

Crime in Santa Clara County - 2018



Prepared by:

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Overview

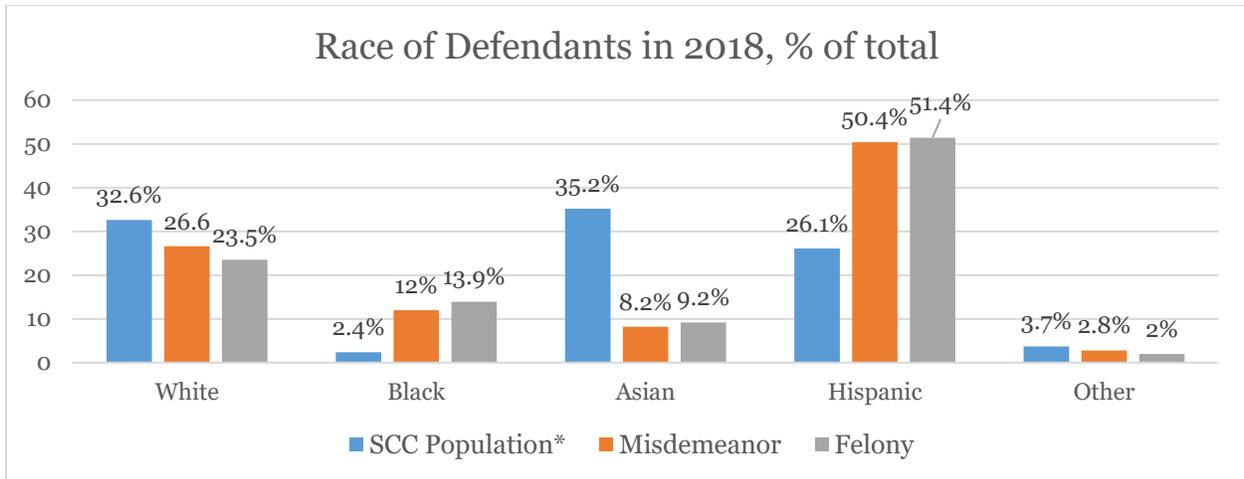
In late 2016, the Santa Clara County District Attorney's Office formed a Crime Strategies Unit. The objective of this unit was to engage in Intelligence-led Prosecution and Policing, as part of a nationwide movement toward smarter, data-driven solutions in Criminal Justice. This is the third Annual Report from the Crime Strategies Unit, highlighting countywide crime trends and unique lessons learned.

Executive Summary

Santa Clara County is a vibrant, diverse community with a large population and historically low crime rates which have consistently made it one of the safest large counties in the U.S. This is still the case even as, in 2018, the County experienced an uptick in violent crimes. Some of this is attributable to increases in juvenile crime and some is attributable to increased robberies. A notable increase in sexual assaults seems to be – in part – a result of increasing reporting of the often-unreported crime.

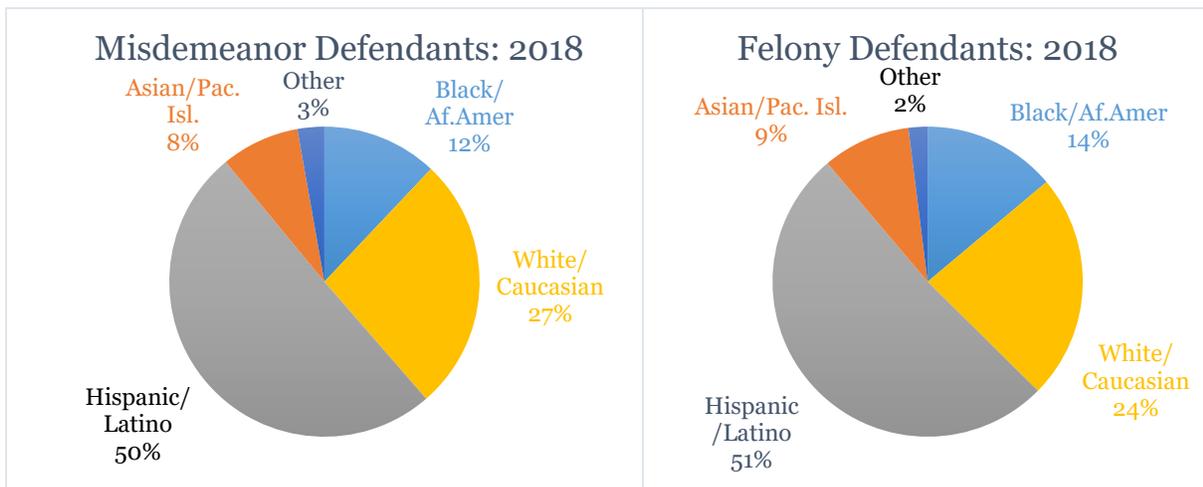
The Crime Strategies Unit directly responded to noticeable increases in violent crime, and specifically gun-related crime, by directing resources toward gun violence reduction. In the last year, the Crime Strategies Unit has been a regional leader for (1) Gun Law Education, (2) Crime Gun Intelligence, and (3) Multi-Jurisdictional Gun Crime Strategies. This can be seen in the dramatic increase in gun protection orders, taking weapons out of the hands of dangerous and/or suicidal people. The District Attorney's Office continued to support communities through its Community Prosecution Unit. The Community Prosecutors integrated into the neighborhoods most impacted by violent crime, identified by the zip codes outlined in this report, through both crime prevention and direct intervention efforts.





*2017 population values from Census Fact Finder

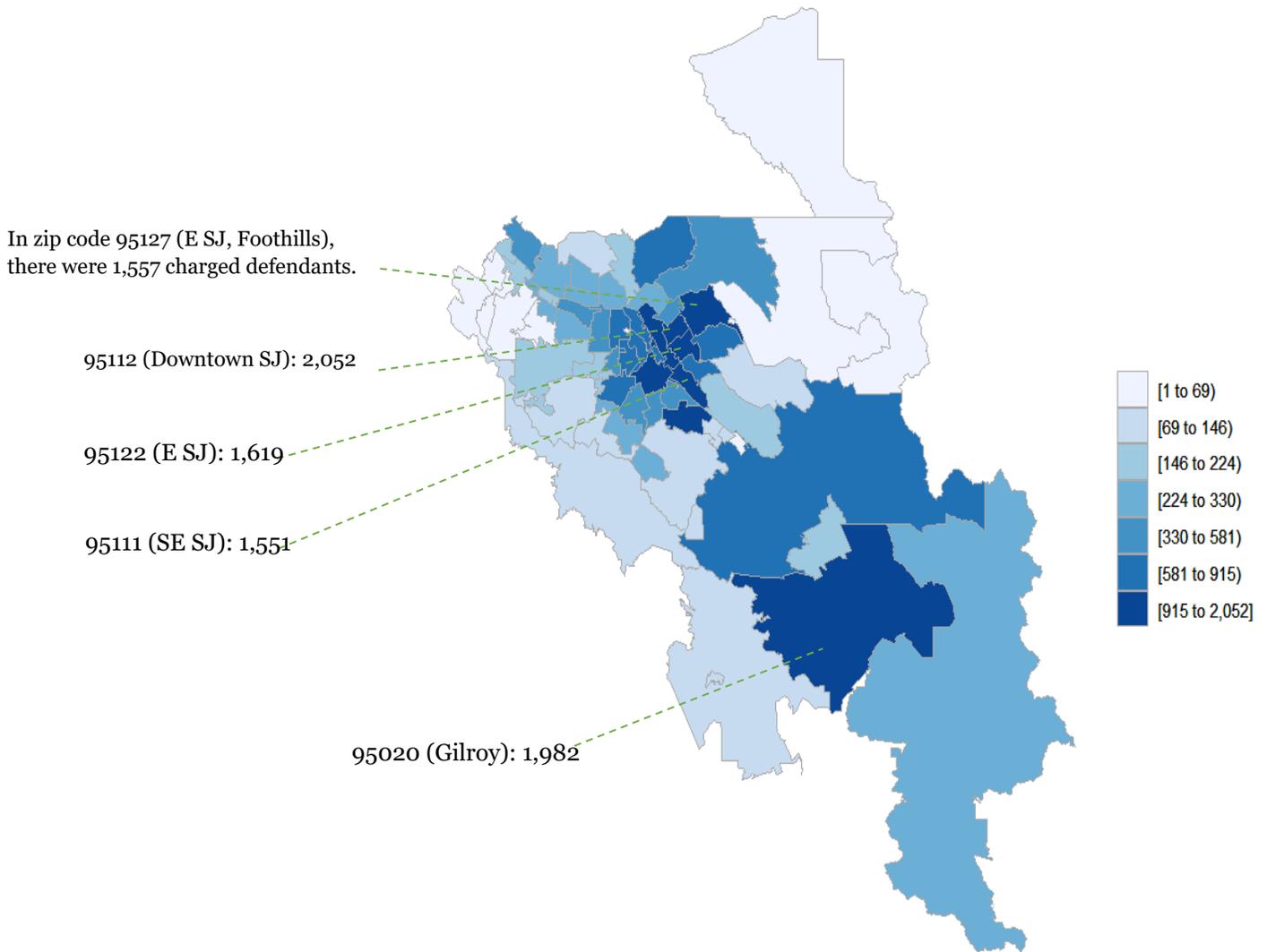
As with prior years, the racial disparities that exist in felony cases are even more pronounced, with 13.9% of felony cases involving Black/African American defendants, and only 9.2% of felony cases involving Asian defendants.



Zip Code Analysis

Another necessary component for understanding prosecution disparity is understanding where the charged defendants live. Examining 2018 charged cases, we see that the lions' share of the county's criminal defendants live in five zip codes: 95020 (Gilroy), 95112 (Downtown San Jose), 95111 (Southeast San Jose), 95122 (East San Jose) and 95127 (East San Jose/Foothills). The chart reflects our adult offenders. Later in this report we see how the juvenile offender population looks slightly different.

