



KING COUNTY AUDITOR'S OFFICE

AUGUST 2, 2021

Audit Follow-up on Sex Offense Case Investigations and Outcomes

The Prosecuting Attorney (PAO) and King County Sheriff's Office (KCSO) have made important progress on recommendations to improve their responses to sex offense cases and to meet needs of victims. PAO is taking significant strides to ensure that victim and defendant race data is collected accurately and sensitively, partnering with the United Indian Health Institute to learn and apply best practices. They have also begun collecting data on case timeliness to identify areas where additional staffing may help alleviate caseloads and ensure victims are being helped earlier. KCSO partnered with the King County Sexual Assault Resource Center (KCSARC) and developed a targeted handout for sex offense victims and plans to implement practices to ensure that officers refer victims to resources and advocacy services at the point of initial law enforcement response. KCSO has integrated information from the handout in its trainings to patrol deputies and sergeants, which will help ensure officers provide important information to victims consistently. In collaboration with KCSO's Patrol Operation Division, the Sexual Assault Unit developed and finalized a guide to help patrol deputies respond to sex offense cases which will ensure consistency and equity in case response.

Despite concurring at the time of report publication, KCSO is not currently planning to implement two recommendations that could help it build more consistency in how cases are prioritized. KCSO has indicated that it will be difficult to triage sex offense cases because each case has different circumstances that cannot be generalized. Currently, it relies exclusively on the professional judgement of officers to decide which cases to prioritize. While sex offense cases may have unique circumstances, developing generalized triage criteria will improve the consistency and efficiency of the Special Assault Unit's (SAU) case management decision-making. This will help ensure that the unit is using its limited resources as effectively as possible and will help provide information KCSO leaders can use to make informed decisions about resource allocation and budget requests for additional staffing when needed.

By fully implementing the remaining recommendations, PAO and KCSO can ensure that sex offense victims receive key resources and ensure cases are prioritized consistently and equitably.

Of the 12 audit recommendations:

	5 DONE		5 PROGRESS		2 OPEN
Fully implemented Auditor will no longer monitor.		Partially implemented Auditor will continue to monitor.		Remain unresolved Auditor will continue to monitor.	

Please see details below for implementation status of each recommendation.



Recommendation 1

DONE



The King County Sheriff's Office should work with the King County Sexual Assault Resource Center to develop a handout targeted to the needs of sex offense victims that meets requirements in RCW 7.69.030.

STATUS UPDATE: KCSO has created a targeted handout for sex offense victims in collaboration with KCSARC. This handout highlights important resources and victims' rights information in accordance with state law.

IMPACT: By implementing this recommendation, KCSO is helping victims understand the key resources available to them, including victim advocacy. Advocates early in the case process help support victims through the criminal justice process and connect them with additional services that can help them recover, such as counseling.

Recommendation 2

DONE



The King County Sheriff's Office should ensure that victims are provided with the handout developed in Recommendation 1 at the time of first reporting.

STATUS UPDATE: KCSO has incorporated information about the handout developed in recommendation 1 into a new online training provided to all patrol deputies annually. Starting in June 2021, all deputies will be required to complete this training on the new handout by the end of the year. The training will require patrol deputies to check an acknowledgement box as part of the training indicating that they understand they will need to provide the handout to victims of sex offense at time of first reporting. KCSO tracks and verifies compliance with this training requirement. As a part of recommendation 4, KCSO has also developed a Patrol Sexual Assault Investigations worksheet for patrol deputies on responding to sex offense cases which indicates that they must provide the handout on first response.

IMPACT: By completing this recommendation, KCSO has helped ensure that all victims receive information about key resources in a timely manner. Resources like connection with a victim advocate can help support a victim and build trust throughout the process.

Recommendation 3

DONE



The King County Sheriff's Office should ensure that patrol deputies receive recurring trainings on how to respond to sex offenses and what information to provide to victims. This should include advocacy information and the sex offense handout discussed in Recommendation 1.

STATUS UPDATE: KCSO has online trainings on responding to sex offense cases, which are provided to patrol deputies annually. KCSO has developed a new training to integrate information from the victim resource handout developed in Recommendation 1 that began in June 2021. Deputies will be required to complete this new training before the end of this year and compliance to this requirement is tracked and verified.

