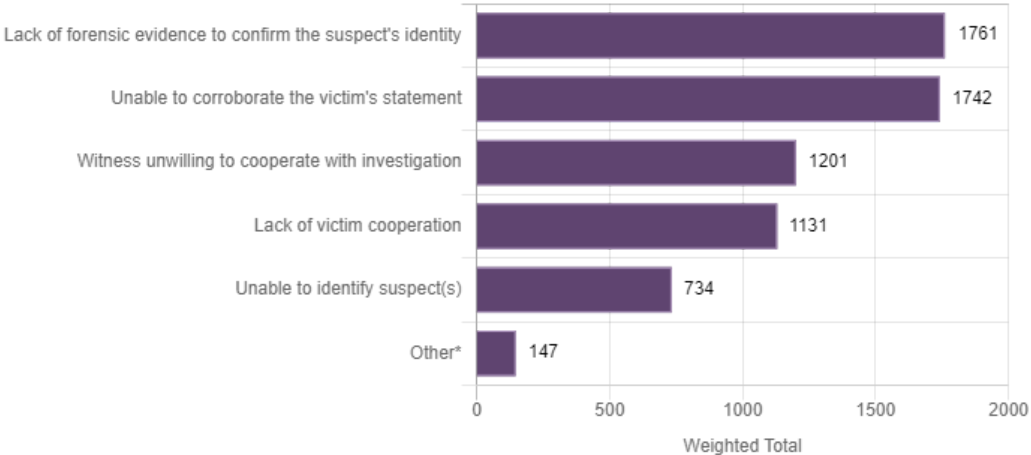


**Other responses included challenges related to (1) coordinating with district attorneys' offices, (2) victim's family will not cooperate, (3) lack of resources and (4) investigations were referred to outside Agencies.*

Data presented is a weighted total of the responses for this question. See [Analysis of Survey Responses in the Methodology](#) section for more information about ranking question process.

Question 18: Please rank the factors that presented challenges to the Agency for investigating a reported incident of a Child sexual assault from 2014 through 2018 from most to least significant. (530 Respondents)

Reported Challenges for Investigation of Child Sexual Assaults (Weighted Total)



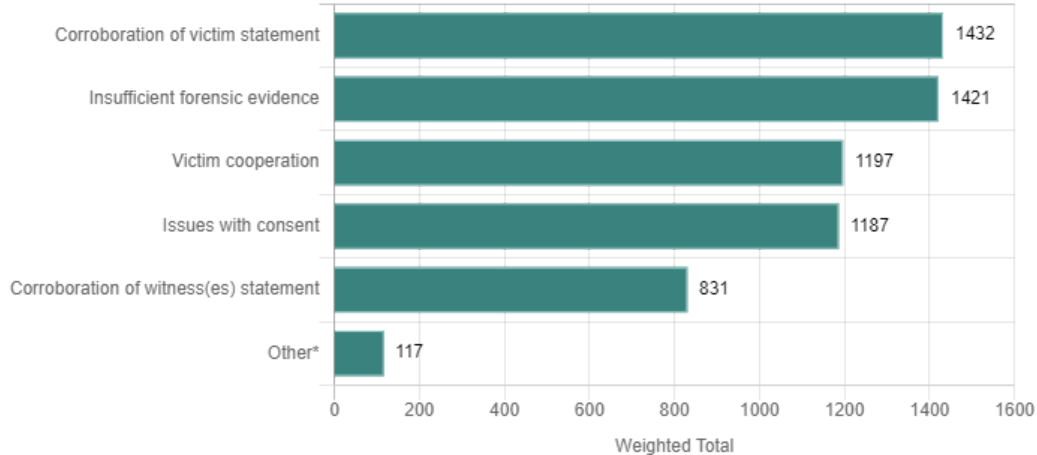
*Other responses included challenges related to (1) delayed reporting of a sexual assault, (2) coordinating with district attorneys' offices, (3) victim's family interferes with investigation, (4) lack of evidence, (5) insufficient resources, (6) investigations were referred to outside Agencies, (7) statutory limitations, and (8) child victims may not be able to identify suspect.

Data presented is a weighted total of the responses for this question. See *Analysis of Survey Responses in the Methodology* section for more information about ranking question process.



Question 19: For reported incidents of Adult sexual assaults, please rank the factors that result in charging a suspect with a lesser offense from 2014 through 2018 from most to least common. (493 Respondents)

Factors that May Result in Lesser Offense Charges for Reported Incidents of Adult Sexual Assault (Weighted Total)



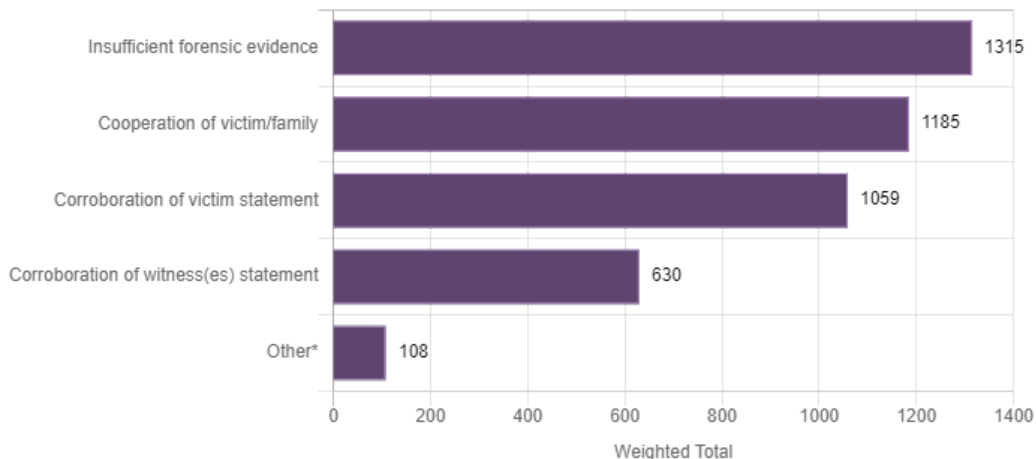
*Other responses included factors related to (1) coordination with the district attorneys' offices, (2) investigations referred to outside Agencies, and (3) statutory limitations.

Data presented is a weighted total of the responses for this question. See Analysis of Survey Responses in the Methodology section for more information about ranking question process.



Question 20: For reported incidents of Child sexual assaults, please rank the factors that result in charging a suspect with a lesser offense from 2014 through 2018 from most to least common. (499 Respondents)

Factors that May Result in Lesser Offense Charges for Reported Incidents of Child Sexual Assaults (Weighted Total)

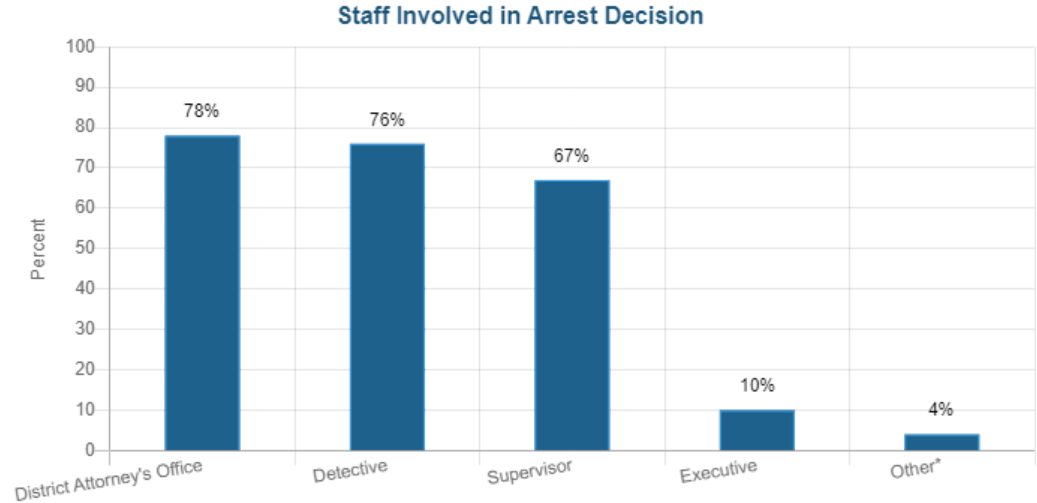


*Other responses included factors related to (1) coordination with the districts attorneys' offices, (2) investigations referred to outside Agencies, (3) lack of resources, and (4) statutory limitations.

Data presented is a weighted total of the responses for this question. See *Analysis of Survey Responses in the Methodology* section for more information about ranking question process.



Question 21: Please indicate the staff that were typically involved in the decision to charge and arrest a suspect for a sexual assault crime. (550 Respondents)



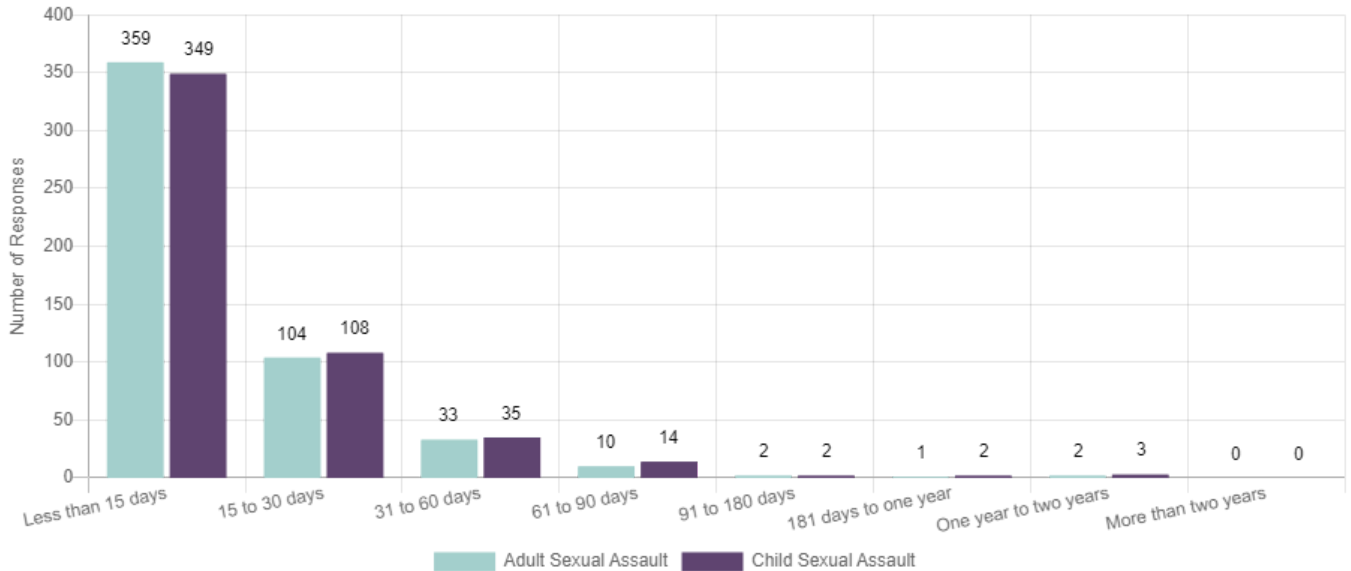
*Other responses included (1) family members, (2) outside Agencies, (3) dispatched patrol officers, and (4) victim services.

Agencies could respond with multiple selections.



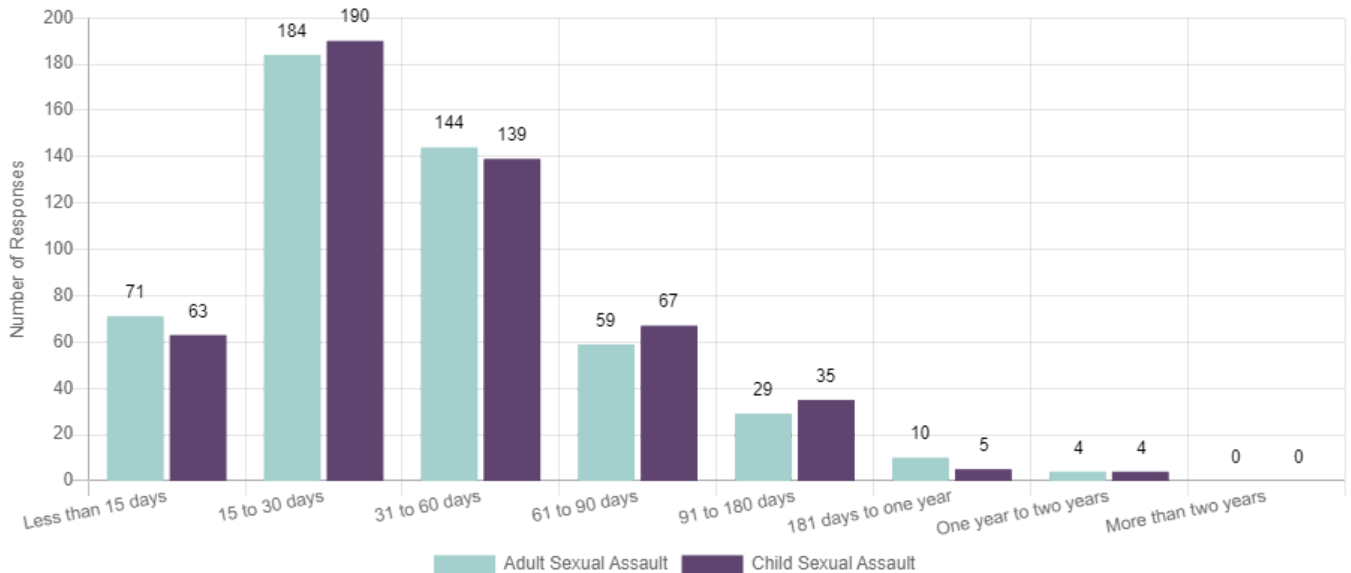
Question 22: What was the shortest, average, and longest amount of time spent on a sexual assault investigation before it was referred to prosecution?

Shortest Time Spent on a Sexual Assault Investigation Before Referral to Prosecution



511 Respondents for Adult, 513 Respondents for Child.

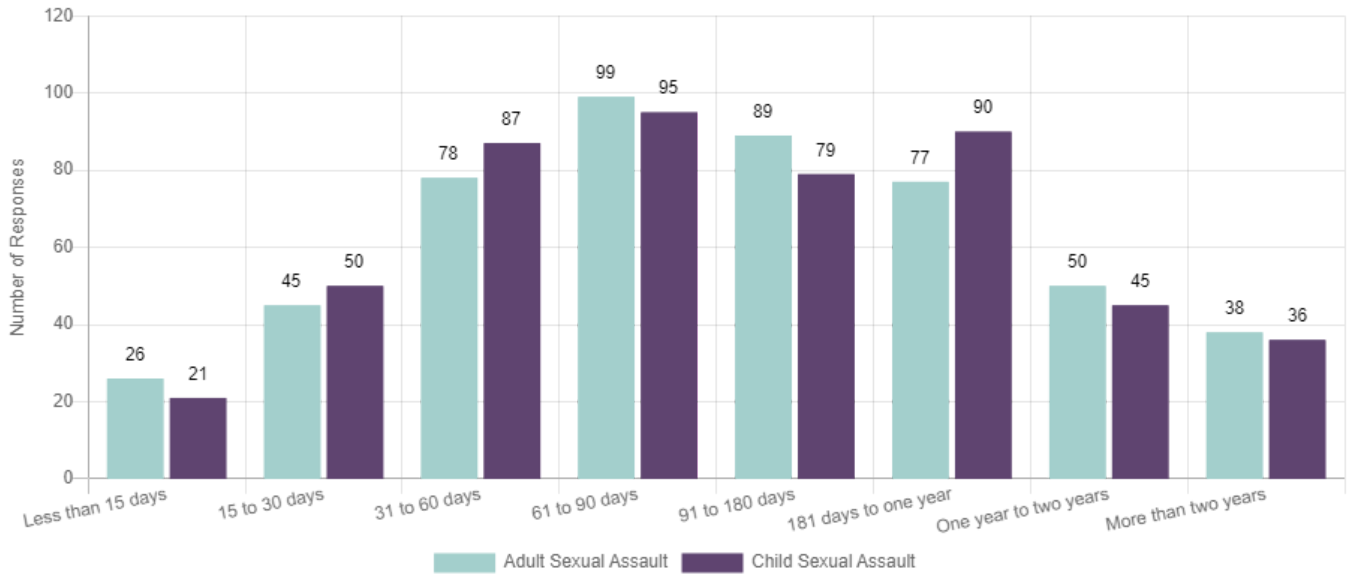
Average Time Spent on a Sexual Assault Investigation Before Referral to Prosecution



501 Respondents for Adult, 503 Respondents for Child.



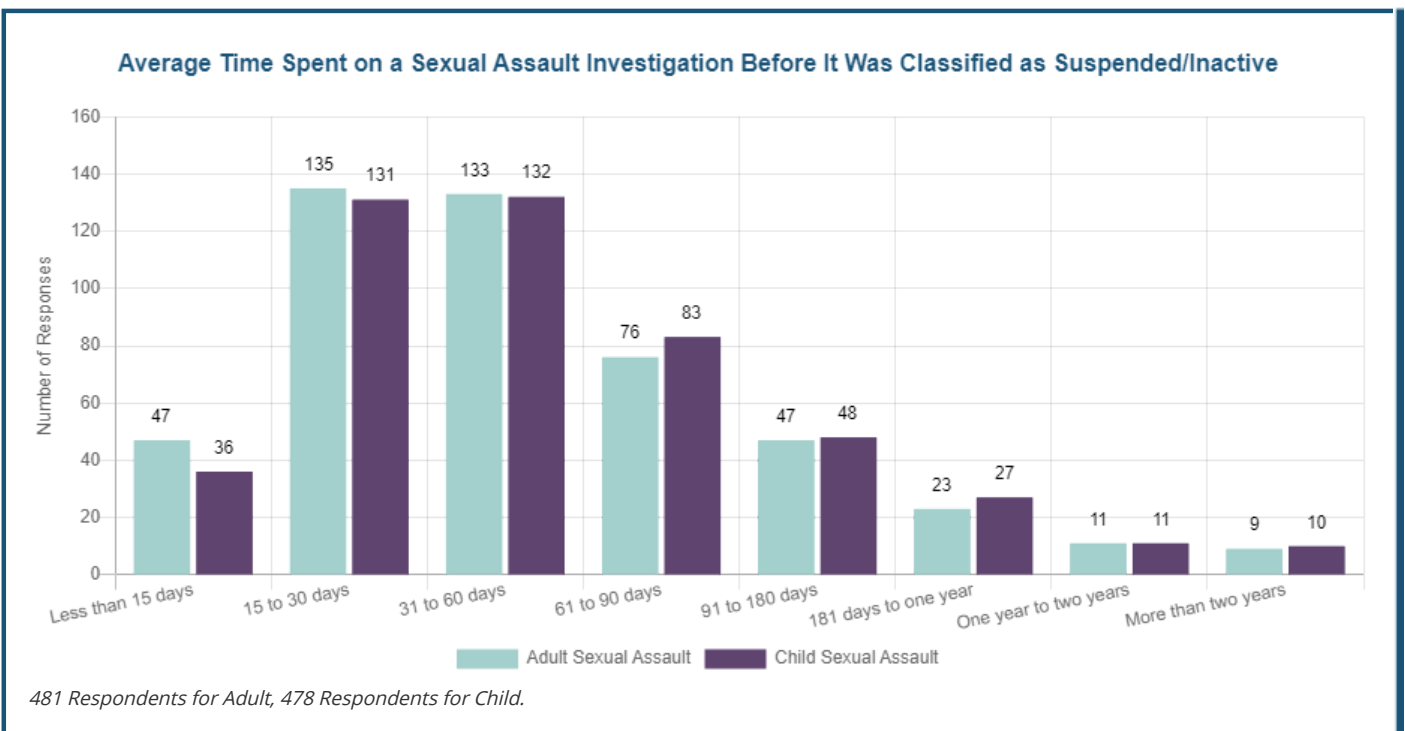
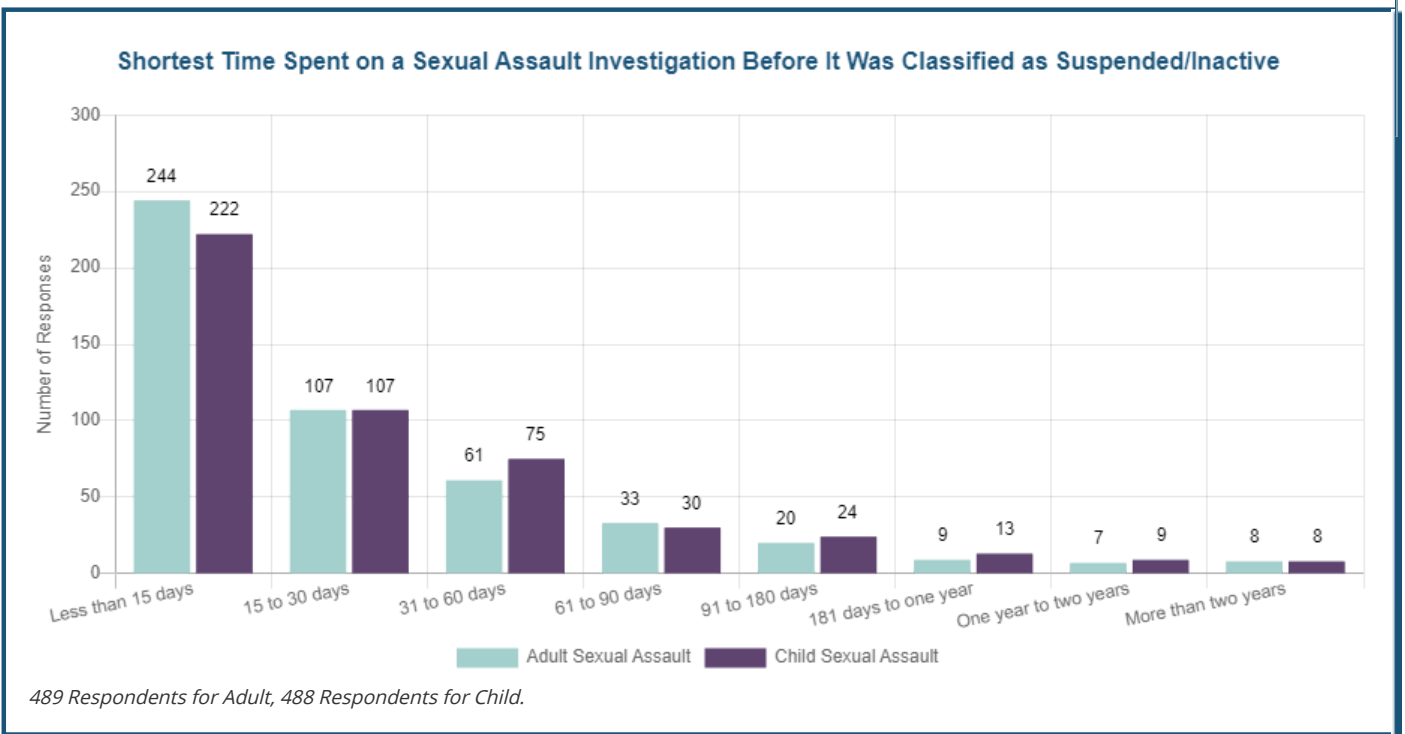
Longest Time Spent on a Sexual Assault Investigation Before Referral to Prosecution



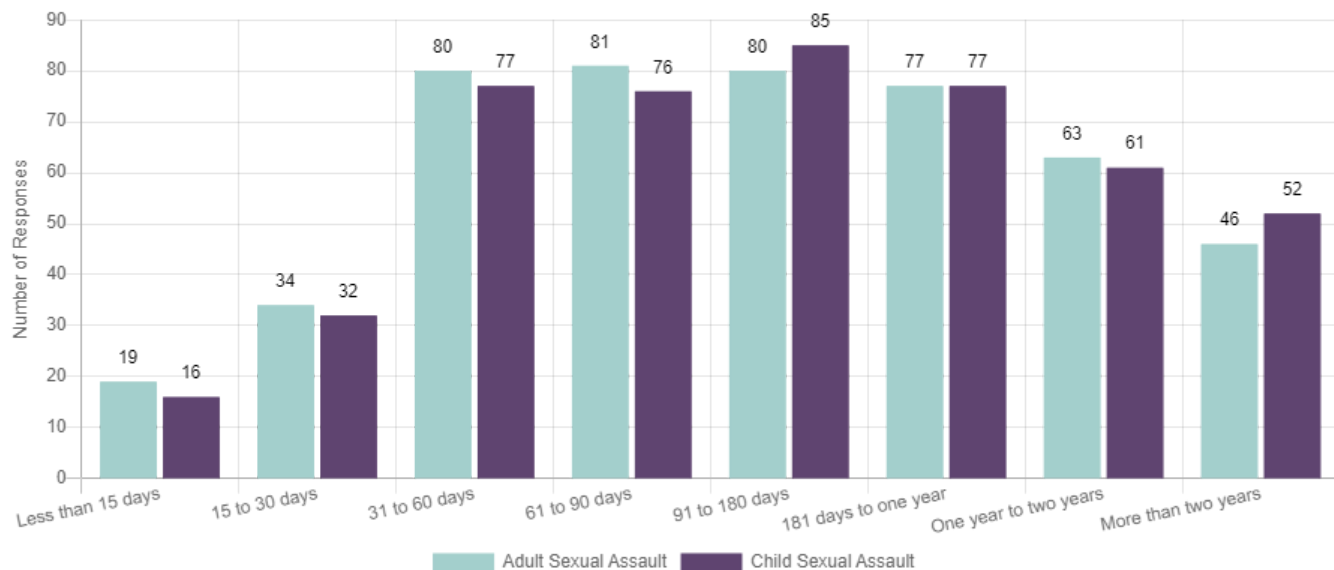
502 Respondents for Adult, 503 Respondents for Child.



Question 23: What was the shortest, average, and longest amount of time spent on a sexual assault investigation before it was classified as suspended/inactive?



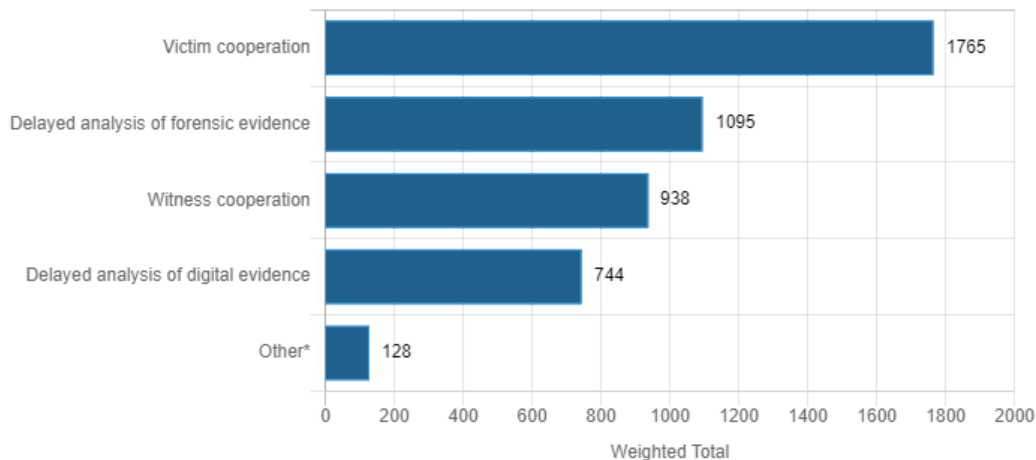
Longest Time Spent on a Sexual Assault Investigation Before It Was Classified as Suspended/Inactive



480 Respondents for Adult, 476 Respondents for Child.

Question 24: Please rank all the following factors that may result in a sexual assault investigation being classified as suspended/inactive from most to least common. (533 Respondents)

Reason to Suspend/Inactivate Investigation (Weighted Total)

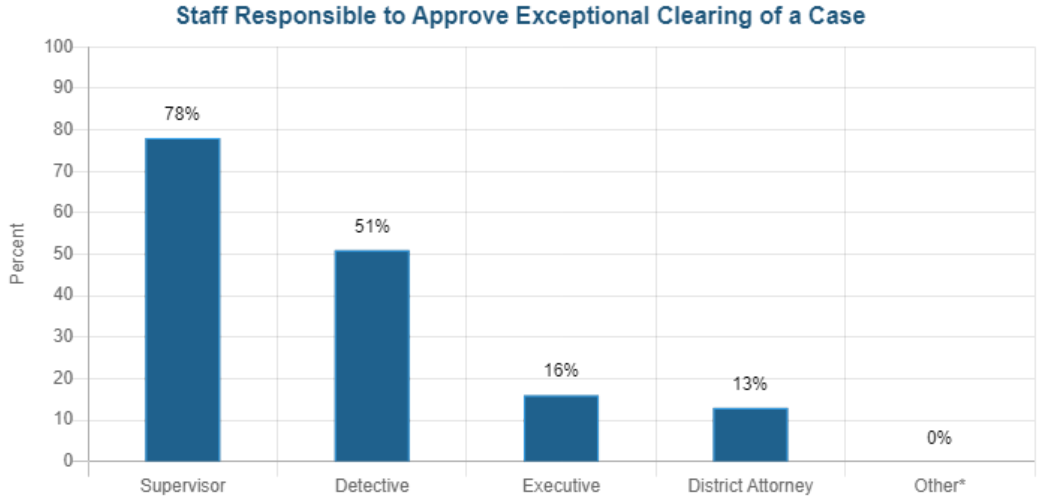


*Other responses included factors related to (1) a lack of corroborating evidence, (2) coordination with the districts attorneys' offices, (3) lack of a suspect, and (4) investigations referred to outside Agencies.

Data presented is a weighted total of the responses for this question. See Analysis of Survey Responses in the Methodology section for more information about ranking question processes.



Question 25: During 2014 through 2018, which of the following staff were responsible for approving the decision to exceptionally clear investigations? (545 Respondents)

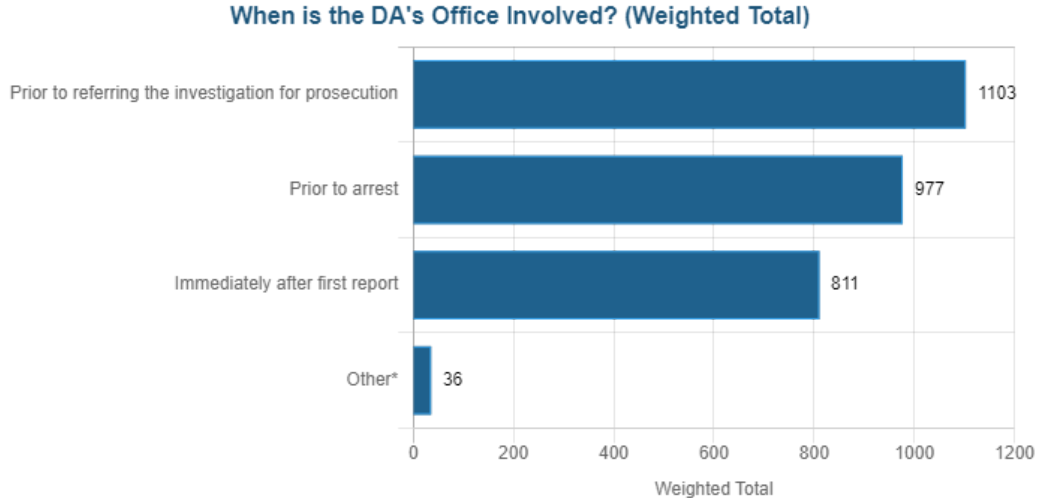


*The one response for the "Other" category identified the Agency's Records Division as responsible.

Agencies could respond with multiple selections.



