



Governor's Sexual Assault Kit Working Group: *Progress Report on Testing & Reform*

Criminal Justice Policy Advisory Commission
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Governor's Sexual Assault Kit Working Group

2016 Governor's Sexual Assault Kit Working Group formed

"With the goal of helping local and state law enforcement work hand-in-hand, the working group will make recommendations to standardize and facilitate the transfer, tracking, and testing of evidence kits as well as address issues of victim notification."

Laura Cordes (Chair) - Executive Director, Connecticut Alliance to End Sexual Violence.

Linda J. Cimino - Director, Office of Victim Services (OVS), Judicial Branch

Cathy Malloy - Former Executive Director, Center for Sexual Assault Crisis Counseling and Education in Stamford

Anne Mahoney - Windham State's Attorney

Marshall Porter - Chief, Town of Glastonbury Police Department

Kerry Dalling - Detective, Fairfield Police Department

Maureen Platt - Waterbury State's Attorney

Guy Vallaro - Director of the Connecticut Division of Scientific Services

Eleanor Michael - Office of the Governor, Deputy General Counsel

Advances in the technology for processing and analyzing DNA evidence — plus maintenance and expansion of the National DNA database — have brought about a profound change to the criminal justice system.

Connecticut to create tracking system for rape kits

**A Successful Year in Idaho:
Launching the First Statewide
Rape Kit Tracking System**

**Bill to improve processing of rape evidence kits
passes 36-0**

Rape-Kit Reform Bill Clears CT Legislature

Two Federal Grants Will Process Connecticut's Backlog Of Sexual Assault Kits

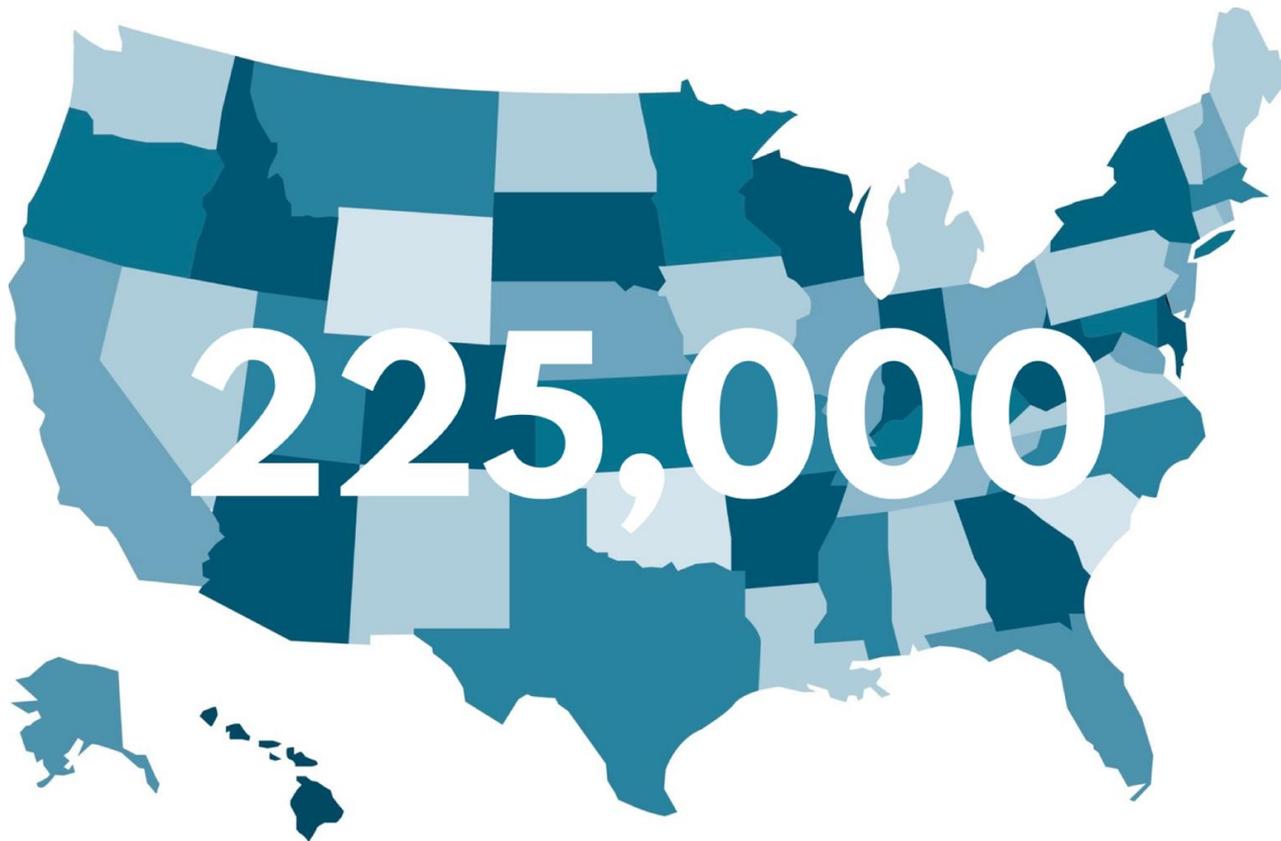
**New rape-kit rules intend to eliminate
confusion, backlog for survivors**