Number of Charged Defendants by Zip Code: 2018



Source: SCC DAO

The Santa Clara County Public Health Department compiles robust data about education, employment, health and safety for each of the zip codes in the County. Looking more closely at our defendant zip codes, we find that defendants most commonly reside in poorer, more dangerous, and less healthy neighborhoods. As seen in the table below, these disparities are pronounced across all categories in the zip codes with the highest defendant populations. In particular, a majority of residents in these neighborhoods report that crime is somewhat or a major problem, whereas the rest of the county feels mostly safe.¹

	County Overall	95020 (Gilroy)	95112 (Downtown San Jose)	95111 (Southeast San Jose)	95122 (East San Jose)	95127 (East Foothills)
Median household income	\$106,761	\$90,144	\$60,569	\$66,549	\$66,606	\$84,239
Unemployed	5.7%	6%	7.7%	7.5%	8%	6.8%
Families below Poverty Line	5.6%	8.4%	10.3%	13.6%	14.1%	7.5%
Families with children <18 below Poverty Line	7.4%	13.1%	14%	17.7%	17.9%	10.8%
Households with gross rent 30% or more of household income	46%	56%	51%	64%	64%	61%
Overcrowded households	8%	10%	13%	19%	25%	16%
Average # of violent crimes within 1 mile	16.04 crimes	12.4	72.73	23.09	39.25	29.9
Adults reporting neighborhood crime is somewhat or a major problem	42%	63%	66%	75%	81%	63%
Adults with any firearms now kept in or around home	11%	26%	4%	4%	2%	17%
Adults with fair or poor self-rated health	19%	85%	74%	69%	62%	72%
Teen live births per 1,000 females, ages 15-19	19.2 per 1k	35.1	22.2	37.9	47.8	37.4

GUNS

California has some of the most robust gun and ammunition regulations in the country. The gun laws are numerous and ever-changing, making it challenging for law enforcement to stay updated about the laws. In 2018, the Crime Strategies Unit began an education campaign to spread the word to law enforcement and the community about gun regulations. The goal is to encourage the police and public to tackle gun violence using existing laws and partnerships. This has taken on renewed urgency in a time when handgun sales are near all-time highs, gun-related crime is increasing, and gun-related deaths are increasing.

We know that in California, guns are involved in a staggering number of violent crimes. Between 2011 and 2017:²

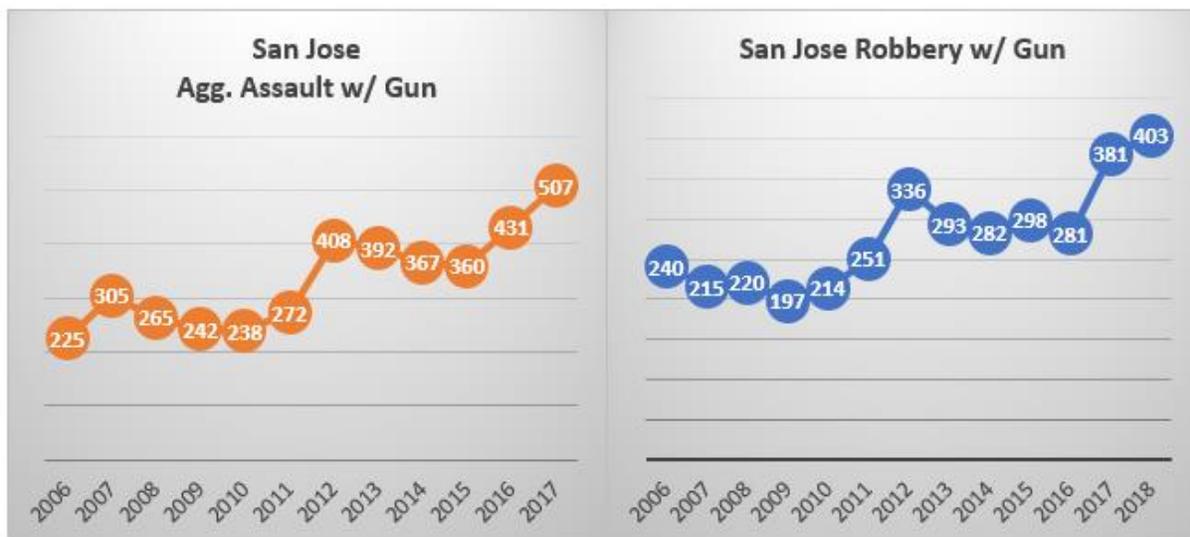
69% of homicides involved a firearm

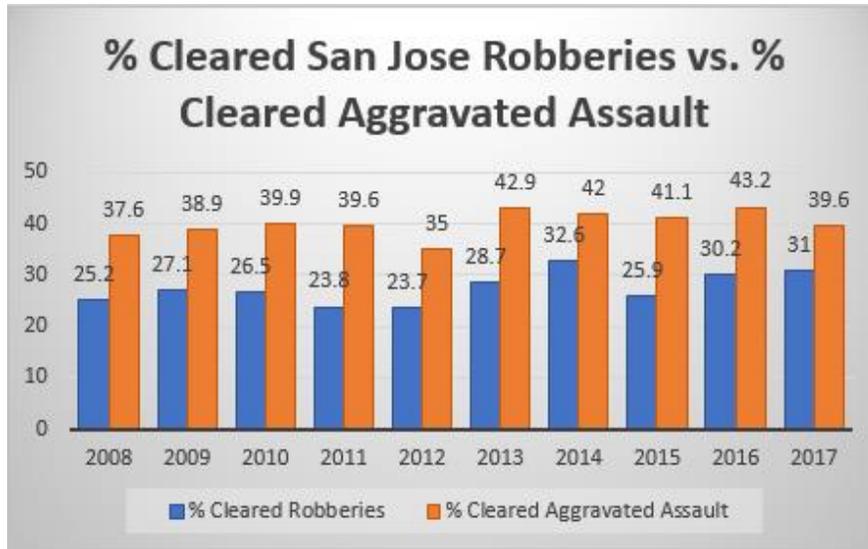
29% of robberies involved a firearm

18% of aggravated assaults involved a firearm³

Gun violence impacts children in a profound way. The National Survey of Children's Exposure to Violence indicates that 4.2% of children aged 0 to 17 in the United States have witnessed a shooting in the past year. Gun-related injuries are the third leading cause of death among U.S. Children, more than heart disease, influenza and congenital anomalies.⁴

According to the Gifford's Law Center, gun violence is costly for Californians, not just in terms of the lives lost and injuries suffered, but the financial impact of hospitalizations. The direct costs of gun-related hospitalizations in California is estimated at \$87.4 million dollars in 2010, 65% of which was said to be shouldered by taxpayers.⁵





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What Are We Doing About It?

The Crime Strategies Unit has made Gun Violence reduction one of its primary missions. In collaboration with multiple County partners including the Department of Public Health, the City of San Jose and the County Board of Supervisors, the Crime Strategies Unit has three missions to help reduce gun violence and spread awareness about gun crimes:

(1) Gun Law Education Campaign

CSU drafted a gun law reference guide to educate police and prosecutors about California Gun Laws. The attorneys at CSU have trained hundreds of officers about ever-changing gun laws to assist in better enforcement in the County. This includes Countywide education about Gun Violence Restraining Orders, described below.

(2) Gun Related Intelligence Program

This program harnesses the power of existing ballistic and firearms testing to solve gun crimes and analyze linked shooting cases. The intelligence analysts at CSU will help investigators put together the common pieces from shooting scenes to solve crime and then provide these linkages and leads to police agencies.

(3) “Trigger Lock” Initiative

Through ongoing collaboration with county and federal prosecutors, CSU works to identify crime-drivers who are better suited for prosecution by the US Attorney’s Office in instances where federal law more appropriately holds the offender accountable.

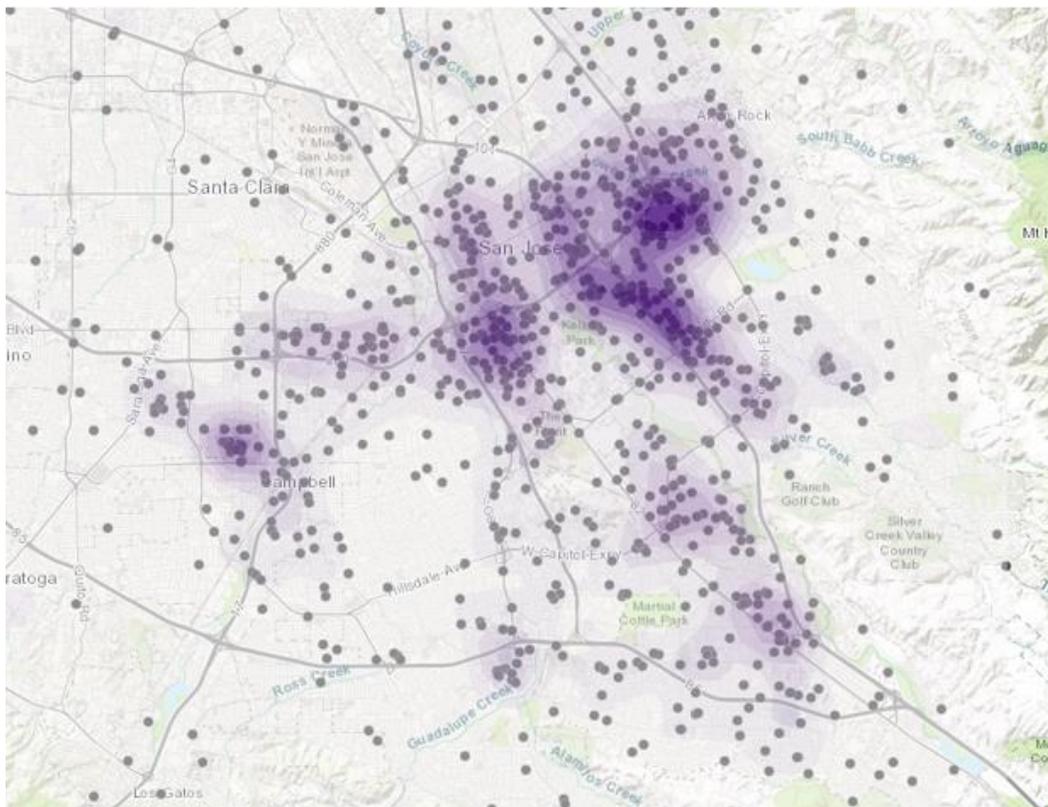
Firearms Testing and Crime Gun Intelligence

Existing technology allows police to solve shootings by rapidly submitting and processing firearms evidence. Using a database called NIBIN (National Integrated Ballistic Information Network), police submit spent shell casings from shooting scenes and recovered crime guns to compare unique markings on each. This allows investigators to quickly link shootings to one another, providing quick and

invaluable leads in the most serious kinds of crimes. The Crime Strategies Unit is proud to have built a Gun Related Intelligence Program (GRIP), to help police investigators, crime lab technicians, federal partners and intelligence analysts quickly and collaboratively solve gun crimes. When two or more cases are linked to a single firearm by examiners at the Crime Lab, the GRIP analysts open a GRIP case, and work to try and solve the cases through follow-up with the police agencies and witnesses. The program continues to expand and deliver impressive results, including multiple solved murder and attempted murder cases, thanks to firearms evidence and information-sharing.