IMPACT: By completing this recommendation, patrol officers will be better prepared to respond appropriately and consistently to sex offense calls. Patrol officers are often the victim's first point-of-contact with law enforcement, so the experience can influence their willingness to continue participating in an investigation. Training on how to appropriately respond to sex offenses can help patrol officers avoid mistakes that could significantly impact the ability of the prosecutor to prove a case.

Recommendation 4

DONE



The King County Sheriff's Office should develop and distribute a checklist detailing key steps for patrol deputies on how to respond in sex offense cases.

STATUS UPDATE: KCSO's SAU and Patrol Operations Division have developed and finalized a Patrol Sexual Assault Investigations worksheet to provide to patrol deputies when responding to sex offense cases. This includes information such as ensuring that officers prioritize medical needs of victims and that they provide victims with the resource handout developed in Recommendation 1.

IMPACT: By completing this recommendation, KCSO has helped ensure patrol officers remember all the key procedures for a sex offense response. This is especially important because officers may not be called to respond to a sex offense frequently in comparison to other types of calls. A checklist or worksheet can help them remember requirements and prevent mistakes.

Recommendation 5

PROGRESS



The King County Sheriff's Office should ensure training officers and sergeants receive training on the new sex offense checklist (Recommendation 4) and handout (Recommendation 1).

STATUS UPDATE: KCSO currently provides training to sergeants on how to appropriately respond to sex offense cases annually. SAU leaders developed an additional annual training on the victim resources handout developed in recommendation 1. SAU leaders have said their next step is to integrate the Patrol Sexual Assault Investigations worksheet into their online sexual assault investigations annual trainings by 2022, in order to complete this recommendation. The 2021 sexual assault investigations training had been completed prior to integrating information from the worksheet.

WHAT REMAINS: To complete this recommendation, KCSO will need to ensure the 2022 training covers information developed in the worksheet from recommendation 4. KCSO will also need to demonstrate that all current patrol deputies have taken the new training including information from recommendations 1 and 4. Completion of this recommendation will ensure that patrol officers remember all the key procedures for a sex offense response. Patrol officers are often the victim's first point-of-contact with law enforcement, so the experience can influence their willingness to continue participating in an investigation. Training on the checklist can help patrol officers remember procedures and avoid mistakes that could significantly impact the ability of the prosecutor to prove a case.

Recommendation 6

PROGRESS



The King County Sheriff's Office should develop and implement a process to ensure detectives refer victims to advocacy services in all sex offense cases.

STATUS UPDATE: KCSO SAU sergeants are requiring detectives to include information about the KCSARC referrals on their reports. Sergeants require detectives to include this information so that, in cases where referrals are not made, sergeants can follow-up with detectives to learn why and ensure referrals are happening in all cases. This directive to include KCSARC referrals on detective reports happened in June 2021.

WHAT REMAINS: To complete this recommendation, SAU will need to track how well the directive is being followed over time by detectives and, in cases when it is not being followed, take steps to ensure compliance. Completion of this recommendation will help detectives and their supervisors ensure that all victims are connected with advocacy services. Resources, like connection with a victim advocate, can help support a victim and build trust throughout the process. Victims with advocates may be more likely to continue through the potentially traumatic criminal justice system. Regardless of case outcomes, victim services can help victims recover from the crime in other ways.

Recommendation 7

DONE



The King County Sheriff's Office should ensure all detectives take the new victim-centered training as required by RCW 43.101.272.

STATUS UPDATE: As of June 2021, all detectives have taken the new victim-centered training in compliance with state law. Sergeants have already developed a plan to ensure new detectives receive this training going forward.

IMPACT: By completing this recommendation, KCSO is in compliance with state law which requires detectives to take the new victim-centered training. KCSO has also helped ensure that all detectives develop a familiarity with how trauma affects memory and behavior, which is critical in responding to victims of sex offenses, to minimize harm and collection of evidence.

Recommendation 8

PROGRESS



The Prosecuting Attorney's Office should provide all victims whose cases are referred to its office with information on advocacy and other resources at the time it receives a sex offense case referral.