Connecticut lawmakers vote to track sex assault kits

**Mass. House approves proposal to
create tracking system for untested
rape kits and evaluate backlog**

Kit Backlog: A National Problem

Joyful Heart Foundation



Why Test?

A Sexual Assault Evidence Collection Kit also known as a *Rape Kit*, guides the collection of evidence from a sexual assault victim's body during a forensic medical exam: *collection of potential DNA, physical external and internal examination, and extensive documentation of injuries*. Kit transferred by police from hospital to forensic science laboratory.

Why Test?

Completed kits can contain critical evidence which can:

- affirm a survivor's account of the attack
- determine whether a sexual act occurred
- identify and eliminate suspects
- identify an unknown offender
- identify serial offenders or offenders with prior convictions

Public Message: We take sexual assault crimes seriously.

Community Safety: Testing Across the Country

Detroit 11,303 kits, 2616 DNA Matches, 833 serial rapists identified

Cuyahoga County (Cleveland, OH)

- 5,000 kits (1993-2010)
- 50% were serial sexual offenders
- 33% of serial sexual offenders target both known and unknown victims

New York City 16,000 kit backlog- 2000 DNA matches, 200 active investigations, arrests or prosecution

Houston 6,663 kits tested, 850 DNA matches

Background

CT Commission on the Standardization of the Collection of Evidence in Sexual Assault Investigations (Evidence Commission)

creates and updates a standardized kit and Technical Guidelines for health care facilities to conduct exams for adolescents and adult victims who present at a healthcare facility for an exam and evidence collection.

- Standardized kit and Guidelines since late 80's
- Available at all Emergency Departments
- Within 5 days of the assault
- No cost to survivor
- Initial police report not required in order to receive an exam
- Anonymous option (upwards of 20% choose this)
Not tested without the victim's consent
- Office of Victim Services Sexual Assault Forensic Examiner (SAFE) Program active with 9 healthcare facilities
Program launched in 2011

Background – Each Kit Represents a Victim of a Crime

2012 - 2014 National problem of “Backlog” and Untested Kits Emerges

2014 - 2015 Connecticut Evidence Commission Survey of state and municipal police departments identified 961 kits (82 of which were anonymous) that had not been sent to the Connecticut Division of Scientific Services for testing.

2015 CONNSACS REPORT: UNTESTED: *Eliminating the Backlog of Sexual Assault Evidence Collection Kits in CT*

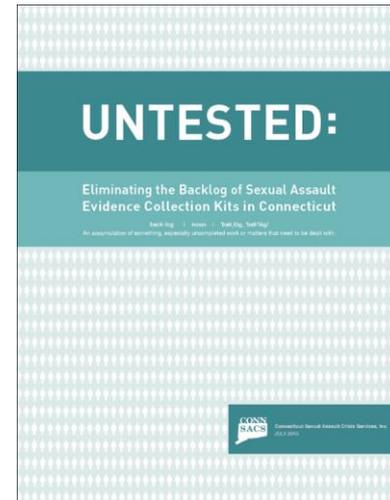
2015 Public Act 15-207

Requires the testing of all sexual assault evidence collection kits.
Police departments required to transfer kits from healthcare facility to the Division of Scientific Services “state crime lab” within ten days.

