

RESOLUTION No. 2022-05

RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF CUERO, TEXAS, THAT APPROVES AN INTERLOCAL COOPERATION AGREEMENT MULTI-COUNTY ADULT SEXUAL ASSAULT RESPONSE TEAM (“SART”) BETWEEN DEWITT, VICTORIA, CALHOUN, LAVACA, GOLIAD, AND JACKSON COUNTIES AND AUTHORIZE THE MAYOR TO SIGN.

WHEREAS, sexual violence is a serious issue impacting the public health and safety; and

WHEREAS, according to a statewide prevalence study, 6.3 million or 33.2% of adult Texans have experienced some form of sexual assault in their lifetime¹; and

WHEREAS, sexual assault continues to be a severely underreported crime— only 9.2% of victims report their experience to the police according to the Institute of Domestic Violence and Sexual Assault; and

WHEREAS, in Texas, in 2020, there were over 30,000 sexual assaults reported to law enforcement², and over 50,000³ survivors sought services at a rape crisis center; and

WHEREAS, sexual assault victims must live with the emotional and medical consequences of their assault, which are often chronic and severe; lifetime prevalence of post-traumatic stress disorder (PTSD) in women who are sexually assaulted is estimated to be 50%; and

WHEREAS, in their 2020 audit report to the Legislature on investigations and prosecutions of sexual assault statewide, the State Auditor’s Office identified that only 32% of all reported sexual assaults in a 5-year period resulted in an arrest⁴; and

WHEREAS, in their 2020 audit report to the Legislature on investigations and prosecutions of sexual assault statewide, the State Auditor’s Office noted a lack of reliable data on sexual assault case dispositions and a lack of multidisciplinary responses to adults; and

¹ Busch-Armendariz, N.B., Olaya-Rodriguez, D., Kammer-Kerwick, M., Wachter, K., Sulley, C., Anderson, K. & Huslage, M. (2015). Texas Statewide Sexual Assault Prevalence Study: Final Report 2015. Austin, TX: Institute on Domestic Violence and Sexual Assault, The University of Texas at Austin

² Texas Department of Public Safety (2021). Crime in Texas, 2020. <https://www.dps.texas.gov/sites/default/files/documents/crimereports/20/2020cit.pdf>

³ Texas Association Against Sexual Assault. Rape Crisis Center Annual Capacity Survey, FY20 & FY21.

⁴ An Audit Report on Investigation and Prosecution Processes for Reported Sexual Assaults in Texas. SAO Report No. 21-002 October 2020

WHEREAS, the 87th Texas Legislature has recognized the serious nature of this crime and has passed legislation requiring counties to form Adult Sexual Assault Response Teams⁵; and

WHEREAS, counties with a population of 250,000 or less in a contiguous area may join together to form a regional response team⁶; and

WHEREAS, Cuero, DeWitt County recognizes that work must be done at a societal and local level to reduce the incidence of sexual assault, hold offenders accountable and to help heal victims: now, therefore

BE IT RESOLVED by the City Council of the City of Cuero, that the City of Cuero will join with DeWitt, Calhoun, Lavaca, Goliad, and Jackson Counties to establish the Multi County Regional Adult Sexual Assault Response Team, effective December __, 2021.

The City of Cuero, DeWitt County will appoint City of Cuero Police Chief Jay Lewis and Investigator Catrina Rubio.

(The Regional Adult Sexual Assault Team must include a minimum of one of each of the following six professionals. Each county may send one or more appointees to serve on the team but not all counties have to appoint a member from each category.)

- The Chief Administrator of sexual assault program;
- A prosecutor with jurisdiction over adult sexual assault cases in the County;
- The Sheriff of the County, or their designee;
- The Chief of the largest municipal law enforcement agency, if one exists, or their designee;
- A Sexual Assault Nurse Examiner, Forensic Examiner that provides exams within the County, or if they do not exist, a representative from the largest healthcare provider in the County; and
- A mental or behavioral health provider within the County, or if they do not exist a representative from the public health department; and

⁵ Texas Local Government Code Chapter 351, Subchapter J. <https://capitol.texas.gov/tlodocs/87R/billtext/html/SB00476E>.

⁶ Texas Local Government Code 351.252 (b)

- other persons the presiding officer of the response team considers necessary for the operation of the response team or as recommended by the response team.

BE IT FURTHER RESOLVED that in order to create systems that reduce re-traumatization and prioritize victim safety, members of the Regional SART appointed by City of Cuero, DeWitt County are directed to work with other team members to:

- Elect a presiding officer and any other organizational and decision-making structures deemed for the success of the team;
- Recommend additional members for the team as necessary to fulfill the functions of the team;
- Attend scheduled meetings of the team or provide a designee as permitted by statute;
- Create a written interagency protocol that establishes local and regional processes for investigating and prosecuting sexual assaults, identifying and obtaining medical & forensic care, mental health care and advocacy resources for victims as required by Texas Local Government Code 351.256, no later than December 1, 2022;
- In developing a protocol, the response team shall consider Chapter 56A, Code of Criminal Procedure; may provide different procedures for use within a particular municipality or area of the county served by the response team; and shall prioritize the health and safety of survivors, including those who choose not to make a police report;
- Notify the Court of any statutory vacancies on the team that would require a new appointment within __ days of those occurring;
- Collect and maintain data on the number of sexual assaults reported to local law enforcement agencies and the investigation, prosecution and disposition of such offenses as required by Texas Local Government Code 351.257(A) that will culminate in a written summary to the Commissioners Court by December 1st of every odd numbered year;
- Develop processes for information sharing and conflict resolution between team members;
- Distribute the written protocol to all responding law enforcement and service providers throughout DeWitt County & _____Region;
- Participate in a minimum of 4 hours of annual cross training with other team members;
- Evaluate the interagency protocol through the utilization of case reviews, with the signed, written consent of the victim as required by Texas Local Government Code 351.258(f); and

- Participate in writing the biennial report to the Commissioners Court as required by Texas Local Government Code 351.257.

BE IT FURTHER RESOLVED that the City of Cuero, will fill any statutory vacancies as requested by the Multi Regional SART or Golden Crescent Council of Government within 30 days of those vacancies occurring;

BE IT FURTHER RESOLVED the written biennial report produced by the team shall be posted in a prominent place on the County’s website and by law will be available to the public. The report shall not be redacted prior to its publication except for redactions needed to comply with the law to maintain privacy of individuals otherwise identified in the report.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CUERO, THAT

Section One, The City of Cuero, Texas does hereby approve and adopt the interlocal agreement attached hereto as Exhibit “A”, entitled “ **REGIONAL SEXUAL ASSAULT RESPONSE TEAM (SART)**).

Section Two. That the Mayor of the City of Cuero be and she is hereby authorized to execute such agreement on behalf of the City of Cuero and the City Secretary is directed to attest to same and to affix the City Seal thereto.

PASSED AND APPROVED THIS 14TH DAY OF FEBRUARY, 2022

SARA POST MEYER, MAYOR

ATTEST:

JENNIFER ZUFELT, CITY SECRETARY