



2022 ADULT SEXUAL ASSAULT DATA REPORT

Case Staffing

Local law enforcement agencies “staff” sexual assault cases with the Travis County District Attorney’s Office (TCDAO). This means that case detectives consult with an Assistant District Attorney (ADA) from TCDAO’s Special Victims Unit during their investigation and seek their advice about whether a case is ready to be accepted for prosecution. Staffing cases with law enforcement early in the investigation process improves our ability to prosecute these cases successfully and improves outcomes for survivors.

When staffing a case, an ADA may decide to accept the case for prosecution, or they may advise the case detective that more investigation of the case is required, that the case likely represents a misdemeanor offense rather than a felony and needs to be referred to the County Attorney’s Office for review, or that there is not sufficient probable cause to proceed with prosecution.

In 2022, TCDAO staffed **147** adult sexual assault cases and accepted **74** of these cases for prosecution.

Sexual Assault Cases Staffed by Agency in 2022

	# Cases Staffed	# Cases Accepted
Austin Police Department	124	60
Travis County Sheriff’s Office	13	9
Lakeway Police Department	2	0
Pflugerville Police Department	2	2
Other/Agency Not Listed	6	3
TOTAL	147	74

Please note that there are three ways that a sexual assault case may be referred to the Travis County District Attorney’s Office. When a case is staffed with TCDAO, law enforcement and TCDAO may both agree that prosecution is appropriate. In other instances, law enforcement may not believe that a case should move forward but TCDAO believes it should. In such instances, the case is accepted directly by TCDAO through what is referred to as a “no complaint”. The table above represents cases where both TCDAO and law enforcement agree that prosecution is appropriate as well as cases that TCDAO has accepted directly through the “no complaint” process. In other instances, law enforcement may file a case with a judge

without first staffing that case with TCDAO. Once an arrest is made, these cases are also referred to TCDAO for prosecution. Cases that are referred to TCDAO post-arrest without prior staffing by TCDAO attorneys are not represented in the previous table.

Case Development and Review

Once a case is accepted for prosecution by the TCDAO, ADAs will continue to collaborate with local law enforcement agencies and TCDAO investigators to further develop the case. For example, they will likely conduct additional victim and witness interviews and subpoena and review additional evidence related to this case. At the conclusion of this phase, the ADA will present the case to a grand jury for indictment.

Occasionally, the ADA may determine that prosecution of a case cannot move forward. In such circumstances, the ADA will decide to “reject” a case if it has not yet been presented to a grand jury or “dismiss” a case if the case has already been indicted by a grand jury.

A case may be rejected because there is not sufficient evidence to proceed with prosecution, an important victim or witness decides that they no longer wish to participate in the case or recants their original testimony, new evidence comes to light that disputes the findings of the initial investigation, or new evidence suggests that additional investigation by the referring law enforcement agency is required. Additionally, a case may be dismissed because prosecutors have decided to proceed on other charges or because a defendant is convicted on other charges.

The table below represents cases that were presented to grand jury, rejected, or dismissed in 2022, yet these cases may have been accepted or staffed by our office during a previous calendar year. Because of the delay caused by the COVID-19 pandemic and other factors, the average felony case takes approximately two years from the time it is received by TCDAO to the time it is resolved.