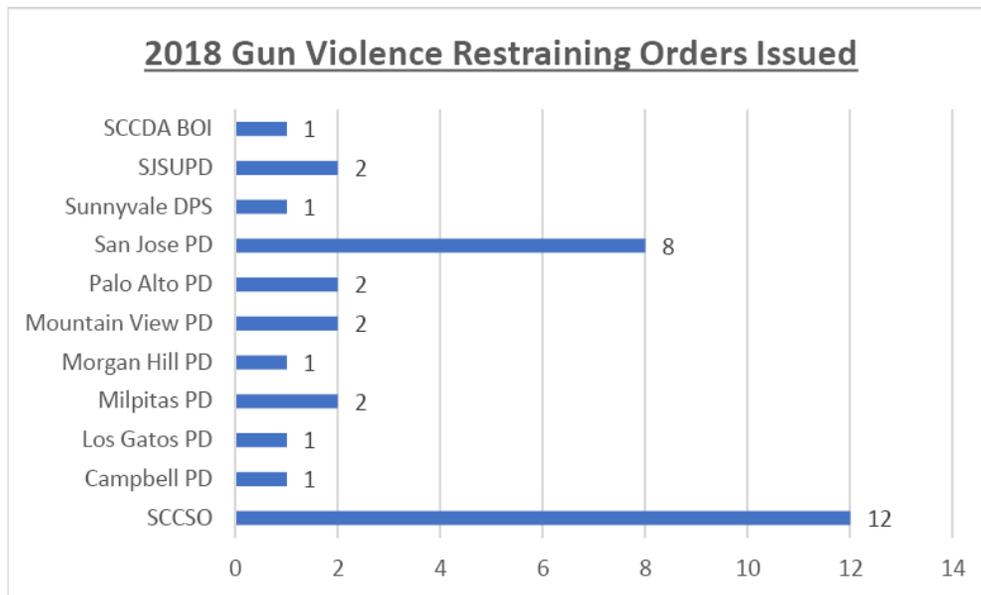
	<u>2017</u>	<u>2018</u>	<u>2019</u> as of 5/1/19
GRIP Cases	36	78	27
Total Linked Agency Cases	115	251	70
Homicides w/ NIBIN lead	6	9	7

One of the other important functions of analyzing Gun Intelligence is the ability to identify the neighborhoods that are the most impacted by gun violence. GRIP Analysts study gun incidents, like the ones seen in the map below, to help direct resources to areas most impacted by gun activity. In the map below, we see all gun-related crimes (discharges, shootings, gun possession) from January 2018 to March 2019 that GRIP analysts looked at during their analysis of Santa Clara County violence. This work helps investigators respond to current patterns of gun violence in a data-driven way.



Gun Violence Restraining Orders

Another powerful tool for combatting gun violence is the Gun Violence Restraining Order (GVRO). This law allows police to apply for a court order from a judge to remove guns and ammunition from individuals who pose a risk of harm to themselves or others. According to a survey done by the Sacramento Bee, GVROs were used only a handful of times across the state from its inception in 2016 to the present (86 times in 2016, and 104 times in 2017).⁸ In 2017, the entire County of Santa Clara only issued 4 GVROs, but after CSU's education campaign, in 2018 they issued 33.



2018 Juvenile Crime:

The Crime Strategies Unit gathered data from District Attorney Office juvenile filings to conduct an analysis of juvenile crime occurring in San Jose during 2018. Initial results of this analysis indicate that the number of minors charged with robbery and carjacking increased significantly in 2018. Additionally, the number of minors charged with residential burglary reached a high-water mark in 2018.⁹

2018 MINORS CHARGED (BY CRIME TYPE)

Offense	2014	2015	2016	2017	2018	2017 - 2018
Residential Burglary PC460(a)	131	126	81	185	218	(+) 17.84%
Auto Thefts VC10851(a)	105	112	138	208	216	(+) 3.85%
Robbery PC212.5(c).	67	84	99	120	238	(+) 98.33%
Carjacking PC 215(a)	3	1	8	28	79	(+) 182.14%
Assault PC245(a)(4)	15	34	32	51	47	(-) 7.84%
Total	321	357	358	592	798	(+) 34.80

As closer look at the minors charged in 2018 examined their racial background, age, and gender. The analysis shows that Hispanic/Latino juveniles were significantly more likely to be

charged with crimes in all examined categories than all other racial backgrounds combined. Almost 80% of the 2018 juvenile demographic filings consisted of Hispanic/Latino juveniles. While male Hispanic/Latino juveniles were more likely than female Hispanic/Latino juveniles to be arrested and charged with a crime, both genders were significantly more likely to be charged than any other race and corresponding gender displayed in the demographic filings.

2018 JUVENILE CRIME DEMOGRAPHICS

<i>Offense</i>	<i>Latino</i>	<i>Black</i>	<i>Asian/PI</i>	<i>White</i>	<i>Other/Unknown</i>
<i>Residential Burglary</i>	157	30	15	11	5
<i>Auto Thefts</i>	182	18	4	7	5
<i>Robbery</i>	184	31	6	7	10
<i>Carjacking</i>	69	6	0	1	3
<i>Assault</i>	39	1	4	1	2
<i>Total</i>	631	86	29	27	25

When examining the number of times that a particular offense was charged in any count on the petition, we similarly see a noticeable spike in charged robberies and carjackings in 2018, as compared to the prior seven years. In addition, there has been a steady increase in filed residential burglaries over that period of time.¹⁰

NUMBER OF TIMES CRIME WAS CHARGED - BY CRIME TYPE

Offense	2018	2017	2016	2015	2014	2013	2012
460(a) Residential Burglary	321	290	121	147	167	159	175
10851(a) Vehicle Theft	243	302	191	163	114	160	191
212.5(c) Robbery - 2 nd Degree	312	228	187	82	84	80	157
215 Carjacking	103	48	12	1	3	1	9
245(a)(1) Assault with DW	55	61	51	39	27	40	53

Minors charged with the most common felony offenses live in some of the same neighborhoods as their adult counterparts, however the most frequently seen zip code of residence in the juvenile population is

95116 (Northeast San Jose). In the adult population, that is not in the top five defendant zip codes. Here are the most common zip codes of residence for charged minors, broken down by charged offense:

PC 460 (a)	VC 10851 (a)	PC 212.5 (c)	PC 215 (a)	PC 245 (a)
95116 - 34	95116 - 29	95116 - 25	95116 - 15	95116 - 5
95127 - 24	95111 - 19	95111 - 19	95111 - 9	95125 - 5
95128 - 19	95122 - 19	95122 - 19	95122 - 7	95122 - 5
95111 - 17	95112 - 16	95020 - 18	95126 - 6	95145 - 5
95122 - 16	95127 - 15	95112 - 14	95127 - 6	95127 - 5

The Community Prosecution Unit works closely with community stakeholders to understand this data and to devote resources to the neighborhoods that are the most impacted by juvenile crime. In 2019, the Crime Strategies Unit and the Community Prosecutors will look more closely at the data to determine appropriate prevention and intervention in these neighborhoods.

PROSECUTION DATA

Thousands of cases are brought to the Santa Clara County District Attorney’s Office every year for review. They are submitted by the investigating agencies after an arrest or investigation, and attorneys make a decision about whether to file criminal charges. If the prosecutor decides there is sufficient evidence to charge someone with a crime, a criminal case is “issued” against the suspect. The Crime Strategies Unit examined the issuing practices in Santa Clara County to see the trends in prosecution practices.