STATUS UPDATE: PAO has worked collaboratively with KCSARC to establish a process to ensure victims are connected with advocacy services early in their case. PAO plans to generate weekly reports that list all referrals received from law enforcement the prior week and send to KCSARC for resources and advocacy. PAO says these reports should be available by end of July 2021, once its contract with KCSARC is revised and finalized allowing it to share this information. In addition,

PAO has established specific protocol for expedited cases to ensure that a KCSARC advocate is present with victims at the first court appearance for these cases.

WHAT REMAINS: PAO has developed a strong plan to fulfill this recommendation in collaboration with KCSARC. Completion of this recommendation will put this plan into practice in order to ensure all victims are connected to services quickly and early in the case process.

Recommendation 9

OPEN



The King County Sheriff's Office Special Assault Unit should develop and document criteria for how they triage case investigations.

STATUS UPDATE: At the time of this follow-up, KCSO leaders stated that they do not plan to implement this recommendation. KCSO has indicated that it will be difficult to triage sex offense cases because each case has different circumstances that cannot be generalized. Currently, SAU detectives rely exclusively on the professional judgement of officers to decide which cases to prioritize.

WHAT REMAINS: KCSO needs to develop and document criteria for how it triages case investigations. At the time of the audit, SAU leaders had said documenting and communicating case triage would be helpful for prioritizing limited resources. Completion of this recommendation will improve the consistency and efficiency of the SAU's case management decision-making. This will help ensure that the unit is using its limited resources as effectively as possible.

Recommendation 10

OPEN



The King County Sheriff's Office Special Assault Unit should communicate to Sheriff's Office leadership how it triages its resources and associated impacts on case investigations.

STATUS UPDATE: At the time of this follow-up, KCSO leaders stated that they do not plan to implement this recommendation.

WHAT REMAINS: KCSO needs to complete recommendation 9 and communicate those triage decisions to leadership. At the time of the audit, SAU leaders had said documenting and communicating case triage would be helpful for prioritizing limited resources. Completion of this recommendation will increase transparency about the impacts of the SAU's limited resources on cases and victims. This information can help KCSO make informed decisions about resource allocation and budget requests.

Recommendation 11

PROGRESS



The Prosecuting Attorney's Office should develop and use case filing timeliness metrics to assess its effectiveness, including whether the strategy of using additional case filing staff is successfully reducing case backlog.

STATUS UPDATE: PAO bolstered its data collection on case filing timeliness metrics in January 2020, and meets monthly to discuss caseloads. Based on this data, PAO secured a term-limited grant to have a third filing deputy from January 2020 through June 2020. Its tracking of case metrics showed that the third filer helped reduce PAO's case backlog. In response, PAO created two additional filer positions in its Kent office. PAO will continue to monitor the effectiveness of the new staffing model and continue to assess its data as case referrals naturally fluctuate in order to make adjustments when necessary.

WHAT REMAINS: To complete this recommendation, PAO should document its process of assessing case filing timeliness in its policies and procedures. Completion of this recommendation will allow PAO's SAU to assess the impact and effectiveness of staffing adjustments. This information can help PAO allocate future resources and apply for additional funding opportunities to best resolve cases and help victims.

Recommendation 12

PROGRESS



The Prosecuting Attorney's Office should collect and track demographic data about defendants and victims, use the information to assess outcomes, and develop plans to respond to any identified disparities.

STATUS UPDATE: PAO has been working with local organizations such as the United Indian Health Institute (UIHI) on how to collect victims' race data more thoughtfully so that it sensitively and accurately identifies people's identities. For example, PAO staff attended a training with UIHI in June 2021 on how Native American data is collected and stored, and best practices for doing so. They are also working with the jail to collect more accurate race data on defendants. Because they are working to ensure pre-existing race data is complete and accurate, PAO is going beyond our original audit recommendation to track race and ethnicity data for victims and defendants to assess for equity gaps.

WHAT REMAINS: To complete this recommendation, PAO will need to finalize how to track victim and defendant race and gender data most appropriately and begin tracking it in its systems. In addition, PAO will need to use this data to analyze any identified disparities and develop a plan to help address them. Completion of this recommendation will help PAO identify potential inequities in outcomes and identify strategies to mitigate them. This can lead to more equitable outcomes for victims and defendants and help address systemic biases in the legal system.

Anu Sidhu conducted this review. If you have any questions or would like more information, please contact the King County Auditor's Office at KCAO@KingCounty.gov.