Question 26: Please rank when the Agency typically involves the district attorney's office in a sexual assault investigation from most to least common. (540 Respondents)



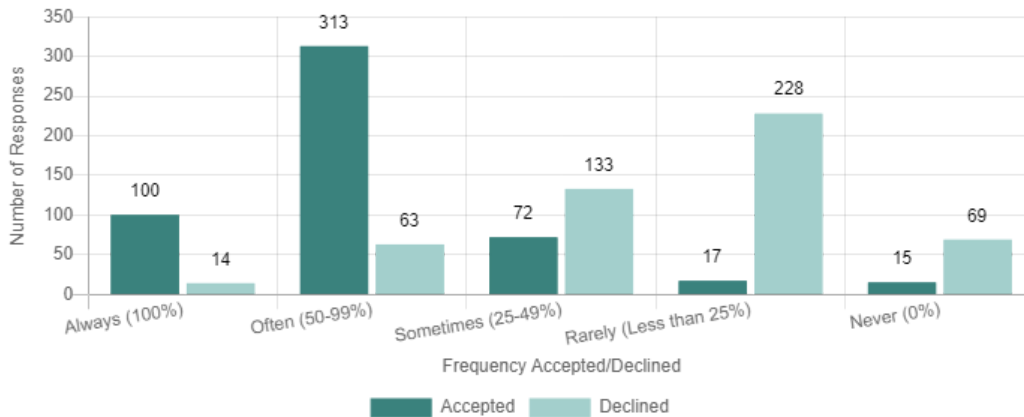
*Other responses included that involvement from the DA's office occurs (1) after the case is filed or (2) there is ongoing involvement.

Data presented is a weighted total of the responses for this question. See Analysis of Survey Responses in the Methodology section for more information about ranking question process.

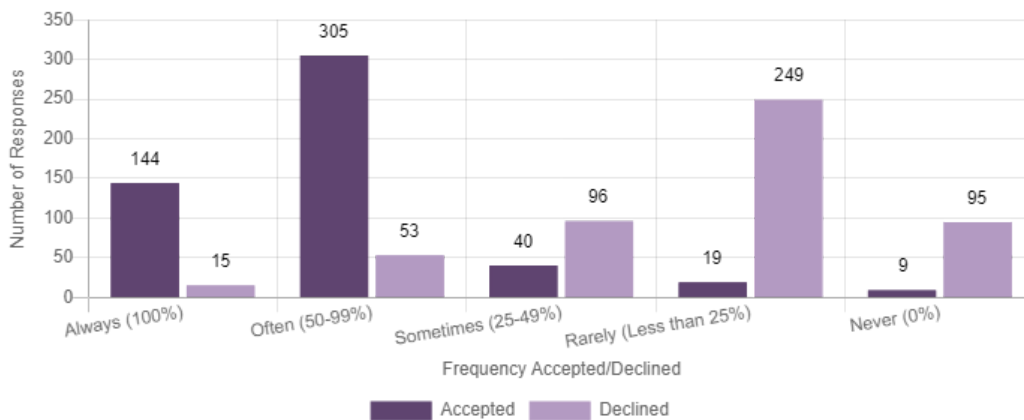


Question 27: From 2014 through 2018, please indicate how frequently the district attorney's office accepted or declined the referral of sexual assault cases from the Agency. (529 Respondents)

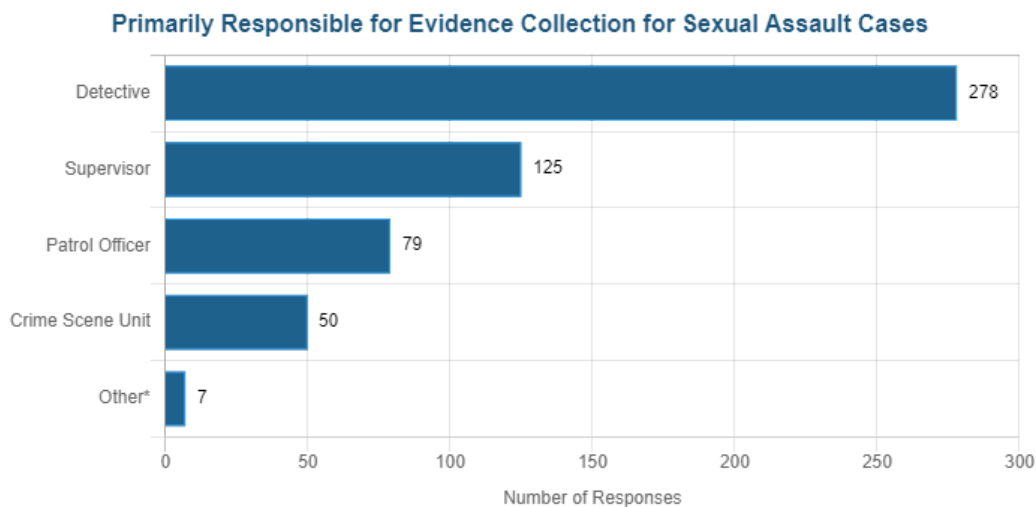
Frequency of Referred Adult Cases Accepted/Declined by District Attorney's Office



Frequency of Referred Child Cases Accepted/Declined by District Attorney's Office



Question 28: Which staff were primarily responsible for making sure that evidence for a sexual assault case had been collected, processed, and analyzed from 2014 through 2018? (539 Respondents)



*Other responses included (1) other Agencies and (2) sexual assault nurse examiners.

Question 29: From 2014 through 2018, did the Agency submit all sexual assault kits collected to crime laboratories for testing? (540 Respondents)

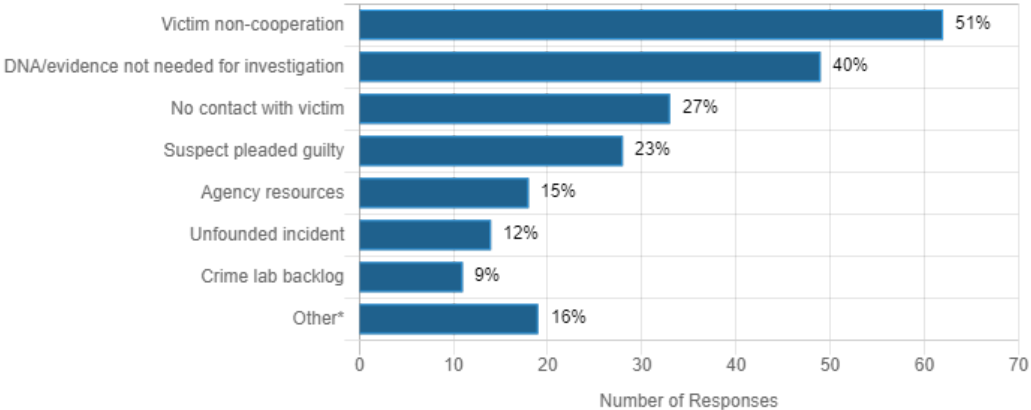
Did Agency Submit All Sexual Assault Kits Collected for Testing?

Response	Number of Responses	Percent
Yes	416	77%
No	124	23%



Question 30: What reasons might a sexual assault kit not have been submitted for testing? (121 Respondents)

Reason for Not Testing a Sexual Assault Kit

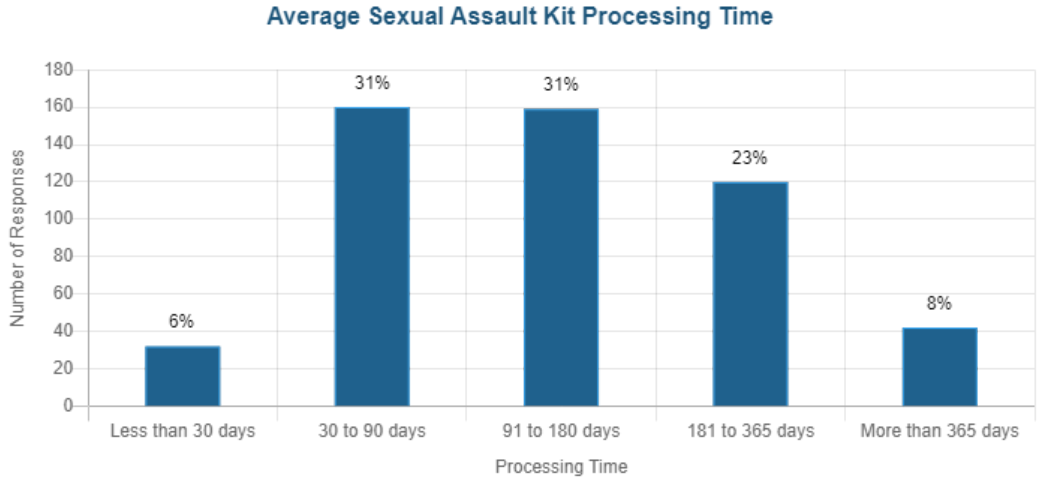


*Other responses included (1) referral of investigation to another Agency, (2) delayed incident reporting, (3) no evidence collected, (4) Agency error, (5) no suspect identified, (6) training, and (7) per instructions from the district attorney's office.

Agencies could respond with multiple selections.



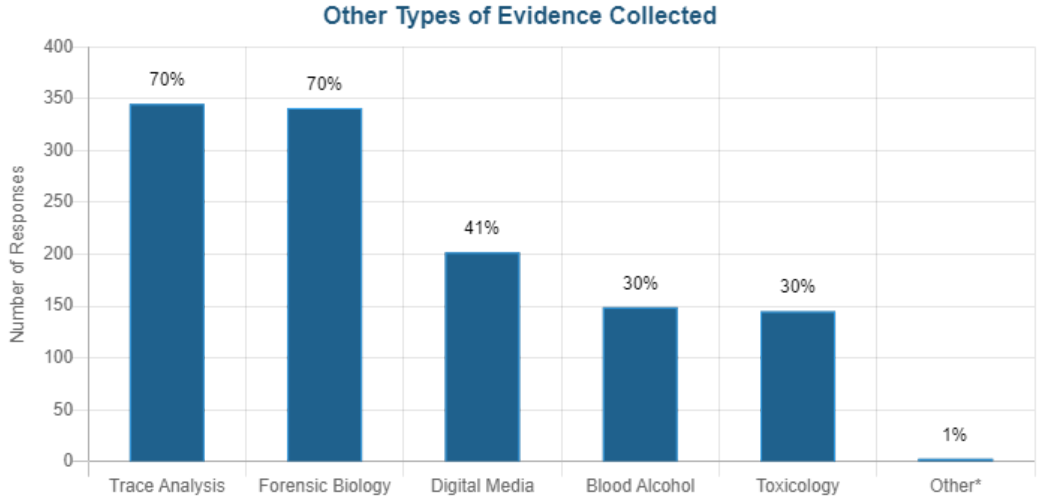
Question 31: What was the average processing time for sexual assault kits from 2014 through 2018? (513 Respondents)



Percentages do not sum to 100% due to rounding.



Question 32: In addition to sexual assault kits, what other types of evidence from a sexual assault crime were sent to crime laboratories for testing? (490 Respondents)



**Other responses indicated that cases would be referred to another Agency for handling sexual assault kits. Agencies could select multiple responses.*

Question 33: Please state whether you agree or disagree that the Agency had sufficient resources in the following areas related to the collection, processing, and review of test results for sexual assault kits and other types of forensic evidence testing. (546 Respondents)

Did the Agency Have Sufficient Resources related to Sexual Assault Kit Testing Processes?

	Strongly Agree or Agree	Neither Disagree nor Agree	Disagree or Strongly Disagree
Additional Equipment	29%	28%	42%
Advanced Technology	21%	27%	53%
Staffing	38%	25%	38%
Training	42%	26%	32%
Other (Specialized Staffing, Support, and Transportation)	17%	0%	83%

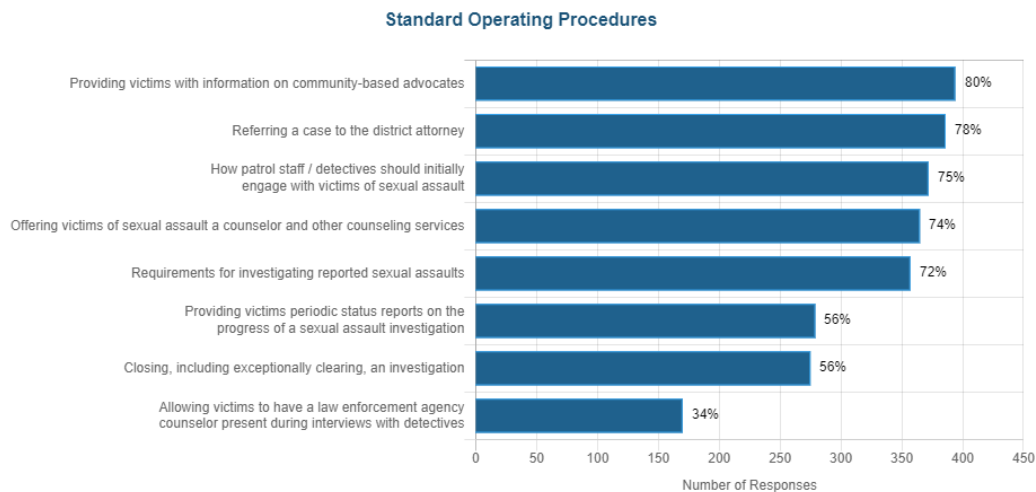
< 20%
20 – 35%
36 – 50%
> 50%

Percentages for each row may not sum to 100% due to rounding.



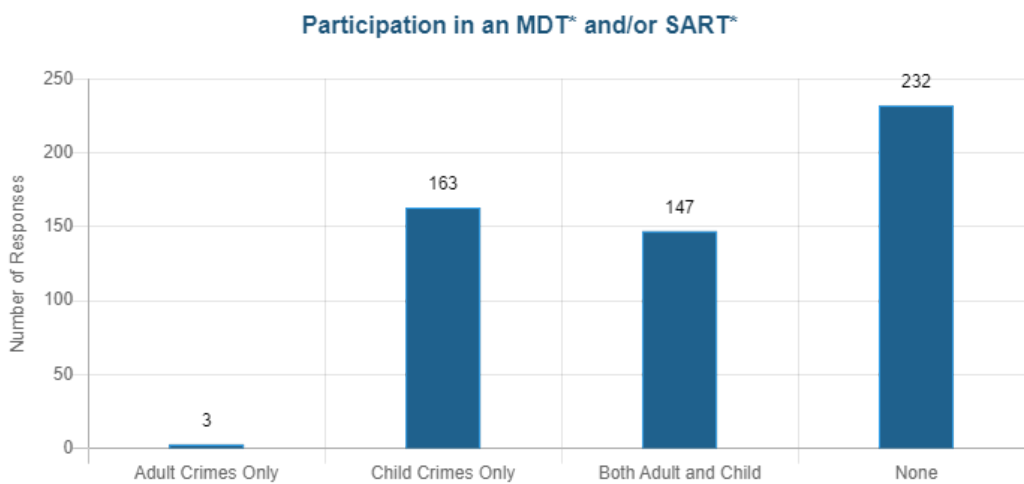
Administrative Practices

Question 34: Did the Agency have documented standard operating procedures that address any of the following areas from 2014 through 2018? (494 Respondents).



Agencies could select multiple responses.

Question 35: Please indicate whether the Agency participated in a multi-disciplinary team* (MDT) approach and/or Sexual Assault Response Team* (SART) in the investigation and prosecution of the following types of sexual assault crimes from 2014 through 2018. (545 Respondents)

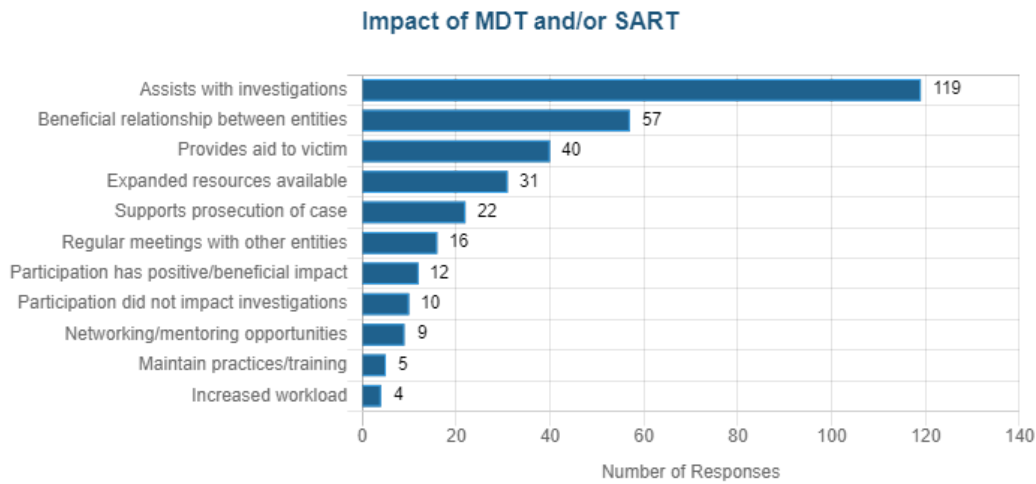


*Statute requires that the members of a multi-disciplinary team include the Texas Department of Family and Protective Services, the local children's advocacy center, local law enforcement, and the local district attorney's office. Members are required to cooperate through shared fact-finding and effective case development and jointly assist with investigating and prosecuting allegations of child abuse and neglect.

* Participation on a sexual assault response team (SART) by local law enforcement and district attorneys' offices is voluntary. It may include representatives from local community-based advocacy organizations and medical professionals. The primary goals of a SART is to improve the treatment of victims of sexual assault, case outcomes, efficiency, and protection of the community. In addition, participating in a SART provides an opportunity to jointly discuss and identify ways to strengthen and improve investigation and prosecution processes for sexual assault cases.

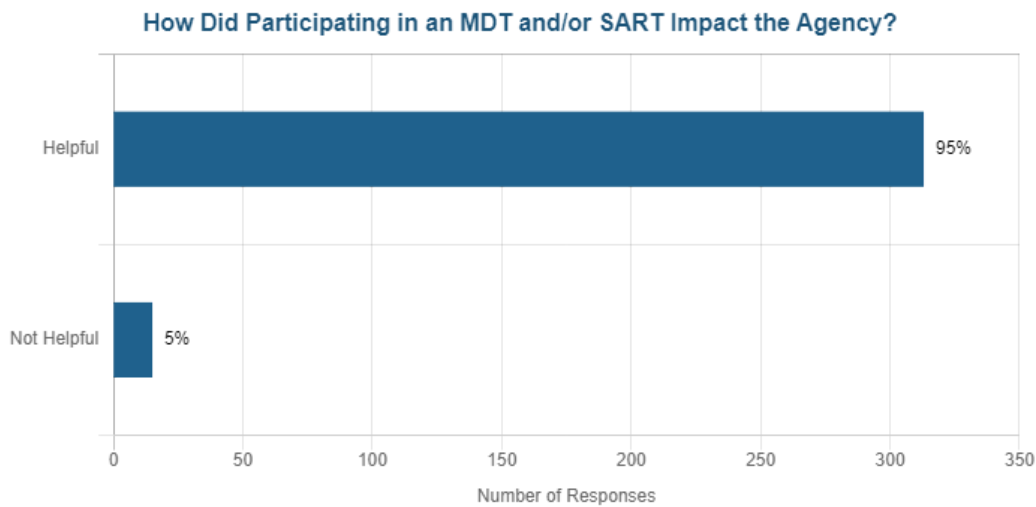


Question 36: Please describe how that participation has impacted the Agency's investigations of sexual assault crimes. (283 Respondents)

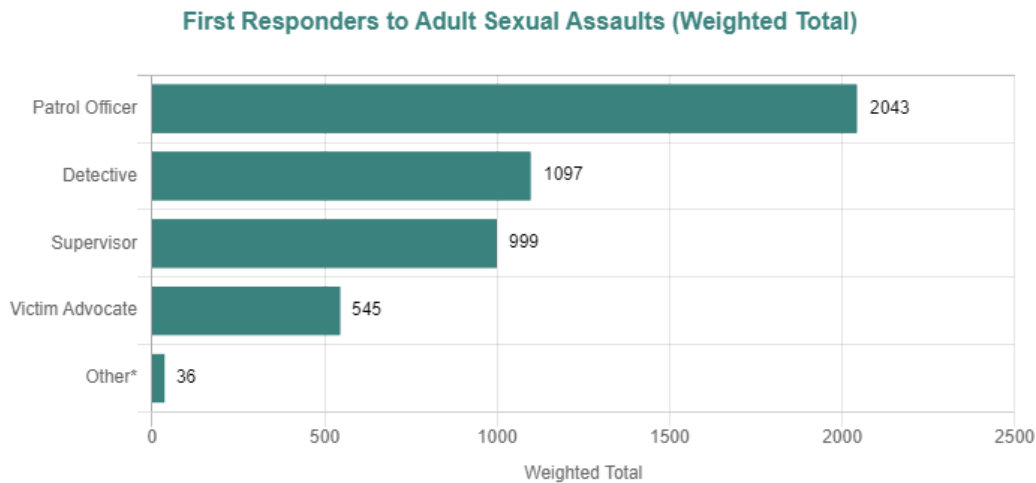


Other responses (each provided by one Agency) included that (1) MDT focuses on Internet crimes, (2) MDT is required by the district attorney's office, and (3) victims refuse to cooperate with MDT.

Agencies could respond with multiple selections.



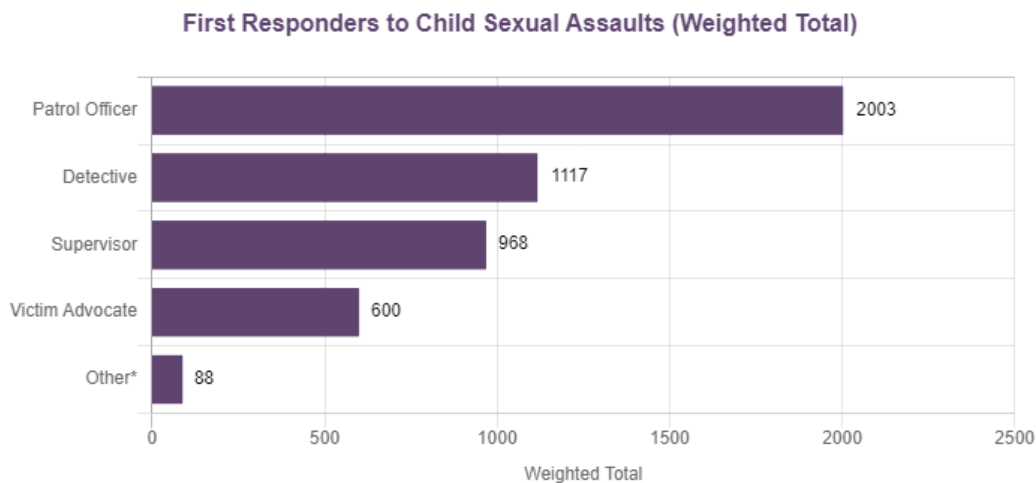
Question 37: Please rank which Agency law enforcement personnel were typically the first responders to reported incidents of Adult sexual assault from 2014 through 2018 from most to least common. (538 Respondents)



*Other responses included (1) the district attorney's office, (2) medical professionals, (3) other Agencies, and (4) a third party.

Data presented is a weighted total of the responses for Question 37. See Analysis of Survey Responses in the Methodology section for more information about ranking question process .

Question 38: Please rank which Agency law enforcement personnel were typically the first responders to reported incidents of Child sexual assault from 2014 through 2018 from most to least common. (545 Respondents)



*Other responses included (1) Child Protective Services/Department of Family and Protective Services, (2) district attorney's office, (3) medical professionals, (4) other Agencies, and (5) a third party.

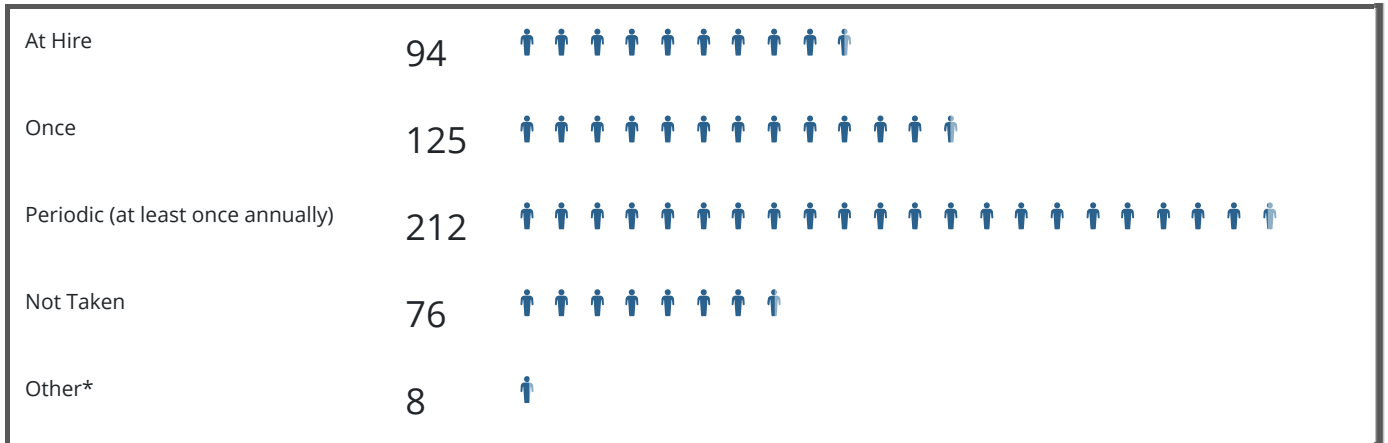
Data presented is a weighted total of the Respondents for Question 38. See Analysis of Survey Responses in the Methodology section for more information about ranking question process.



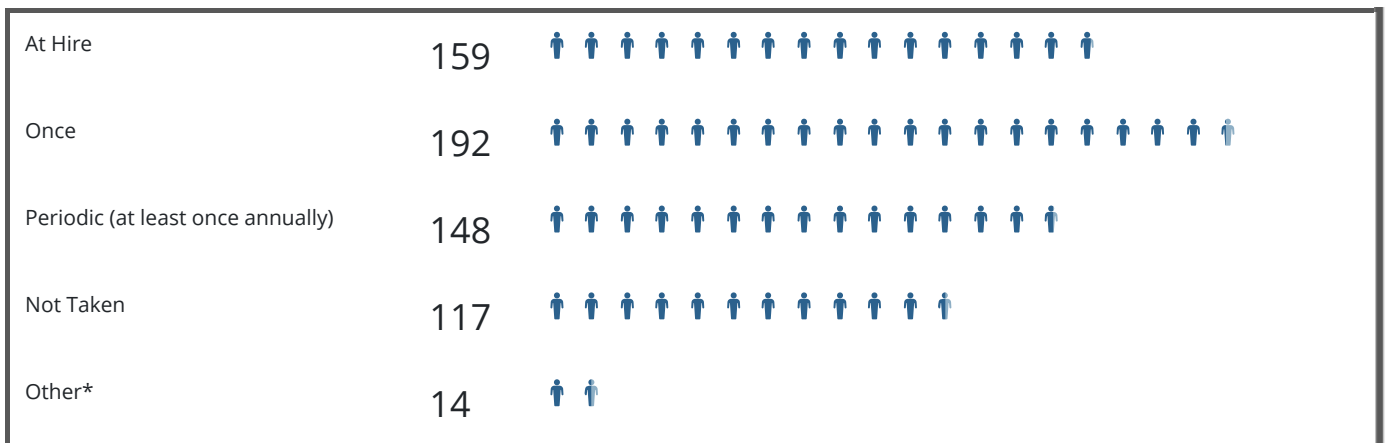
Question 39: Please indicate whether the following Agency staff received training on approaches for engaging victims of sexual assault (such as using a victim-centered approach and/or trauma-informed approach, etc.) and if so, how frequently? (516 Respondents)

When Did the Following Staff Receive Training on Approaches for Engaging Victims of Sexual Assault?

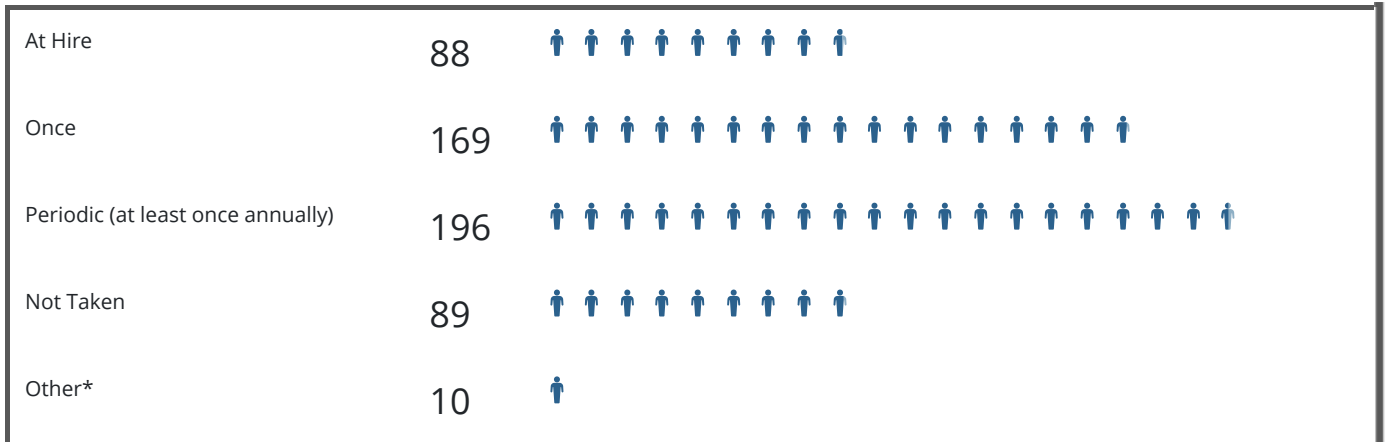
Detectives



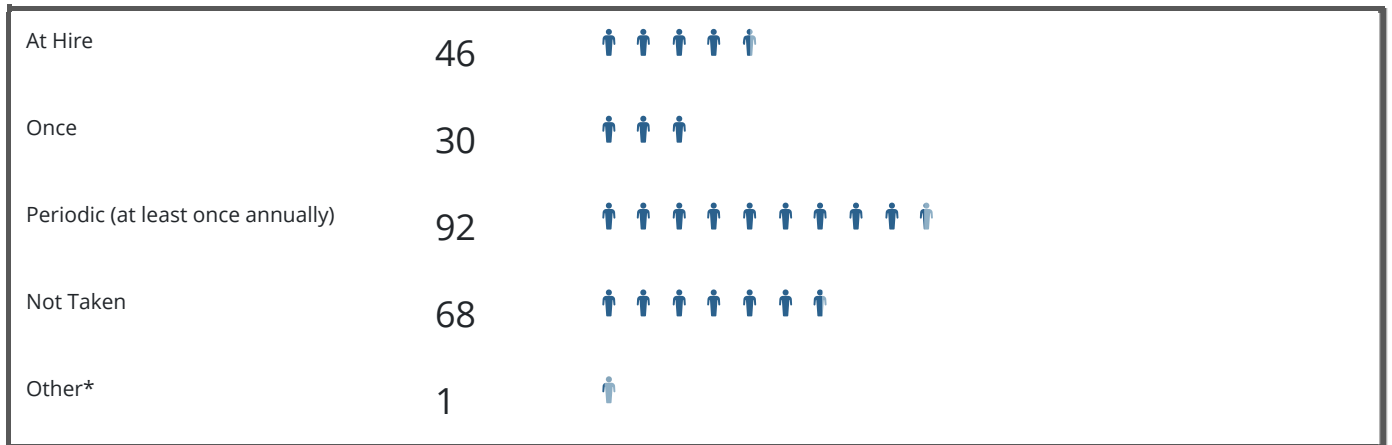
Patrol Officers



Supervisors



Victim Advocates



 = 10 Responses

*Other responses included (1) as required by Texas Commission on Law Enforcement, (2) dependent on work/education history, (3) occasionally (less than annually), (4) upon request, and (5) when funding/availability allows.