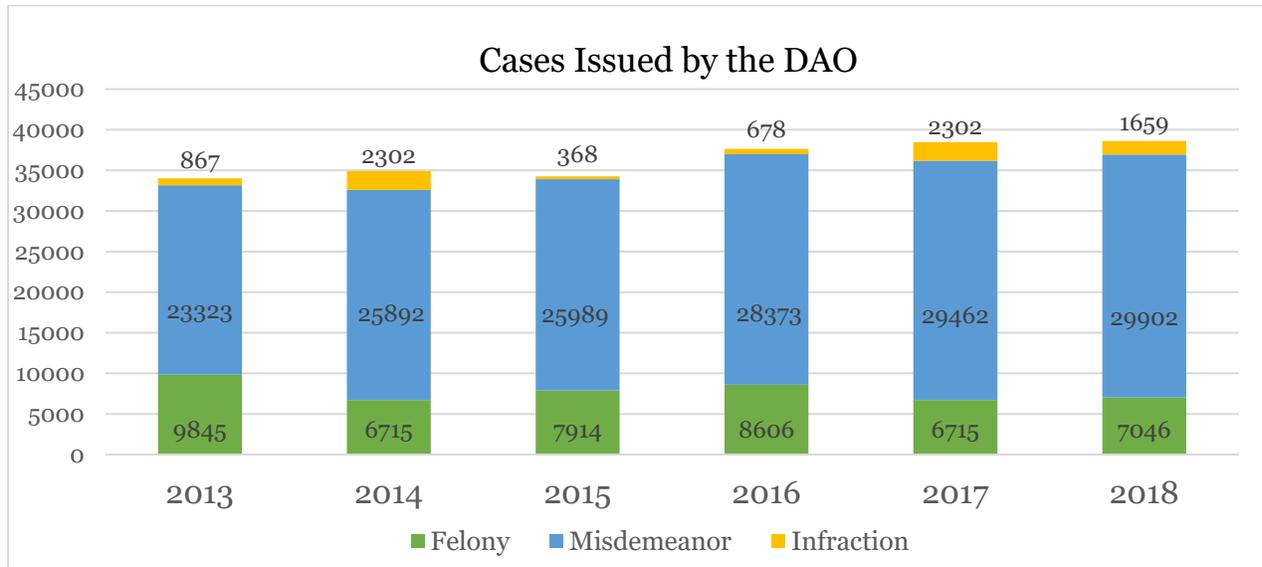
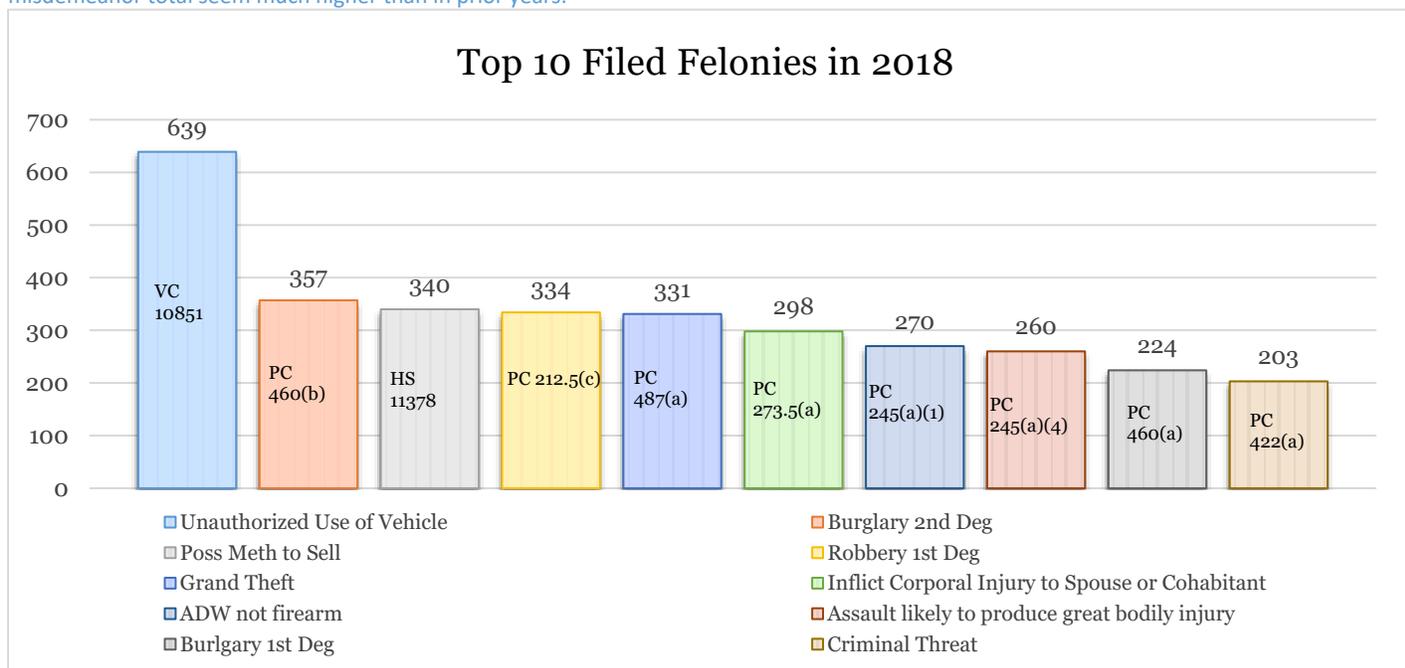
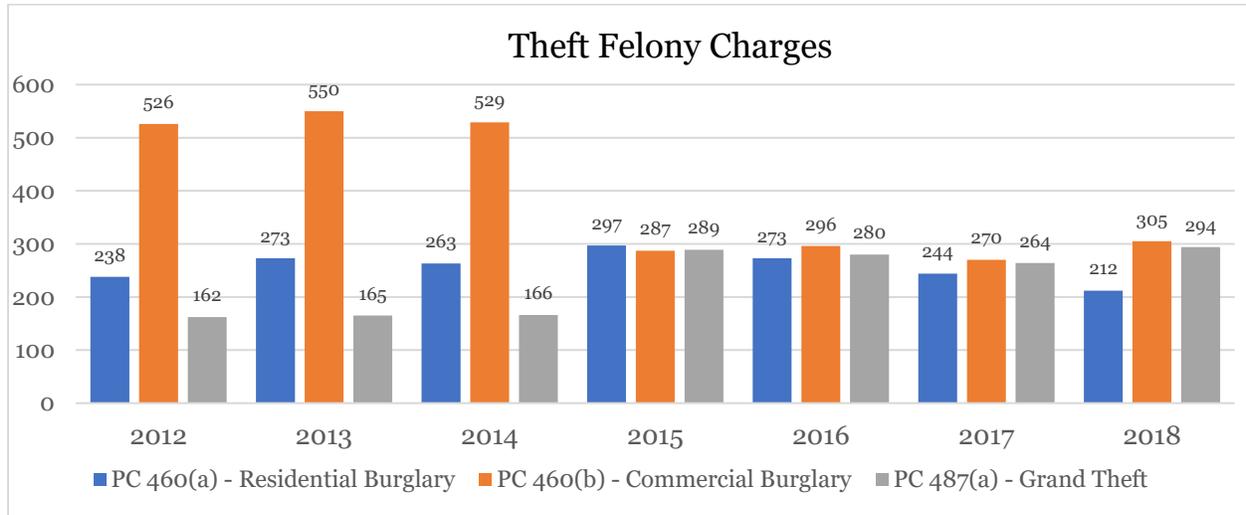


Figure 1 As part of its move toward paperless prosecution, the DA’s Office started counting misdemeanor/infraction cases issued by citation in 2017, allowing for a more precise measurement of misdemeanor cases prosecuted in the office. These cases were previously handled by the DA’s office but not counted in the records management system, making the 2017 misdemeanor total seem much higher than in prior years.

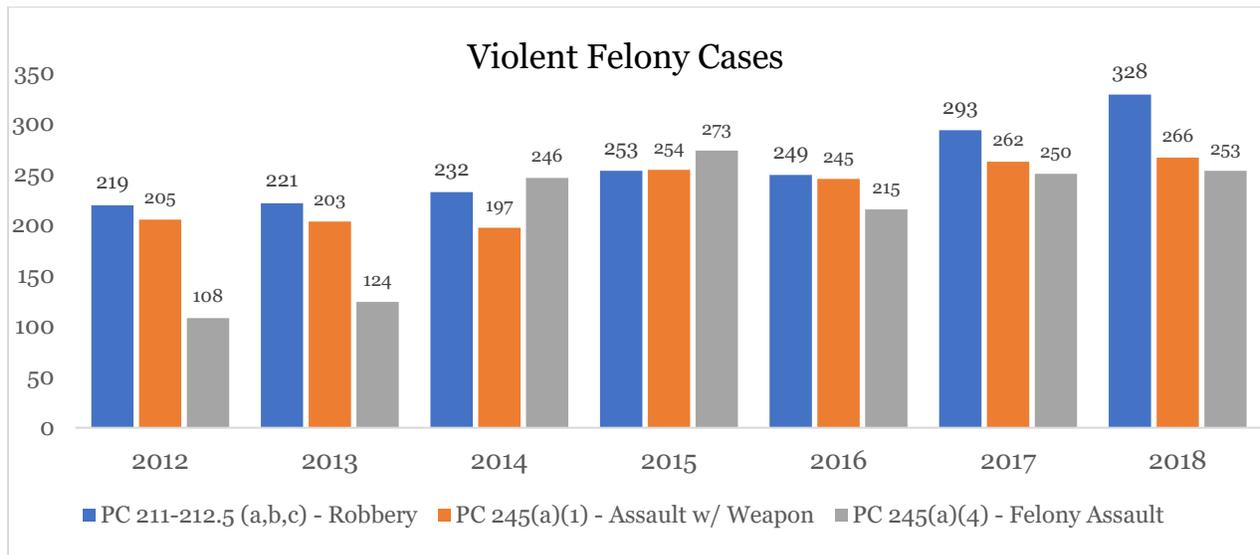


Issuing Practices By Case Type:

The totals below reflect number of times that a charge is issued in any count on the complaint. If the defendant committed several burglaries, for example, that would be counted multiple times, one for each separate committed crime.

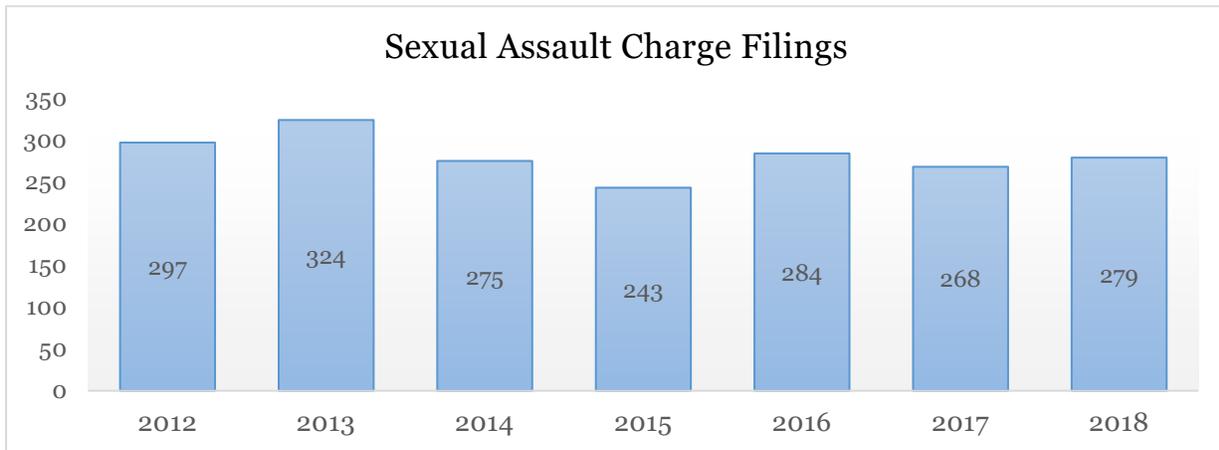


Second degree burglaries declined after Prop 47 in 2014 though there was a slight increase in 2017 and 2018. The law changed commercial burglary so that if you steal from a business during working hours, the crime is a misdemeanor. However, if you steal from a business when it is closed (meaning you broke in and stole), it is a felony. Residential burglary filings were slightly down in the last two years.

