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OFFICE OF THE CITY CLERK
OAKLAND

2017 DEC 26 PM 12:04

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Anne E. Kirkpatrick
Chief of Police

SUBJECT: Sexual Assault Victim Services MOU

DATE: November 3, 2017

City Administrator
Approval

Christina Del for SBL

Date

12/20/17

RECOMMENDATION

Staff Recommends That The City Council Approve A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Understanding (MOU) Between The Alameda County Health Care Services (AHS) Sexual Assault Response And Recovery Team (SARRT) And The Oakland Police Department (OPD) To Provide Comprehensive Services To Victims Of Sexual Assault, Between September 1, 2017 And August 31, 2020.

EXECUTIVE SUMMARY

AHS/SAART operates out of Oakland Highland Hospital to provide priority care to traumatized sexual assault victims. This resolution will authorize an MOU between the victim support program and OPD to coordinate advocacy, victim right protections, trauma support, forensic and medical support, and officer training.

BACKGROUND AND LEGISLATIVE HISTORY

Sexual assault is a crime of violence, and it is estimated that more than 80 percent of all sexual assaults involve the use of weapons, or the threat of violence or death. Anyone can be a victim of a sexual assault, regardless of behavior or appearance. Rape can happen to any person, anywhere or anytime, and in a significant number of cases, the rapist is known to the victim. Victims of rape and sexual assault usually experience serious trauma. Bay Area Women Against Rape (BAWAR), which advocates on behalf of sexual assault victims, estimates that 60 percent of sexual assaults are not reported to the police.

The AHS SAART has been operating at Highland Hospital's Emergency Department since 1994. The program is available 24 hours a day to assist sexual assault victims. Patients (victims of sexual assault) receive priority care by a staff member who has specialized training in care and treatment. The SAART Domestic Violence Program provides crisis intervention, advocacy, counseling, information and referral services, anger management and support groups.

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ANALYSIS AND POLICY ALTERNATIVES

Through this MOU, AHS/SARRT agree to the following terms:

1. Advocate on behalf of victims of sexual assault with OPD;
2. Refer victims of sexual assault to OPD with prior permission from the victim;
3. Accompany victims to OPD with permission from the victim;
4. Work collaboratively with OPD to protect the rights of victims;
5. Provide training and technical skills to OPD, relative to SARRT services, policies and procedures; Rape Trauma Syndrome (RTS), and other mental health issues related to sexual assault victimization; and
6. Partner with OPD Community Services Section to provide Community Education programs throughout the City of Oakland.

Through this MOU, OPD agrees to the following terms:

1. Accompany victims to AHS/SARRT for sexual assault forensic examination;
2. Refer victims of sexual assault to AHS/SARRT for crisis intervention, follow-up, advocacy, information and referral and counseling services;
3. Assist whenever possible with the AHS/SARRT 40-hour Certified Sexual Assault Advocate Training (for AHS advocates) as requested;
4. Provide Sexual Assault Case status information to AHS/SARRT Staff as requested;
5. Respond to referral made by AHS/SARRT advocates to OPD; and
6. Maintain a close working relationship with AHS/SARRT.

This MOU will not require OPD to provide any additional investigation information. OPD will continue to adhere to all applicable laws and is not under obligation through this MOU to provide additional case information.

This resolution will authorize the City Administrator or designee to enter into a MOU with AHS/SARRT for the period of September 1, 2017 through August 31, 2020. However, the MOU will state that either party may terminate the MOU with a 30-day written notice.

PUBLIC OUTREACH / INTEREST

No outreach was deemed necessary for this report beyond the standard City Council agenda noticing procedures.

COORDINATION

OPD consulted with the Office of the City Attorney in the development of this report and accompanying resolution.

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FISCAL IMPACT

There are no personnel or other costs to OPD associated with this MOU with AHS/SARRT.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this report.

Environmental: There are no environmental opportunities associated with this report.