Agencies could respond with multiple selections.

Question 40: How frequently were the following Agency staff utilized for sexual assault investigations? (516 Respondents for Adult Sexual Assault Cases, 517 Respondents for Child Sexual Assault Cases)

How Frequently Staff Were Utilized in Adult Sexual Assault Investigations

	Always (100%)	Often (50-99%)	Sometimes (25-49%)	Rarely (Less than 25%)	Never (0%)
Detective from a non-specialized investigative unit	57%	8%	6%	10%	19%
Detective from a specialized investigative unit	18%	13%	3%	5%	62%
Victim Advocates or Victim Services Counselors	32%	23%	12%	10%	23%
Forensic Interviewers	17%	15%	11%	24%	33%

Percentages for each row may not sum to 100% due to rounding.

How Frequently Staff Are Utilized in Child Sexual Assault Investigations

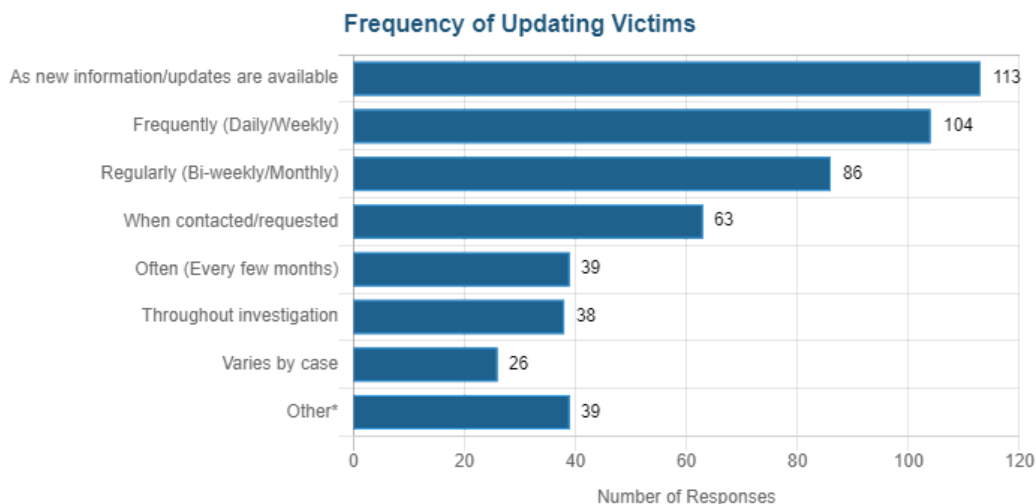
	Always (100%)	Often (50-99%)	Sometimes (25-49%)	Rarely (Less than 25%)	Never (0%)
Detective from a non-specialized investigative unit	57%	8%	4%	13%	19%
Detective from a specialized investigative unit	21%	13%	2%	5%	59%
Victim Advocates or Victim Services Counselors	48%	22%	7%	6%	17%
Forensic Interviewers	69%	19%	2%	2%	8%

< 20%
20 - 35%
36 - 50%
> 50%

Percentages for each row may not sum to 100% due to rounding.

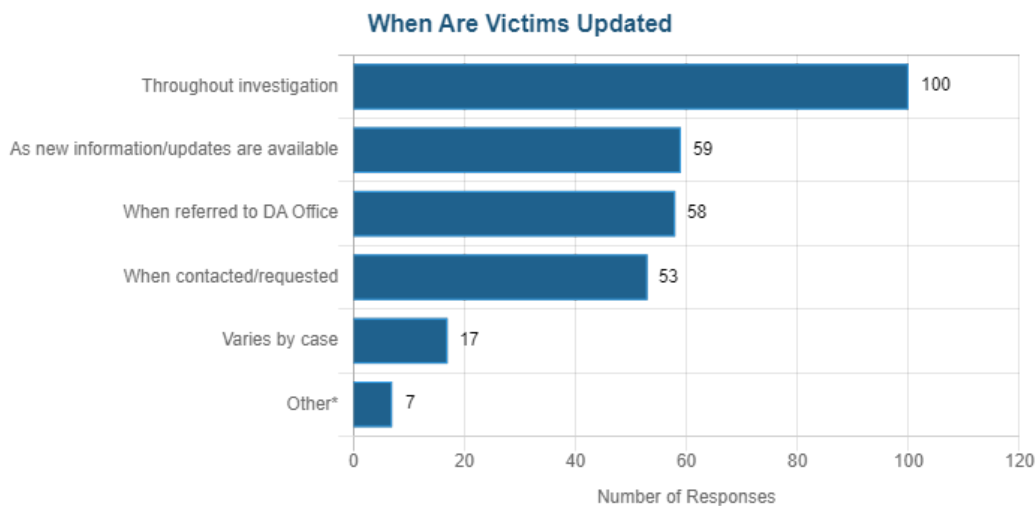


Question 41: How frequently did the Agency provide updates to victims on the progress of a sexual assault case? (508 Respondents)



*Other responses included (1) a different entity provided updates, (2) none/no contact, and (3) rarely (a few times per case).

Question 42: If applicable, please describe when the Agency provided updates to victims on the status of the investigation (such as collection of evidence, crime lab results, referral of the case to the district attorney's (DA) office, etc.). (294 Respondents)



*Other responses included (1) prior to referring the investigation for prosecution, (2) once received, and (3) prior to arrest.



Feedback

To compile and present the answers for this section, auditors summarized the responses and classified similar responses into auditor-determined categories.

Question 43: What would the Agency recommend to improve the investigation of sexual assault crimes? (473 Respondents)

Improvements

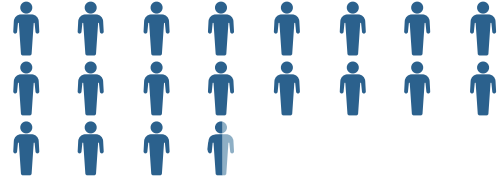
Training

Agencies indicated they needed additional training for officers, first responders, detectives, and supervisors on sexual assault topics such as:

- Evidence collection.
- Interviewing a victim.
- Investigating a sexual assault.
- Victim-centered, trauma-informed techniques.
- Types of forensic evidence (such as crime lab results).
- Forensic-related technology (such as cell phone evidence).

They also indicated they needed free/low cost training and training that would be available in their local areas to limit the impact on small/rural agencies. Even if free or offered at low cost, centralized training still results in travel costs for Agencies.

196



Staffing (additional staff, increase in wages/benefits)

Agencies indicated they needed additional officers, detectives, victim services counselors, and staff properly trained to collect evidence. In addition, they indicated that the Agencies wanted staffing specifically for a specialized unit to investigate sexual assault crimes, improved access to sexual assault nurse examiners in regional areas, and higher base pay, more overtime, and benefits such as state-offered insurance.

157



Resources (equipment, funding)

Agencies indicated they needed more funding, equipment (including cell phone data recovery technology), and technology (including digital media analysis) to assist in the investigating of sexual assault crimes. This was particularly stressed by smaller and more rural entities.

126



Quicker turnaround for laboratory results

Agencies indicated that a quicker turnaround on sexual assault kit and other forensic tests would aid in the investigation of these crimes. More timely results also would keep victims more engaged and involved in the process.

55



Support from other agencies/organizations

Agencies indicated that closer working relationships with victim advocacy organizations and district attorneys' offices (potentially through the use of multi-disciplinary teams or sexual assault response teams) would help ensure that cases are investigated and prosecuted effectively and the victim is supported throughout the process.

30



Other

15



Other Agency responses included a public awareness/education campaign, stricter penalties, lessening the burden of proof, and state-mandated protocol or guidelines for investigating sexual assault cases.



= 10 Responses

An Agency could provide more than one answer in its response.



Question 44: Please provide any additional information that the Agency would like the SAO to know as it concerns the investigation and prosecution of sexual assault crimes in Texas. (259 Respondents)

Additional Information

Need for more resources (equipment, funding, victim assistance)

67



Agencies indicated they needed more funding, equipment, and technology to assist in investigating sexual assault crimes. This is especially needed by smaller and more rural Agencies.

Need for additional training

27



Agencies indicated they needed additional training for officers, detectives, and supervisors on sexual assault topics such as:

- Evidence collection.
- Interviewing a victim.
- Investigating a sexual assault.
- Victim-centered, trauma-informed techniques.

They also indicated they needed free/low cost training and training that would be available in their local areas to limit the impact on small/rural Agencies. Even if free or offered at low cost, centralized training still results in travel costs for Agencies.

Support needed from district attorneys' offices

26



Agencies indicated that closer working relationships with district attorneys' offices were needed, including more willingness by prosecutors to accept sexual assault cases, which would help cases be prosecuted more quickly.

Quicker turnaround for crime laboratory results

17



Agencies indicated that a quicker turnaround on sexual assault kit and other forensic tests would aid in the investigation of these crimes. Department of Public Safety crime laboratories turning around evidence quickly is especially crucial to small Agencies statewide.

Identified effective practices and improvements to investigation and prosecution processes

13



Agencies described certain investigation and prosecution practices that are in place or have improved over time at their Agency. Examples included more use of victim services counselors, expedited sexual assault kit processing, and working more with the district attorney's office and community-based advocacy organizations.

Concerns and suggestions related to statutory requirements for sexual assaults

11



Agencies indicated that tougher penalties and changes to current statutory language (such as the definition of “consensual”) would help with investigating and prosecuting sexual assaults.

Concerns with staffing resources

8



Agencies indicated that increased staffing is needed to help investigators with large sexual assault caseloads.

Increased awareness/education

6



Agencies indicated that there was a need for more public awareness and jury education programs on sexual assault crimes.

Other

7



Other Agency responses included information related to (1) most sexual assault crimes going unreported; (2) the effect that immigration status has on victims of sexual assault; (3) recognizing that there are many unfounded allegations of sexual assault in child custody disputes; (4) an increasing number of reported child sexual assaults; (5) computer-based crimes such as online solicitation and possession of child pornography; (6) implementation of the sexual assault evidence tracking program (TrackIt); and (7) concerns about the impact of new FBI reporting requirements that may result in spending more time reporting a sexual assault than investigating the crime.



= 10 Responses

An Agency could provide more than one answer in its response.



District Attorneys' Offices

Summary

Auditors surveyed 158 district attorneys' offices across Texas from February 10, 2020, through May 8, 2020. A total of 100 (63 percent) of the 158 district attorneys' offices surveyed submitted responses. Of those, 75 represented counties with populations of less than 100,000 (“small” counties) and 25 represented counties with populations between 100,001 and 1 million (“medium” counties).

Auditors conducted site visits at district attorneys' offices in five "large" counties in Texas with populations of more than 1 million and those offices are not included in this survey (see [An Audit Report on Investigation and Prosecution Processes for Reported Sexual Assaults in Texas](#)). For the purposes of the survey, auditors used a 5-year annual average population for calendar years 2014 through 2018 for each county.

The tables and figures presented summarize the responses received to the survey's 30 questions about the district attorneys' offices' organization, prosecution processes, and feedback on how to improve the prosecution process for sexual assault crimes.

Key Results



Specialized Units

A total of 12 percent of small county respondents indicated that they had a specialized unit to handle sexual assault cases; in contrast, 37 percent of medium county respondents indicated that they had a specialized unit to handle sexual assault cases.



[SEE QUESTION 1](#)



Case Referrals

District attorneys' offices estimated that, on average, they accepted more referrals from law enforcement agencies for adult and child sexual assault cases than they declined from 2014 through 2018. Specifically, district attorneys' offices indicated that they accepted an average of 106 adult sexual assault cases and 297 child sexual assault cases on an annual basis, and declined an average of 24 adult sexual assault cases and 43 child sexual assault cases on an annual basis.

[SEE QUESTION 5](#)



Case Dispositions

District attorneys' offices indicated that the most common disposition for their sexual assault cases was a conviction through a plea bargain.

[SEE QUESTION 6](#)



Reasons for Plea Bargains

Respondents indicated that the most common reasons for pursuing a plea bargain in a sexual assault case were:

- Victim's preference.
- Prosecutors' uncertainty about the outcome of the trial.
- Insufficient evidence to support a sexual assault charge.
- To limit the likelihood of an appeal of the court verdict.
- Expectation to offer the suspect a plea bargain.

[SEE QUESTION 21](#)



Resources

District attorneys' offices indicated the following with regards to the sufficiency of resources available for prosecuting sexual assaults:

- There were sufficient resources related to ethics training (73 percent of respondents), training for child sexual assault crime (65 percent of respondents), training to understand crime laboratory reports (57 percent of respondents), and training for adult sexual assault crimes (55 percent of respondents).



- There were not sufficient resources related to offering competitive salaries (60 percent of respondents) and hiring additional prosecutors (65 percent of respondents).

[SEE QUESTION 13](#)



Multi-disciplinary Teams (MDTs) and/or Sexual Assault Response Teams (SARTs)

A total of 97 percent of respondents indicated that the use of an MDT and/or a SART was beneficial to the prosecution of sexual assault crimes.



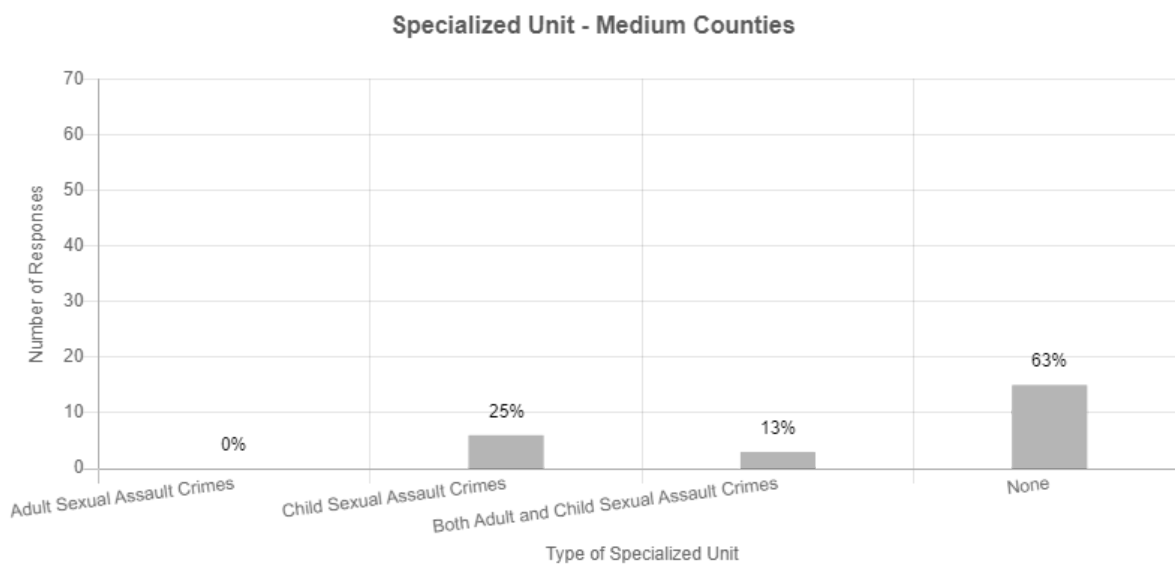
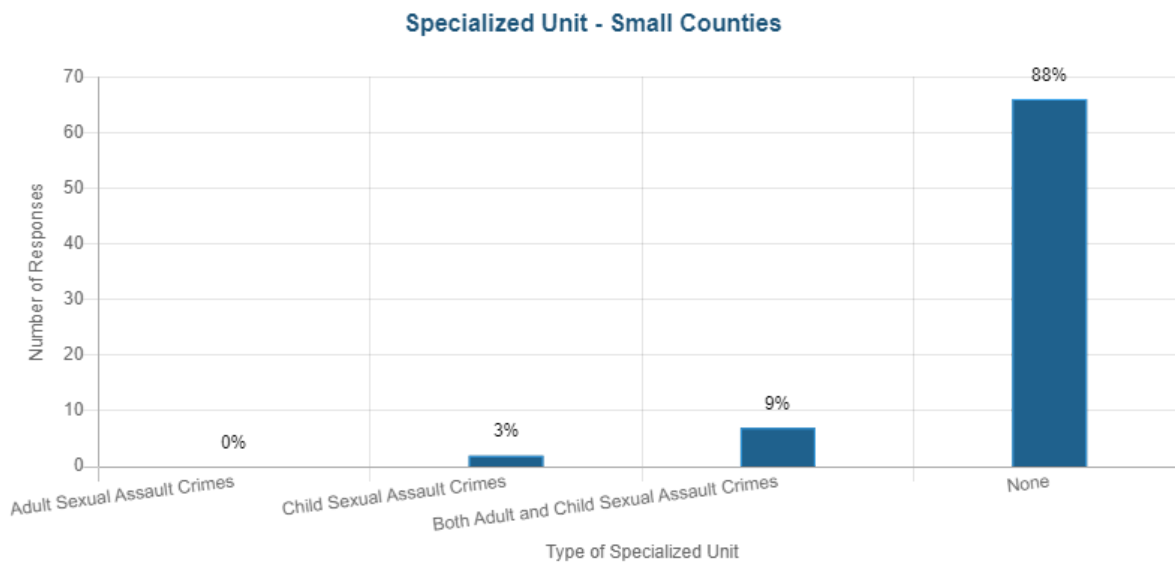
[SEE QUESTION 24](#)

Survey Results from District Attorneys' Offices (DA Offices)

Background Information



Question 1: Does the DA Office have a specialized unit to prosecute the following types of sexual assault crimes? (99 Respondents)



None of the DA Offices in either small or medium counties reported having a specialized unit for only Adult sexual assault crimes.

Percentages do not sum to 100% due to rounding.



Question 2: From calendar years 2014 through 2018, what was the average annual number of prosecutors and victim services counselors?

Adult and Child Sexual Assault -- No Specialized Units

Number of Prosecutors and Victim Services Counselors That Are Involved In the Prosecution of Sexual Assault Crimes	
Response	Average Number
Prosecutors	4.4
Victim Services Counselors	2.1

Based on 79 Respondents for Prosecutors; 78 Respondents for Victim Services Counselors.

Child Sexual Assault -- Specialized Units

Number of Prosecutors and Victim Services Counselors That Are Involved In the Prosecution of Child Sexual Assault Crimes	
Response	Average Number
Prosecutors	5.4
Victim Services Counselors	3.7

Based on 18 Respondents for Prosecutors; 16 Respondents for Child Victim Services Counselors.

Adult Sexual Assault -- Specialized Units

Number of Prosecutors and Victim Services Counselors That Are Involved In the Prosecution of Adult Sexual Assault Crimes	
Response	Average Number
Prosecutors	5.0
Victim Services Counselors	3.0

Based on 10 Respondents for Prosecutors; 9 Respondents for Adult Victim Services Counselors.



Question 3: What is the DA Office's average annual salary for the following personnel that assist in the prosecution of sexual assault crimes?

Adult Unit - Average Prosecutor Salary Range



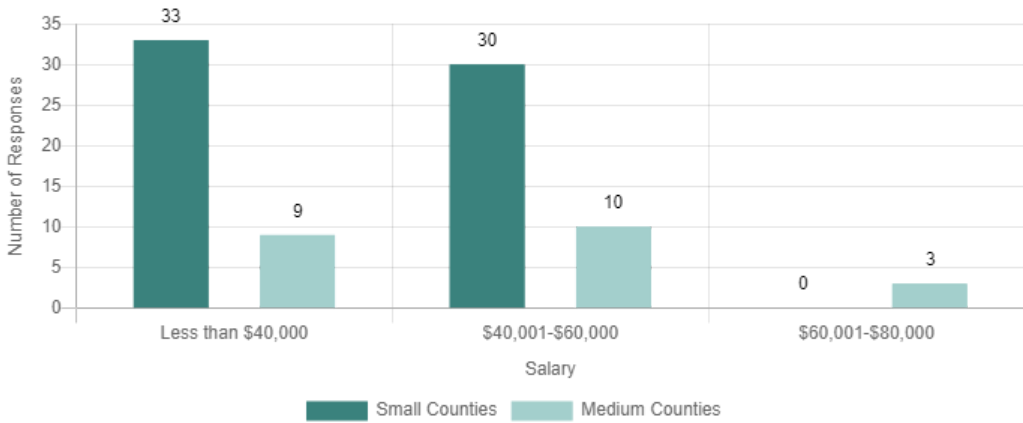
None of the DA Offices reported an average prosecutor's salary of less than \$40,000. (90 Respondents for Adult Unit)

Child Unit - Average Prosecutor Salary Range



None of the DA Offices reported an average prosecutor's salary of less than \$40,000. (85 Respondents for Child Unit)

Adult Unit - Average Victim Services Counselor Salary Range



None of the DA Office reported an average victim services counselor's salary greater than \$80,000. (85 Respondents for Adult Unit)

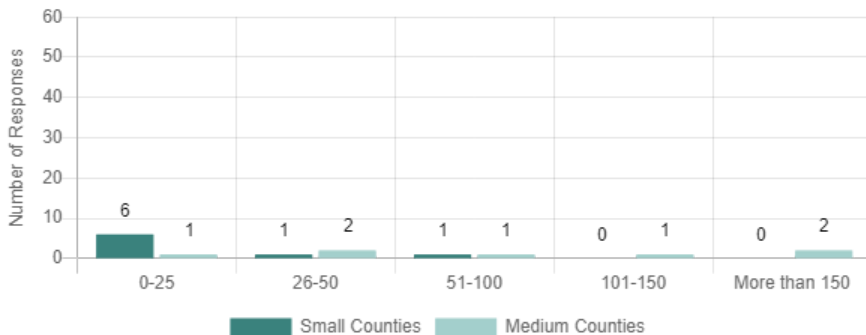
Child Unit - Average Victim Services Counselor Salary Range



None of the DA Offices reported an average victim services counselor's salary greater than \$100,000. (78 Respondents for Child Unit)

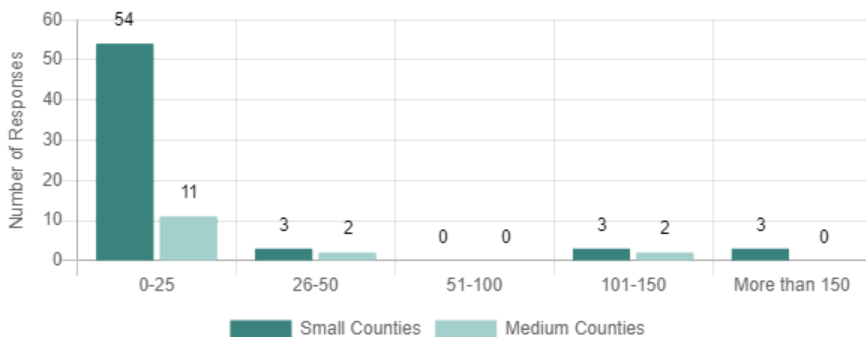
Question 4: What was the average total annual caseload for prosecutors who prosecuted sexual assaults for the DA Office?

Average Annual Adult Sexual Assault Caseload with Specialized Unit



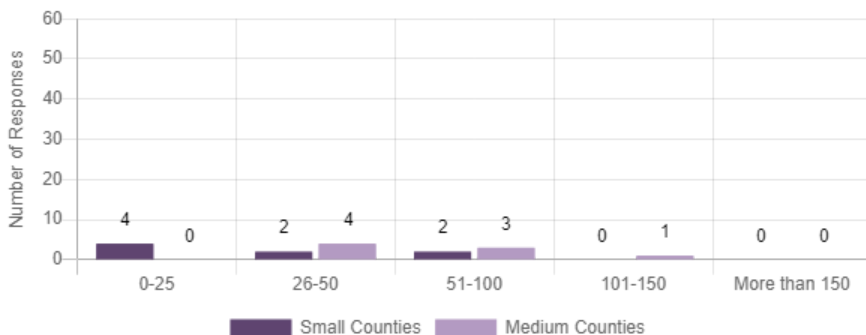
There were a total of 8 respondents from small counties and 7 respondents from medium counties with DA Offices that reported having a specialized unit that prosecuted sexual assault involving Adult victims.

Average Annual Adult Sexual Assault Caseload without Specialized Unit



There were a total of 63 respondents from small counties and 15 respondents from medium counties with DA Offices that reported not having a specialized unit to prosecute sexual assaults involving an Adult victim.

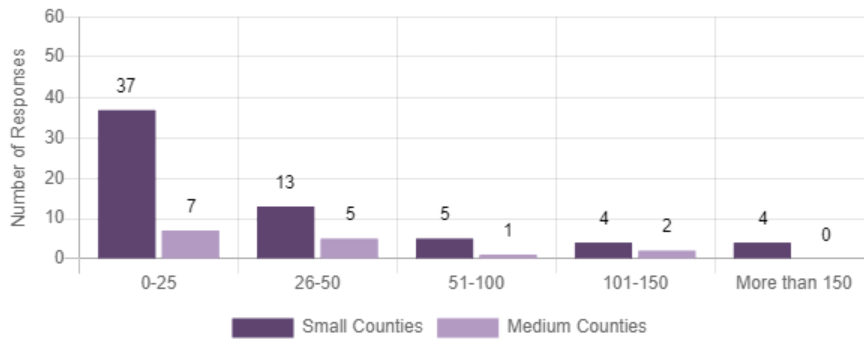
Average Annual Child Sexual Assault Caseload with Specialized Unit



There were a total of 8 respondents from small counties and 8 respondents from medium counties with DA Offices that reported having a specialized unit that prosecuted sexual assaults involving Child victims.

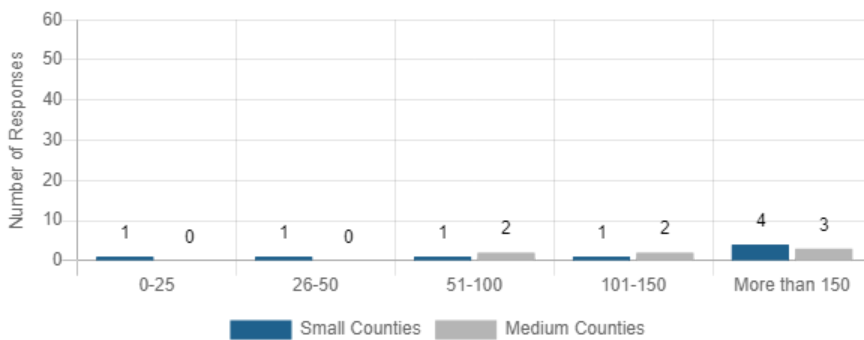


Average Annual Child Sexual Assault Caseload without Specialized Unit



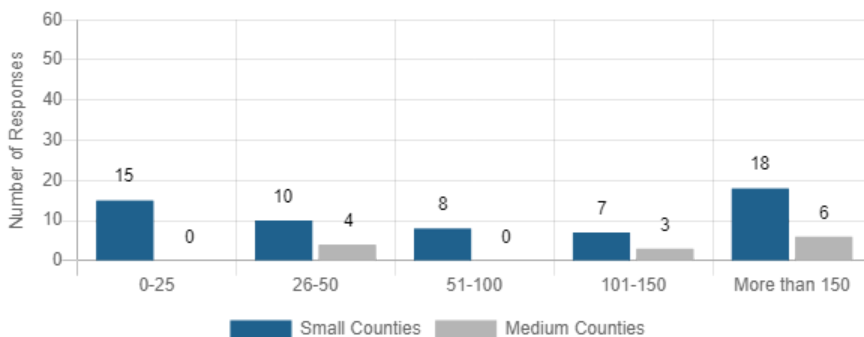
There were a total of 63 respondents from small counties and 15 respondents from medium counties with DA Offices that reported not having a specialized unit to prosecute sexual assaults involving a Child victim.

Average Annual Total Caseload with Specialized Units



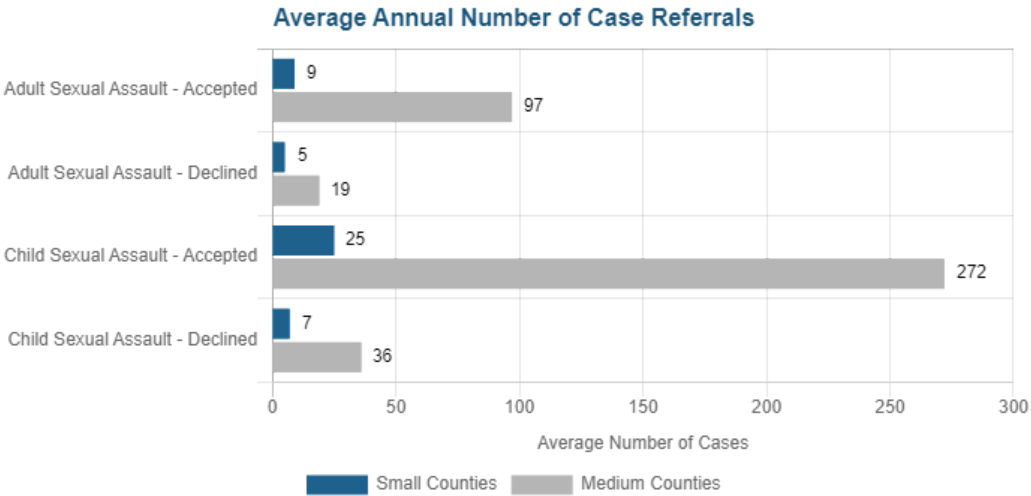
There were a total of 8 respondents from small counties and 7 respondents from medium counties with DA Offices that reported having a specialized unit that prosecuted sexual assaults involving either Adult victims, Child victims, or both (**which could include non-sexual assault cases in some cases**).