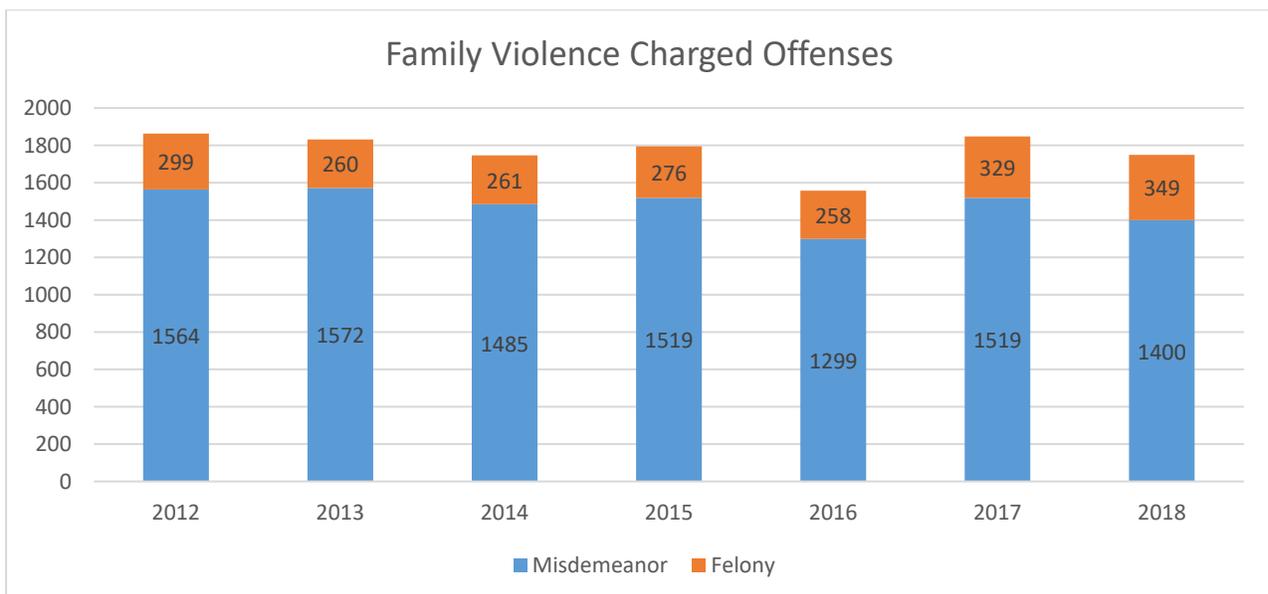


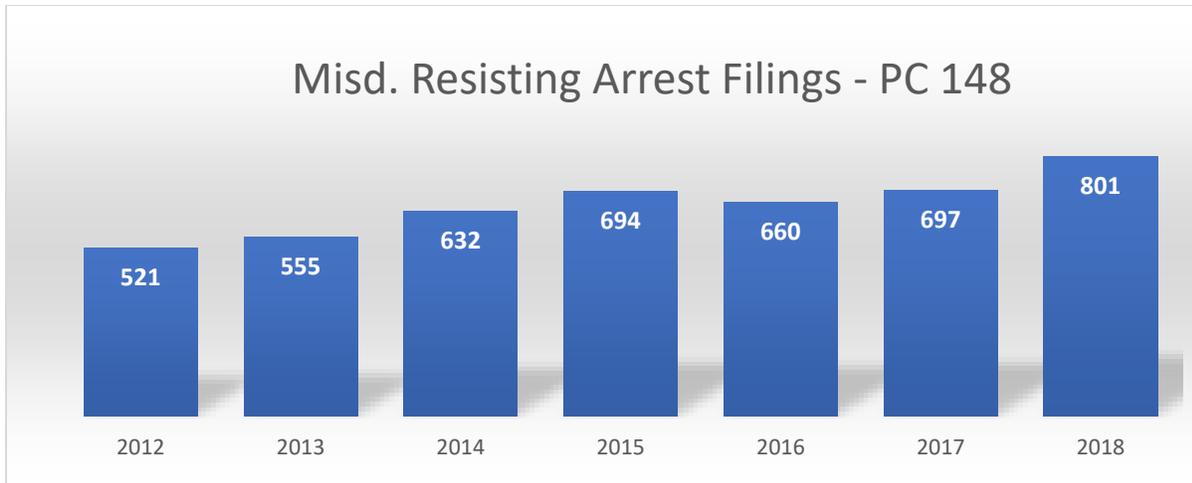
In 2017 and 2018 filed robbery charges were up significantly. This is consistent with police crime data, showing a large increase in reported robberies in 2017 and 2018.

Sexual assault filings have remained relatively stable compared to the other crimes examined herein. For purposes of the analysis below, we looked at the most commonly filed sexual assault charges: PC 220 (assault with intent to commit sexual act), PC 261 (rape), PC 261.5 (statutory rape), PC 266h (pimping), PC 266i (pandering), PC 269 (aggravated sexual assault), PC 288 (child sexual assault), PC 288.5 (repeated child sexual assault), PC 288.7 (child sexual assault), PC 288a (forced oral cop), PC 289 (digital penetration), PC 311.11 (child pornography).

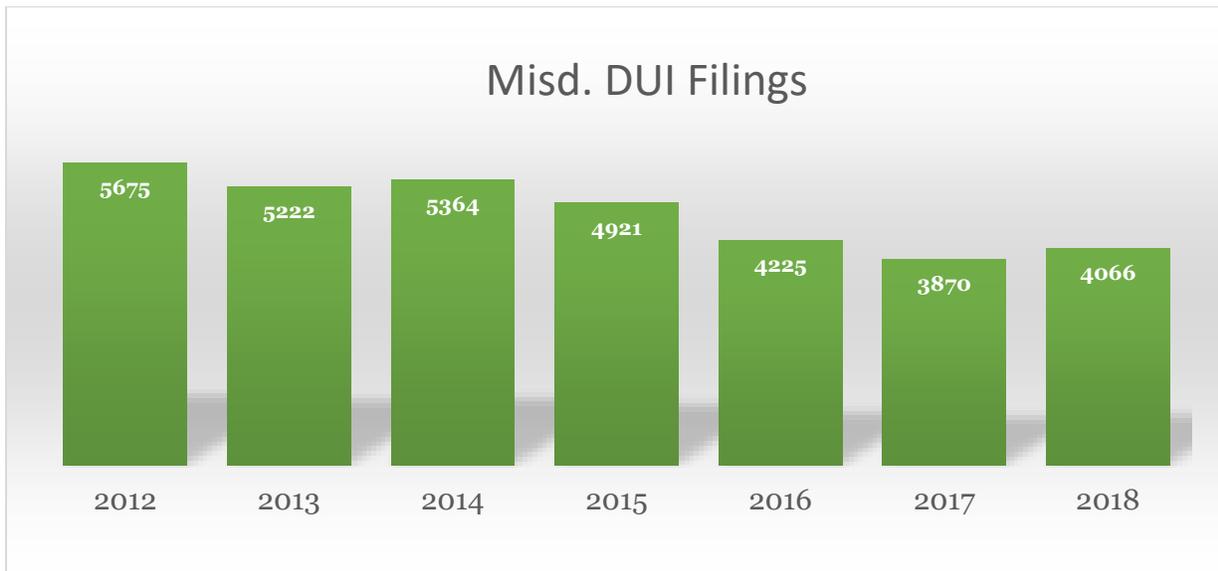


Family violence includes assault on a spouse, family member or cohabitant. Felony assault usually involves more than a minor injury. Felony filings in 2017 and 2018 were up compared to prior years. For the chart below, charges counted were: PC 243(e) (battery on spouse/cohabitant), PC 273.5(a) (injury to spouse/cohabitant), PC 273.6 (viol. of DV protective order).





In 2016 San Jose Police department provided body worn cameras to all patrol officers. Since then there has been an uptick in resisting arrest filings, charged under Penal Code section 148(a)(1).



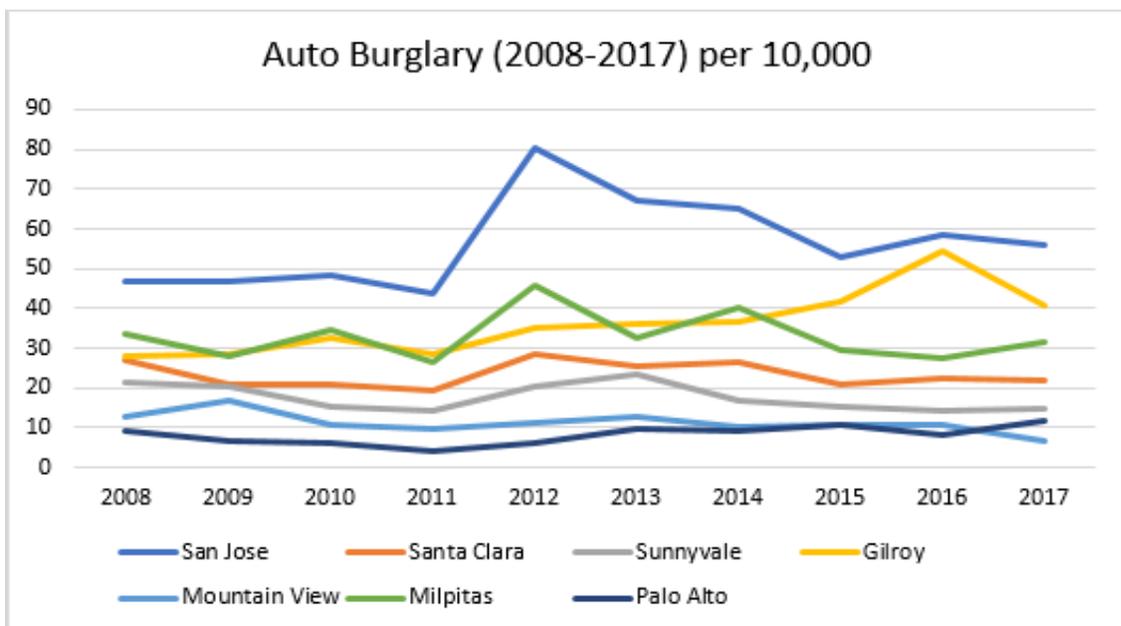
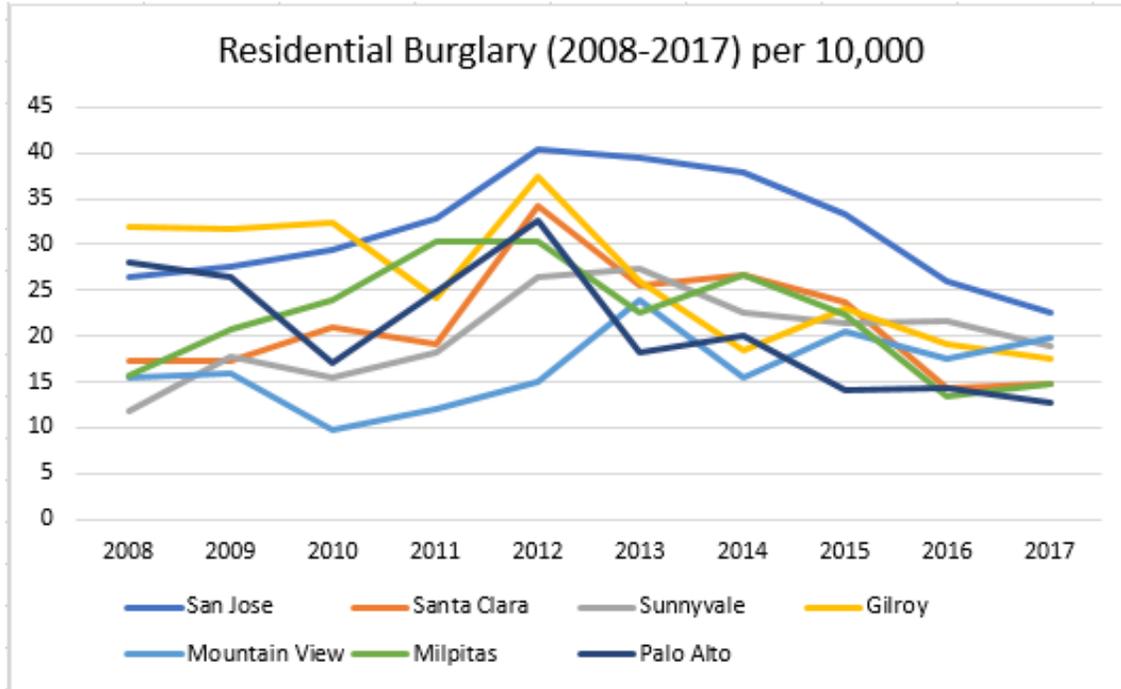
Driving under the influence is the most commonly filed charge in the DA's office. DUI filings have steadily declined in recent years.