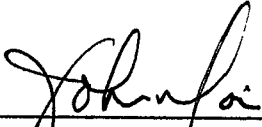
Social Equity: Sexual assault can unfortunately happen to anyone regardless of age, socioeconomic status, or location. All Oakland residents and visitors benefit when better support systems are in place to maximize the law enforcement and medical / counseling support services.

ACTION REQUESTED OF THE PUBLIC SAFETY COMMITTEE

Staff Recommends That The City Council Approve A Resolution Authorizing The City Administrator Or Designee To Enter Into A Memorandum Of Understanding (MOU) Between The Alameda County Health Care Services (AHS) Sexual Assault Response And Recovery Team (SARRT) And The Oakland Police Department (OPD) To Provide Comprehensive Services To Victims Of Sexual Assault, Between September 1, 2017 And August 31, 2020.

For questions regarding this report, please contact Lieutenant Jill Encinias, Special Victims Section (SVS), Criminal Investigations Division (CID), Bureau of Investigations, at (510) 238-3253.

Respectfully submitted,



(for) Anne E. Kirkpatrick
Chief of Police
Oakland Police Department

Reviewed by:
Roland Holmgren, Captain
OPD, CID, Bureau of Investigations

Jill Encinias, Lieutenant
OPD, SVS, CID, Bureau of Investigations

Prepared by:
Bruce Stoffmacher, Legislation Manager
OPD Office of the Chief – Research and Planning

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OAKLAND

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OAKLAND CITY COUNCIL

Approved as to Form and
Legality


City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR
DESIGNEE TO ENTER INTO A MEMORANDUM OF
UNDERSTANDING (MOU) BETWEEN THE ALAMEDA COUNTY
HEALTH CARE SERVICES (AHS) SEXUAL ASSAULT
RESPONSE AND RECOVERY TEAM (SARRT) AND THE
OAKLAND POLICE DEPARTMENT (OPD) TO PROVIDE
COMPREHENSIVE SERVICES TO VICTIMS OF SEXUAL
ASSAULT, BETWEEN SEPTEMBER 1, 2017 AND AUGUST 31,
2020**

WHEREAS, sexual assault is a crime of violence, and it is estimated that more than 80 percent of all sexual assaults involve the use of weapons, or the threat of violence or death; and

WHEREAS, anyone can be a victim of a sexual assault, regardless of behavior or appearance, and rape can happen to any person, anywhere or anytime, and in a significant number of cases, the rapist is known to the victim; and

WHEREAS, victims of rape and sexual assault usually experience serious trauma; and

WHEREAS, both AHS / SARRT seek to support victims of sexual assault through direct advocacy and intervention and collaboration; and

WHEREAS, AHS / SARRT through this MOU agrees to:

- Advocate on behalf of victims;
- Refer victims of sexual assault to OPD with prior permission from the victim;
- Work collaboratively with OPD and provide training and technical skills to OPD;
- Partner with OPD Community Services Section on community education programs; and

WHEREAS, OPD through this MOU agrees to:

- Accompany victims to AHS / SARRT for sexual assault forensic examination, and refer victims to AHS / SARRT for crisis intervention and follow-up services;
- Participate in AHS / SARRT training
- Provide sexual assault case status information to AHS / SAART as requested and maintain a close working relationship; therefore be it;

RESOLVED: that the City Administrator or designee is authorized to enter into an MOU with Alameda County Health Care Services Sexual Assault Response and Recovery Team to provide comprehensive services to victims of sexual assault, between September 1, 2017 and August 31, 2020; and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized to complete all required negotiations, certifications, assurances, and documentation required to execute, modify, extend and/or amend the MOU without returning to the City Council; and be it

FURTHER RESOLVED: That in accordance with Article IV, Section 401(6) of the City Charter, the MOU authorized by this resolution shall be approved by as to form and legality before execution, and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN,
GIBSON MCELHANEY AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California