Average Annual Total Caseload without Specialized Unit

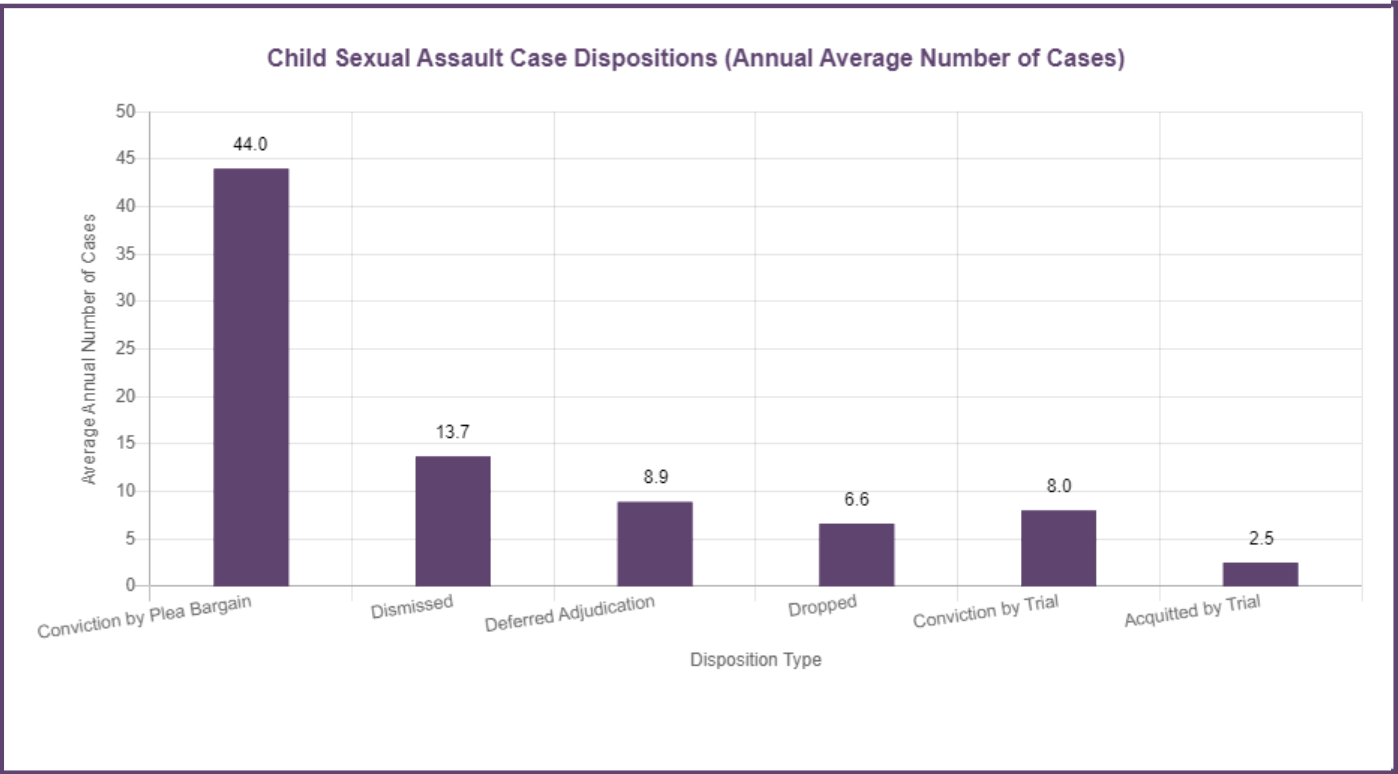
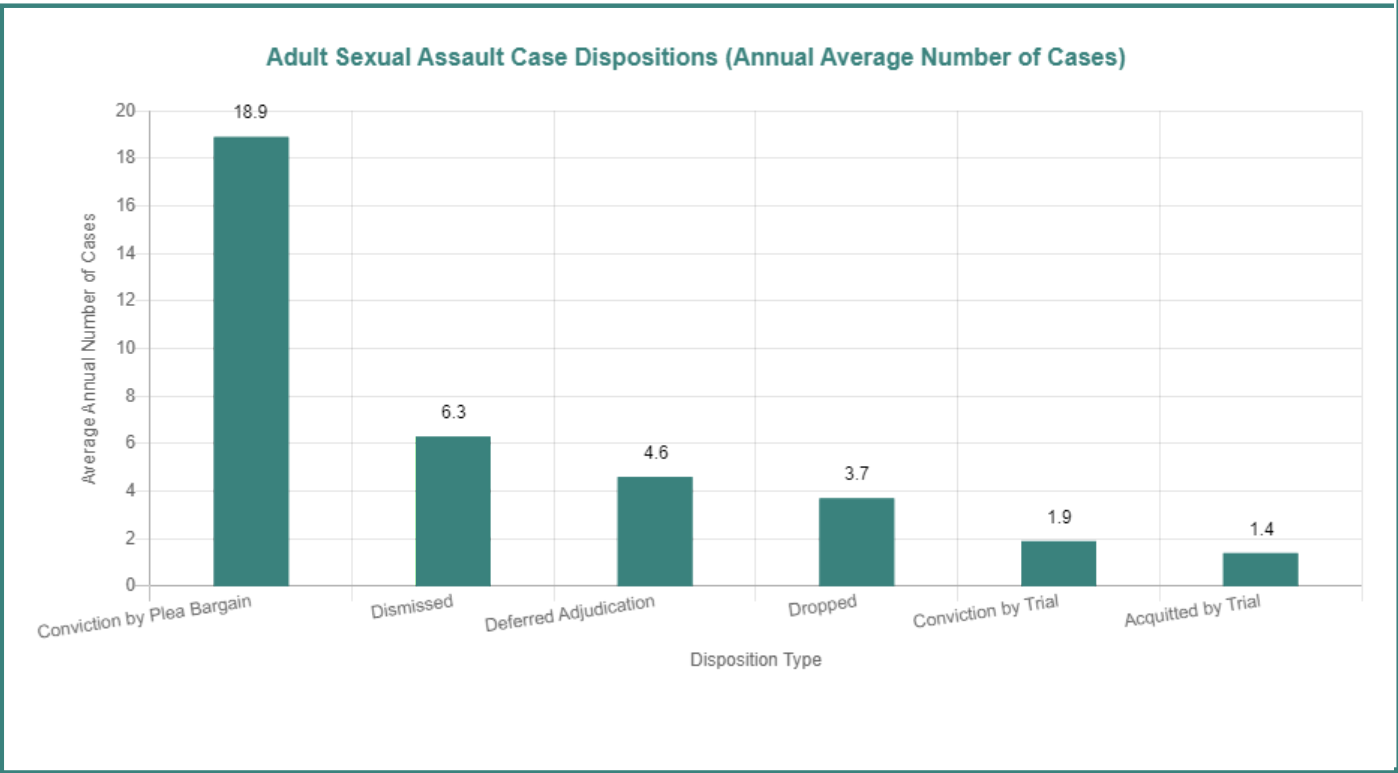


There were a total of 58 respondents from small counties and 13 respondents from medium counties with DA Offices that reported not having a specialized unit that prosecuted sexual assaults involving either an Adult victim, Child victim, or both (**which could include non-sexual assault cases in some cases**).

Question 5: Please estimate the average annual number of case referrals for sexual assault crimes that were either accepted or declined by the DA Office from 2014 through 2018. (85 Respondents for Adult Sexual Assault Cases; 86 Respondents for Child Sexual Assault Cases)



Question 6: Please estimate the average annual number for the following case dispositions for sexual assault crimes prosecuted by the DA Office from 2014 through 2018.



Question 7: Does the DA Office use a computerized case management system for managing its prosecution records? (100 Respondents)

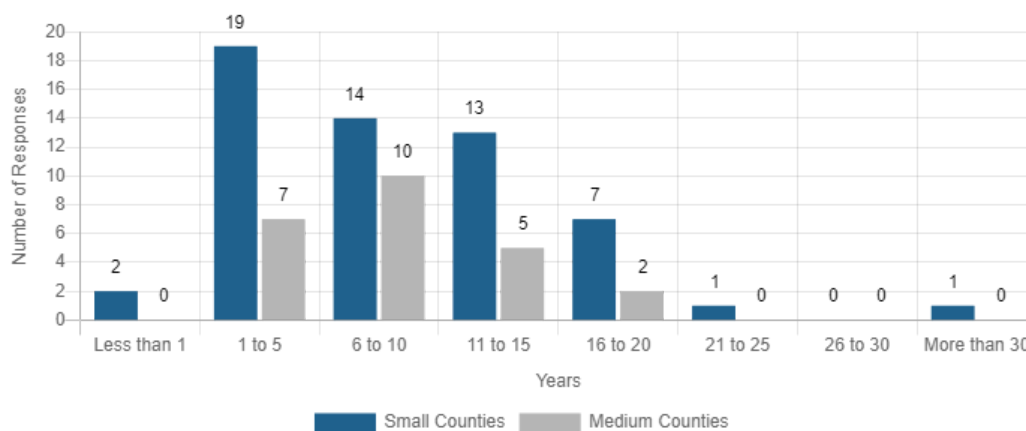
Use of Case Management System

Response	Number of Responses	Percent
Yes	82	82%
No	18	18%

Most common responses for type of system used include: Odyssey (37 responses), Net Data (12 responses), LGS Prosecution Professional (7 responses), E-Docket (4 responses), Tech Share (4 responses), C.L.A.S.S. (2 responses), Justware (2 responses), Document Logistix (2 responses), Laserfiche (2 responses), and Prosecutor (2 responses).

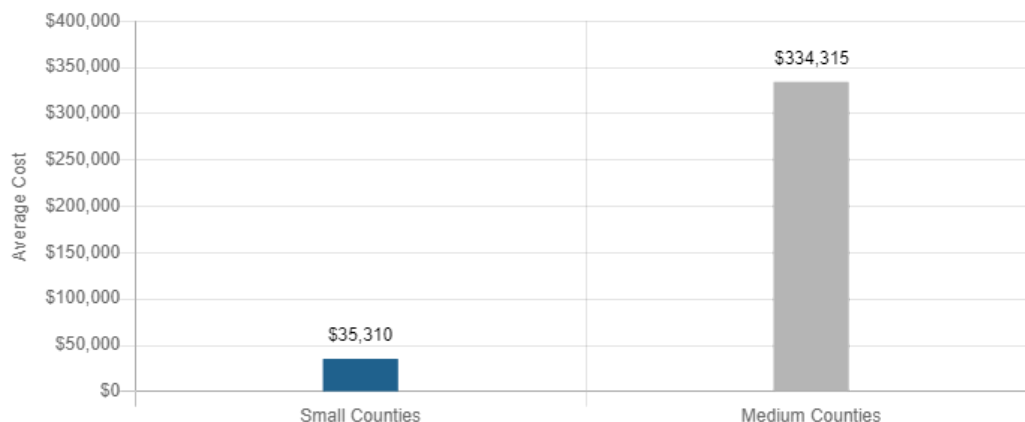
Question 8: How long has the DA Office had the case management system? (81 Respondents)

Age of Case Management System



Question 9: What was the annual maintenance and support cost for the case management system from 2014 through 2018? (47 Respondents)

Average Maintenance and Support Cost of Case Management System



A total of 35 DA Offices in small counties and 12 DA Offices in medium counties responded to Question 9.

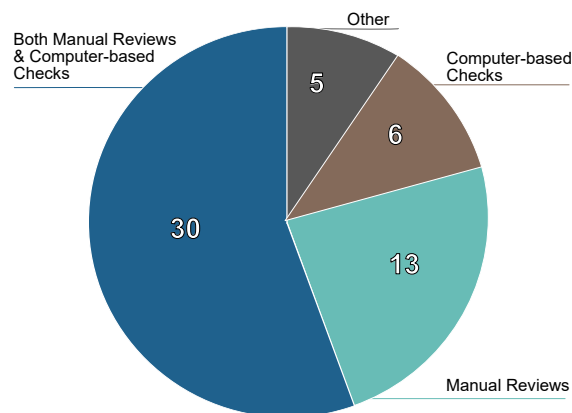
Question 10: Did the DA Office have a process to check the accuracy of information reported about sexual assault cases to the Department of Public Safety (DPS) from 2014 through 2018? (98 Respondents)

Have Process to Verify Accuracy of Information Reported to DPS?

Response	Number of Responses	Percent
Yes	56	58%
No	41	42%

Question 11: How did the DA Office check the accuracy of information reported about sexual assault cases to the Department of Public Safety? (54 Respondents)

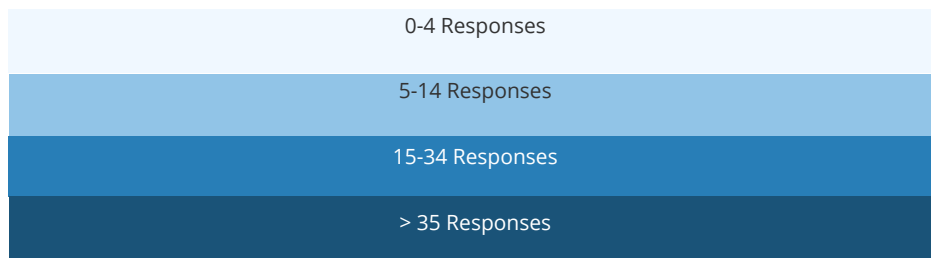
Process to Check Accuracy of Information (Number of Respondents)



Question 12: For each of the funding sources listed below, please estimate the percentage of funds spent by the DA Office to prosecute sexual assault crimes from 2014 through 2018. (90 Respondents)

Percentage of Funding Sources Used to Prosecute Sexual Assault Crimes

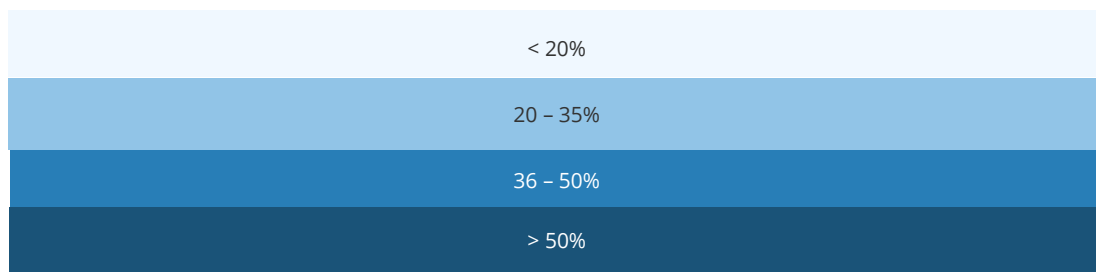
Response	100-76%	75-51%	50-26%	25% or Less	Total Responses
Local Government Funding	67	8	4	3	82
State Funding	5	4	2	33	44
Federal Funding	2	1	2	1	6
Non-profit Grants	0	0	1	2	3
Other	2	0	0	8	10



Question 13: Please state whether you agree or disagree that the DA Office had sufficient resources in the following areas to support the prosecution of Adult and Child sexual assault cases from 2014 through 2018. (99 Respondents)

Does DA Office Have Sufficient Resources for the Following Areas?

	Strongly Agree or Agree	Neither Disagree nor Agree	Disagree or Strongly Disagree
Personnel - Competitive Salaries	30%	10%	60%
Personnel - Additional Prosecutors	18%	16%	65%
Technology - Digital Evidence	26%	24%	50%
Technology - Modern Case Management	40%	20%	39%
Training - Adult Sexual Assault Crimes	55%	22%	23%
Training - Child Sexual Assault Crimes	65%	16%	19%
Training - Ethics	73%	19%	7%
Training - Understanding Crime Lab Results	57%	25%	18%
Training - Victim Centered/Trauma Informed	48%	30%	22%



Percentages for each row may not sum to 100% due to rounding.

Question 14: Does the DA Office have an ethics policy that its attorneys must follow? (91 Respondents)

Ethics Policy

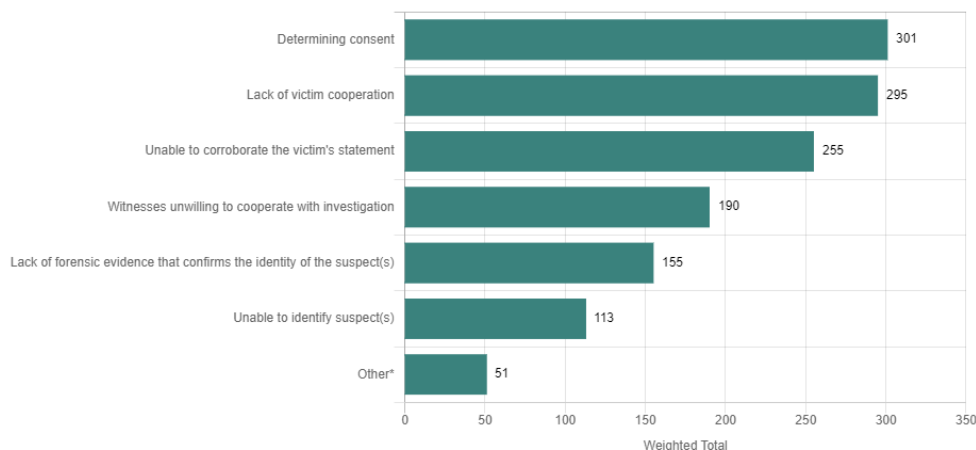
Response	Number of Responses	Percent
Yes	53	58%
No	38	42%

Some DA Offices who answered "No" to Question 14 indicated that while they did not have a written ethics policy, they followed other professional guidelines such as *Brady v. Maryland*, other case law, legal requirements, the Michael Morton Act, the State Bar of Texas' ethical rules, the Texas Code of Criminal Procedure, the Texas Disciplinary Rules of Professional Conduct, and the Texas Family Code.

Prosecution Process

Question 15: Please rank the factors considered in the decision to decline an Adult sexual assault case referred by law enforcement agencies for prosecution from most to least common. (98 Respondents)

Factors Considered When Declining an Adult Case (Weighted Total)

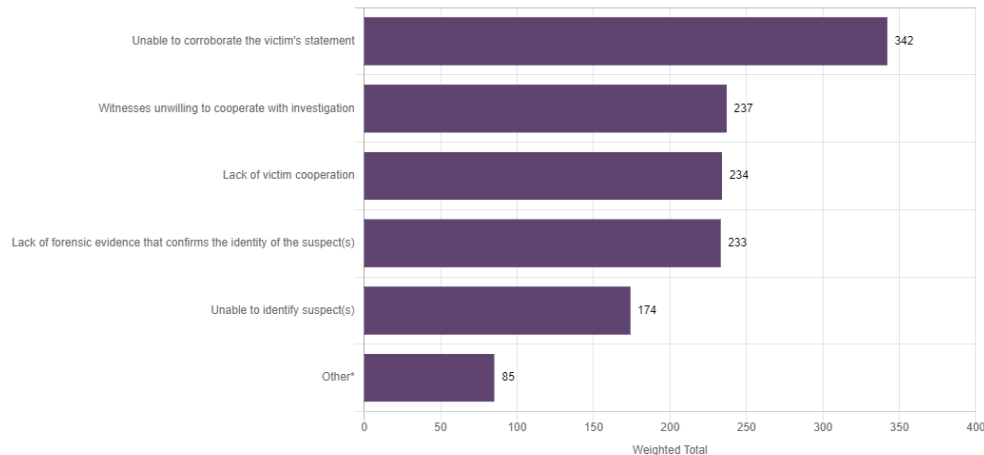


*Other responses included factors such as the quality of the investigation and victim/witness credibility issues.

Data presented is a weighted total of the responses for this question. See Analysis of Survey Responses in the Methodology section for more information about the ranking question process.

Question 16: Please rank the factors considered in the decision to decline a Child sexual assault case referred by law enforcement agencies for prosecution from most to least common. (89 Respondents)

Factors Considered When Declining a Child Case (Weighted Total)

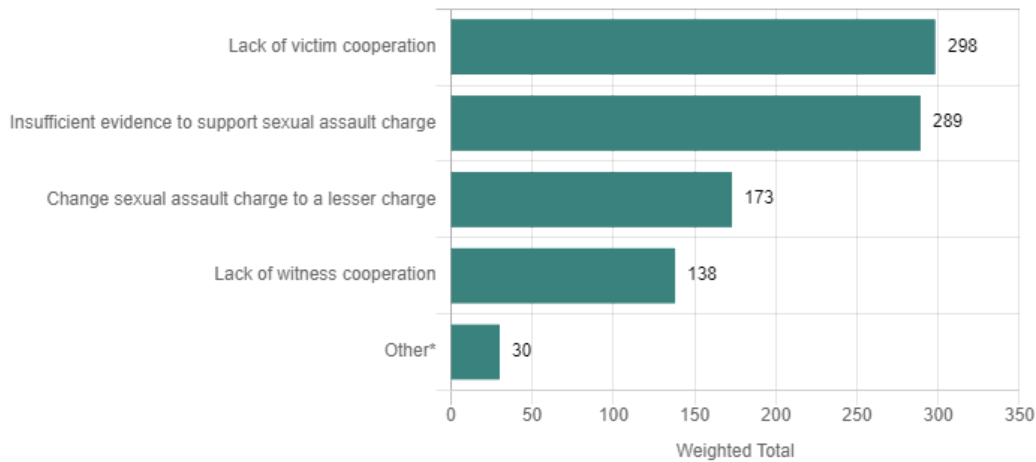


*Other responses included factors such as the quality of the investigation, victim/witness credibility issues, lack of parental cooperation, and the victim unavailable to testify.

Data presented is a weighted total of the responses for this question. See Analysis of Survey Responses in the Methodology section for more information about the ranking question process.

Question 17: Please rank the factors that may lead the DA Office to drop or submit a motion to dismiss an Adult sexual assault case after indictment from most to least significant. (97 Respondents)

Factors Considered When Dropping an Adult Case (Weighted Total)

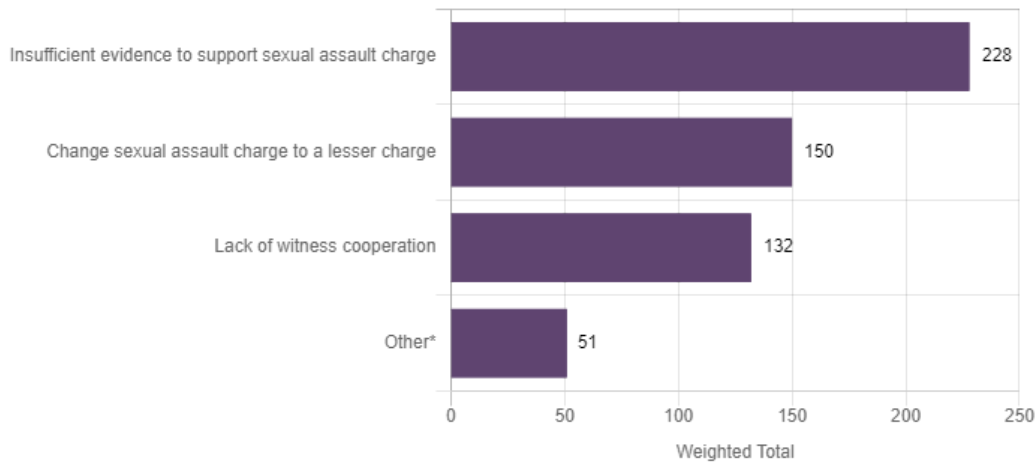


*Other responses included factors related to the quality of the investigation.

Data presented is a weighted total of the responses for this question. See *Analysis of Survey Responses in the Methodology* section for more information about the ranking question process.

Question 18: Please rank the factors that may lead the DA Office to drop or submit a motion to dismiss a Child sexual assault case after indictment from most to least significant. (98 Respondents)

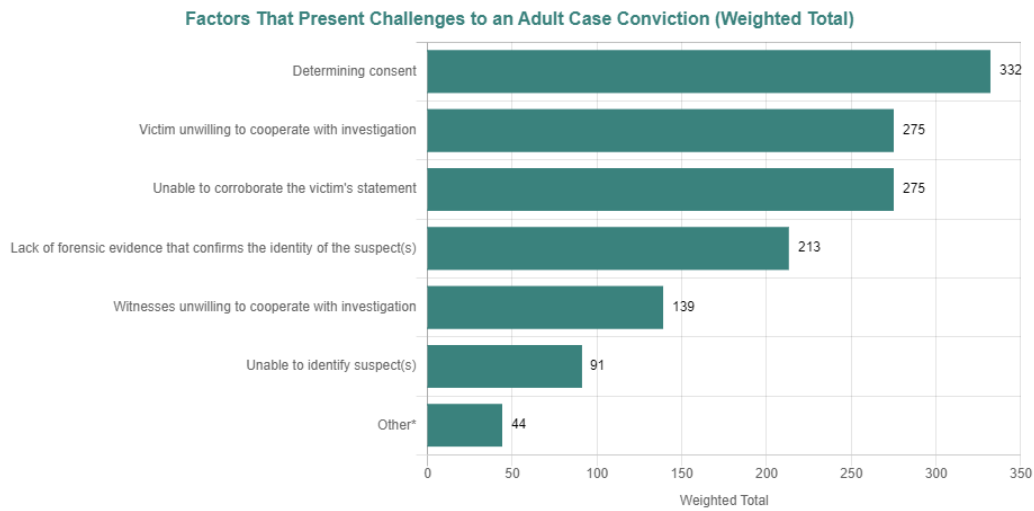
Factors Considered When Dropping a Child Case (Weighted Total)



*Other responses included factors such as the victim being unable to testify, parents/guardians choosing not to cooperate, victim/witness credibility issues, and the quality of the investigation.

Data presented is a weighted total of the responses for this question. See *Analysis of Survey Responses in the Methodology* section for more information about the ranking question process.

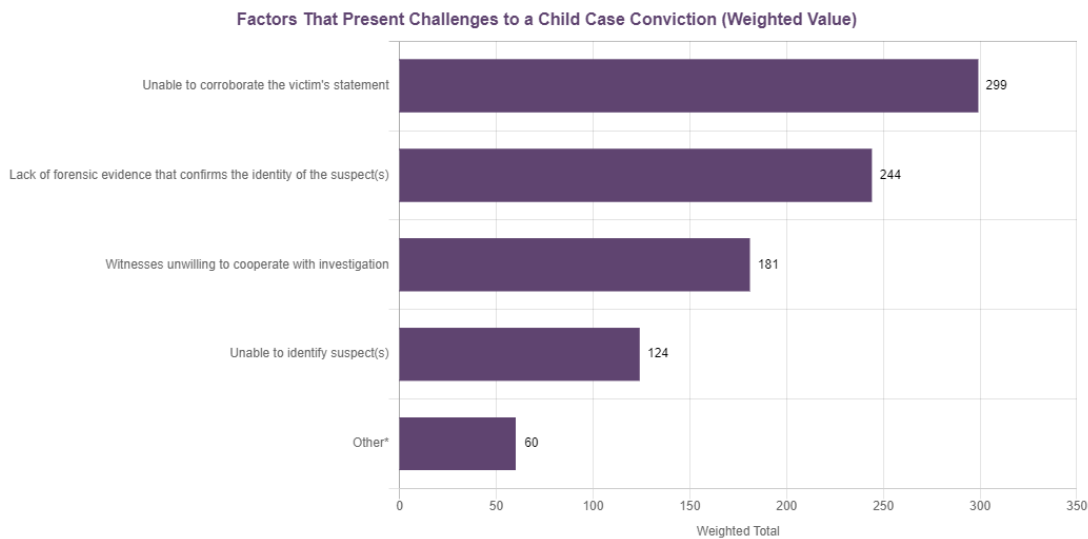
Question 19: Please rank the factors that present challenges to the DA Office's ability to convict a suspect for an Adult sexual assault crime from most to least significant. (98 Respondents)



**Other responses included factors such as victim/witness credibility issues, the quality of the investigation, and jurors having unrealistic expectations.*

Data presented is a weighted total of the responses for this question. See Analysis of Survey Responses in the Methodology section for more information about the ranking question process.

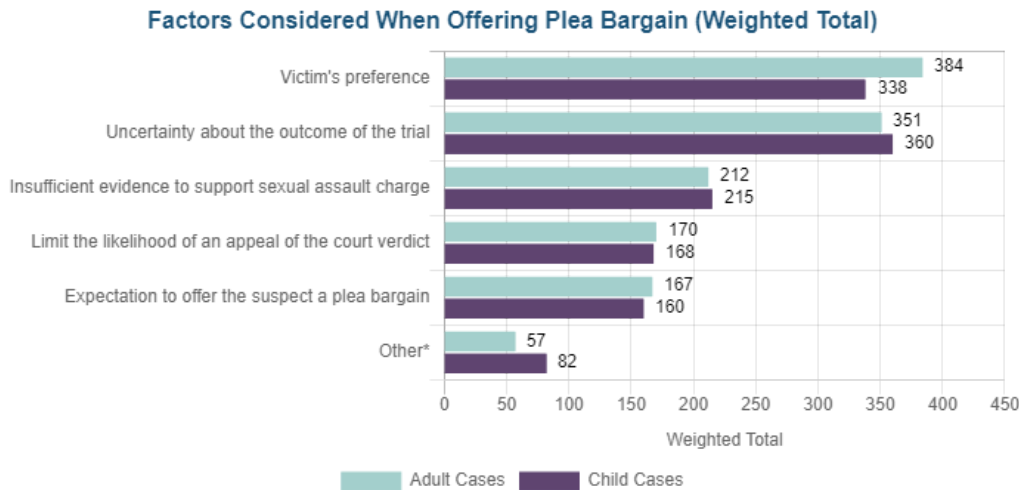
Question 20: Please rank the factors that present challenges to the DA Office's ability to convict a suspect for a Child sexual assault crime from most to least significant. (97 Respondents)



**Other responses included factors such as victim/witness credibility issues, the quality of the investigation, jurors having unrealistic expectations, lack of victim/family cooperation, and the victim being unable to testify.*

Data presented is a weighted total of the responses for this question. See Analysis of Survey Responses in the Methodology section for more information about the ranking question process.

Question 21: Please rank the factors that the DA Office considers when deciding on whether to offer a plea bargain to a suspect for an Adult or Child sexual assault crime from most to least significant. (97 Respondents for Adult Sexual Assault Cases; 98 Respondents for Child Sexual Assault Cases)



* Other responses for **adult sexual assaults** included factors such as strength of the evidence, victim/witness ability to testify, judicial economy, victim/witness credibility issues, and a trial not being in the victim's best interest.

* Other responses for **child sexual assault** included factors such as keeping children away from the trauma of a trial, judicial economy, facts concerning the case, and concerns with the adequacy of the evidence.

* Data presented is a weighted total of the responses for this question. See *Analysis of Survey Responses in the Methodology section* for more information about the ranking question process.