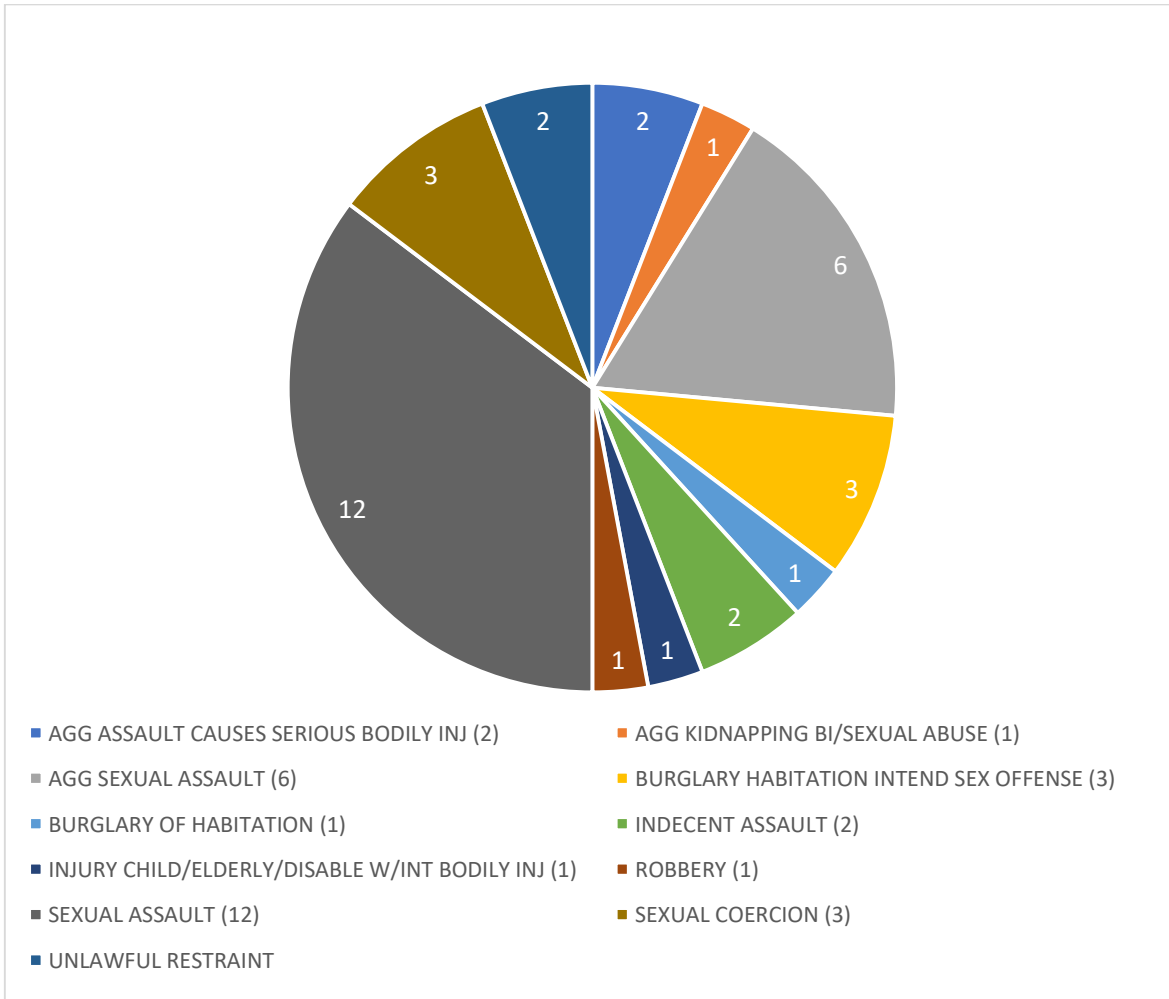
Sexual Assaults Indicted, Rejected, and Dismissed in 2022

# Cases Presented to Grand Jury		119
	<i>Indicted</i>	115
	<i>No billed</i>	4
# Cases Rejected		39
	<i>Rejected on request of complaining witness</i>	11
# Cases Dismissed		36

Case Prosecuted

The majority of prosecuted cases are resolved through a plea agreement. Occasionally, sexual assault cases are set for trial and resolved by a judge's or jury's verdict. In 2022, TCDAO attorneys won **31 sexual assault cases on 34 convicted charges**. ADAs tried 3 sexual assault cases in 2022, resulting in one conviction, and negotiated 33 pleas of guilty.

2022 Sexual Assault Convictions by Offense



Appendix A: Sexual Assault Data from 2019 to 2022

Sexual Assault Case Snapshot

	2022	2021	2020	2019
Total Cases Staffed	147	132	62	113
<i>% Cases Accepted</i>	50%	49%	40%	17%
<i>% Cases Returned for Additional Investigation</i>	14%	16%	27%	27%
Indictments*	115	63	40	60
Cases Rejected	39	18	6	1
<i>Rejected on request of complaining witness</i>	11	2	Data unavailable	Data unavailable
Cases Dismissed	36	14	9	34
Convictions**	34	19	17	31
Trials***	3	0	2	7

Sexual Assault Convictions by Offense**

	2022	2021	2020	2019
AGG ASSAULT CAUSES SERIOUS BODILY INJ	2	2	0	2
AGG KIDNAPPING BI/SEXUAL ABUSE	1	0	0	1
AGG ROBBERY	0	0	1	0
AGG SEXUAL ASSAULT	6	2	3	2
ASSAULT CAUSES BODILY INJ	0	1	4	6
ASSAULT CAUSES BODILY INJURY FAMILY VIOLENCE	0	0	0	1
BURGLARY HABITATION INTEND SEX OFFENSE	3	1	0	0
BURGLARY OF HABITATION	1	1	0	1
INDECENT ASSAULT	2	2	1	0
INJURY CHILD/ELDERLY/DISABLE W/INT BODILY INJ	1	0	1	0
ROBBERY	1	1	0	0
SEXUAL ASSAULT	12	8	4	15
SEXUAL COERCION	3	0	0	0
UNLAWFUL RESTRAINT EXPOSE TO SBI	2	0	2	3
UNLAWFUL RESTRAINT	0	1	0	0
UNLAWFUL RESTRAINT LESS THAN 17 YRS OF AGE	0	0	1	0
TOTAL:	34	19	17	31

*A single indictment may include multiple charges against the same defendant.

**Conviction totals represent the total number of convicted charges. A single defendant may be convicted on multiple charges. Convictions represented include convictions secured by plea agreement and by trial.

***Trial totals represent trials that resulted in either a conviction or an acquittal.