

Commission on the Standardization of the Collection of Evidence in Sexual Assault Investigations
SEXUAL ASSAULT EVIDENCE COLLECTION KIT INVENTORY SURVEY QUESTIONS.
SURVEY FINDINGS FROM MUNICIPAL AND STATE POLICE JULY 2015

SURVEY

- Connecticut State’s Attorneys asked Connecticut police departments to respond to an online survey to determine the total number of untested sexual assault evidence collection kits held at their department that had not been transferred to the Forensic Science Laboratory (crime lab) for testing.
- Data collection occurred from October 2014 - May 2015
- Periodic reminders were sent from State’s Attorneys and members of the Connecticut Police Chiefs Association
- The survey was completed by all but one municipal police department.
- The survey asked each department to report the following:
 1. Enter the number of ALL untested sexual assault evidence collection kits that are currently held at your police department. (For purposes of this survey an "untested kit" is a kit which has never been submitted to the Connecticut State Lab).
 2. How many of this total number of kits listed in question 5 are "anonymous" or "Jane Doe" kits?
 3. How many of this total number of kits listed in question 5 have been held at your department for over one year but less than five years?
 4. How many of this total number of kits listed in question 5 have been held by your department for over five years?

SUMMARY FINDINGS

Total number of sexual assault kits: 961

Percent of kits held over five years: 38% (362)

Percent of kits held for one to five years: 53% (511)

Percent of kits held for less than one year: 9% (88)

Total number of anonymous kits: 82 (9%)

Total number of sexual assault kits that need to be tested : 879

TABLE 1: Summary Finding Totals

	All Kits	Anonymous Kits	Total Kits to be Tested
Municipal Police Departments	927	80	847
Connecticut State Police	34	2	32
Total	961	82	879

MUNICIPALITY	ALL KITS	ANONYMOUS	TOTAL TO BE TESTED
Canton	3	0	3
Cheshire	6	0	6
Clinton	0	0	0
Coventry	0	0	0
Cromwell	7	0	7
Danbury	31	5	26
Darien	0	0	0
Derby	19	3	16
East Hampton	1	1	0
East Hartford	3	0	3
East Haven	6	0	6
East Windsor	4	1	3
Easton	0	0	0
Enfield	20	5	15
Fairfield	4	2	2
Farmington	0	0	0
Glastonbury	0	0	0
Granby	3	1	2
Greenwich	43	0	43
Groton City	0	0	0
Groton Long Point	0	0	0
Groton Town	59	8	51
Guilford	4	0	4
Hamden	0	0	0
Hartford	0	0	0
Madison	6	0	6
Manchester <i>no data received</i>	-	-	-
Meriden	78	3	75
Middlebury	0	0	0
Middletown	0	0	0
Milford	33	3	30
Monroe	2	0	2
Naugatuck	17	0	17
New Britain	39	7	32
New Canaan	0	0	0
New Haven	65	10	55
New London	2	0	2
New Milford	17	2	15
Newington	4	2	2
Newtown	0	0	0
North Branford	0	0	0
North Haven	3	0	3

Table 4: MUNICIPAL POLICE DEPARTMENT KIT TOTALS ORDERED BY NUMBER OF KITS

MUNICIPALITY	ALL KITS	ANONYMOUS	TOTAL TO BE TESTED
Waterbury	100	9	91
Meriden	78	3	75
New Haven	65	10	55
Groton Town	59	8	51
Norwalk	53	0	53
Greenwich	43	0	43
New Britain	39	7	32
Torrington	39	3	36
Milford	33	3	30
Danbury	31	5	26
West Haven	24	1	23
Enfield	20	5	15
Derby	19	3	16
Windsor	18	0	18
Bloomfield	17	1	16
Naugatuck	17	0	17
New Milford	17	2	15
Winchester	16	1	15
Norwich	15	1	14
Bridgeport	13	0	13
Plainville	12	0	12
Windsor Locks	11	0	11
Bethel	10	1	9
Branford	9	0	9
West Hartford	9	0	9
Thomaston	8	2	6
Wethersfield	8	2	6
Ansonia	7	0	7
Cromwell	7	0	7
Shelton	7	1	6
Trumbull	7	0	7
Cheshire	6	0	6
East Haven	6	0	6
Madison	6	0	6
Old Saybrook	6	0	6
Seymour	5	0	5
Simsbury	5	0	5
Suffield	5	1	4
Avon	4	0	4
East Windsor	4	1	3
Fairfield	4	2	2
Guilford	4	0	4
Newington	4	2	2
Putnam	4	0	4

Connecticut State Police Departments

Total number of sexual assault kits in State Police Departments: 34

- Percent of kits held over five years: 29% (10)
- Percent of kits held for one to five years: 50% (17)
- Percent of kits held for less than one year: 21% (7)

Total number of anonymous kits in State Police Departments: 2 (9%)

Total number of sexual assault kits in State Police Departments that need to be tested: 32

- One state police department reported having greater than ten kits in storage.
- Eight state police departments reported having zero kits.
- Of the total number of untested SAKs reported in state police departments, 29 percent of the untested kits are over five years old.