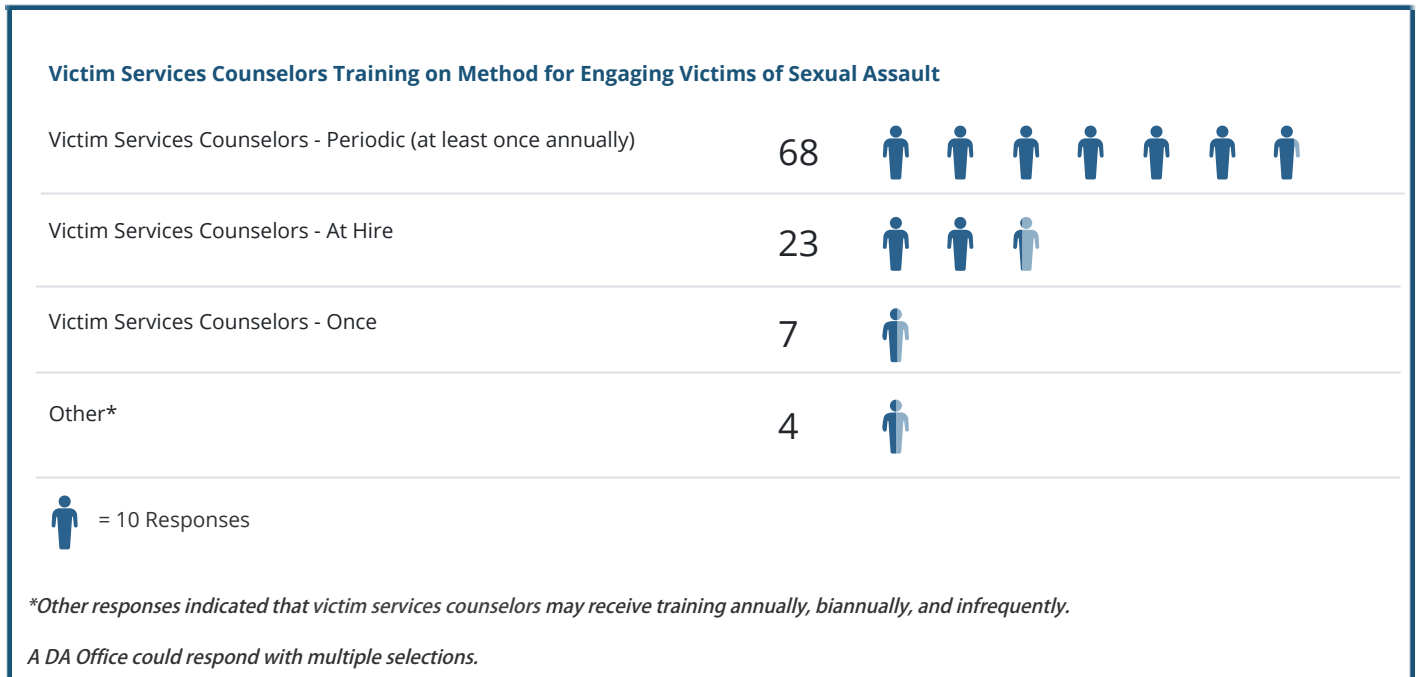
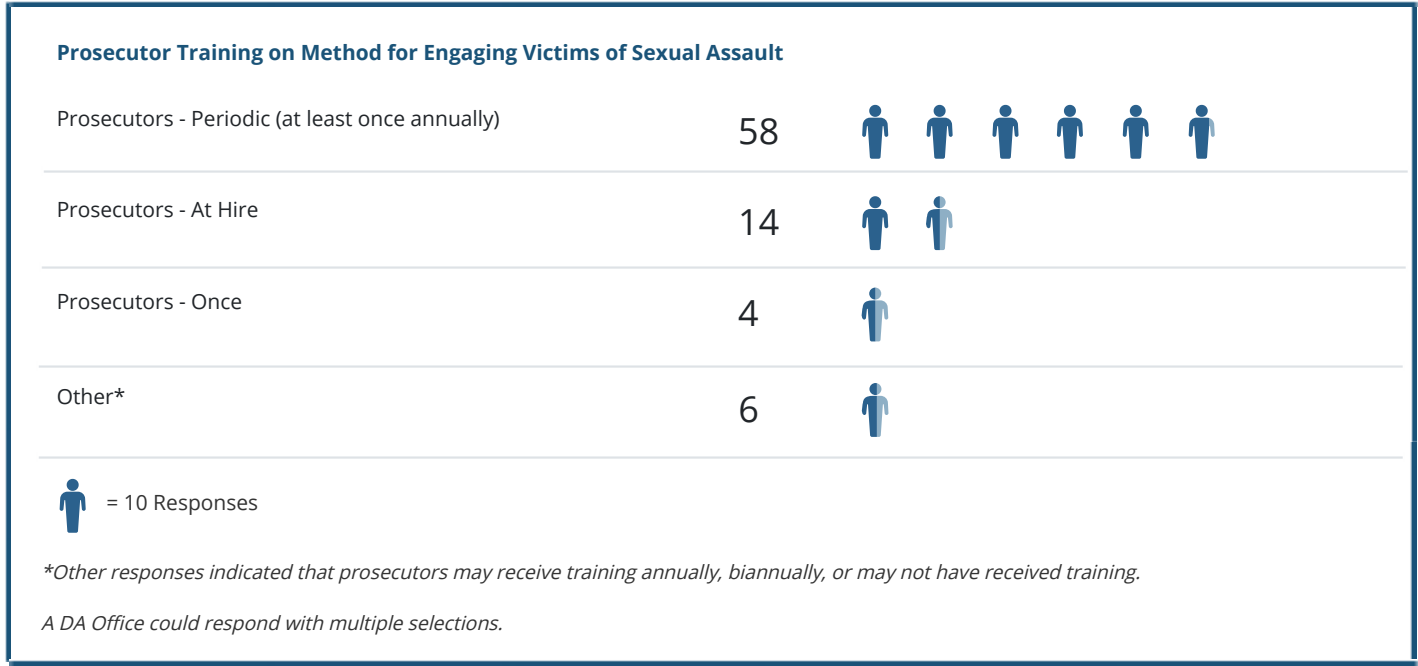
Administrative Practices

Question 22: Did the DA Office have documented standard operating practices for the following area related to the prosecution of sexual assault crimes from 2014 through 2018? (Choose all that apply.) (56 Respondents)

Standard Operating Practices	Number of Responses	Percent of Responses
Providing victims periodic status reports on the prosecution of a sexual assault case.	48	86%
How its victim services counselors should engage a victim of sexual assault.	32	57%
Accepting/declining a case referred by law enforcement agencies.	28	50%
Identifying and addressing potential conflicts of interest.	20	36%
How prosecutors should engage a victim of sexual assault.	18	32%

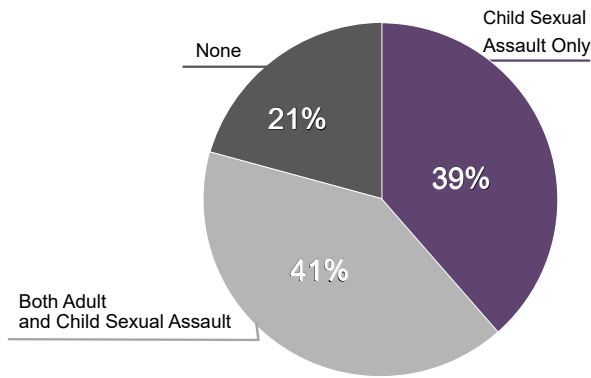
This table shows the totals by response and not by respondent; single respondents may have selected several standard operating practices.

Question 23: Please indicate whether the following staff received training on methods for engaging victims of sexual assault (such as the victim-centered approach, trauma-informed approach, etc.) and if so, how frequently.



Question 24: Did the DA's Office participate in a multi-disciplinary team* (MDT) approach and/or a Sexual Assault Response Team* (SART) in the investigation and prosecution of the following types of sexual assault crimes from 2014 through 2018? If the DA's Office indicated it participated in an MDT and/or a SART, then it was asked how participation impacted the prosecution of sexual assaults. (97 Respondents)

Did the DA's Office Participate in an MDT* or a SART* for Sexual Assaults Involving Adult and/or Child Victims?



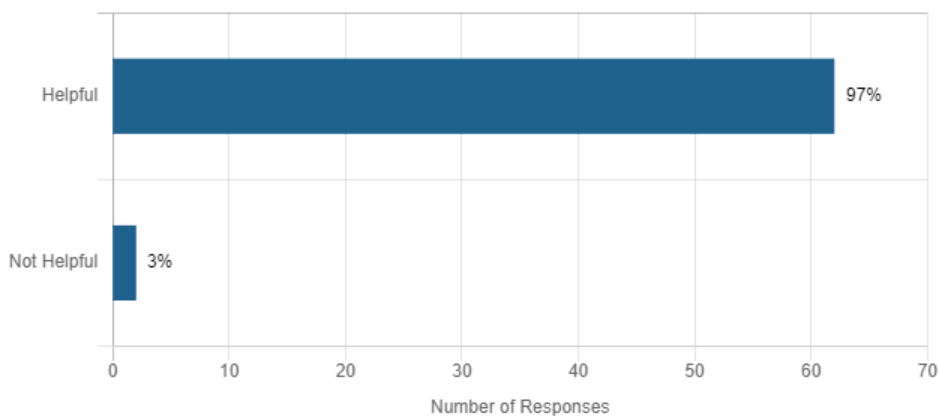
**Statute requires that the members of a multi-disciplinary team include the Texas Department of Family and Protective Services, the local children’s advocacy center, local law enforcement, and the local district attorney’s office. Members are required to cooperate through shared fact-finding and effective case development and jointly assist with investigating and prosecuting allegations of child abuse and neglect.*

**Participation on a sexual assault response team (SART) by local law enforcement and district attorneys’ offices is voluntary. It may include representatives from local community-based advocacy organizations and medical professionals. The primary goals of a SART is to improve the treatment of victims of sexual assault, case outcomes, efficiency, and protection of the community. In addition, participating in a SART provides an opportunity to jointly discuss and identify ways to strengthen and improve investigation and prosecution processes for sexual assault cases.*

None of the DA Offices replied that they participated in an MDT and/or SART for only sexual assaults involving **adult victims.*

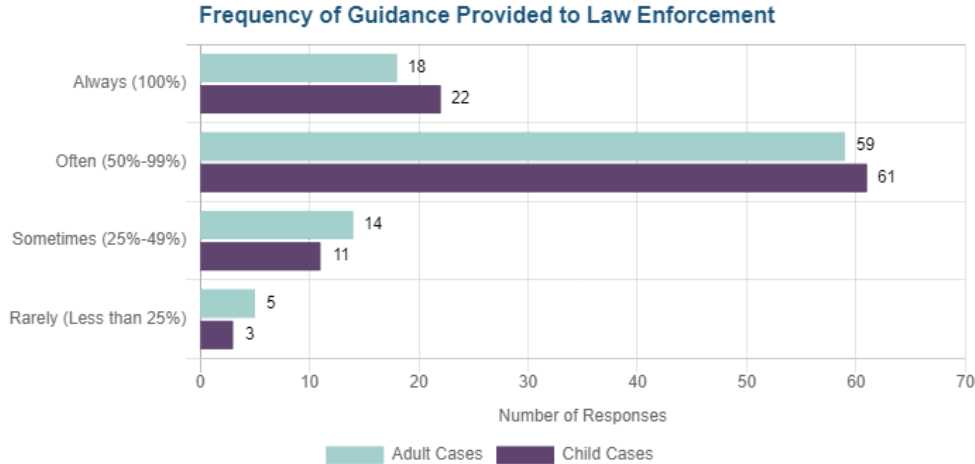
Percentages do not sum to 100% due to rounding.

How Did Participating in an MDT and/or a SART Impact the DA's Office?



DA Offices indicated that MDTs and/or SARTs were helpful because they generally encouraged more cooperation and collaboration between local law enforcement and the DA Office.

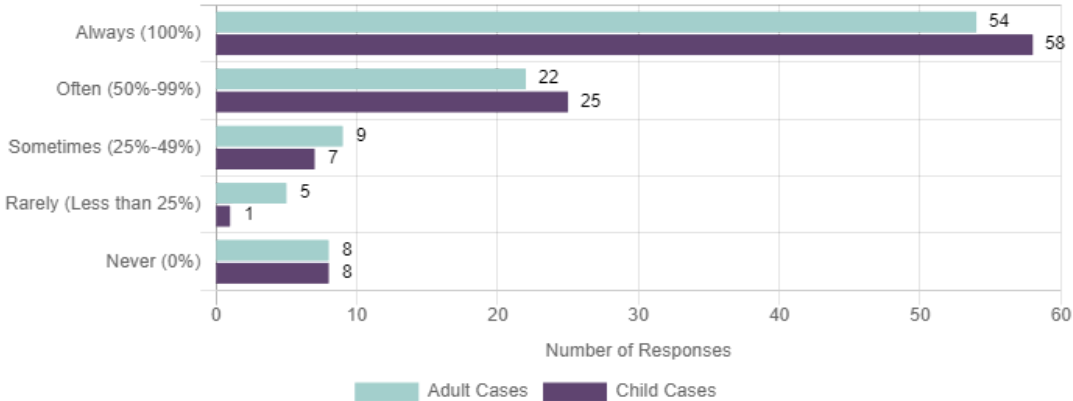
Question 25: How regularly does the DA office provide guidance to law enforcement before accepting/declining a referred case? (96 Respondents for Adult Sexual Assault Cases; 97 Respondents for Child Sexual Assault Cases)



None of the DA Offices selected "Never" as a response to Question 25.

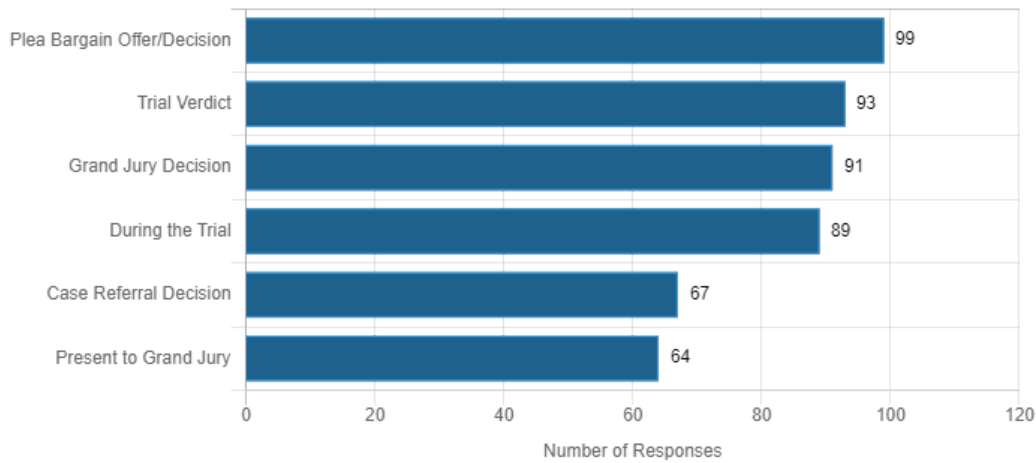
Question 26: How regularly does the DA Office use victim services counselors when prosecuting sexual assault crimes? (98 Respondents for Adult Sexual Assault Cases; 99 Respondents for Child Sexual Assault Cases)

How Frequently Does the DA Office Use the Assistance of Victim Services Counselors when Prosecuting Sexual Assaults?



Question 27: At what points during the prosecution process of a [sexual assault] case does the DA Office provide updates to victims? (Choose all that apply.) (99 Respondents)

Significant Points During the Prosecution Process Where the DA Offices Provide Updates to Victims of Sexual Assaults



A DA Office could respond with multiple selections.

Question 28: How does the DA Office notify law enforcement agencies when it declines a sexual assault case? (84 Respondents)

Notifying Law Enforcement Agency When Declining A Case

Response	Number of Responses	Percent
In Writing	58	69%
Verbally	11	13%
Both	15	18%

Feedback

To compile and present the answers for this section, auditors summarized the responses and classified similar responses into auditor-determined categories.



Question 29: What would the DA Office recommend to improve the prosecution of sexual assault crimes? (82 Respondents)

Recommendations to Improve the Process

Additional training for Prosecutors and Law Enforcement

40



DA Offices indicated they needed additional and better training for prosecutors and law enforcement. Additional training topics include:

- Training law enforcement on cell phone evidence.
- Training on cognitive bias.
- Training on interviewing sexual assault victims in a trauma-informed manner.
- Training law enforcement on forensic evidence collection.
- Training prosecutors on commonly used defense attorney attacks for sexual assaults.

Additional funding and resources for Prosecutors and Law Enforcement

29



DA Offices indicated that funding was needed at all levels, including for:

- Counseling services.
- Expert witnesses.
- Victim services and support.
- Law enforcement.
- Prosecutors.
- Rural counties (including law enforcement and prosecutors).

Public education about sex crimes

11



DA Offices indicated that more jury education and increased community awareness about the reality of sexual assault crimes were required to help improve the prosecution of sexual assault crimes.

Additional Prosecutors, Law Enforcement, and Victims Advocates

9



DA Offices indicated that more specialized investigators, prosecutors (including specialized prosecutors), and judges were needed to help improve the prosecution of sexual assault crimes.

More technology and expedited DNA test results

7



DA Offices indicated that expedited DNA testing would help improve the prosecution of sexual assault crimes. In addition, DA Offices indicated that rural areas need more technology and a statewide database to track allegations of sexual assault.



Improve Law Enforcement investigations

DA Offices indicated they needed more thorough and complete investigations by law enforcement.

7



Funding for specialized staff at the DA's office and at Law Enforcement agencies

DA Offices indicated resources for staff that specialize in investigating sexual assaults, especially in less populated and rural areas, were needed to help improve the prosecution of sexual assault crimes.

7



Change sexual assault statute

DA Offices indicated that changes to statute are needed, including requiring law enforcement to submit all evidence to the DA Offices, requiring MDT participation, enabling the use of forensic interviews as evidence, and granting the State the right to jury assessed punishment (rather than assessed by the judge).

6



More services for victims

DA Offices indicated that more resources for victims were needed, including more victim assistance coordinators and more training for those coordinators, specifically in rural areas. In addition, they indicated that victims and guardians should be provided a clear explanation about the process and information on a regular basis from law enforcement and district attorneys' offices throughout the criminal justice process.

5



= 10 Responses

A DA Office could provide more than one answer in its response.

Question 30: Please provide any additional information that the DA Office would like the SAO to know related to the investigation and prosecution of sexual assault crimes in Texas. (44 Respondents)

Additional Information

<p>These cases are difficult and require significant prosecutorial resources <i>DA Offices indicated that sexual assault cases are stressful, emotional, require dedicated resources, and are extremely complex.</i></p>	9	
<p>Reduce lab processing time for DNA evidence <i>DA Offices indicated that the delay of DNA results negatively impacts the prosecution of sexual assault crimes.</i></p>	5	
<p>Limited evidence or testimony <i>DA Offices indicated that sexual assault cases are difficult to prosecute due to limited evidence and results from problems such as victim credibility issues, victims unable to provide sufficient details, or not having sufficient evidence to convince a jury beyond a reasonable doubt.</i></p>	5	
<p>More training or funding for law enforcement <i>DA Offices indicated law enforcement needed better and more training on investigating sexual assaults.</i></p>	4	
<p>Rural counties lack resources <i>DA Offices indicated that smaller, rural counties lack resources, such as funding and access to sexual assault nurse examiners, required for the prosecution of sexual assault investigations.</i></p>	3	
<p>Additional funding <i>DA Offices indicated that additional funding is needed for specialized investigators, salaries, and additional technology.</i></p>	3	
<p>Improve investigations by law enforcement <i>DA Offices indicated that inadequate investigations by law enforcement due to investigator turnover and lack of training have a negative impact on the prosecution process for sexual assault crimes.</i></p>	3	
<p>Better training for prosecutors <i>DA Offices indicated that more training on sexual assaults overall was needed for prosecutors, as well as training on understanding crime lab results and analysis.</i></p>	2	



Top

Other

9



DA Offices mentioned each of the following: (1) improved resources for victims are needed; (2) victims recant or change their minds more often than is reported; (3) communication and collaboration between investigators and prosecutors is a best practice; (4) prosecutors have to weigh the victim's well being against all aspects of the trial; (5) identify a process that would allow only the use of a child victim's forensic interview and still protect the offender's constitutional right to confront an accuser; (6) allow DA Offices to lead MDT meetings; (7) allow the Department of Public Safety to perform paternity tests on victims that are pregnant as a result of a sexual assault; (8) conduct a study to determine whether the age of consent needs to be changed due to an overwhelming number of cases involving sexually active children; and (9) victims lose faith in the system when the offenders are released on bond and face deportation and never face justice.



= 1 Responses

A DA Office could provide more than one answer in its response.



Advocacy Organizations

Summary

Auditors surveyed 148 community-based advocacy organizations (Organizations) that provided services to survivors of sexual assault across Texas. The survey was conducted from February 10, 2020, through May 1, 2020. A total of 125 (84 percent) of the 148 Organizations surveyed submitted responses. The tables and figures presented summarize the responses to the survey's 18 questions about the services they provided, organizational practices, and feedback on suggested improvements to the investigation and prosecution of sexual assault crimes.

Key Results

Of the 125 Organizations that responded:

Survivors of Sexual Assaults Do Not Always Report Incidents to Law Enforcement Agencies



Most Organizations indicated that adult sexual assault survivors reported sexual assaults to law enforcement agencies less than 50 percent of the time. However, some Organizations indicated that child sexual assaults were reported more frequently.



[SEE QUESTION 13](#)

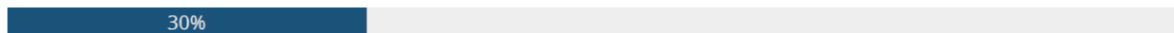
Most Common Reasons

The most common reasons the Organizations provided for why a survivor does not report a sexual assault to law enforcement:



Fear

30 percent of responses indicated that survivors do not report due to fear.

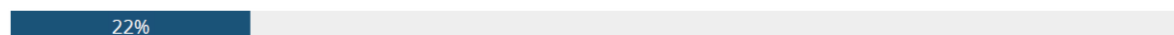


[SEE QUESTION 14](#)



Concerns About Not Being Believed or Being Blamed

22 percent of responses indicated that survivors do not report because they feel they will not be believed.

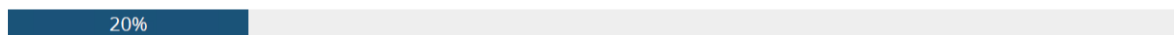


[SEE QUESTION 14](#)



Guilt, Shame, and Embarrassment

20 percent of responses indicated that survivors do not report due to feelings of guilt, shame, and embarrassment.



[SEE QUESTION 14](#)

Survivors are Reluctant to Cooperate with Local Law Enforcement Agencies and District Attorneys' Offices



The most common reason Organizations indicated that survivors do not work with law enforcement was because they feel they will not be believed.

[SEE QUESTION 15](#)



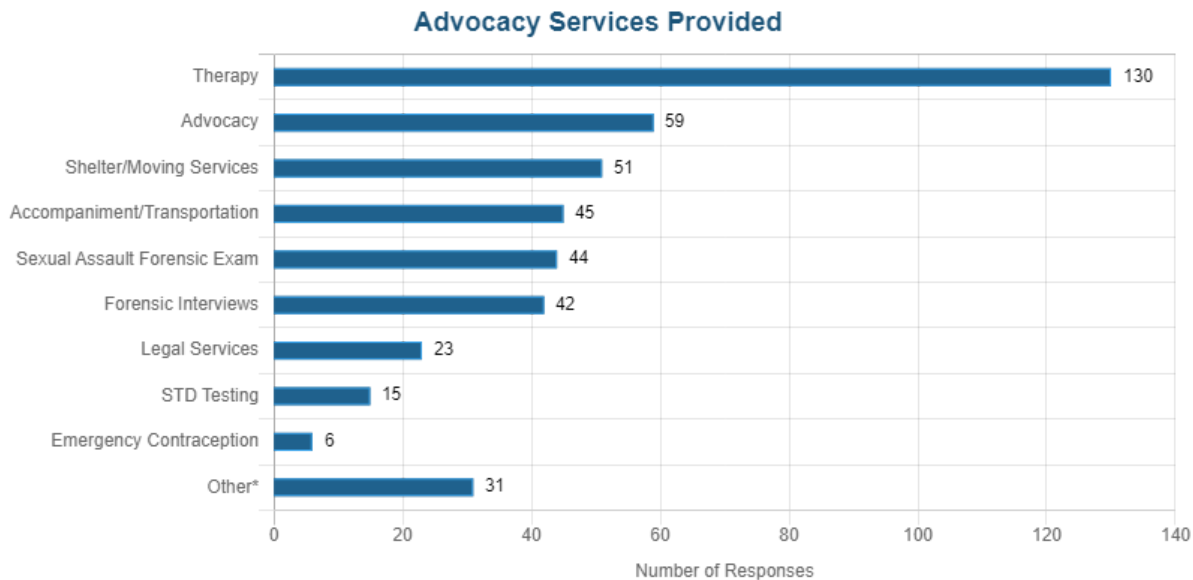
The most common reason Organizations indicated that survivors do not work with district attorneys' offices was because the process takes too long.

[SEE QUESTION 16](#)

Survey Results from Community-based Advocacy Organizations (Organizations)

Background Information

Question 1: What services does the Organization provide to survivors of sexual assault? (93 Respondents)



An Organization could select more than one service in its response. Overall, the 93 Organizations provided 446 responses that were included in the figure above.

*Other includes: crime victim's compensation assistance; case management; information and referrals; multi-disciplinary team participation; child abuse services; a hotline; resource coordination; statewide intake coordination; and other financial support.



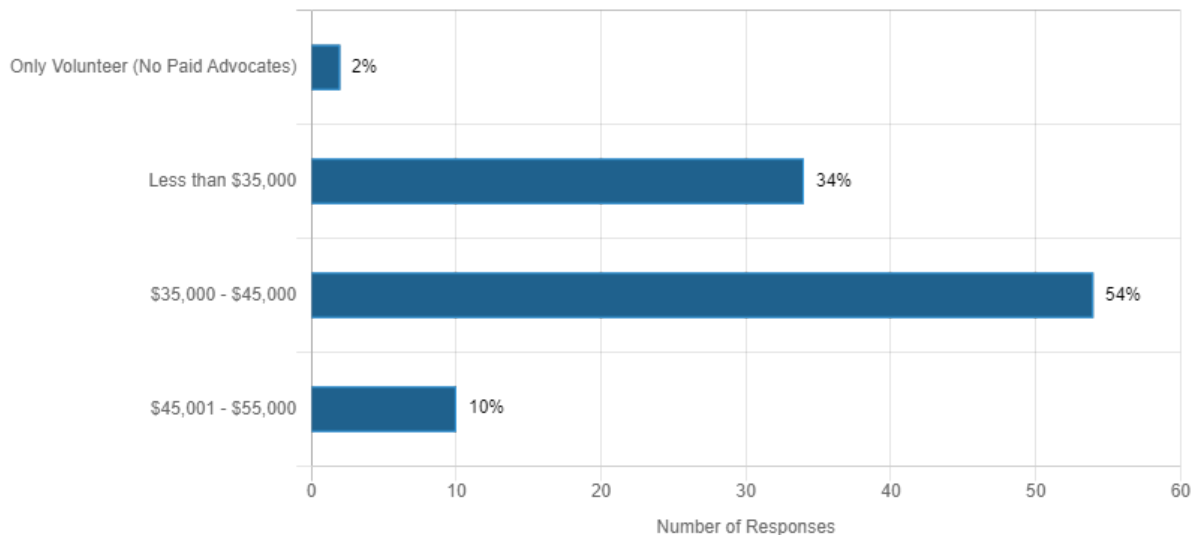
Question 2: How many community-based advocates does the Organization employ? If the Organization employs community-based advocates, what is the average annual salary for the Organization's staff performing victim support services? (118 Respondents)

Number of Community-based Advocates Employed

Response	Number of Responses	Percent
1 - 5 Advocates	71	60%
6 - 10 Advocates	28	24%
11 - 15 Advocates	7	6%
16 - 20 Advocates	6	5%
21 - 25 Advocates	2	2%
More than 25 Advocates	1	1%
None	3	3%

Percentages do not sum to 100% due to rounding.

Average Salaries for Advocates



No Organizations reported average salaries of \$55,001 or more for their advocates.

Of the 118 Organizations that answered the first question, 111 provided an answer related to the salary of those employees.

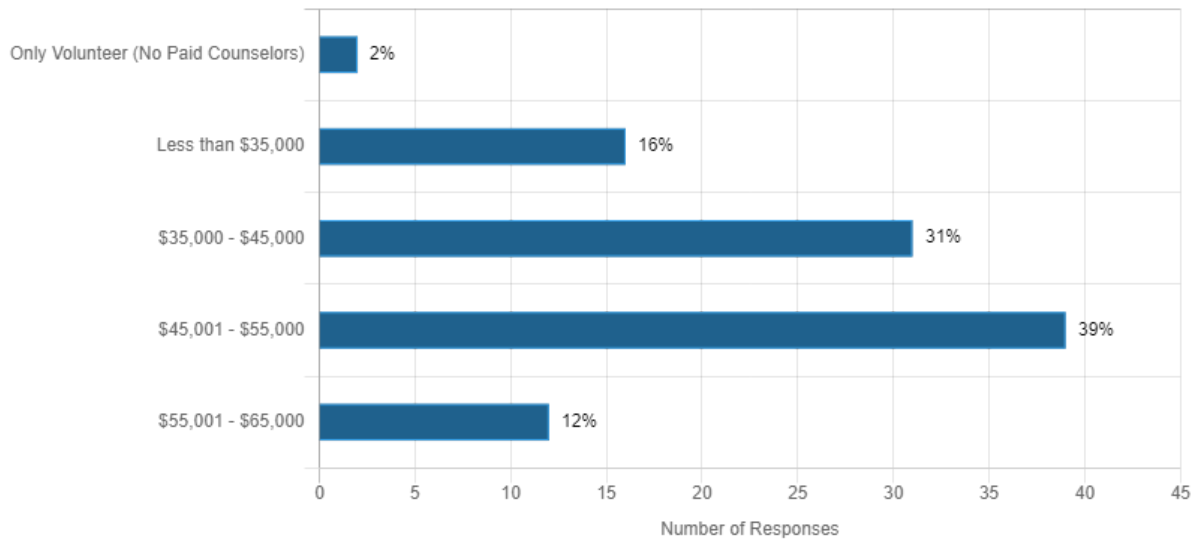


Question 3: How many victim services counselors does the Organization employ? If the Organization employs victim services counselors, what is the average annual salary for the Organization's staff performing victim support services? (115 Respondents)

Number of Victim Services Counselors Employed

Response	Number of Responses	Percent
1 - 5 Counselors	74	64%
6 - 10 Counselors	18	16%
11 - 15 Counselors	7	6%
16 - 20 Counselors	3	3%
21 - 25 Counselors	0	0%
More than 25 Counselors	1	1%
None	12	10%

Average Salaries for Victim Services Counselors



No Organizations reported average salaries of \$65,001 or more for their counselors.

Of the 115 Organizations that answered the first question, 101 provided an answer related to the salary of those employees.

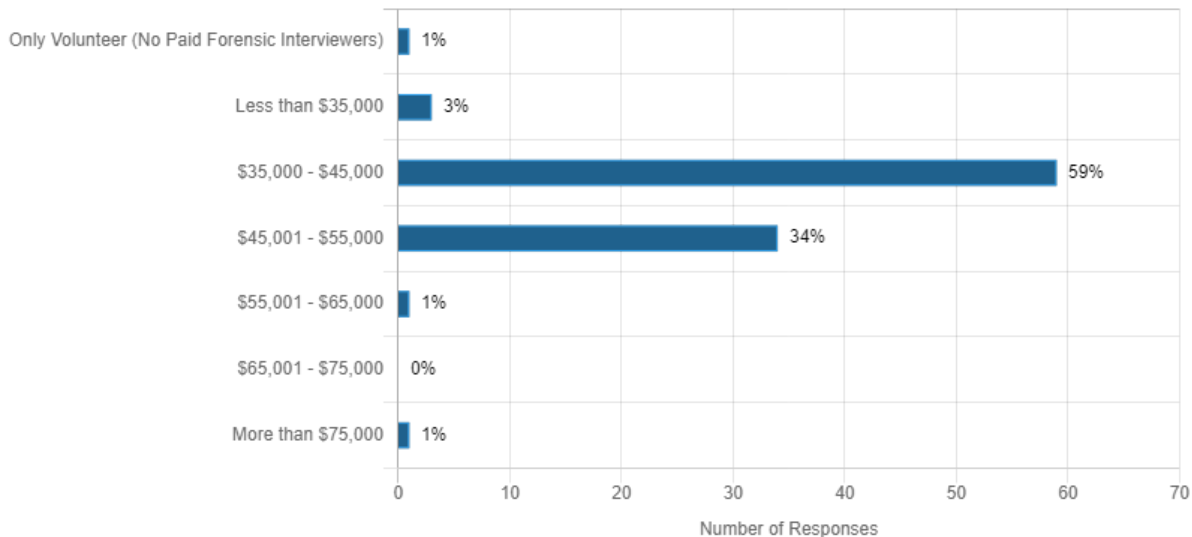


Question 4: How many forensic interviewers does the Organization employ? If the Organization employs forensic interviewers, what is the average annual salary for the Organization's staff performing victim support services? (105 Respondents)

Number of Forensic Interviewers Employed

Response	Number of Responses	Percent
1 - 5 Forensic Interviewers	57	54%
6 - 10 Forensic Interviewers	10	10%
11 - 15 Forensic Interviewers	0	0%
16 - 20 Forensic Interviewers	1	1%
21 - 25 Forensic Interviewers	0	0%
More than 25 Forensic Interviewers	0	0%
None	37	35%

Average Salaries for Forensic Interviewers



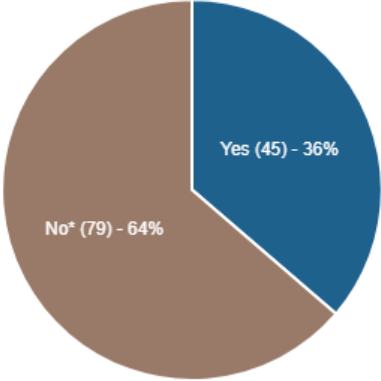
Percentages do not sum to 100% due to rounding.

Of the 105 Organizations that answered the first question, 68 provided an answer related to the salary of those employees.