Requires testing each kit within sixty days.

Kits are now held for five years for victims who do not want to immediately make a report to the police and initially submit anonymous evidence kits.

2015 State receives first BJA Sexual Assault Kit Initiative Grant



First Survey Results

TABLE 1: TOTAL FOR MUNICIPAL POLICE DEPARTMENTS AND CONNECTICUT STATE POLICE

	ALL KITS REPORTED AS UN-SUBMITTED	ANONYMOUS KITS	TOTAL TO BE TESTED
MUNICIPAL POLICE DEPARTMENTS	927	80	847
CONNECTICUT STATE POLICE	34	2	32
TOTAL	961	82	879

Untested: *Eliminating the Backlog of Sexual Assault Evidence Collection Kits in Connecticut*

Survey Results

TABLE 2: TIME KITS HAVE BEEN IN STORAGE

	KITS IN STORAGE LESS THAN ONE YEAR	KITS IN STORAGE 1 TO 5 YEARS	KITS IN STORAGE OVER 5 YEARS	TOTAL KITS IN STORAGE
MUNICIPAL POLICE DEPARTMENTS	(81) 9%	(494) 53%	(352) 38%	927
CONNECTICUT STATE POLICE	(7) 21%	(17) 50%	(10) 29%	34
TOTAL	(88) 9%	(511) 53%	(362) 38%	961

Background – Each Kit Represents a Victim of a Crime

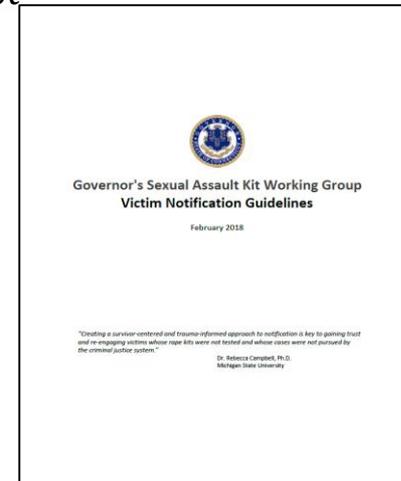
2016 Governor's Sexual Assault Kit Working Group is formed and begins meeting monthly
2016 -2017 *Second Voluntary Survey* of state and municipal police departments to identify kits. Total number of kits increased to 1,188 kits identified that had not been sent to the Connecticut Division of Scientific Services for testing.

2017 - Division of Scientific Services Purchases UPS Track Pad

2017 - State receives second BJA SAKI Grant

2018 - Victim Notification Guidelines Approved by BJA

2018 - SAKWG recommendations for improving kit tracking and response to sexual assault victims adopted in Governor's Bill SB 17



Governor's Bill SB17 Public Act 18-83

Right to a Sexual Assault Victim Advocate

Requires healthcare facilities to contact a sexual assault victim advocate upon the arrival of a victim of sexual assault at their facility

Right to Notification & Information

Requires a barcode to be affixed to every sexual assault evidence kit for tracking by the Division of Scientific Services "DSS" within DESPP

Tracking Guidelines and Training for ER Staff

Requires the Evidence Commission to develop training and guidelines around the use of kit-tracking software to record when a kit is used and when it is transferred from the hospital to Law Enforcement

Victim Access to Kit Testing Information

Requires the Evidence Commission to develop policies and procedures to ensure that victims have access to information regarding their kit: including information about when the kit is tested, whether DNA from the kit was entered into a state or federal DNA data bank, and whether the sample matches a profile in such a DNA data bank.