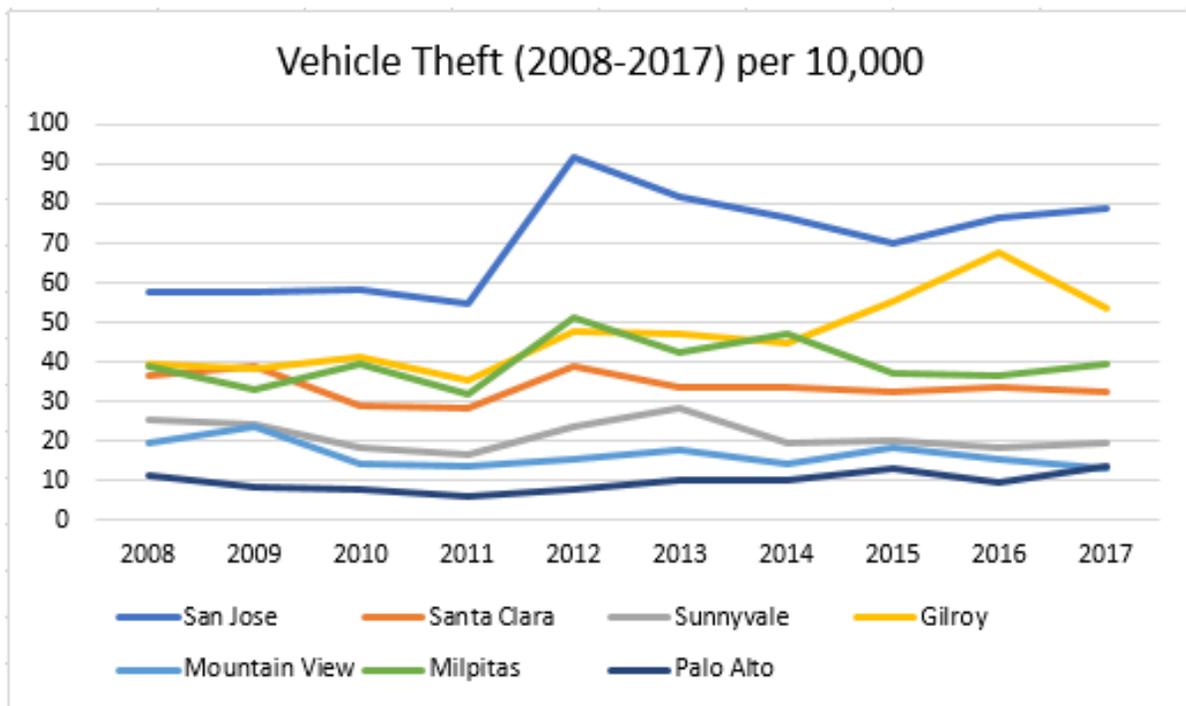
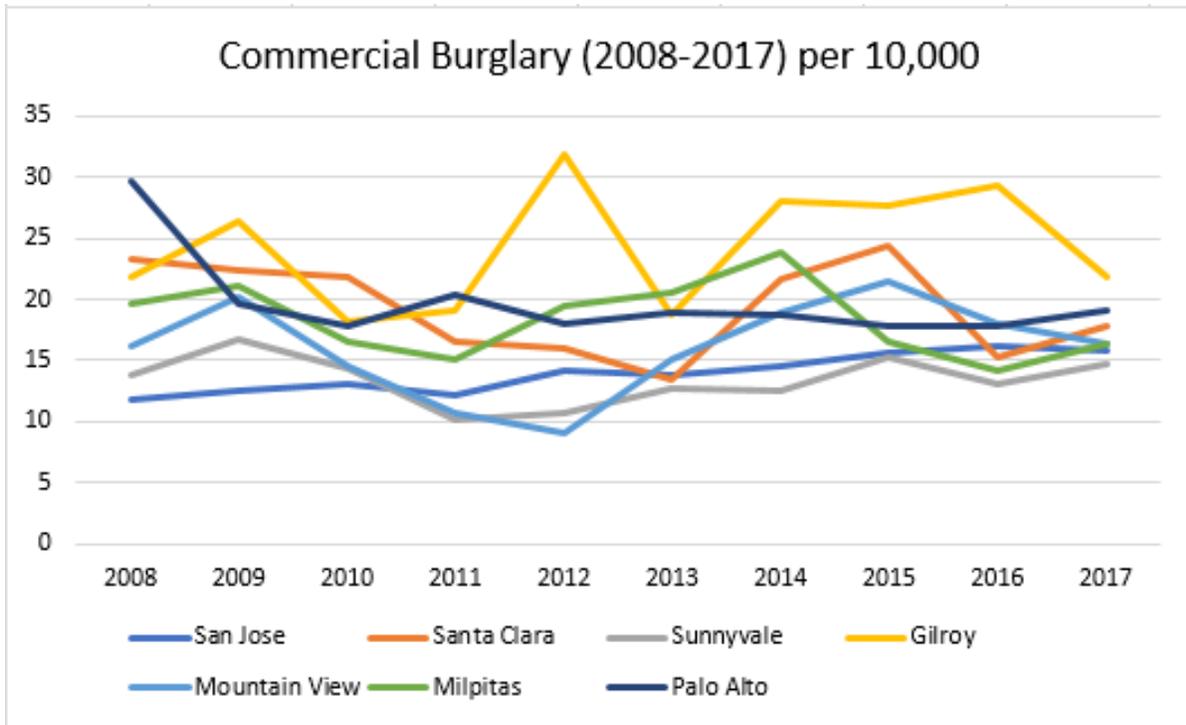
CRIME STATISTICS

In order to adequately address crime in Santa Clara County, the Crime Strategies Unit looks at Countywide metrics for the most common kinds of crime (burglary, stolen cars, robberies, shootings) and compares it to prior years and surrounding jurisdictions. In the charts below, we can see our County compared to other years and locations. The most notable issue in recent years is the marked increase in violent crime in San Jose. This has helped shape recent projects and focus for CSU and its partners.

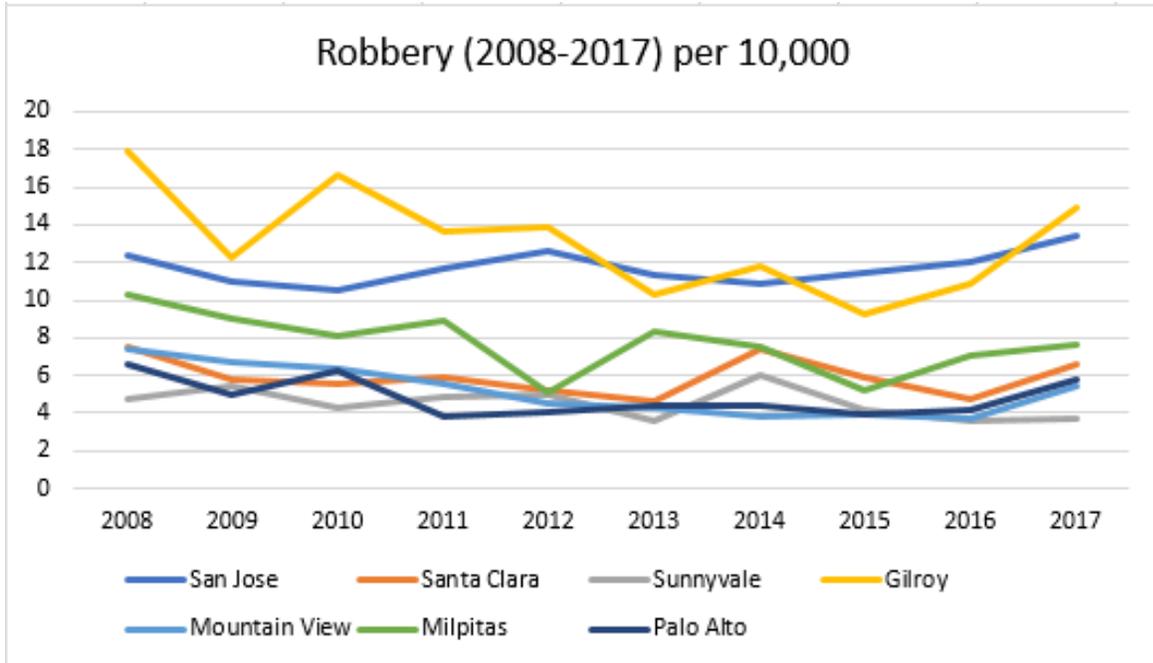
Property Crime in Santa Clara County:

These charts are weighted for population and look at Santa Clara County's largest jurisdictions. The charts on this page utilize reported numbers from California Department of Justice, and may differ slightly from FBI's Uniform Crime Reporting statistics.¹¹