TABLE 5: CONNECTICUT STATE POLICE DEPARTMENTS KIT TOTALS

CT STATE POLICE	ALL KITS	ANONYMOUS	TOTAL TO BE TESTED
BCI-Casino Unit	3	0	3
Eastern District Major Crimes Unit	12	0	12
Eastern District Major Crimes Unit-Van	0	0	0
Central District Major Crimes Unit	0	0	0
Western District Major Crimes Unit	0	0	0
Resident A	0	0	0
Resident B	5	0	5
Resident C	5	1	4
Resident D	0	0	0
Resident E	0	0	0
Resident F	1	1	0
Resident G	0	0	0
Resident H	1	0	1
Resident I	0	0	0
Resident K	7	0	7
Resident L	0	0	0
Total	34	2	32

UNTESTED:

Eliminating the Backlog of Sexual Assault Evidence Collection Kits in Connecticut

back-log | noun | 'bak,lɒg, 'bak'læg/

An accumulation of something, especially uncompleted work or matters that need to be dealt with.



Connecticut Sexual Assault Crisis Services, Inc.
JULY 2015

ACKNOWLEDGEMENTS

CONNSACS wishes to acknowledge the many members of the State of Connecticut Commission on the Standardization of the Collection of Evidence in Sexual Assault Investigations (Evidence Commission) for their commitment to assessing the number of untested sexual assault evidence collection kits as well as the Joyful Heart Foundation for their leadership in the movement to end the backlog of untested sexual assault evidence collection kits nationwide through their ENDTHEBACKLOG program.

Special thanks to Evidence Commission Chair, State's Attorney Maureen Platt, and each State's Attorney for their facilitation of the survey throughout their districts, and to the Connecticut Police Chiefs Association and Connecticut State Police for their efforts to ensure a high level of participation and accounting of sexual assault evidence collection kits in storage.

We are grateful for the significant contributions of time and energy given to this report made by Nicole Seymour, MSW and Christine Landino, MSW, MPH.

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EXECUTIVE SUMMARY

THE UNITED STATES DEPARTMENT OF JUSTICE ESTIMATES THAT THERE ARE OVER 400,000 UNTESTED SEXUAL ASSAULT EVIDENCE COLLECTION KITS AWAITING ANALYSIS ACROSS THE UNITED STATES¹.

This report highlights the findings of the State of Connecticut Commission on the Standardization of the Collection of Evidence in Sexual Assault Investigations (Evidence Commission) survey of law enforcement departments across the state of Connecticut to determine the number of sexual assault evidence collection kits (SAKs) that have not been submitted to the Division of Scientific Services Forensic Science Laboratory (State crime lab) for analysis and DNA testing. The total number of kits reported at the time of the survey is 961. Each kit represents a victim who came forward in the aftermath of a trauma to undergo an invasive exam in hopes that the evidence collected from their body could lead to the successful arrest and prosecution of a rapist.

The survey findings represent the first statewide picture of SAKs that have yet to be tested. In October of 2014, each of Connecticut's thirteen State's Attorneys distributed the online survey to law enforcement departments in their districts. The departments were asked to report the total number of untested SAKs in their possession. They were also asked to report how many of those SAKs were 1-5 years old and how many were more than 5 years old. Finally, they were asked to report how many "anonymous kits" were in their possession. Connecticut provides an avenue for victims who are undecided about reporting a sexual assault to anonymously provide evidence immediately following an assault. These kits use a control number for tracking and are known as "anonymous kits".

The responses were compiled and analyzed by Connecticut Sexual Assault Crisis Services (CONNSACS) in the spring of 2015. Connecticut State Police reported a total of 34 SAKs and municipal police departments reported a total of 927 SAKs. Together, these 961 kits represent a statewide backlog that must be addressed in order to provide justice to sexual assault victims and to hold offenders accountable for their violent crimes.

It is important to understand that these kits are not backlogged at the State crime lab. They have never been sent there for analysis. The SAKs identified in this survey are in storage at police departments across the state. The majority (75 percent) of municipal police departments reported having fewer than ten kits in storage. Twelve departments however reported having twenty or more kits. Combined totals from these twelve municipalities represent over sixty percent of the total number of untested kits throughout the state. This is not a problem confined to Connecticut's largest cities; Hartford and Stamford both reported having zero kits. Of the total number of untested SAKs reported, 38 percent of the untested kits are over five years old. These kits can still be tested.

¹Office of the Press Secretary (16, March 2015). The White House. Factsheet: Investments to reduce the national rape kit backlog and combat violence against women. Retrieved from <https://www.whitehouse.gov/the-press-office/2015/03/16/fact-sheet-investments-reduce-national-rape-kit-backlog-and-combat-violence-against-women>. Retrieved from <https://www.whitehouse.gov/the-press-office/2015/03/16/fact-sheet-investments-reduce-national-rape-kit-backlog-and-combat-violence-against-women>.

its backlog and identified 52 suspects (23 of which are believed to be serial rapists) and requested 90 indictments⁸. After testing 2,000 of its 10,000 kit backlog, Detroit has identified 750 DNA matches in CODIS and 188 suspected serial rapists⁹.