Collaborative Partners



CONNECTICUT ALLIANCE
TO END SEXUAL VIOLENCE



Support. Advocate. Prevent.

formerly CONNSACS



National Sexual Assault Kit Initiative (SAKI)

Bureau of Justice Assistance SAKI Grants

The goal of this grant program is to address the growing number of unsubmitted kits in law enforcement custody and to help provide resolution for victims when possible.

Since 2014, Congress has dedicated more than \$40 million/year for the SAKI program to address the backlog of untested rape kits. This initiative is now providing local communities the much-needed resources to analyze untested kits in their police storage facilities, create multi-disciplinary teams to investigate and prosecute cases connected to the backlog, and address the need for victim notification and re-engagement with the criminal justice system.

CONNECTICUT HAS RECEIVED 2 SAKI GRANTS

FY 2015 SAKI

- DESPP/DSS 1 of 20 sites nationally - one of few *state* sites
- Funding Summary (Highlights)
 - \$1.4 million
 - Outsourcing to test kits
 - Supplies for testing kits in house
 - Sexual Assault Victim Advocates
 - Funds to hire SAKI Program Coordinator
 - Training
 - Tracking kits
 - Repeat Survey
 - Victim Notification
 - Testing Kits

FY 2015 SAKI

- Grant Objectives

- Create a coordinated community response to ensure resolution and prevent future unsubmitted kits
- Inventory, Test, and Track unsubmitted kits
- Form multidisciplinary Working Group to address and identify strategy/issues around unsubmitted kits to include policy development and implementation
- Improve practices related to investigation, prosecution, and victim engagement and support in connection with evidence and cases resulting from the testing process

FY 2015 SAKI Tracking

- Most States do not track sexual assault kits, and the kits themselves do not have unique IDs which would allow tracking to occur.
- To this end, the DSS worked with the Office of Victim Services and our current kit supplier to place barcodes with a unique ID on all kits coming to the State of Connecticut, for no additional cost.
- The DSS pursued various software solutions to actively track all kits within the state.
- These two goals, along with recent legislation requiring timely kit submission to the laboratory, was geared to eliminate the issue of unsubmitted sexual assault kits in the State of Connecticut.

SAKI Kit Tracking

- Tracking Programs Evaluated
 - STACS
 - UPS
 - SAMS
 - CHOP from CAL-DOJ
 - Commercial CHOP
- UPS Trackpad
 - Cloud based
 - No hardware
 - Customizable
 - Inexpensive (\$7,000 set up fee; \$600/month thereafter)
 - Others: CHOP \$50,000 for 3 years; STACS \$45,000 annually



FY 2015 SAKI Tracking

**UPS Trackpad**[®] Welcome saktracking | [Logoff](#)

[Home](#) [Mailroom](#) [Deliver](#) [My Account](#)

Deliver

Deliver Parcels

Deliver By: [\[Reset\]](#)

Kit Number: 

Custom Delivery Fields:

Hospital: <input type="text" value="St. Francis Hospital a"/>	Submission Date: <input type="text"/>
Use: <input type="text" value="Exam"/>	Complete Date: <input type="text"/>
Notify Date: <input type="text" value="04/24/2017"/>	CODIS Entry: <input type="text"/>
Police Dept: <input type="text" value="West Hartford PD"/>	CODIS Hit: <input type="text"/>
Anonymous: <input type="text" value="Yes"/>	

[Add Kit](#) Records in Delivery List: 0

[Add Parcel to Delivery List](#)

Historical Issues

- Lag time for results
- Known offenders
- “Uncooperative” victim
- Won’t prosecute
- No Specific Guidelines

How does CODIS work?