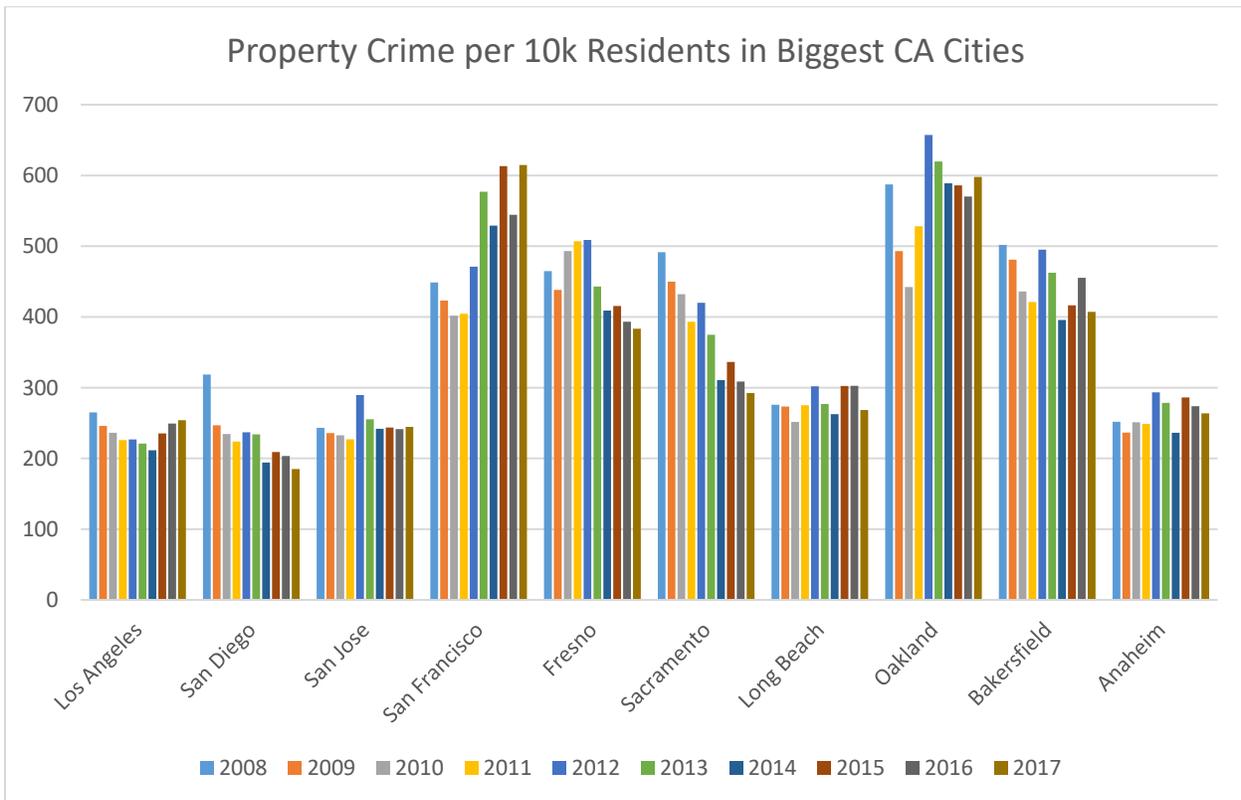


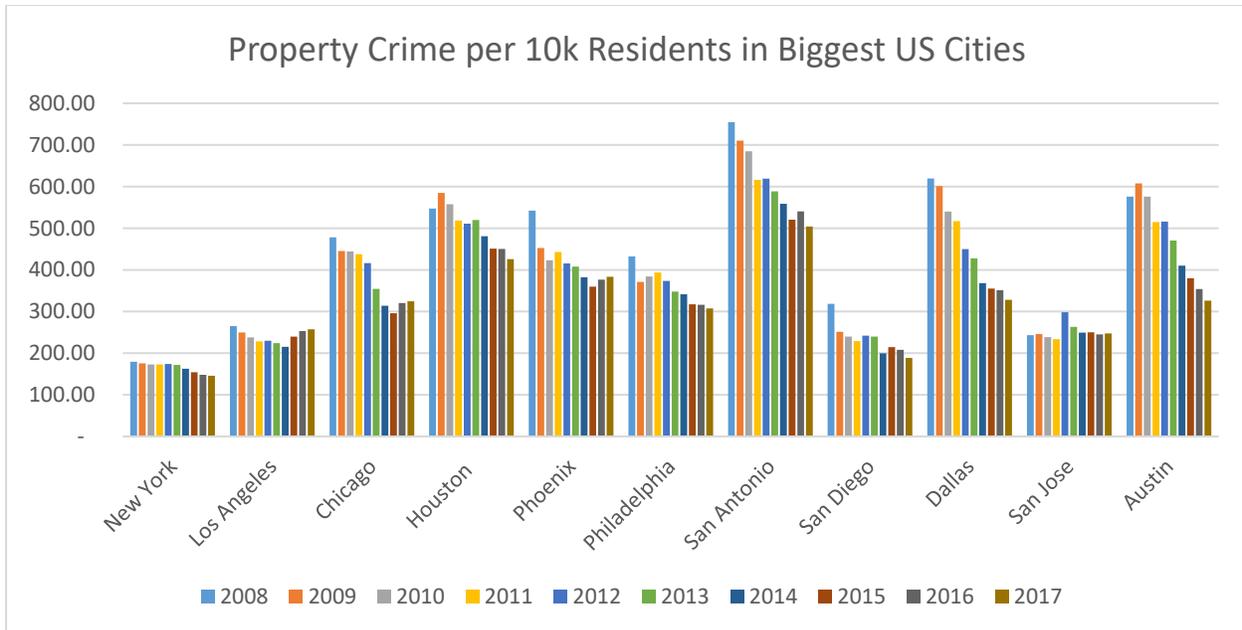


“Vehicle Theft” is the taking of a vehicle, as opposed to “Auto Burglary” which is breaking into a vehicle to steal property from the interior.



“Property Crime” as reflected in the following chart is a combined total of the four crime categories: Burglary, Larceny, Vehicle Theft and Arson. This data is reported to the FBI annually.¹²

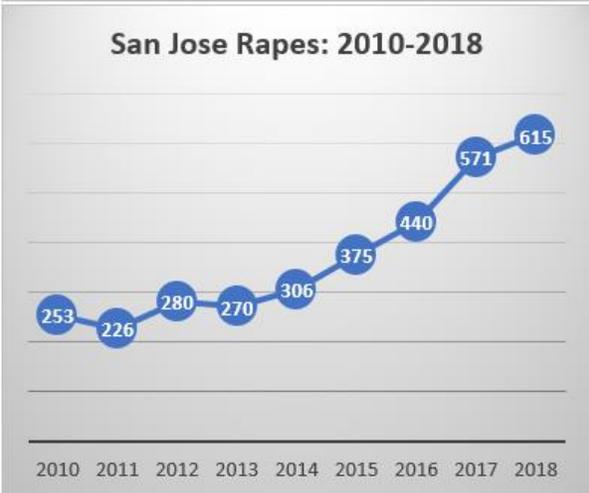
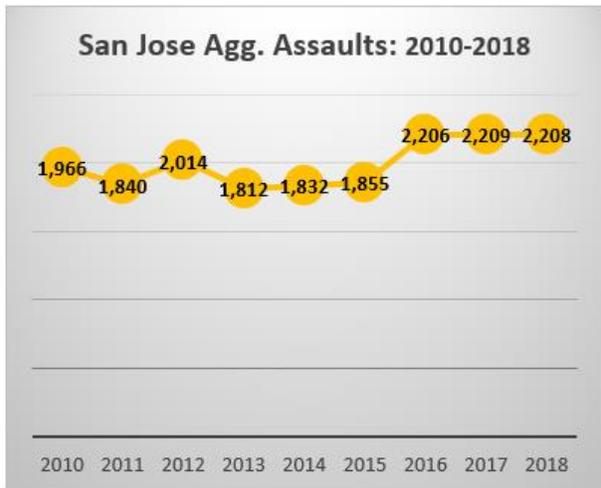
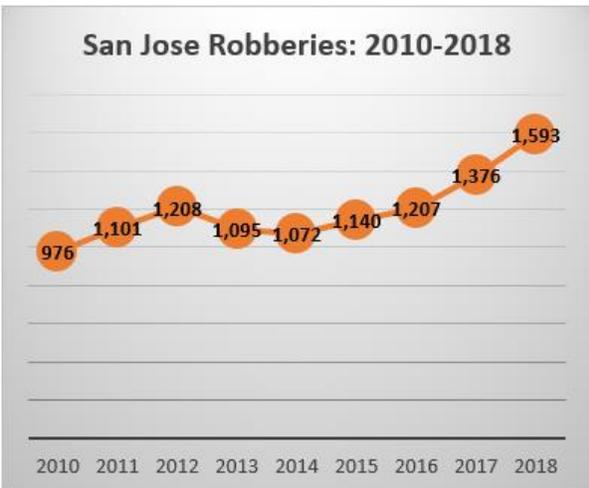
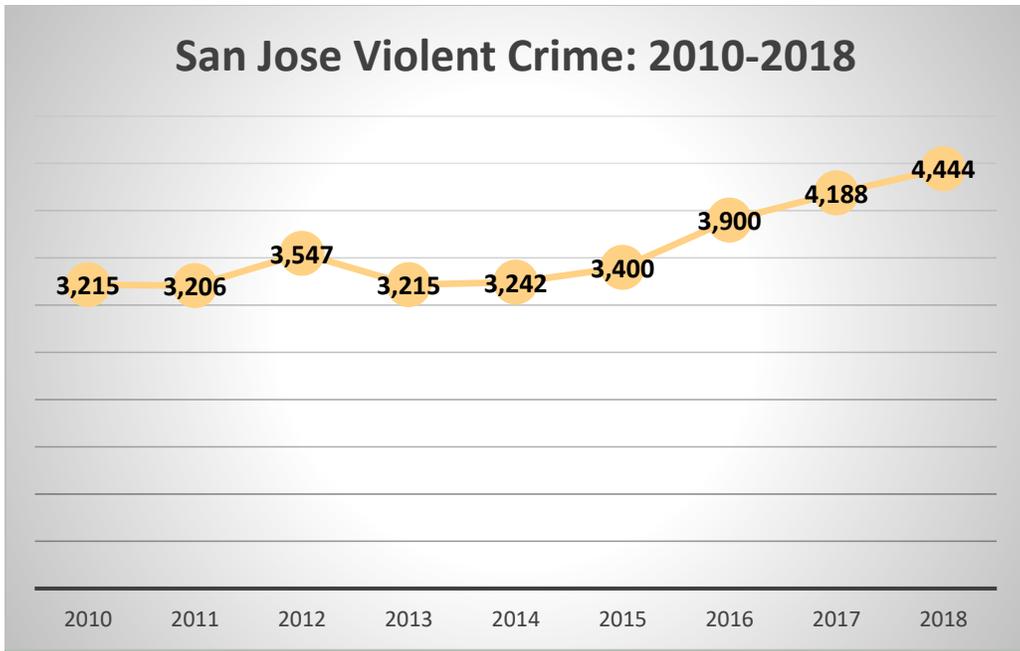