Question 5: Does the Organization provide forensic medical services to survivors of sexual assault? (124 Respondents)

Organizations that Provide Forensic Medical Services



- Yes (45) - 45 responses
- No* (79) - 79 responses

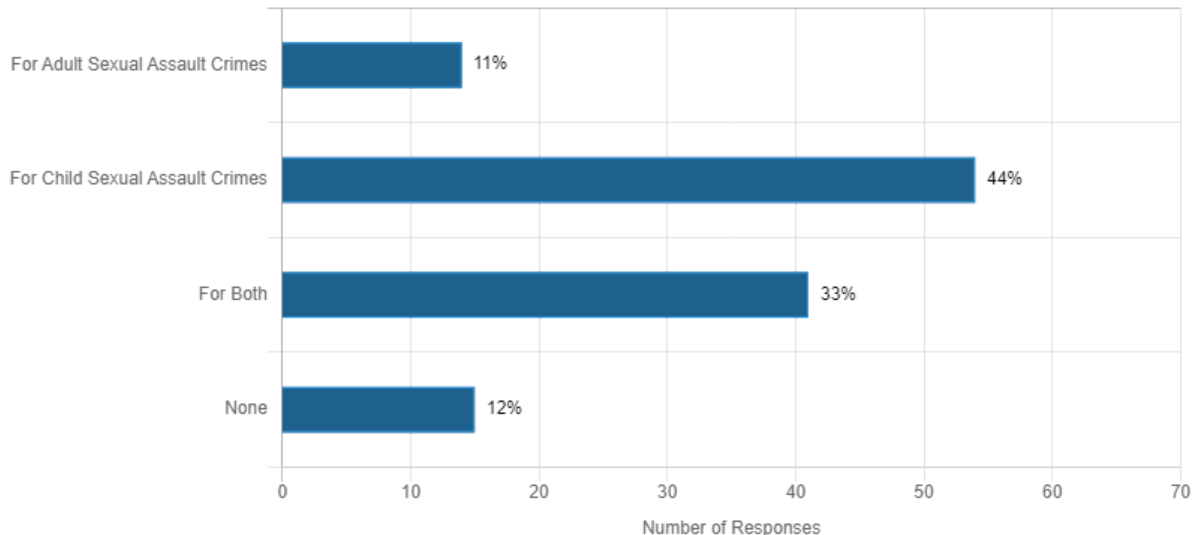
*All 79 organizations that do not provide forensic medical services reported that they provide survivors with information on how to obtain forensic medical exams.

Other Practices



Question 6: Please indicate whether the Organization participated in a multi-disciplinary team* approach in the investigation and prosecution and/or a Sexual Assault Response Team* for the following types of sexual assault crimes from calendar years 2014 through 2018. (124 Respondents)

Participated in Multi-disciplinary Team*/Sexual Assault Response Team*



*Statute requires that the members of a multi-disciplinary team include the Texas Department of Family and Protective Services, the local children’s advocacy center, local law enforcement, and the local district attorney’s office. Members are required to cooperate through shared fact-finding and effective case development and jointly assist with investigating and prosecuting allegations of child abuse and neglect.

*Participation on a sexual assault response team (SART) by local law enforcement and district attorneys’ offices is voluntary. It may include representatives from local community-based advocacy organizations and medical professionals. The primary goals of a SART is to improve the treatment of victims of sexual assault, case outcomes, efficiency, and protection of the community. In addition, participating in a SART provides an opportunity to jointly discuss and identify ways to strengthen and improve investigation and prosecution processes for sexual assault cases.

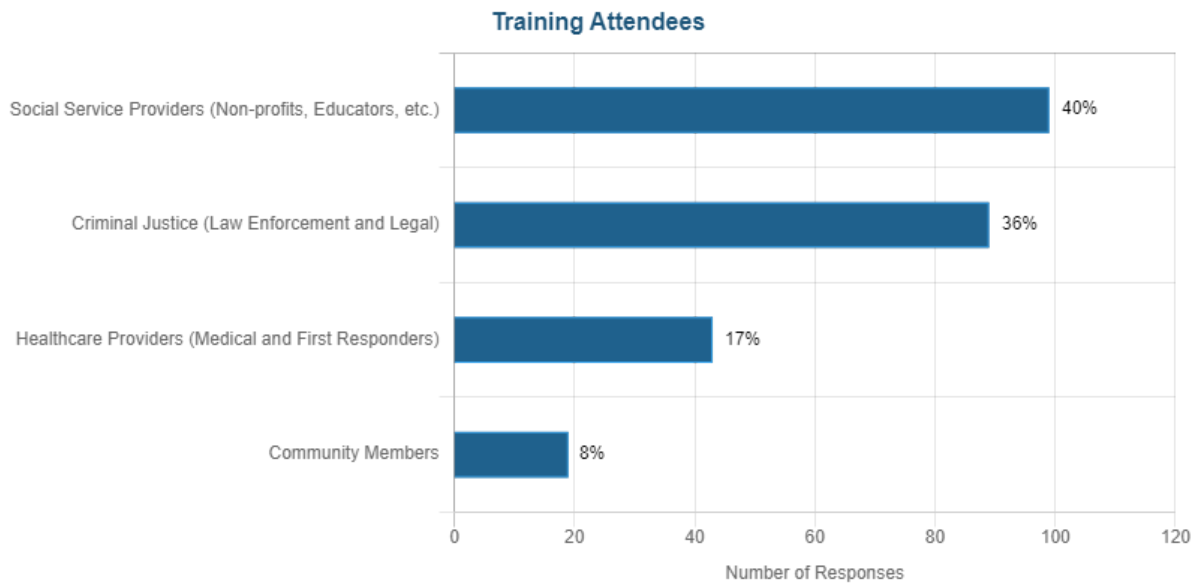
Question 7: Does the Organization offer external training on a victim-centered approach and/or a trauma-informed approach? (125 Respondents)

Organization Offers External Training?

Response	Number of Responses	Percent
Yes	81	65%
No	44	35%



Question 8: If your Organization offers external training, what types of organizations, agencies, and other groups attend? (79 Respondents)

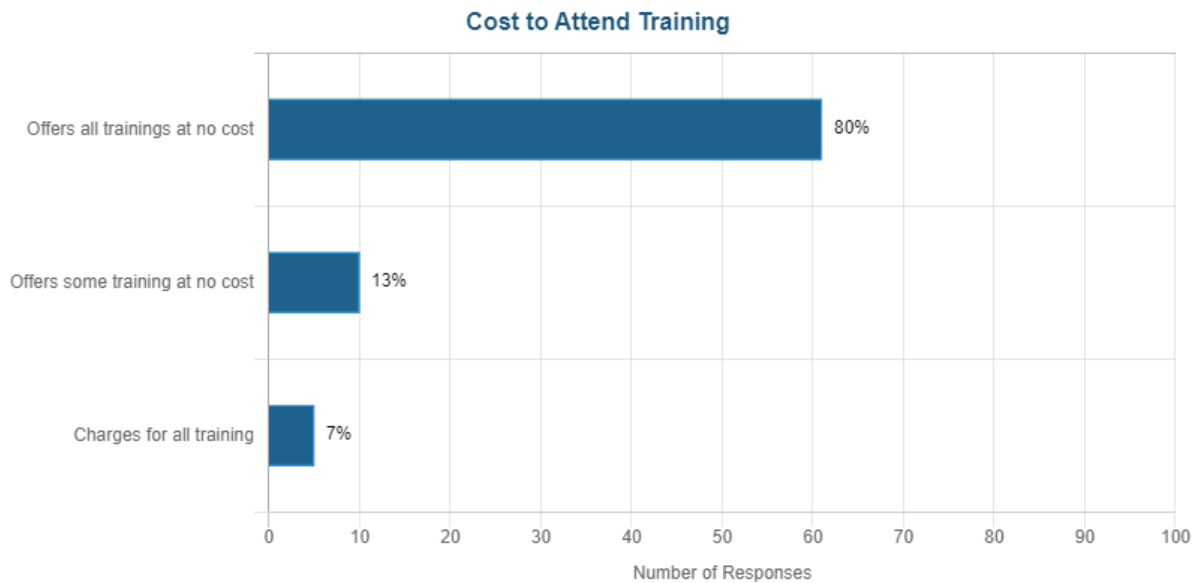


An Organization could provide more than one type of group in its response.

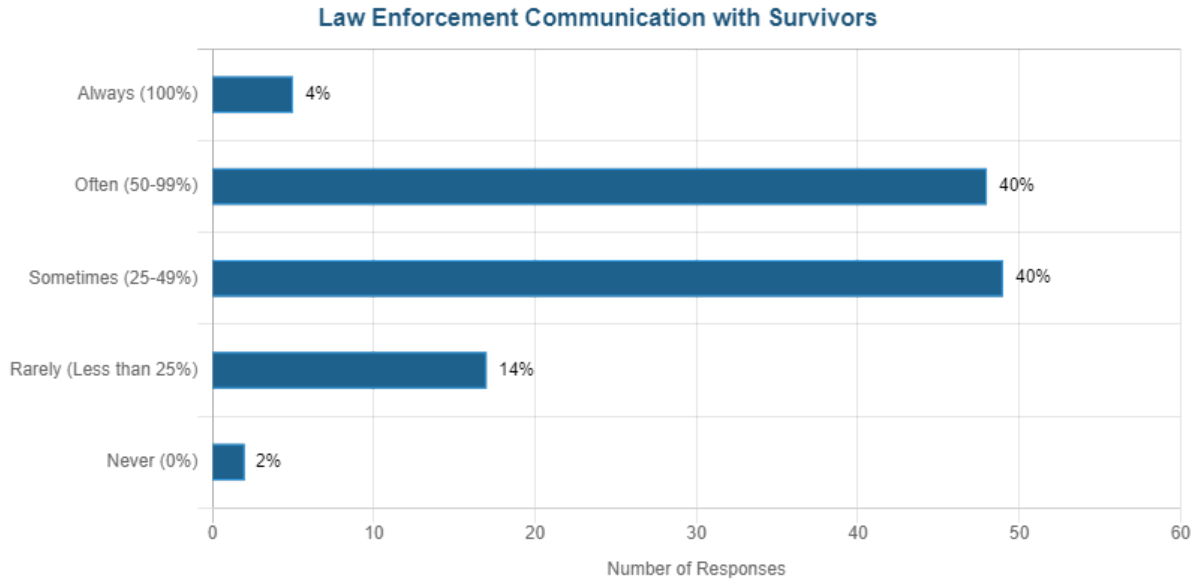
Percentages do not sum to 100% due to rounding.

Question 9: What is the average cost to attend training? (76 Respondents)

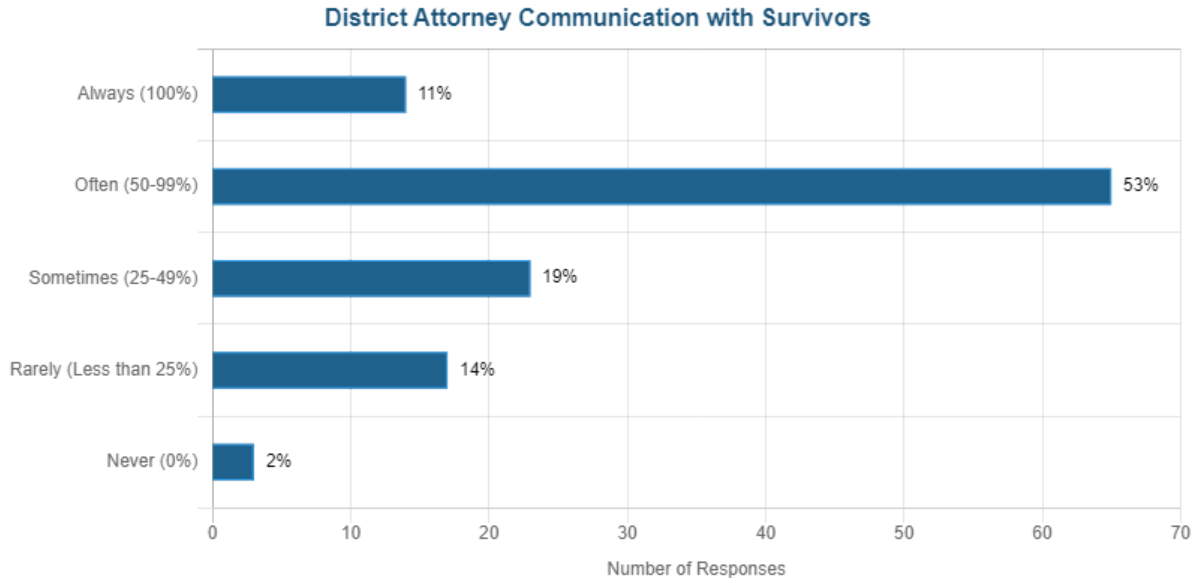
Organizations reported varied training costs by attendee, session, or conference presentation. Due to the varied nature of the responses, auditors did not determine an average cost. However, a majority of the Organizations indicated that all of the trainings they offered were at no cost. For those that did charge for training, those costs ranged from \$10 per person to \$1,500 per person.



Question 10: How frequently did law enforcement communicate with survivors of sexual assault when the status of the case changed (could include when the case closed without an arrest, at the arrest of a suspect, etc.)? (121 Respondents)

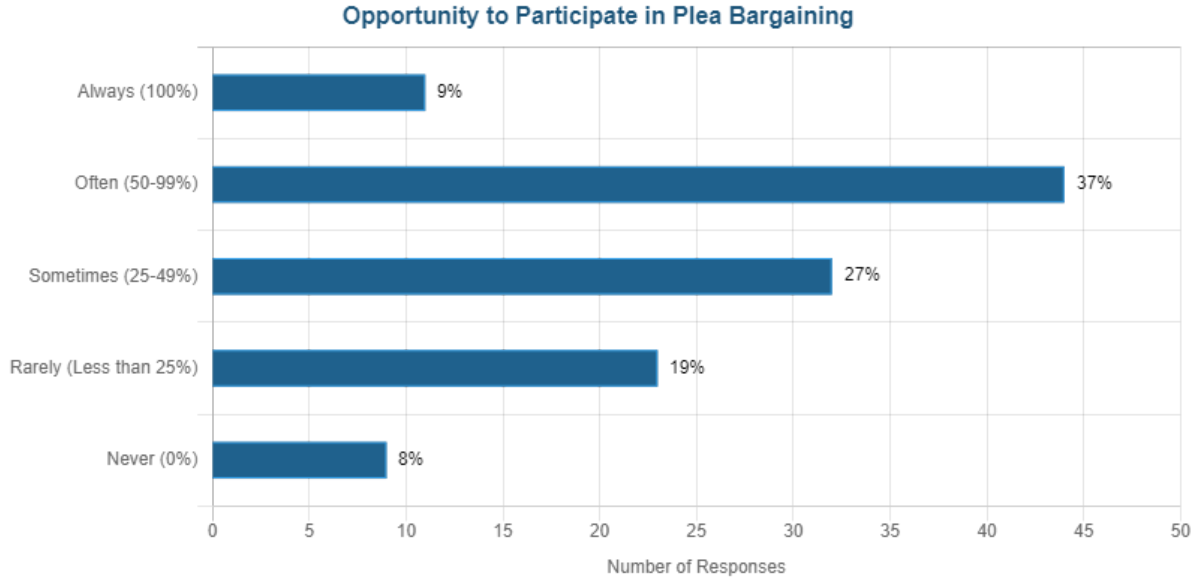


Question 11: How frequently did the district attorney's office communicate with survivors of sexual assault when the status of the case changed (could include when the case was declined or rejected, at a plea bargaining, etc.)? (122 Respondents)



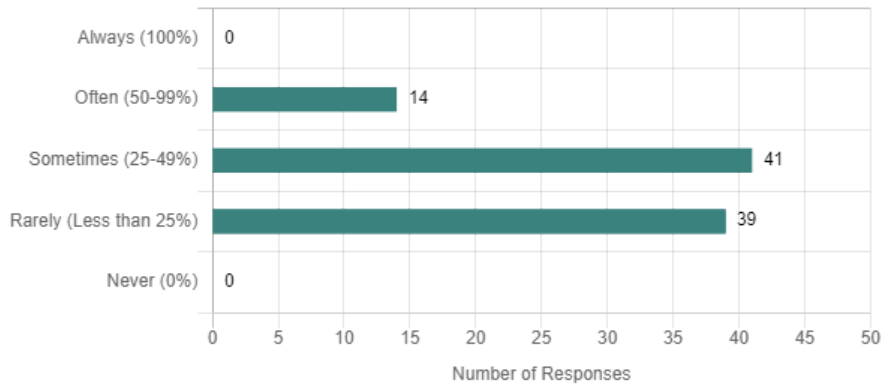
Percentages do not sum to 100% due to rounding.

Question 12: How frequently were survivors of sexual assault given the opportunity to participate in the plea bargaining process? (119 Respondents)

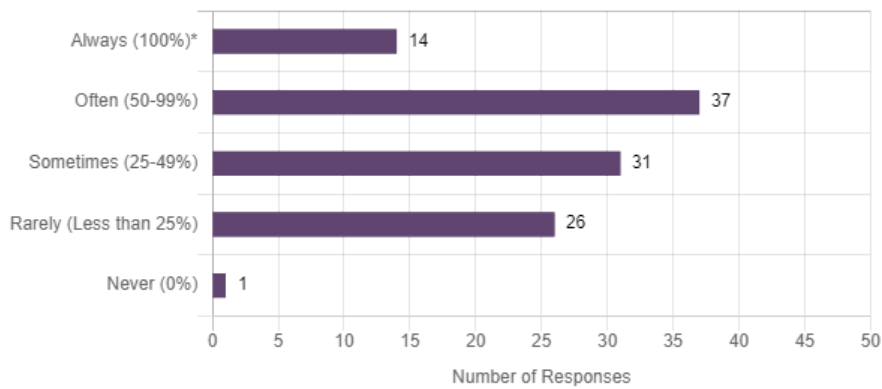


Question 13: How frequently do survivors of sexual assault report the crime to law enforcement? (94 Respondents for Adult Sexual Assault Cases; 109 Respondents for Child Sexual Assault Cases)

Frequency of Adult Sexual Assault Reported to Law Enforcement



Frequency of Child Sexual Assault Reported to Law Enforcement



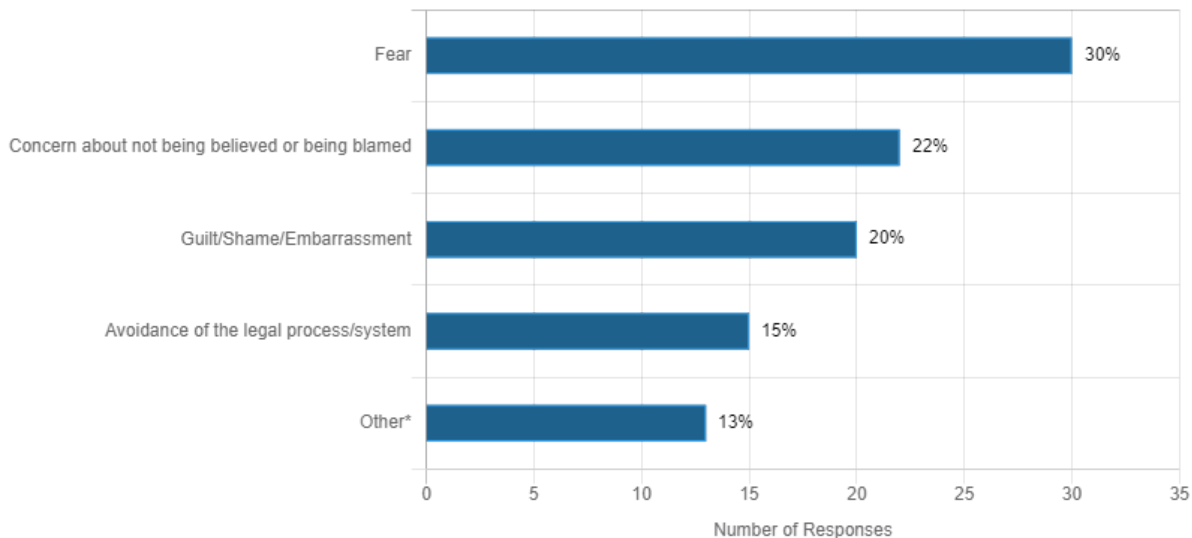
**Two entities included comments explaining that 100 percent of child sexual assaults are reported because their organizations are mandated reporters in compliance with Texas Family Code, Section 261.101 (b), which means that they are required to report suspicions of a sexual assault to law enforcement.*

Other respondents indicated that they cannot report sexual assaults that children do not disclose.



Question 14: Based on the [Organization’s experience], why do survivors of sexual assault not report the crime to law enforcement? (107 Respondents)

Why Survivors Do Not Report Sexual Assaults



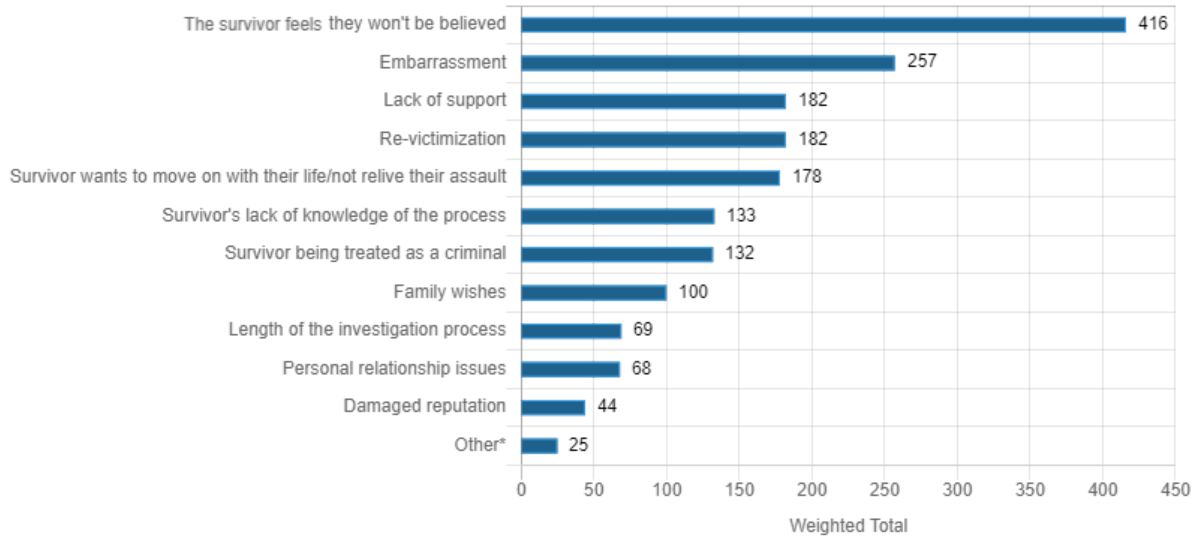
An Organization could provide more than one answer in its response.

**Other includes: to avoid reliving the trauma, lack of support for the survivor, children who are too young to understand that sexual assault is wrong, adults who do not view intimate partner sexual assault as wrong, language and culture, family wishes, law enforcement agencies are not trauma-informed, and pressure from outside sources.*

Only Respondents that did not answer “Always” in question 13 were asked to answer question 14.

Question 15: Please rank the factors why a survivor of sexual assault might not work with a law enforcement investigation. (107 Respondents)

Why Survivors Might Not Work With Law Enforcement Investigations (Weighted Total)



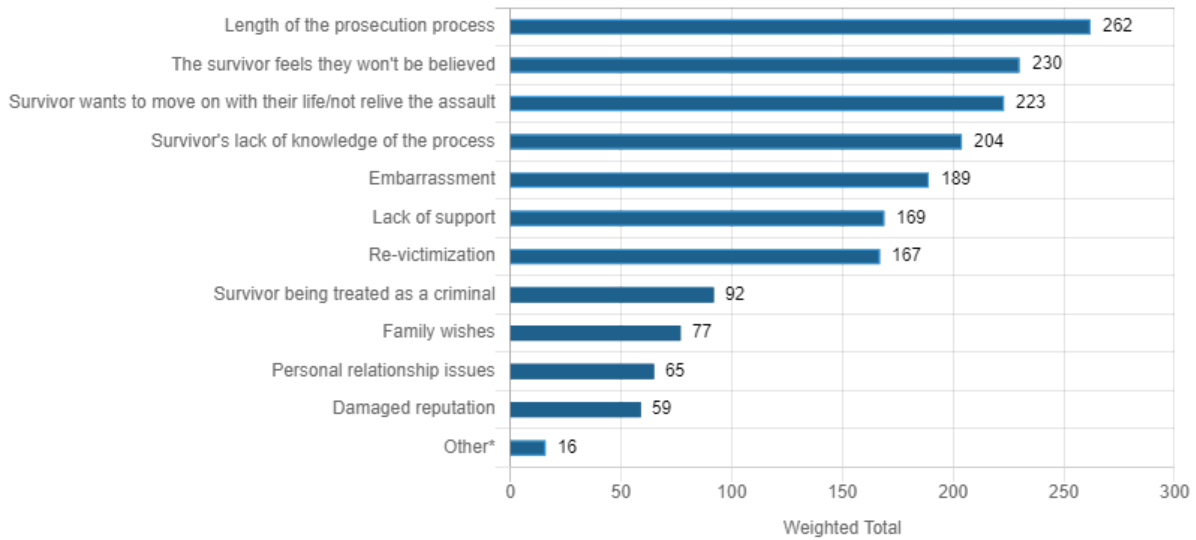
*Other includes: fear; drugs or alcohol were involved; language barriers; and survivor not self-identifying as a victim.

Data presented is a weighted total of the responses for this question. See *Analysis of Survey Responses in the Methodology* section for more information about how ranking question results were calculated.



Question 16: Please rank the factors why a survivor of sexual assault might not work with a district attorney's office for the prosecution of sexual assault. (117 Respondents)

Why Survivors Might Not Work With District Attorney Prosecutions (Weighted Total)



*Other responses included: survivor chooses not to participate, does not want to testify in court, or fears being outed as LGBTQ; and guardians of children not cooperating.

Data presented is a weighted total of the responses for this question. See *Analysis of Survey Responses in the Methodology* section for more information about how ranking question results were calculated.

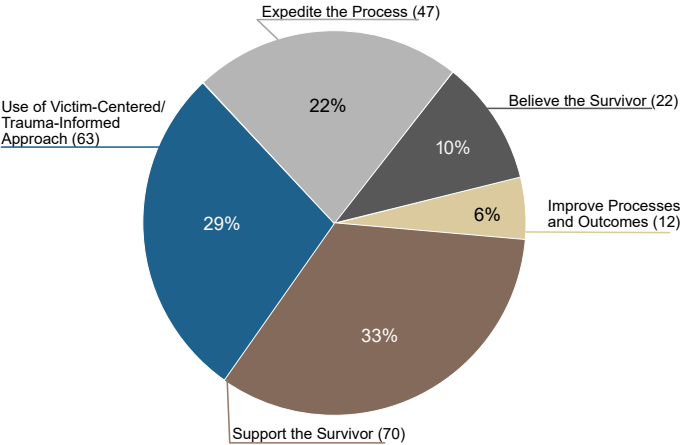
Feedback

To compile and present the answers for this section, auditors summarized the responses and classified similar responses into auditor-determined categories.



Question 17: What have survivors of sexual assault suggested to improve the sexual assault investigation and prosecution process? (118 Respondents)

Survivor Suggestions for Improvement



Select a Section on the Chart to View the Survey Results

- Support the Survivor - 70 responses
- Use of Victim-Centered/Trauma-Informed Approach - 63 responses
- Expedite the Process - 47 responses
- Believe the Survivor - 22 responses
- Improve Processes and Outcomes - 12 responses

An Organization could provide more than one answer in its response.



Expedite the Process

Response	Number of Responses	Percent of All Responses*
Shorten the Process - General**	44	20%
Improve Communication Between Law Enforcement and Prosecutors	2	1%
More Investigators Available for Sexual Assault Cases	1	0%
Total	47	22%

***Responses indicated that survivors wished the investigation and prosecution processes were completed more quickly.*

**Percentages based on the 214 responses provided by Organizations for this question.*

An Organization could provide more than one answer in its response.

Believe the Survivor

Response	Number of Responses	Percent of Responses*
Believe the Survivor	13	6%
Avoid Blaming the Survivor	9	4%
Total	22	10%

**Percentages based on the 214 responses provided by Organizations for this question.*

An Organization could provide more than one answer in its response.

Improve Process and Outcomes

Response	Number of Responses	Percent of All Responses*
Make Investigation and Prosecution Improvements - General**	9	4%
Impose Harsher Penalties	2	1%
Make Sexual Assault Forensic Exams More Available in Rural Areas	1	0%
Total	11	5%

***Make Investigation and Prosecution Improvements includes items such as making it easier to testify (such as clearing the court), have more timely results for sexual assault kits, and better use of organizations such as Child Advocacy Centers.*

**Percentages based on the 214 responses provided by Organizations for this question.*

Percentages do not sum to equal table total due to rounding.

An Organization could provide more than one answer in its response.

Support the Survivor

Response	Number of Responses	Percent of All Responses*
Inform Survivor of Case Status	38	18%
Educate Survivor About the Process	15	7%
Include Survivor in Process	8	4%
Inform Survivor of Options	2	1%
Give Survivor One Contact Throughout Process	2	1%
Make Crime Victim's Compensation Easier to Use	2	1%
Reduce Language and Cultural Barriers	1	0%
Provide Transportation to Survivor	1	0%
Use Multi-Disciplinary Teams	1	0%
Total	70	33%

**Percentages based on the 214 responses provided by Organizations for this question.*

Percentages do not sum to equal table total due to rounding.

An Organization could provide more than one answer in its response.

Use a Victim-Centered/Trauma-Informed Approach

Response	Number of Responses	Percent of All Responses*
Use Victim-Centered/Trauma-Informed Approach - General	28	13%
Show Empathy to Survivor	7	3%
Make Interview and Sexual Assault Forensic Exam Process More Comfortable	6	3%
Interview Using a Trauma-informed Approach	6	3%
Train Law Enforcement and Prosecutors on Victim-Centered/Trauma-informed Approaches	6	3%
Offer Advocate to Accompany/Assist Survivor	5	2%
Respect Privacy	2	1%
Ensure Physical Safety of Survivor	2	1%
Take Proactive Efforts to Educate Juries About a Sexual Assault's Effects	1	0%
Total	63	29%

**Percentages based on the 214 responses provided by Organizations for this question.*

An Organization could provide more than one answer in its response.

Question 18: Please provide any additional information that the Organization would like the SAO to know related to concerns about the investigation and prosecution of sexual assault crimes in Texas. (88 Respondents)

Advocacy Feedback

Concerns with the investigation and prosecution process

28



Organizations indicated they had the following concerns with the investigation and prosecution processes:

- Lack of accountability and low prosecution rates.
- Not requiring participation in multi-disciplinary teams.
- Law enforcement agencies' inconsistent application of sexual assault nurse examiner exams.
- Leniency of penalties.
- Limitations on types of evidence allowed.
- Lack of jury education.

Increase use of victim-centered/trauma-informed approach

20



Organizations indicated that survivors face the following challenges that could be addressed if local law enforcement and county district attorneys' offices practiced victim-centered/trauma-informed approaches:

- Victim-blaming behaviors.
- Re-victimizing of survivors.
- Victims having to retell their experiences numerous times throughout the process.
- Creating a less harsh and intimidating courtroom environment for child victims to testify.
- People involved in the case generally not being aware about the dynamics of abuse and the process of disclosure (especially with children).
- Local law enforcement being hesitant to make a police report about stalking.
- Local law enforcement informing survivors that they will be prosecuted if they are lying about being raped.



Victim support

18



Communication and Education of the Process – Organizations indicated the following actions would help support victims throughout the process:

- *Improving communication between survivors and law enforcement agencies and district attorneys' offices about the status of the case.*
- *Helping survivors understand the process.*
- *Including victim advocates in the investigation and prosecution process.*
- *Allowing survivors to record their testimonies and not have to testify in front of their perpetrators in court.*
- *Improving the process for tracking the status of cases.*
- *Offering survivors translation services.*
- *Limiting the negative effects of reporting sexual assaults.*

Increase staffing for local law enforcement agencies and district attorneys' offices

13



Organizations indicated that more staffing to address sexual assaults is needed in advocacy organizations, law enforcement agencies, and district attorneys' offices statewide. This includes increased staffing for specialized units at law enforcement and increased number of attorneys, especially in rural areas.

Improve local law enforcements' training for engaging victims of sexual assaults

10



Organizations indicated that local law enforcement agencies should have better, mandated training that could be facilitated by local advocacy organizations. Training should focus on improving the communicating with and interviewing of survivors, using trauma-informed approaches, and providing specialized training for working with child sexual assault victims.