Combined DNA Index System

- Used for linking serial crimes and unsolved cases with repeat offenders
- Launched October 1998
- Links all 50 states (plus FBI, PR, AFDIL, DC)
- Uses data at 20 locations of our DNA

- Compares the DNA profiles from casework samples to known profiles in the offender DNA database (Offender Hit)

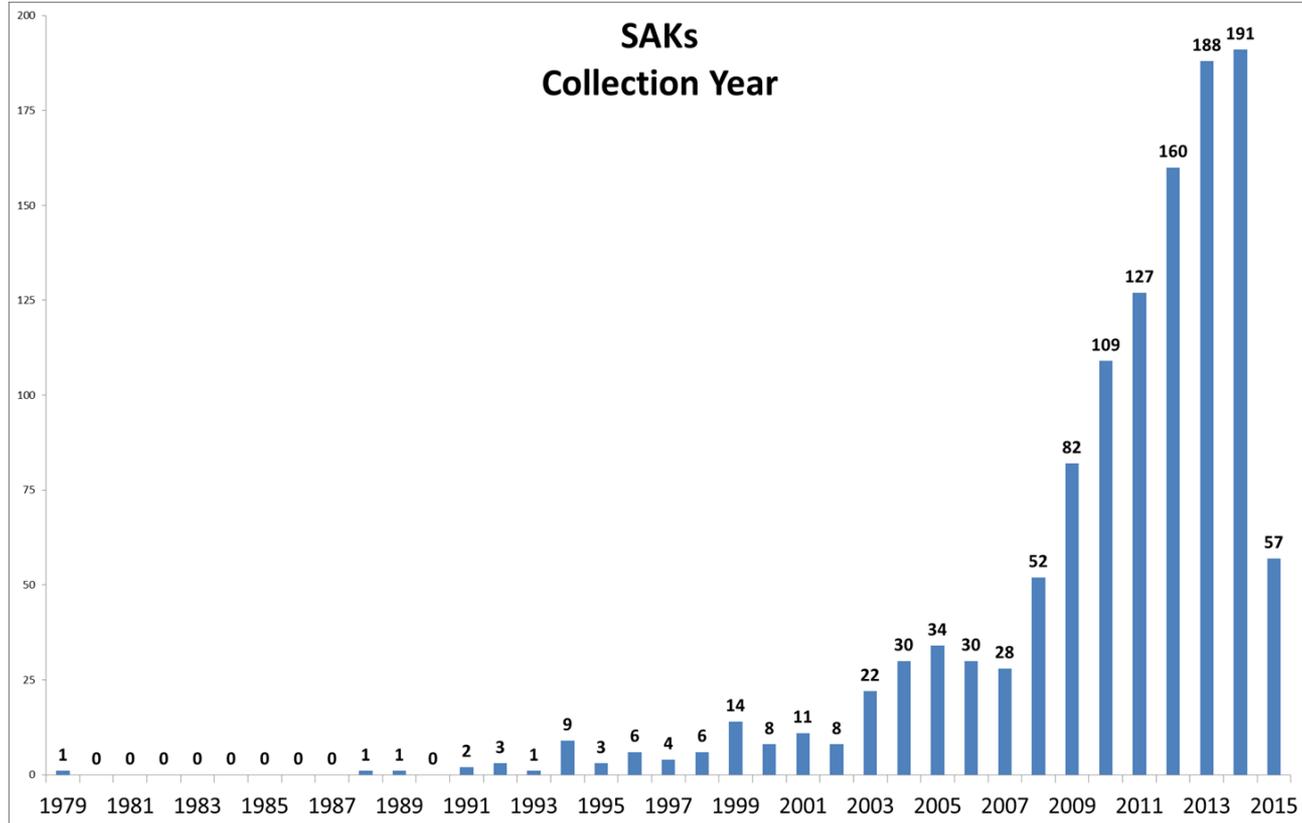
- Compares the DNA profiles from casework samples to the DNA profiles from other casework samples (Forensic Hit)

FY 2015 SAKI – Testing Results

- 1,188 kits submitted
- 172 anonymous
- 1,013 to test

100% tested to completion as of 10/1/2018

Age of previously untested kits (1,188 total kits received)



FY 2015 SAKI – Testing Results

Of the 1,013 kits tested:

- 370 profiles had enough foreign DNA detected to be entered into CODIS
 - 37% of tested kits
- 105 CODIS Hits
 - 5 Forensic Hits (evidence to evidence)
 - 100 Offender Hits (evidence to offender)
 - 28% of profiles entered
 - 10% of tested kits

FY 2015 SAKI – Testing Results

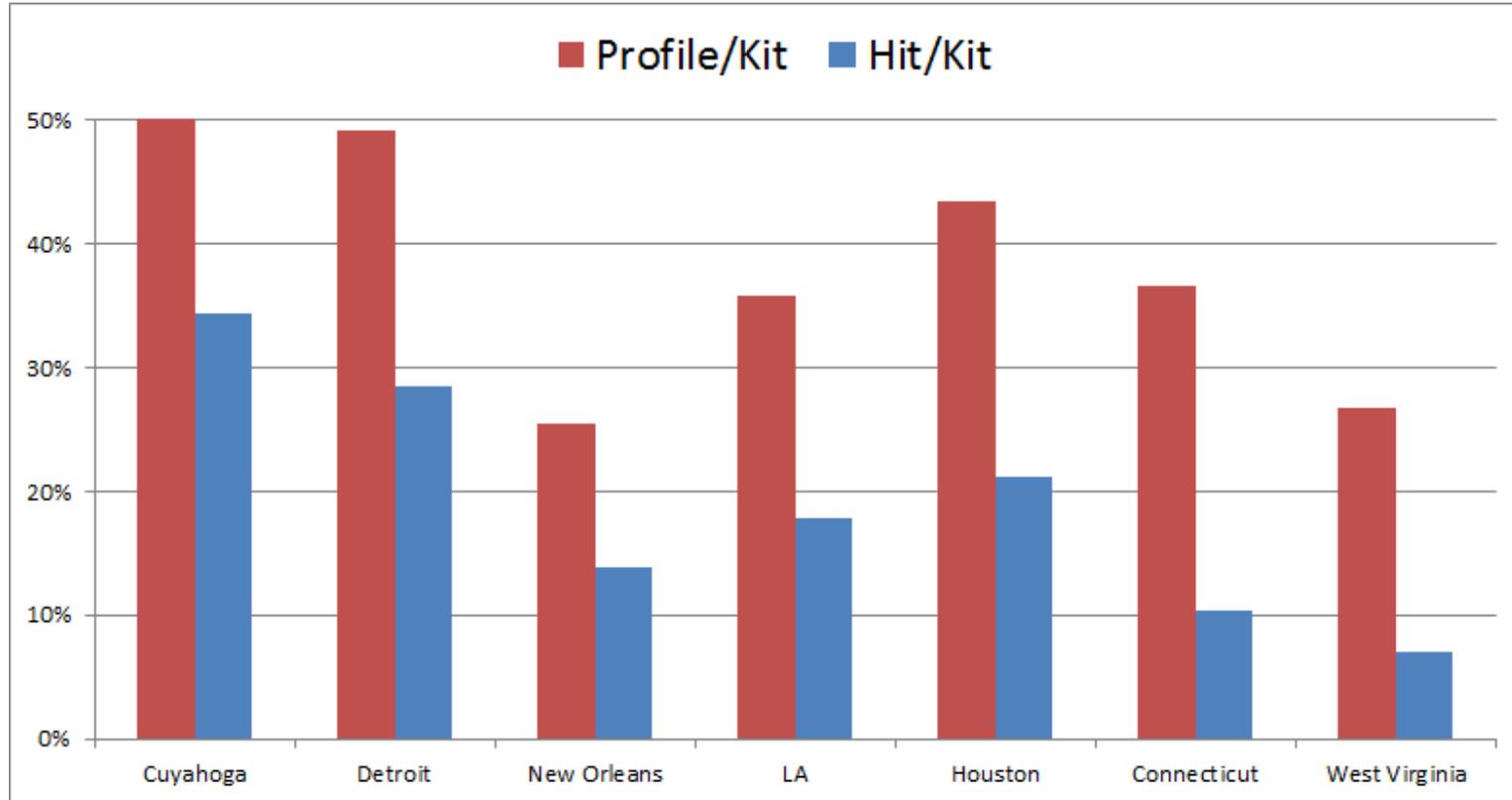
105 CODIS Hits

Serial Cases Linked through CODIS:

- Forensic Hits
 - New Haven, New Haven, East Haven*
 - Torrington*, Torrington*, Windsor
 - Middlebury*, Middlebury*
- Offender Hits
 - All three sets have also hit to an Offender

*denotes SAKI case

FY 2015 SAKI – Testing Results



FY 2017 SAKI

DESPP 1 of 21 sites nationally

- Division of Scientific Services
- Connecticut Alliance to End Sexual Violence
- Chief State's Attorney's Office
- Central CT State University (IMRP)

\$1.85 million

- Grant start date October 1, 2017
- Partially tested kits- Kits that were screened for biological fluids but not forwarded for DNA testing
 - (238 of ~1,000 partially tested kits have been sent to the Vendor Lab)
- Staff Support
- Academic Research

Value

Test All Kits



Testing results will assist
past, current, and future
sexual assault investigations

Next Steps- Additional Initiatives

- Active Cases
- Personnel
- Additional funding
- Lab Efficiency Improvements

Next Steps- Additional Initiatives

- Active Cases
 - Increase in submission rate of sexual assault kits received
 - Prior to PA 15-207: ~400 kits annually
 - FY 2019: projecting to receive ~800 kits
- Personnel
 - Acquisition and training of new staff

Next Steps- Additional Initiatives

- Additional funding
 - 2014 JAG Grant
 - 192 sexual assault cases outsourced
 - 2015 JAG Grant
 - 202 sexual assault cases outsourced
 - Improve turnaround time for sexual assault cases
 - Eliminate backlog by March 1, 2019

Next Steps- Additional Initiatives

- Lab Efficiency Improvements
 - 2017 Efficiency Improvement and Capacity Enhancement Program
 - Streamline evidence examination and DNA testing of sexual assault kits (male screening)
 - Replaces traditional serological screening method
 - \$750,000
 - Laboratory Assistant
 - Process ~1,000 kits

Victim Notification – Consideration for Guidelines

“Creating a **survivor-centered and trauma-informed approach to notification is key to gaining trust and re-engaging victims** whose rape kits were not tested and whose cases were not pursued by the criminal justice system.” -Dr. Rebecca Campbell, Michigan State University

WHICH survivors should be notified?

All survivors, CODIS hits only?

HOW can we minimize the re-victimization of the survivor?

Nearly 40% of cases are over 5 years old

WHAT is the best form of notification?

How do we protect victims privacy?

WHO should be involved?