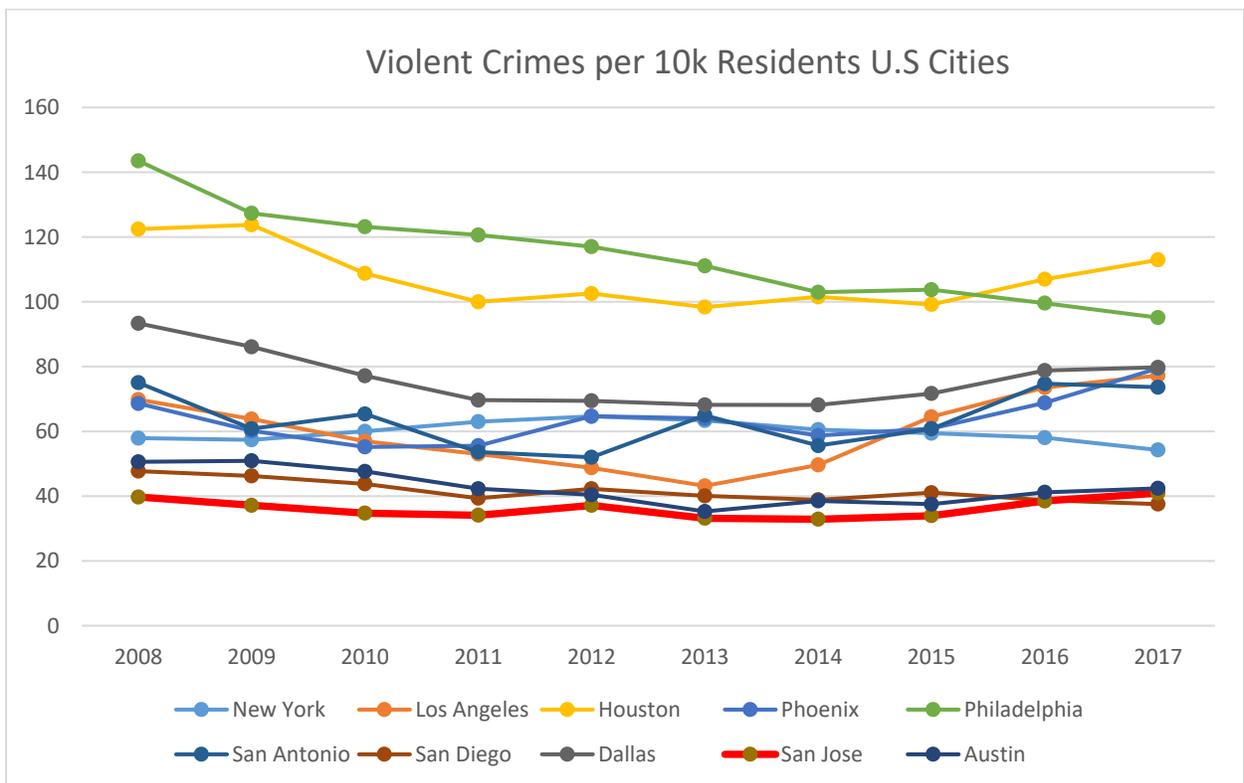
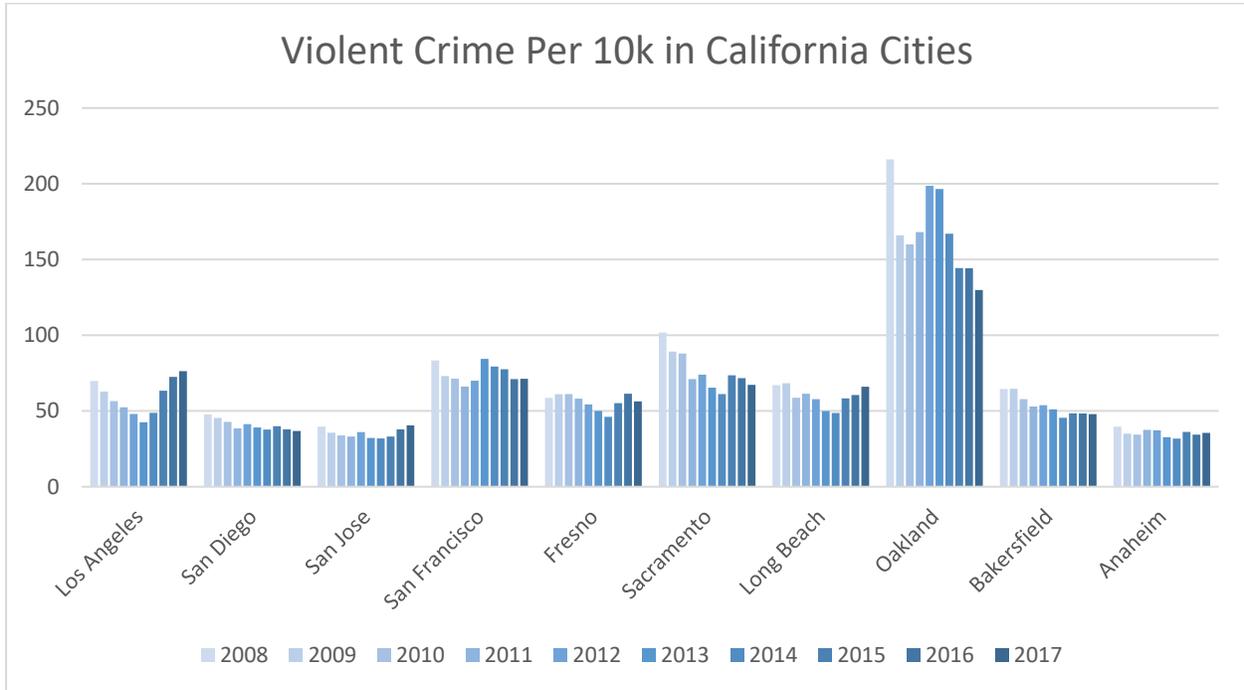
Violent Crime

The term “Violent Crime” for this report and for FBI and California Dept. of Justice data reporting, denotes a combined total of Rapes, Robberies, Aggravated Assaults and Homicides. In recent years, San Jose’s overall reported violent crime has been increasing. This is driven primarily by a marked increase in reported rapes and robberies. In 2018 reported rapes in San Jose were at their highest levels in years, in part due to a dramatic increase in carjackings (which are included in reported robbery totals).

Rape Statistics: In 2013, the FBI revised the definition of “rape” for purposes of these statistics. The revised definition now includes cases where the victim is male; cases of oral or anal penetration; and non-consensual cases where force was not used. Therefore, even without any change in occurrence of crime, we would expect these statistics to increase starting in 2014/2015. Firsthand reports from law enforcement suggest that the reporting rate for sexual assaults has increased in recent years, perhaps due to changes in societal attitudes, or increased attention to the problem of sexual assault. Sexual assault is among the most under-reported crimes (that is, victims of sexual assault are less likely to report than victims of other violent crimes such as robbery), so changes in reporting rates would affect its statistics more sharply.



When compared to similar jurisdictions around California and the nation, San Jose’s overall violent crime is one of the lowest. The issue for San Jose and Santa Clara County in the coming years will be to address the root causes of the latest upward trends. In collaboration with our County partners, the Crime Strategies Unit works to study and address these causes.



CONCLUSION

This report shows that Santa Clara County has been experiencing changes in its population, crimes and prosecutions in the last decade. With a growing, high-income population, Santa Clara County maintains low property crime rates compared to large counties in the state. Meanwhile, more work is needed to analyze the cause of two years of increasing violent crime levels. San Jose still compares well against its historic long-term crime levels, remaining well below the high-water crime mark in the 1990s.

To acknowledge and address the rising violent crime in Santa Clara County, the Crime Strategies Unit will conduct regular crime trend monitoring and intelligence analysis to assist police officers in combatting crime. To address gun violence, the Unit is working with the Crime Lab to expedite gun evidence processing and solve more gun crimes. The goal is to bring shooters to justice and keep them from further victimizing vulnerable neighborhoods.

ENDNOTES

- ¹ Santa Clara County Department of Public Health, Zip Code Profiles, available at: <https://www.sccgov.org/sites/phd/hi/hd/Pages/zipcodes.aspx> , and United States Census data, www.census.gov, ACS Factfinder
- ² California DOJ, 2016 Crime Report, available at: <https://openjustice.doj.ca.gov/>
- ³ Math done by dividing the number of homicides, robberies, and aggravated assaults with a firearm with the total number of homicides, robberies, and aggravated assaults between the years of 2011-2017 using statistics from: Department of Justice. "CRIMES & CLEARANCES." *State of California Department of Justice - OpenJustice*
- ⁴ *Fowler, Dahlberg, Haileyesus, Gutierrez* "Childhood Firearm Injuries In the United States" (Pediatrics, Vol. 140, July 2017)
- ⁵ Embry M. Howell et al., *State Variation in Hospital Use and Cost of Firearm Assault Injury, 2010, 1* (2014), available at <http://www.urban.org/research/publication/state-variation-hospital-use-and-cost-firearm-assault-injury-2010> [found online at: Giffords Law Center website: <http://lawcenter.giffords.org/facts/statistics/>]
- ⁶ Department of Justice. "CRIMES & CLEARANCES." *State of California Department of Justice - OpenJustice*, openjustice.doj.ca.gov/crime-statistics/crimes-clearances
- ⁷ Department of Justice. "CRIMES & CLEARANCES." *State of California Department of Justice - OpenJustice*, openjustice.doj.ca.gov/crime-statistics/crimes-clearances
- ⁸ "Best Tool To Prevent Gun Violence is Rarely Used" by Alexei Kosoff (*Sacramento Bee*, March 29, 2018) <http://www.sacbee.com/latest-news/article206994229.html>
- ⁹ Juvenile Crime Statistics derived from DA Office Data, maintained in the CIBERLaw Case Management System.
- ¹⁰ All statistics derived from the DA office CIBERLaw Case Management System, in this chart the numbers reflect the number of times a crime was charged in any count on a petition, as opposed to the number of minors charged or the number of times a case had that count as the primary charge.
- ¹¹ Department of Justice. "CRIMES & CLEARANCES." *State of California Department of Justice - OpenJustice*, openjustice.doj.ca.gov/crime-statistics/crimes-clearances
- ¹² Data maintained at: FBI Uniform Crime Reporting, <https://ucr.fbi.gov/crime-in-the-u.s>