Increase funding in rural areas

9



Organizations indicated that additional staffing and training resources are needed to address sexual assaults in rural areas, access to and education of sexual assault nurse examiner's role in collecting evidence, and to increase staff for mental health programs that assist survivors.

Reduce the amount of time to investigate and prosecute sexual assaults

5



Organizations indicated that the extended process times for investigating and prosecuting sexual assaults make survivors feel like nothing will come from the cases.



Increase cooperation between local law enforcement agencies, district attorneys' offices, and advocacy organizations

2



Organizations indicated that there was a lack of relationships among law enforcement agencies, district attorneys' offices, and the advocacy organizations.



= two responses.

Organizations could provide more than one answer in their response.



Crime Laboratories

Summary

Auditors surveyed 21 crime laboratories (private, municipal, and state laboratories) across Texas from February 10, 2020, through May 1, 2020. A total of 19 (90 percent) of the 21 crime laboratories surveyed submitted responses. The tables and figures presented summarize the responses received to the survey's 11 questions about the crime laboratories' processing and testing of sexual assault kits and other forensic evidence.

Key Results

Of the 19 crime laboratories that responded:

11

DPS Laboratories

Eleven respondents were from crime laboratories that were primarily state-funded. The other eight respondents were municipal or privately funded crime laboratories.

11

[SEE QUESTION 1](#)



Sexual Assault Kit Processing Times

68 percent of respondents indicated that crime laboratories' average processing time for a sexual assault kit for calendar years 2014 through 2018 was more than 90 days. The 86th Legislature passed House Bill 8, which set new requirements to test sexual assault kits within 90 days of receiving the evidence effective January 1, 2021.

68%

[SEE QUESTION 7](#)



Need More Trained Analysts

34 percent of responses indicated that the number of trained analysts staffed by crime laboratories was a significant factor in the amount of time it took to process sexual assault kits.

34%

[SEE QUESTION 8](#)



Top

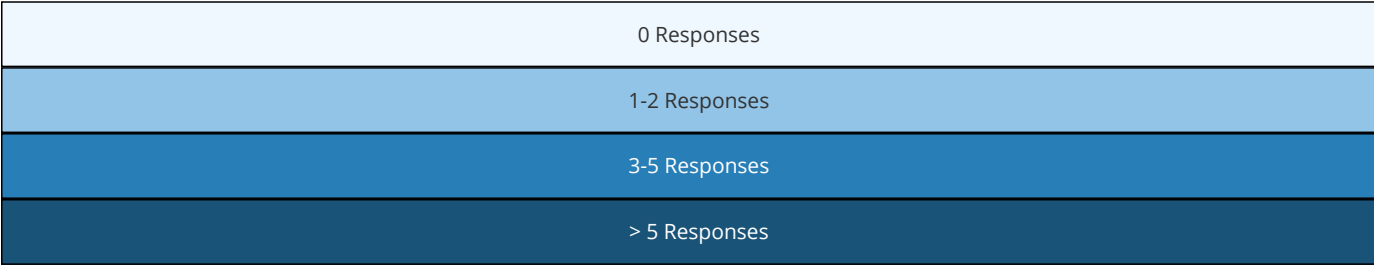
Survey Results from Crime Laboratories (Crime Labs)

Sexual Assault Kit Processing and Testing

Question 1: Please estimate the percentage of funding for the crime lab from calendar years 2014 through 2018. (19 Respondents)

Percentage of Funding That Crime Labs Reported by Source

Response	100-76%	75-51%	50-26%	25-0%	Total Responses
State-Funded	11	0	1	0	12
Municipally Funded	5	0	0	2	7
Fee-for-Service	2	0	0	1	3
Other Funding	0	1	0	5	6



A crime lab could choose more than one funding source, with the total required to equal 100 percent.



Question 2: From 2014 through 2018, what was the average monthly number of sexual assault kits that the crime lab received? (19 Respondents)

Average Monthly Number of Sexual Assault Kits Received

Response	Number of Responses	Percent
Less than 25 kits	5	26%
25-50 kits	4	21%
51-100 kits	9	47%
101-200 kits	1	5%
More than 200 kits	0	0%

Percentages do not sum to 100% due to rounding.

Question 3: From 2014 through 2018, what was the average monthly number of sexual assault kits that the crime lab tested? (19 Respondents)

Average Monthly Number of Sexual Assault Kits Tested

Response	Number of Responses	Percent
Less than 25 kits	8	42%
25-50 kits	5	26%
51-100 kits	5	26%
101-200 kits	1	5%
More than 200 kits	0	0%

Percentages do not sum to 100% due to rounding.



Question 4: For each sexual assault kit tested, what was the average amount billed to a law enforcement agency or district attorney's office? (18 Respondents)

Average Amount Billed to Test a Kit

Response	Number of Responses	Percent
Less than \$250	1	6%
\$250-\$500	1	6%
\$501-\$1,000	1	6%
\$1,001-\$1,500	1	6%
More than \$1,500	0	0%
There is no charge to test a sexual assault kit.	14	78%

Percentages do not sum to 100% due to rounding.

Question 5: For each expedited sexual assault kit tested, what was the average amount billed to a law enforcement agency or district attorney's office? (19 Respondents)

Average Amount Billed to Expedite a Kit

Response	Number of Responses	Percent
Less than \$1,000	1	5%
\$1,000-\$2,500	0	0%
\$2,501-\$5,000	1	5%
\$5,001-\$10,000	0	0%
More than \$10,000	0	0%
There is no process to expedite the processing of sexual assault kits.	2	11%
There is no charge to expedite the processing of a sexual assault kit.	15	79%



Question 6: In what order are sexual assault kits tested? (19 Respondents)

Order of Sexual Assault Kit Testing

Response	Number of Responses	Percent
In the order received.	8	42%
In order of priority according to state law enforcement requests.	1	5%
In order of the Crime Lab's discretion.	2	11%
Other - Specify*	8	42%

**"Other-Specify" responses indicated that kits were generally processed in the order received, but some kits might be expedited at the request of law enforcement or prosecution entities.*



Question 7: For sexual assault kits tested during 2014 through 2018, what was the average processing time for each kit tested? (19 Respondents)

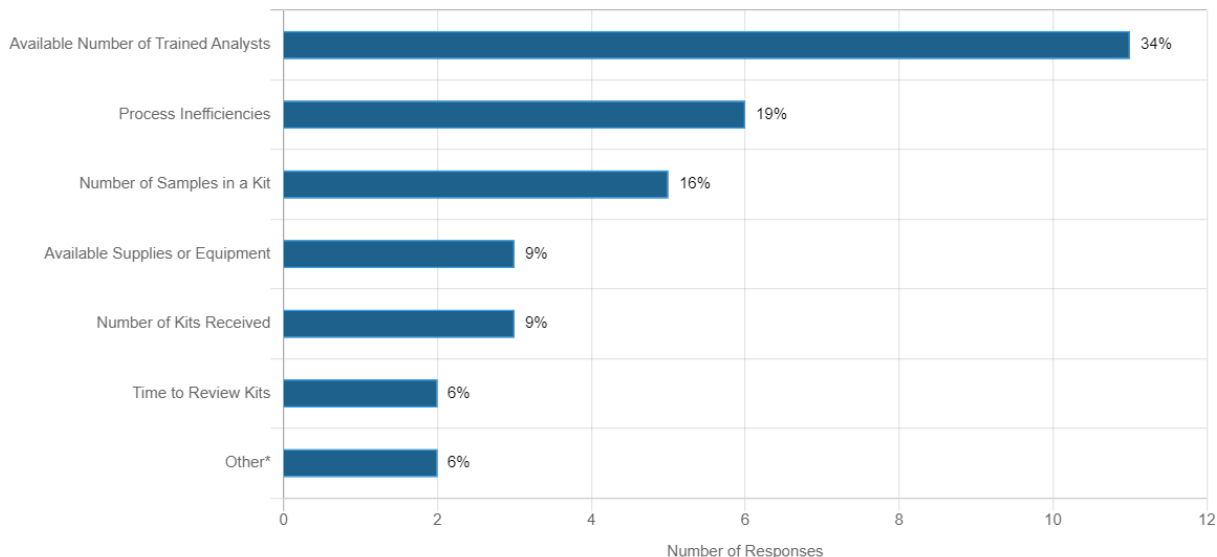
Average Processing Time for a Kit

Response	Number of Responses	Percent
Less than 30 days	1	5%
30 to 90 days	5	26%
91 to 180 days	3	16%
181 to 365 days	5	26%
More than 365 days	5	26%

Percentages do not sum to 100% due to rounding.

Question 8: What were the key factors that affect the length of the time for processing a sexual assault kit? (17 Respondents)

Key Factors That Affect Sexual Assault Kit Processing Time



*Other factors identified by crime labs included accreditation requirements and complying with DNA protocols and standards.

A crime lab could respond with multiple factors.


Feedback


To compile and present the answers for this section, auditors summarized the responses and classified similar responses into auditor-determined categories.




Question 9: What would the Crime Lab recommend to improve the processing of sexual assault kits? (15 Respondents)


Improving Sexual Assault Kit Processing


Additional trained staff 7 
Crime labs indicated recruiting more qualified staff was a key factor in improving the processing of sexual assault kits. This also would include retaining staff because of the time required to train new staff.


Standardize sexual assault kit submission to lab 7 
Crime labs recommended the following items to standardize sexual assault kit submissions:

- Including the sexual assault nurse examiner’s report with the patient’s summary of events.
- Standardizing an electronic format for the sexual assault nurse examiner’s report.
- Standardizing contents, packaging, and labeling of the sexual assault kit.
- Standardizing the number and type of samples.

Improved communication between crime labs, local law enforcement agencies, and district attorneys’ offices 4 
Crime labs indicated there should be improved communication between themselves, law enforcement agencies, and district attorneys’ offices when submitting requests to test sexual assault kits. In addition, crime labs indicated that sexual assault kit submissions could be improved if sexual assault nurse examiners were trained by crime lab personnel.

Improve processes 2 
Crime labs indicated that improving the efficiency of testing through certain types of DNA profiling could improve the overall quality of testing.

Update regulations 2 
Crime labs indicated that statute should be modified to require prioritized sexual assault kits be processed within 90 days instead of all sexual assault kits as currently required. Examples of cases that should be prioritized include cases actively being investigated by detectives, those in which the victim is cooperating with the investigation, those that the detectives believe can be filed with the district attorney’s office, and those in which detectives intend to follow up on investigative leads generated through CODIS (Combined DNA Index System). In addition, they indicated that certain chemicals used in DNA testing should be exempted from purchasing requirements.

More resources 2 
Crime labs indicated that they need more dedicated funding and more resources to retain experienced analysts.

More labs 2 
Crime labs indicated that more labs are required around the state.

Improving Sexual Assault Kit Processing

Outsource processing of backlogged sexual assault kits

A crime lab recommended consistent outsourcing of backlogged kits until a crime lab is fully staffed and that the staff is trained.

1



= one response

A crime lab could respond with multiple answers.

Question 10: What specific things does the Crime Lab think will reduce turnaround time for sexual assault kits? (15 Respondents)

What Will Reduce Turnaround Time?

Additional trained staff

Crime labs indicated that recruiting and retaining more trained staff was a key factor to improve the processing of sexual assault kits. In addition, they identified the need for expedited training outside of the training offered by the Department of Public Safety.

9



Process improvements

Crime labs indicated that improving the efficiency of testing would improve the overall quality of testing. Process improvements could include:

6



- Streamlining testing through a screening process.
- Upgrading reporting software to reduce mistakes.
- Developing larger platform robotics for performing DNA extractions.

Standardize sexual assault kit submissions

Crime labs recommended the following items to standardize sexual assault kit submissions:

5



- Including the sexual assault nurse examiner's report with the patient's summary of events.
- Using case documentation to eliminate certain items from processing.
- Standardizing what is contained in the sexual assault kit.

More resources

Crime labs indicated that they need more funding and equipment.

2



What Will Reduce Turnaround Time?

Other

3



Crime labs indicated that having more buildings to add staff, outsourcing testing for the backlog of sexual assault kits, and educating law enforcement agencies about how to interpret DNA testing results would help reduce the turnaround time for processing kits.



= one response

A crime lab could respond with multiple answers.

Question 11: Please provide any additional information that the Crime Lab would like the SAO to know related to the processing and testing of sexual assault kits in Texas. (8 Respondents)

Other Information

Reference samples for suspects are not submitted in a majority of cases

2



Two crime labs indicated that in the majority of sexual assault cases, no reference sample from the suspect is submitted for comparison to the results.

Too much information is submitted in a sexual assault kit

1



A crime lab indicated that swabs should be collected in one set instead of two from each side of the body, unnecessary victim's clothing should not be put inside the sexual assault kit, and unused bags and envelopes should be removed from the sexual assault kit.

Communication between crime labs and sexual assault nurse examiners is important

1



Communication between the crime labs and sexual assault nurse examiners allows the nurses to collect better evidence and record more pertinent documentation, which in turn increases lab efficiency.

Staff retention and training are key factors related to speed of processing sexual assault kits

1



A crime lab indicated that employee retention and employee training are the two biggest things that would allow it to turn around sexual assault kits as quickly as possible.

Limit requests for sexual assault kits testing to prosecutors' offices

1



A crime lab indicated that a substantial number of the sexual assaults for which kits are submitted for testing are not prosecuted and analysis of the kit is not needed. As a result, the requests for analysis of a sexual assault kit should come mostly from the prosecutors' offices.

Reconsideration of old cases has an impact on crime lab productivity

1



A crime lab indicated that reworking and "clean up" of past investigations adds cost and time to the processing of sexual assault kits.



Other Information

Minimal follow-up from law enforcement agencies

1



A crime lab indicated that law enforcement agencies do not always follow-up with sexual assault kit testing results even when a suspect is known or a CODIS (Combined DNA Index System) hit is obtained.



= one response

A crime lab could respond with multiple answers.



District Clerks' Offices

Summary

Auditors surveyed 249 district clerks' offices (Offices) across Texas from February 10, 2020, through May 7, 2020. A total of 219 (88 percent) of the 249 Offices surveyed submitted responses. The tables and figures presented summarize the responses to the survey's 17 questions related to the Offices' reporting processes to the Department of Public Safety (DPS) and the Office of Court Administration (OCA).

Texas Code of Criminal Procedure, Section 66.304, requires the Offices to compile and maintain records needed for reporting data to the Criminal Justice Information System (CJIS), which is managed by DPS, and includes data such as prosecution-related and court-related information. CJIS is an information system used by DPS and the Texas Department of Criminal Justice (TDCJ) that includes relevant data for criminal justice agencies responsible for the arrest, prosecution, adjudication and correction of criminal offenders; this information provides usable data to support the analyses of criminal justice policy makers and planners. In addition, Title 1, Texas Administrative Code, Section 171.4, requires Offices to report aggregate court activity statistics to OCA on a monthly basis, including information related to certain types of felony cases (including sexual assault cases), cases on the docket, dispositions, and other supplementary information.

Auditors conducted site visits at five counties in Texas and those offices are not included in this survey (see [An Audit Report on Investigation and Prosecution Processes for Reported Sexual Assaults in Texas](#) for more information about the district clerks' offices' processes that received site visits).

Key Results

Number of Staff Responsible for Reporting



Reporting Data to DPS

74 percent of respondents indicated that 1 to 2 staff are responsible for compiling and reporting both electronic and manual data to DPS.

74%

[SEE QUESTION 1](#)



Reporting Data to OCA

87 percent of respondents indicated that 1 to 2 staff are responsible for compiling and reporting both electronic and manual data to OCA.

87%

[SEE QUESTION 2](#)

File Review



Data Accuracy Review

74 percent of respondents indicated that the accuracy of data is verified by staff prior to submission to both DPS and OCA.

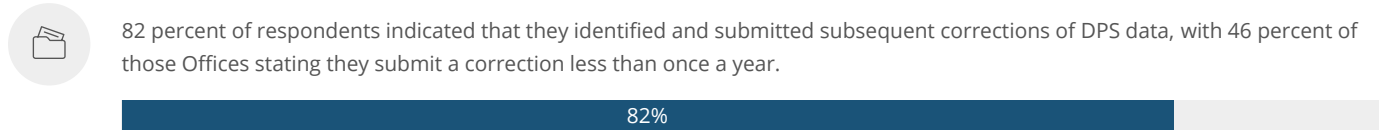
74%

[SEE QUESTION 12](#)

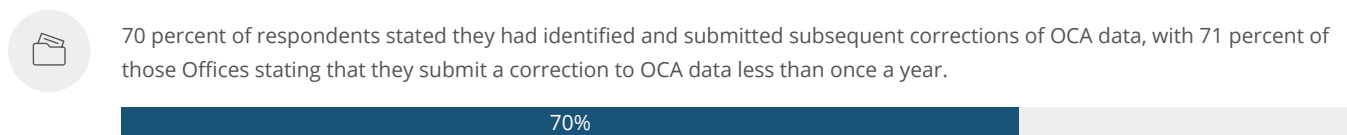


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Clerks' Office Identified Corrections

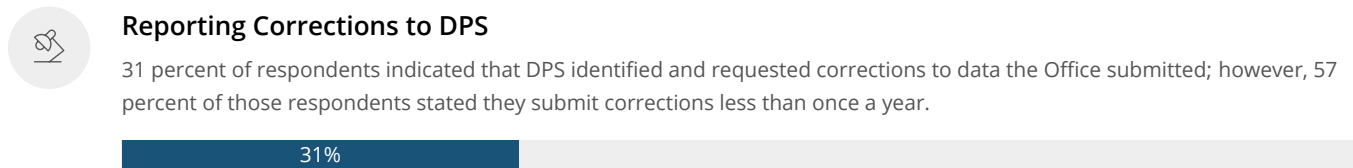


[SEE QUESTION 7](#)

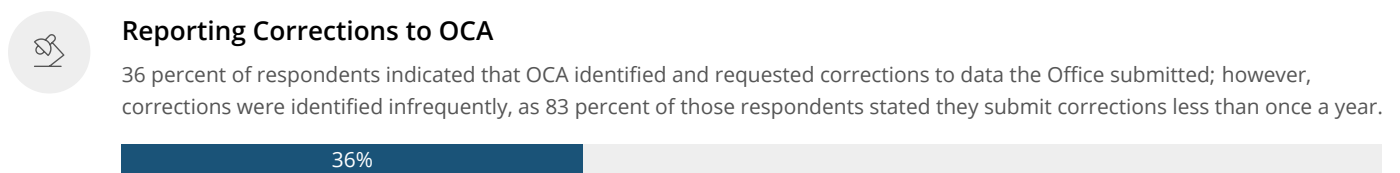


[SEE QUESTION 8](#)

DPS and OCA Identified Corrections



[SEE QUESTION 9](#)



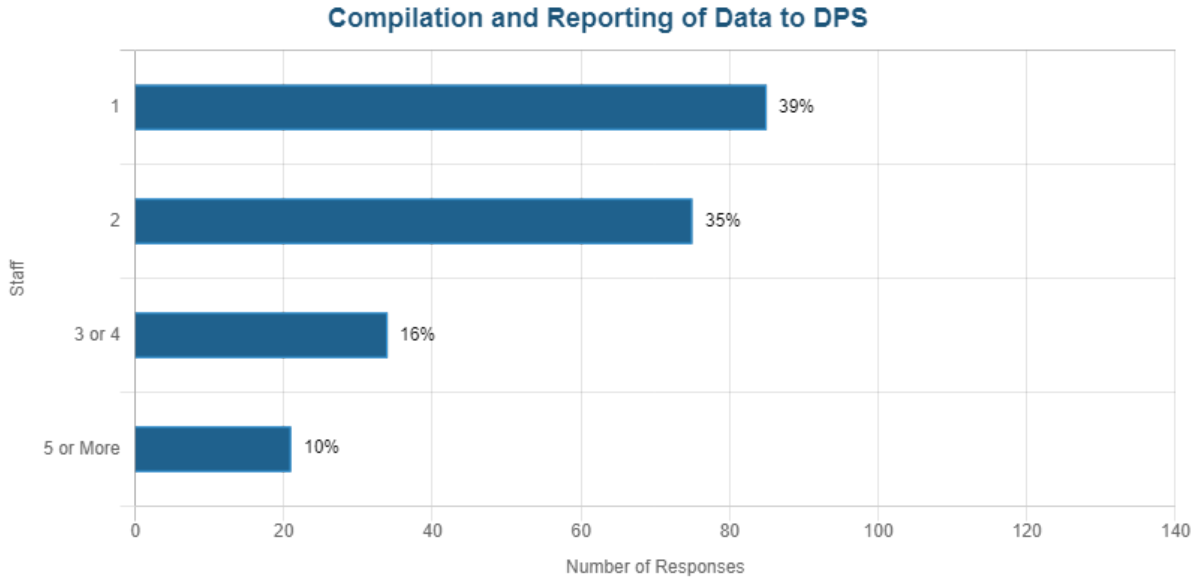
[SEE QUESTION 10](#)

Survey Results from District Clerks' Offices

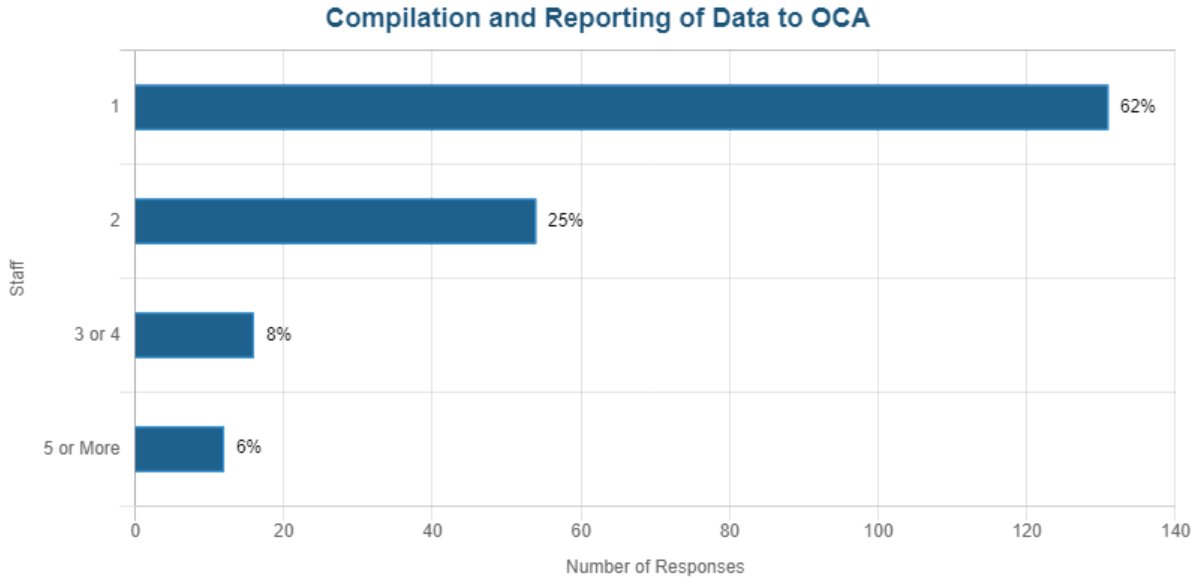
Background Information



Question 1: How many staff are responsible for compiling and reporting prosecution and court data to the Department of Public Safety? (215 Respondents)

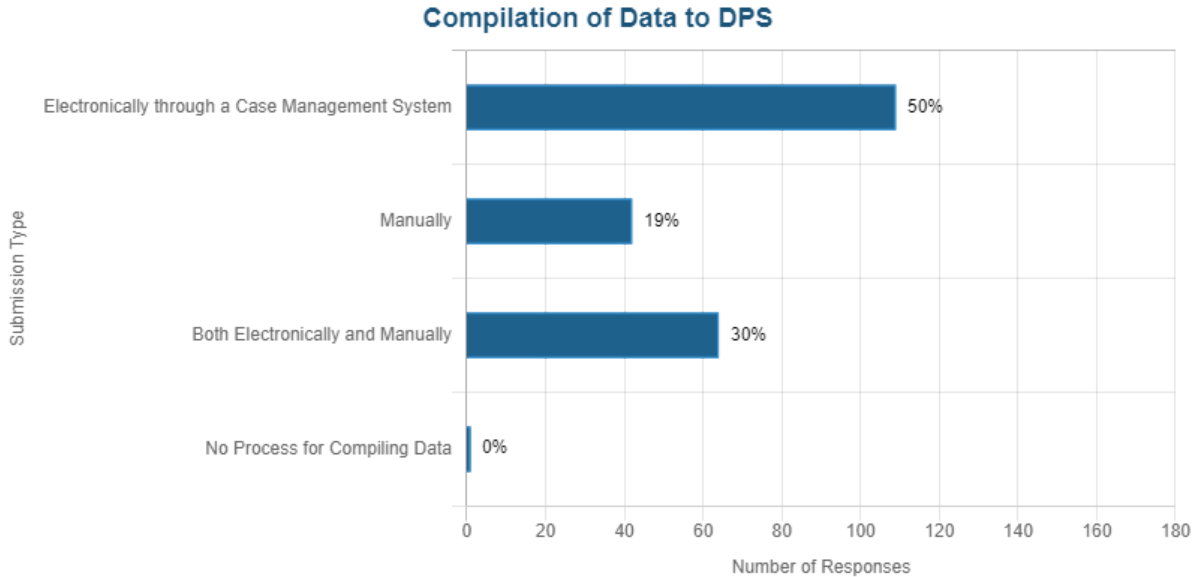


Question 2: How many staff are responsible for compiling and reporting prosecution and court data to the Office of Court Administration? (213 Respondents)



Percentages do not sum to 100% due to rounding.

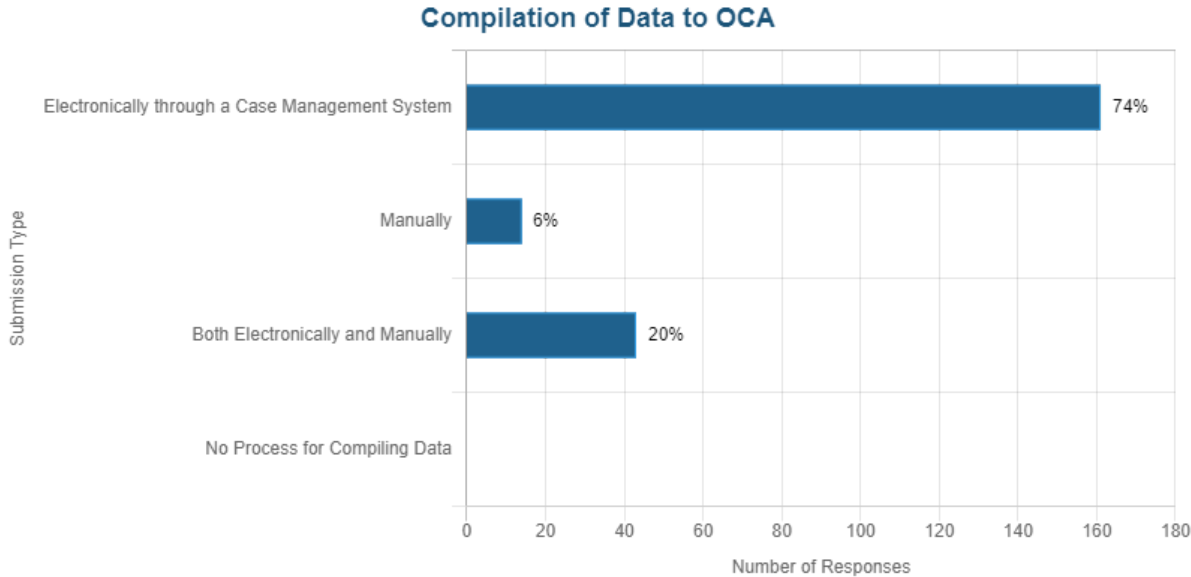
Question 3: How does the Office compile data for reporting to the Department of Public Safety? (216 Respondents)



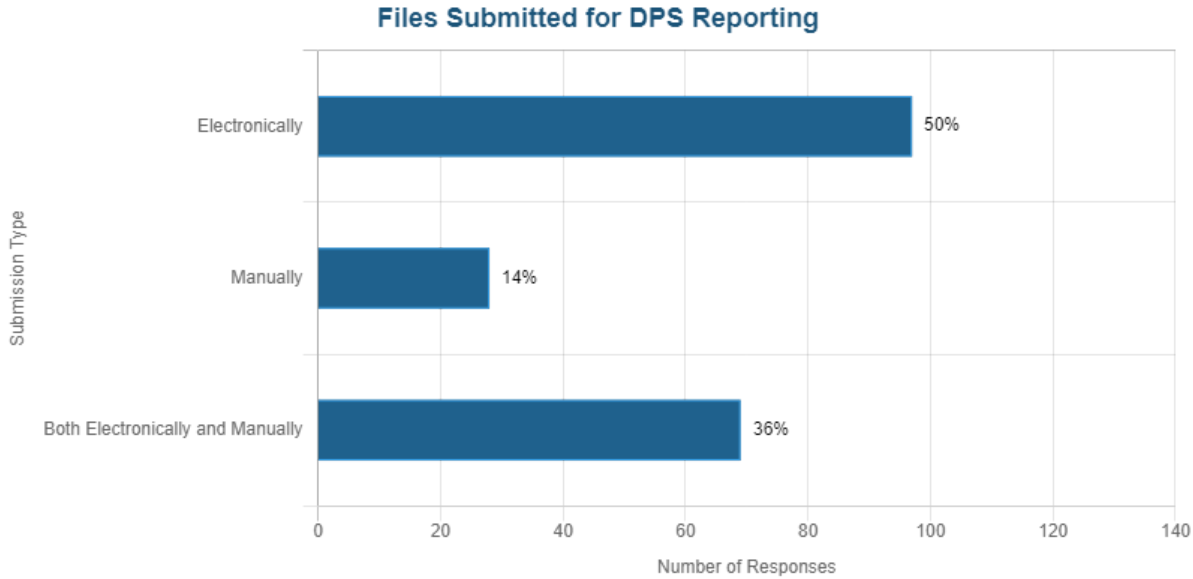
Percentages do not sum to 100% due to rounding.

Less than 1 percent of respondents responded that they had "No Process for Compiling Data" (1 respondent).