Victim Notification- Consideration for Guidelines

Victim Notification Subcommittee

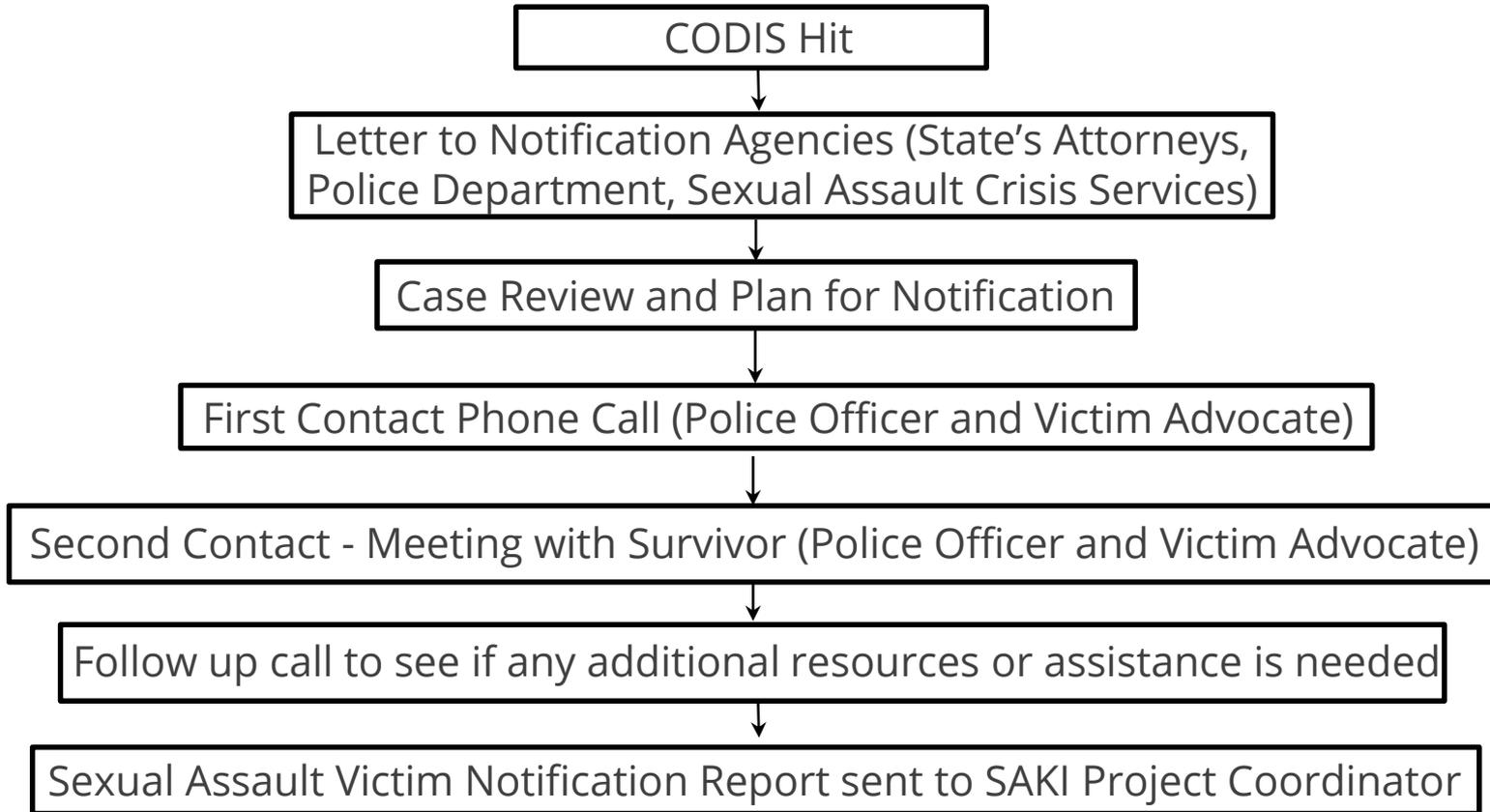
Survivor Guidance

Joyful Heart Foundation Natasha's Justice Project
Office of Victims of Crime/National Institute of Justice
The Alliance Victim/Survivor Advisory Committee

Principles of Notification

Victim-centered & Trauma-informed
Focus on victim's choice, safety, and emotional well-being,
Multidisciplinary: Police and Victim Advocates

Victim Notification: General Flow-Chart



Victim Notification

Using the new collaborative guidelines, state's attorneys, police officers, and sexual assault victim advocates are actively reviewing the 105 cases from the FY2015 Grant testing that have DNA Hits.

Victim Notification began in Summer of 2018 and is expected to be completed in Spring of 2019.

"The victim was relieved to know about her kit"

-Sexual Assault Victim Advocate

"I had mixed feelings when I was contacted. I felt validated after talking with the detective and advocate"

-Victim who received notification of CODIS hit

Next Steps

- Ongoing training for stakeholders
- Victim Notification
- New SAKI DCJ Inspector paired with SAKI Victim Advocate
- Research
 - Victim/offender dynamics
 - Case outcomes - investigations, arrests, prosecutions

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QUESTIONS?

Governor's Sexual Assault Kit Working Group

<https://portal.ct.gov/Office-of-the-Governor/Working-Groups/Sexual-Assault-Kit-Working-Group>

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