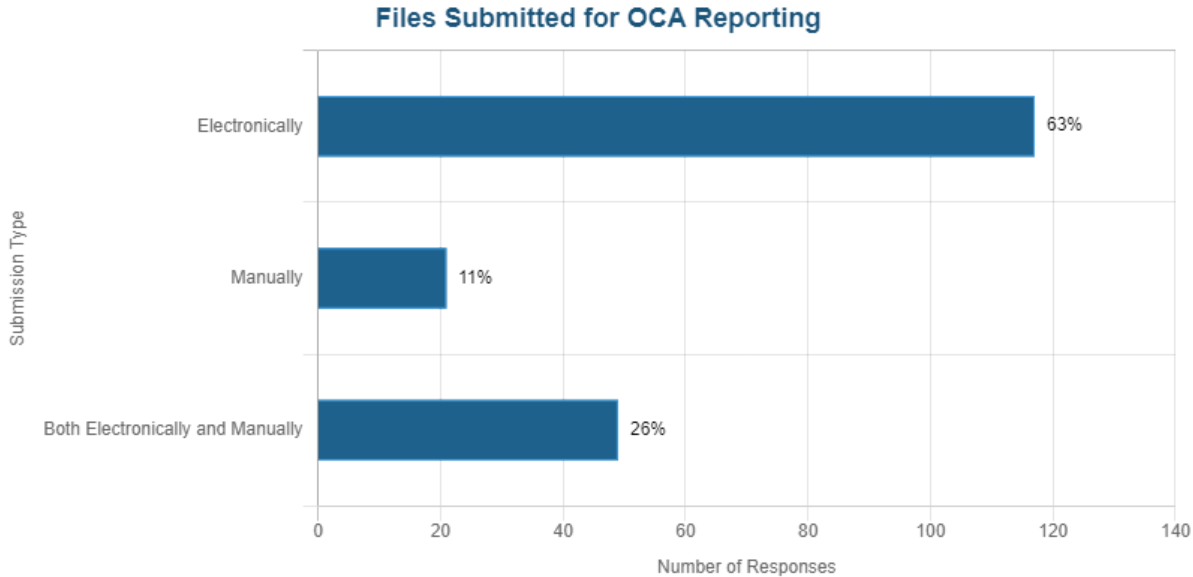
Question 4: How does the Office compile data for reporting to the Office of Court Administration? (218 Respondents)



Question 5: How do district attorney offices and/or courts submit the data to the Office that is reported to the Department of Public Safety for reporting? (194 Respondents)



Question 6: How do district attorney offices and/or courts submit the data to the Office that is reported to the Office of Court Administration for reporting? (187 Respondents)



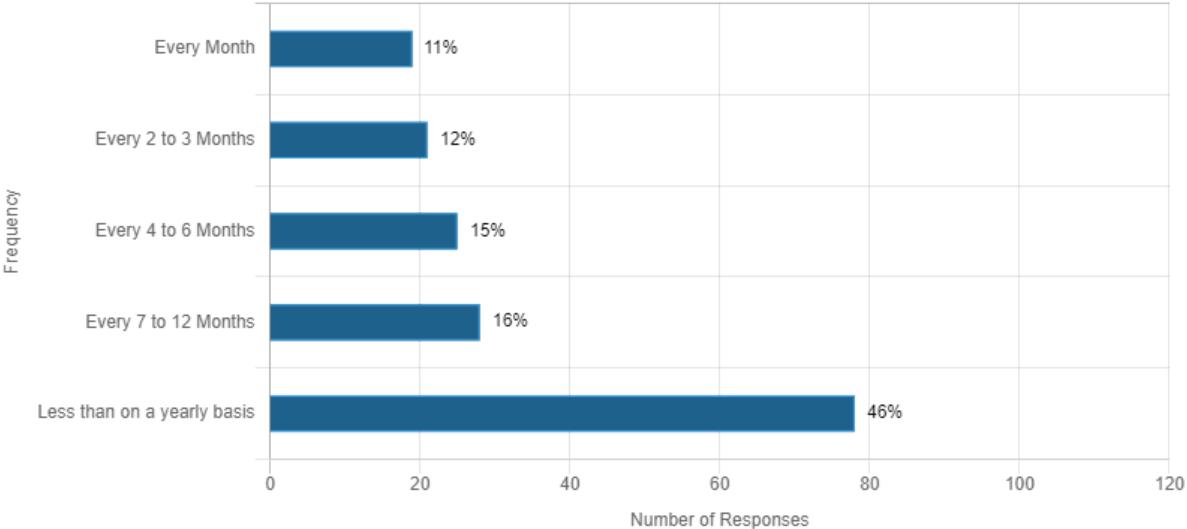
Question 7: Has the Office ever identified and submitted corrections for data/information reported to the Department of Public Safety? If so, approximately how frequently does the Office submit corrections on average? (211 Respondents)

Office Submitted Corrections to DPS?

Response	Number of Responses	Percent
Yes	174	82%
No	37	18%

Of the 174 respondents who answered “yes” to Question 7, 171 respondents provided an answer related to the frequency of corrections.

Frequency of Corrections Submitted to DPS



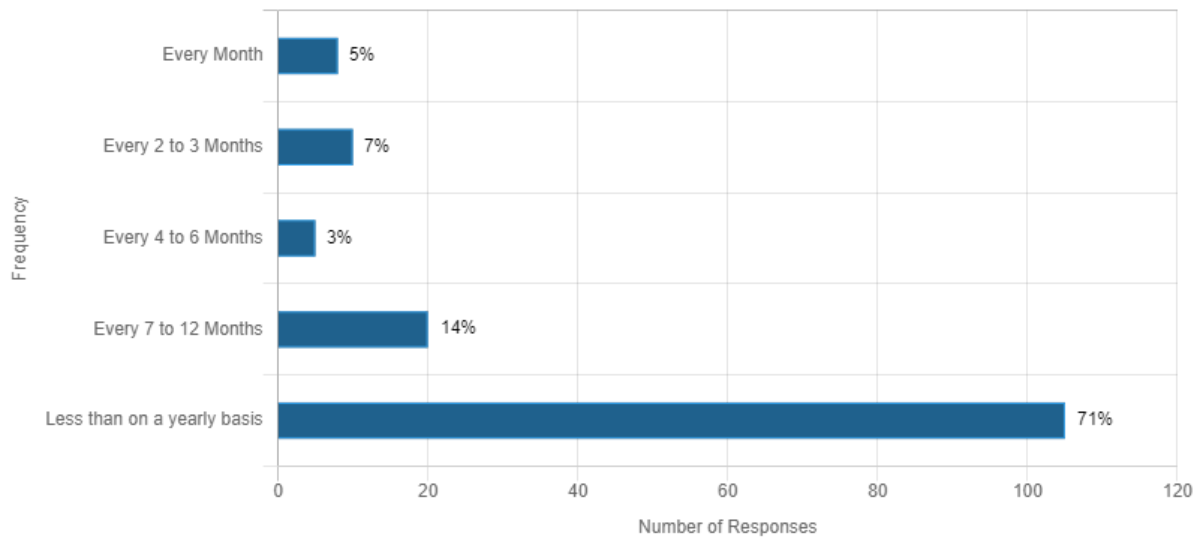
Question 8: Has the Office ever identified and submitted corrections for data/information reported to the Office of Court Administration? If so, approximately how frequently does the Office submit corrections on average? (215 Respondents)

Office Identified Corrections to OCA?

Response	Number of Responses	Percent
Yes	150	70%
No	65	30%

Of the 150 respondents who answered "yes" to Question 8, 148 respondents provided an answer related to the frequency of corrections.

Frequency of Corrections Submitted to OCA



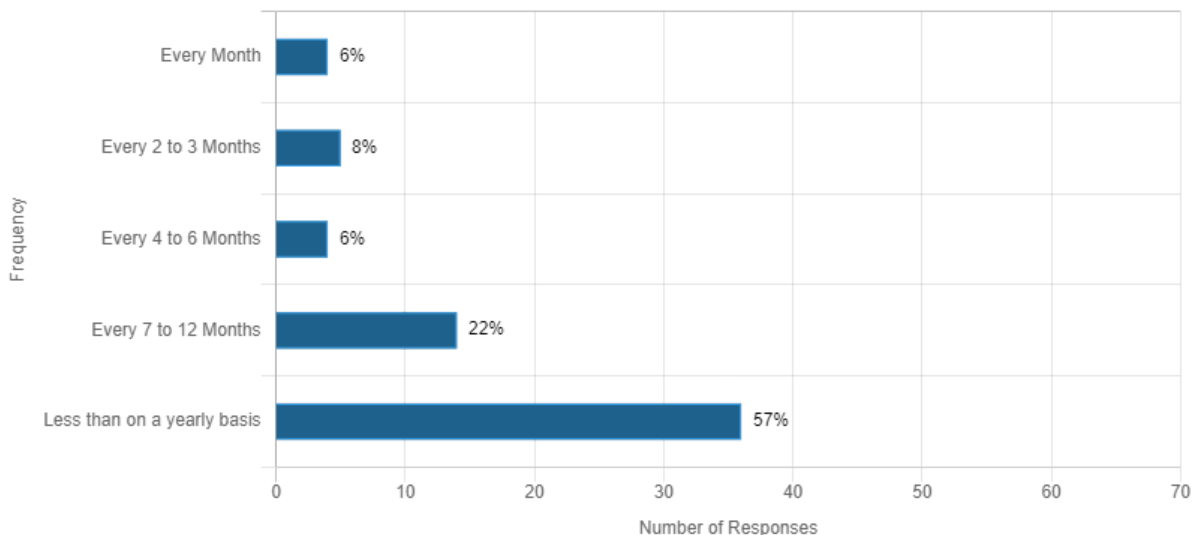
Question 9: Has the Office been contacted by DPS to make corrections for data reported to the Department of Public Safety? If so, approximately how frequently is the Office asked to make corrections on average? (209 Respondents)

Has the Office Been Contacted by DPS to Make Corrections?

Response	Number of Responses	Percent
Yes	64	31%
No	145	69%

Of the 64 respondents who answered “yes” to Question 9, 63 respondents provided an answer related to the frequency of corrections.

Frequency of Corrections at the Request of DPS



Percentages do not sum to 100% due to rounding.

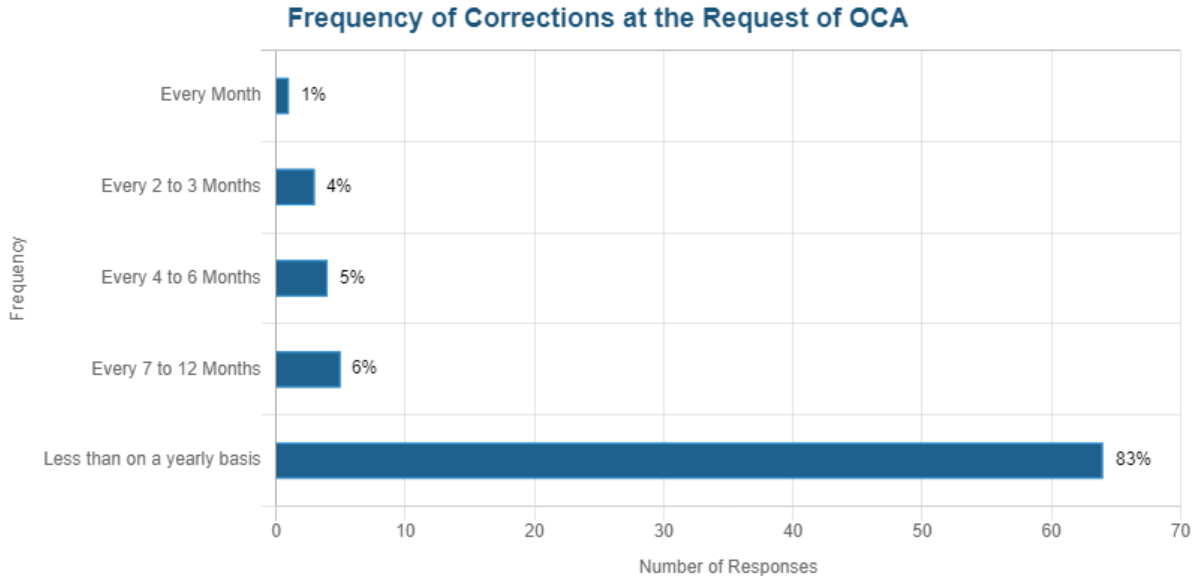


Question 10: Has the Office been contacted by OCA to make corrections for data reported to the Office of Court Administration? If so, approximately how frequently is the Office asked to make corrections on average? (215 Respondents)

Contacted by OCA to Make Changes?

Response	Number of Responses	Percent
Yes	78	36%
No	137	64%

Of the 78 respondents who answered “yes” to Question 10, 77 respondents provided an answer related to the frequency of corrections.



Percentages do not sum to 100% due to rounding.



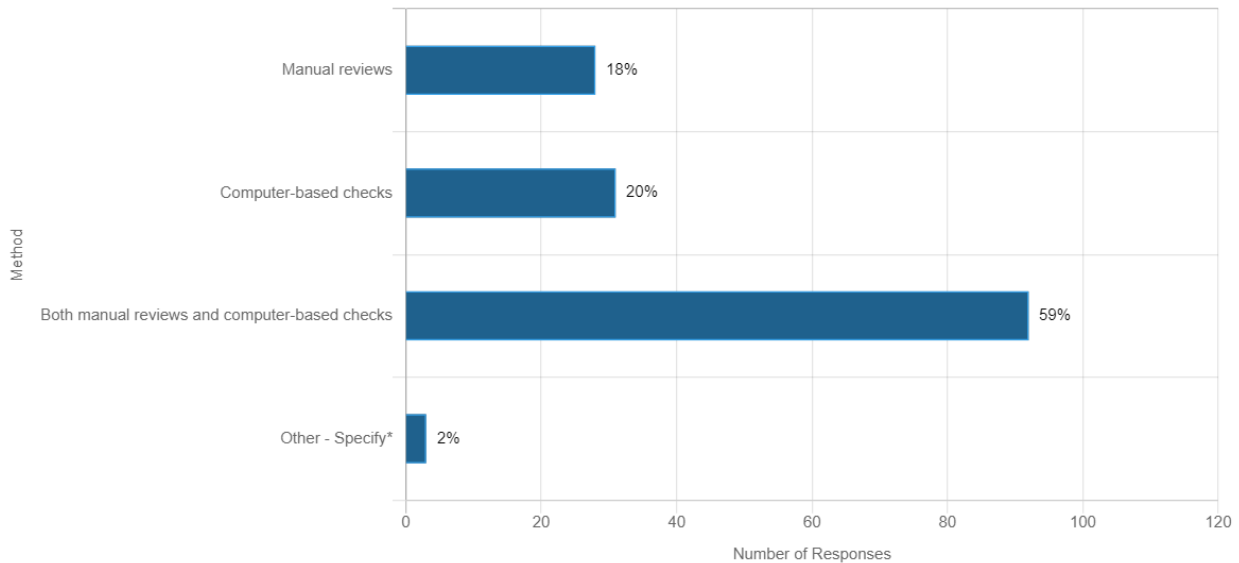
Question 11: Did the Office have a process to check the accuracy of prosecution and court disposition data it reported to the Department of Public Safety from calendar years 2014 through 2018? If so, how did the Office check the accuracy of data it reported to the Department of Public Safety? (211 Respondents)

Did the Office Have a Process to Check Data Reported to DPS for Accuracy?

Response	Number of Responses	Percent
Yes	156	74%
No	55	26%

Of the 156 respondents who answered "yes" to Question 11, 155 respondents provided an answer related to the method of corrections.

Method to Check Accuracy of Data Reported to DPS



*"Other-Specify" responses included processes such as cross checking data, using other sources, and rejecting inaccurate data from the Office's courts.

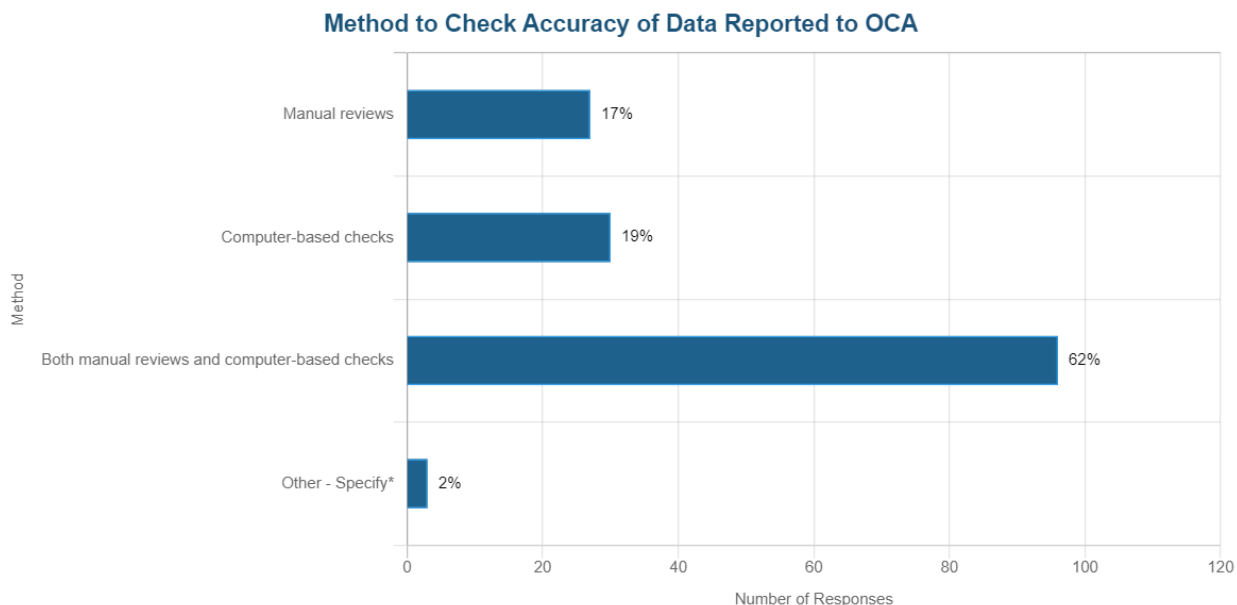


Question 12: Did the Office have a process to check the accuracy of court disposition data it reported to the Office of Court Administration from 2014 through 2018? If so, how did the Office check the accuracy of data it reported to the Office of Court Administration? (212 Respondents)

Did the Office Have a Process to Check Data Reported to OCA for Accuracy?

Response	Number of Responses	Percent
Yes	156	74%
No	56	26%

The chart includes the data from the 156 respondents who answered yes to Question 12.



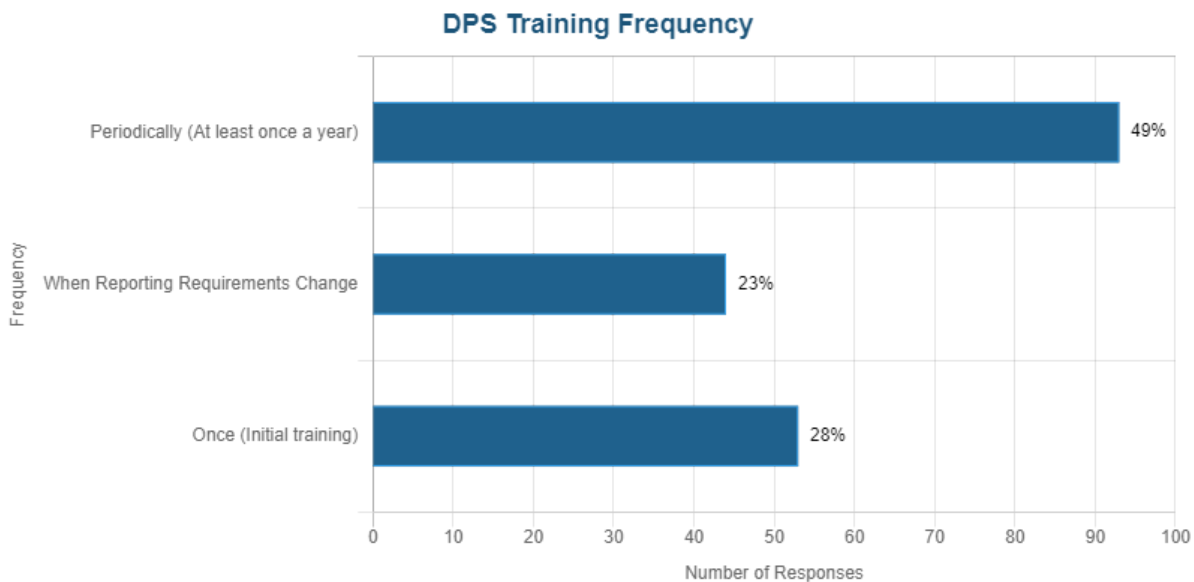
*"Other-Specify" responses included cross checking data and using other sources.

Question 13: Has the Office received or attended training provided by DPS for reporting prosecution and court disposition data? If so, how frequently? (214 Respondents)

Received Training for Reporting DPS Data?

Response	Number of Responses	Percent
Yes	180	84%
No	34	16%

The chart includes the data from the 180 respondents who answered yes to Question 13.



Offices could respond with multiple options.

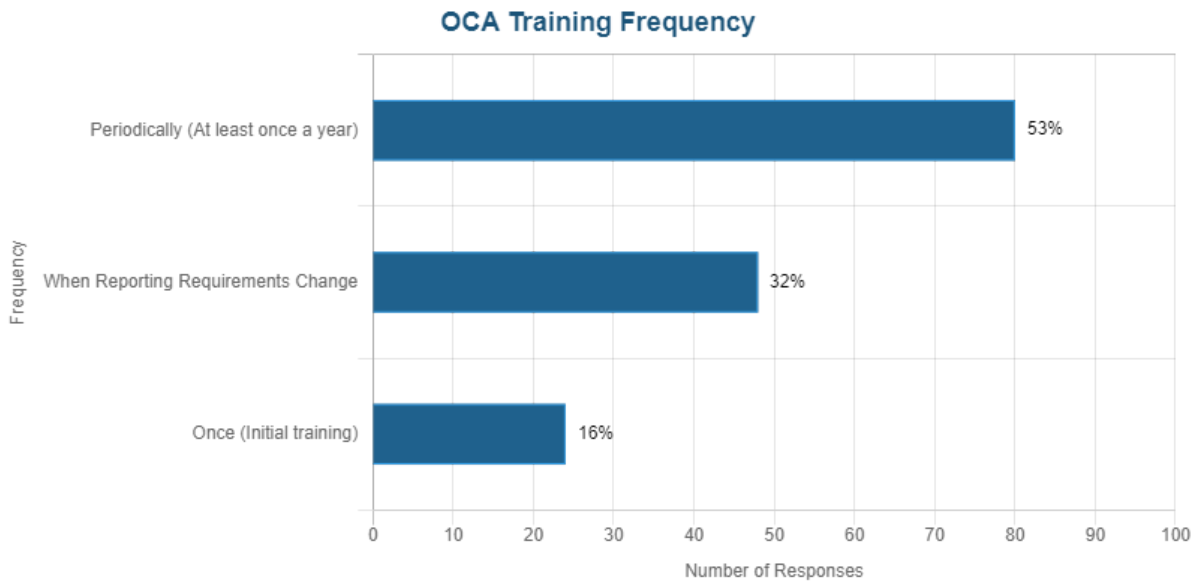


Question 14: Has the Office received or attended training provided by OCA for reporting prosecution and court disposition data? If so, how frequently? (210 Respondents)

Received Training for Reporting OCA Data?

Response	Number of Responses	Percent
Yes	145	69%
No	65	31%

The chart includes the data from the 145 respondents who answered yes to question 14.



Percentages do not sum to 100% due to rounding.

Offices could respond with multiple options.

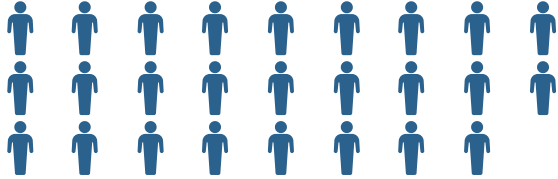



Feedback


To compile and present the answers for this section, auditors summarized the responses and classified similar responses into auditor-determined categories.



Question 15: What would the Office recommend to improve the reporting of prosecution and court disposition data to the Department of Public Safety? (62 Respondents)

Improving Reporting to DPS

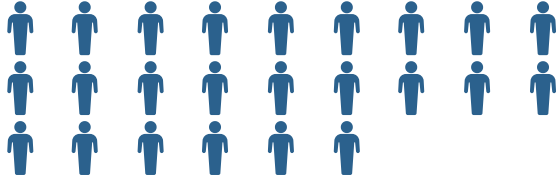



<p>Training <i>Offices indicated that they would like additional training to be provided, which would help ensure that their staff know what should be reported and how. In addition, training should be available locally or online to make it more accessible.</i></p>	26	
<p>CJIS improvements <i>Offices indicated that improvements to the Criminal Justice Information System (CJIS) are needed to make the system more user friendly, which would make reporting easier. Improvements should include email reminders, ability to save progress, and better support. Offices use CJIS to report data to DPS.</i></p>	16	
<p>Improved interagency communication/cooperation <i>Offices indicated that law enforcement and district attorneys' offices should improve communication and cooperation to ensure that cases are correctly reported.</i></p>	13	
<p>Data correction in CJIS <i>Offices indicated that they would like the ability to make corrections in the Criminal Justice Information System (CJIS) themselves without having to submit a request to DPS.</i></p>	7	


 = one response

Offices could respond with multiple answers.

Question 16: What would the Office recommend to improve the reporting of prosecution and court disposition data to the Office of Court Administration? (38 Respondents)

Improving Reporting to OCA




<p>Training <i>Offices indicated that they would like more training to ensure that their staff know what information should be reported and the manner in which it should be reported. In addition, responses indicated that this training should be available locally or online to make it more accessible.</i></p>	24	
<p>Reporting website improvements <i>Offices indicated that improvements are needed to make the information system used to report data to OCA more user friendly, which would make reporting easier. Improvement should include email reminders and electronic uploading instead of manual inputs.</i></p>	8	
<p>Improved OCA communication <i>Offices indicated that they would like updates from OCA when changes occur to reporting requirements.</i></p>	3	
<p>Improved interagency communication/cooperation <i>Offices indicated that because Offices rely on law enforcement and district attorneys' offices, all entities should improve communication and cooperation to ensure that cases are correctly reported.</i></p>	3	


 = one response

Offices could respond with multiple answers.

Question 17: Please provide any additional information that the Office would like the SAO to know related to the reporting of prosecution and court data for sexual assaults to the Department of Public Safety and/or the Office of Court Administration? (14 Respondents)

Other Information

<p>Need more training <i>Offices indicated that they would like more training and educational material provided at no cost to help them keep up with reporting requirements.</i></p>	<p>8</p>	
<p>Improved communication by arresting agencies <i>Offices indicated that ensuring that arresting agencies provide accurate information is key to making sure data is reported accurately.</i></p>	<p>3</p>	
<p>The IT Systems used for reporting need improvements <i>Offices indicated that improvements to reporting systems would help ensure the accuracy of reported data.</i></p>	<p>3</p>	

 = one response

Offices could respond with multiple answers.

Survey Methodology



Development of Survey Questions

Auditors developed survey questions based on research of the investigation and prosecution processes for sexual assaults, including applicable state reporting requirements. Auditors also conducted interviews, collected information, and obtained input on the survey questions from a number of state, local, and community-based entities including:

- **Austin Police Department**
- **Children’s Advocacy Centers of Texas (CACTX)**
- **County and District Clerks’ Association of Texas (CDCAT)**
- **Dallas Police Department**
- **Dallas County District Attorney’s Office**
- **Dallas County District Clerk’s Office**
- **Department of Public Safety**
- **Forensic Science Commission**
- **Law Enforcement Management Institute of Texas (LEMIT)**
- **Office of Court Administration**
- **Sheriffs’ Association of Texas**
- **Stop Abuse for Everyone Alliance (SAFE)**
- **Texas Association Against Sexual Assault (TAASA)**
- **Texas Association of Crime Lab Directors**
- **Texas District and County Attorneys Association (TDCAA)**
- **Texas Police Chiefs Association**
- **Travis County District Attorney’s Office**
- **Travis County District Clerk’s Office**
- **Travis County Sheriff’s Office**
- **University of Texas at Austin Institute on Domestic Violence and Sexual Assault (IDVSA)**

The State Auditor’s Office appreciates the assistance and cooperation provided by governmental, local law enforcement, educational, and community-based entities that were contacted during the development of the survey.





Distribution of Surveys

Auditors conducted online surveys using off-the-shelf software to contact 1,630 organizations throughout Texas. These included:

- **1,054 Local Law Enforcement Agencies** (police departments and sheriff's offices) from February 10, 2020, through May 8, 2020.
- **158 District Attorneys' Offices** from February 10, 2020, through May 8, 2020.
- **148 Community-based Advocacy Organizations** February 10, 2020, through May 1, 2020.
- **21 Crime Laboratories** from February 10, 2020, through May 1, 2020.
- **249 District Clerks' Offices** from February 10, 2020, through May 7, 2020.

Auditors contacted entities by email and phone calls to confirm that the survey had been delivered and to answer entities' questions about the survey. Auditors also contacted some entities to (1) clarify responses provided or (2) verify whether incomplete parts of the survey were intentional. Additionally, auditors sent email reminders, conducted phone follow-up, and sent follow-up emails to entities throughout the survey period. Response periods were extended due to delays related to the COVID-19 pandemic.



Number of Surveys Completed

Of the **1,029** completed surveys received:

- **968** surveys were completed online;
- **39** surveys were completed onsite at the County and District Clerks' Association of Texas Winter Conference on February 5, 2020; and
- **22** surveys were sent to the State Auditor's Office via email or mail.





Analysis of Survey Responses

Auditors reviewed the responses in the completed surveys and summarized the responses for each type of survey (such as local law enforcement, district attorneys' offices, etc.) at a statewide level for inclusion in this supplemental report. Survey questions were presented as Multiple Choice, Ranking, Open Ended, or Agree/Disagree (Likert Scale). See below for information about how the survey responses were analyzed.

Multiple Choice Questions – These questions provide a preset menu of choices. This report presents a summary of the responses for these types of questions using the options provided on the survey.

Example of Multiple Choice Question

Does the Organization provide forensic medical services to survivors of sexual assault?

- Yes
- No

Multiple Choice Questions with an “Other-Specify” Option Questions – These multiple choice questions provide a preset menu of choices but also allow entities to write in an answer if they choose. For surveys that provided “Other-Specify” answers, auditors grouped similar answers into auditor-determined categories; those that received one or a small number of responses were classified as “Other.” This report presents a summary of the results for these types of questions using the options provided on the survey and the determined categories for the “Other-Specify” answers.

Example of Multiple Choice Question with “Other-Specify” Option

How did the Office check the accuracy of data it reported to the Department of Public Safety?

- Manual reviews
- Computer-based checks
- Both manual reviews and computer-based checks
- None
- Other – Specify: _____

Ranking Questions – These questions ask entities to rank a series of options. They also provided an “*Other-Specify*” option. To summarize and present the answers for this type of question, auditors assigned weights to each answer on the number of preset options provided (not including “Other-Specify”) and frequency of which each option was selected by survey respondents. The highest ranked answer was assigned the highest weight followed by the next ranked option with the weight decreasing for each subsequent option.

Auditors then totaled the weighted counts for each option among all the completed surveys and assigned a final “Weighted Total” for each option.



Example of Ranking Question

Please rank the factors that may lead the DA Office to drop or submit a motion to dismiss an Adult sexual assault case after indictment from most to least significant.

— *Example Answer and Assigned Weights*

- 2 Change sexual assault charge to a lesser charge. *(Assigned Weight = 3)*
- 1 Insufficient evidence to support sexual assault charge. *(Assigned Weight = 4)*
- 4 Lack of victim cooperation. *(Assigned Weight = 1)*
- 3 Lack of witness cooperation. *(Assigned Weight = 2)*
- Other —Please Describe: _____

Example of Weighted Total Calculation

Rank Assigned	Total Responses	x	Weight	=	Ranking Score
1	40	x	4	=	160
2	36	x	3	=	108
3	14	x	2	=	28
4	2	x	1	=	2
Total Weight					298

Open-ended Questions - These questions allow entities to provide written responses to a question. To compile and present the answers for this type of question, auditors summarized the responses and classified similar responses into auditor-determined categories.

Example of Open-ended Question

What specific things does the Crime Lab think will reduce turnaround time for sexual assault kits?



Agree/Disagree (Likert Scale) Questions – These questions ask entities to rate a list of items on a scale from “Strongly Agree” to “Strongly Disagree.” Additionally, entities had the option to add items to rank by selecting “Other-Specify” in the question, see below. To compile and present the answers for these questions in this report, auditors calculated the percentage of total responses from “Strongly Agree” to “Strongly Disagree”.

Example of Agree/Disagree (Likert Scale) Question

Please state whether you agree or disagree that the Law Enforcement Agency had sufficient resources in the following areas related to the collection, processing, and review of test results for sexual assault kits and other types of forensic evidence testing.

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Training					
Staffing					
Additional Equipment					
Advanced Technology					
Other - Specify:					





The State Auditor's Office strives to actively provide government leaders with useful information that improves accountability.

RELATED WORK

[An Audit Report on Investigation and Prosecution Processes for Reported Sexual Assaults in Texas](#)

October 2020

USEFUL LINKS

[State Auditor's Office Home Page](#)

[State Auditor's Office Fraud Reporting](#)

[State Auditor's Office Classification](#)

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