Current Connecticut State Law (CGS § 19a-112a) directs police to transfer all sexual assault evidence collection kits from health care facilities that have performed a sexual assault forensic exam to the State crime lab though it does not dictate a clear timeframe for the transfer. This includes sending anonymous kits. By law, the anonymous kits should be sent to the State crime lab, but cannot be tested until the victim files a report with the police. Anonymous kits (82 kits) represent less than ten percent of the total number of untested kits reported statewide (961 kits), leaving Connecticut with a backlog of 879 kits that still need to be tested.

Positive steps are already being taken to address the backlog of Connecticut's kits and to secure the additional funding needed for the cost of analyzing and testing each kit. Upon receipt of the survey and completion of their own count, several law enforcement departments began submitting their untested SAKs to the State crime lab. In May of 2015 the Connecticut Department of Emergency Services and Public Protection applied for two competitive grants designed to fund and support a comprehensive statewide approach to the testing of kits and the victim-centered, and trauma-informed handling of sexual assault cases resulting from evidence found in previously un-submitted sexual assault kits.

Though Connecticut State Law already requires all kits to be submitted to the State crime lab, the law has been silent on when to do so. During the 2015 Connecticut General Assembly session, lawmakers passed legislation that requires the testing of all non-anonymous sexual assault evidence collection kits. It also establishes clear timeframes for the transferring of all kits and the testing of non-anonymous kits. HB 6498 *An Act Concerning Evidence in Sexual Assault Cases* requires police departments to transfer sexual assault evidence from a healthcare facility to the State crime lab no later than ten days after the health care facility has collected it. The bill also requires the State crime lab to analyze each SAK within sixty days. Anonymous kits are required to be transferred to the lab, but will remain untested unless the victim chooses to report the assault. In these cases, the bill extends the time period in which anonymous kits can be held at the State crime lab from sixty days to five years. The law will go into effect on October 1, 2015 and Connecticut will be among a small but growing number of states in the country to adopt clear timeframes for the transfer and testing of SAKs.

These new steps to address the submission and testing of kits in the future are significant. They will help survivors understand what will happen to their kits after they have gone through the invasive process of evidence collection after a sexual assault. They will also help ensure best practices in the utilization of evidence in sexual assault investigation. They do not, however, sufficiently address the current backlog.

⁸ Rape kit testing makes progress in Memphis.(2015, May 30). Associated Press, Reprinted by My San Antonio. Retrieved from <http://www.mysanantonio.com/news/crime/article/Rape-kit-testing-makes-progress-in-Memphis-6296338.php>

⁹ Brown, T.K. (2015, January 5). New hope for rape kit testing advocates. *BBC News, Washington*. Retrieved from <http://www.bbc.com/news/magazine-30554719>

Connecticut has invested decades of time and millions of dollars to improve the immediate health care response for sexual assault victims resulting in a standardized sexual assault kit, victim centered protocols, and the State of Connecticut Gail Burns-Smith Sexual Assault Forensic Examiners Program which provides specialized patient care and expert collection of evidence in adolescent and adult sexual assault cases. Connecticut must continue to lead in its ongoing commitment to provide justice to victims, and to hold offenders accountable for their crimes. All future and backlogged kits must be tested. A coordinated, statewide, multidisciplinary effort is needed to swiftly address and eliminate the backlog of sexual assault evidence collection kits, and to identify the changes needed for law enforcement officers and the criminal justice system to best utilize forensic evidence to improve the investigation and prosecution of sexual assault cases. Doing so will show victims of sexual assault that they matter, and that their cases will be taken seriously.

Victims and survivors of sexual violence deserve nothing less.

Connecticut has also recognized the importance of the sensitivity of the practitioner and the proper collection of evidence in these cases as paramount to victims' care as well as to evidence use in prosecution. Public Act 09-03 led to the establishment of the State of Connecticut Judicial Branch, Office of Victim Services, Gail Burns-Smith SAFE Program which provides sexual assault forensic examiners with special training in victim-sensitive evidence collection in sexual assault cases to partnering hospitals. SAFEs respond in tandem with sexual assault victim advocates from CONNSACS member programs when a victim presents at one of the 8 participating Connecticut hospitals. Since its launch in December of 2010, SAFEs have responded to over 730 sexual assault victims¹⁶. The program continues to expand its reach and will begin this summer to respond to victims who present at the UCONN Storrs, Student Health Services.

Sexual Assault Evidence Collection Kit (SAKs) collected for victims who are undecided about reporting to the police but understand that their evidence could be lost if not collected are identified using a code, not a victim's name. Under current state law, these kits are held for sixty days to allow time for a victim to report and for the state to utilize the evidence for a possible arrest, investigation and prosecution. These kits are referred to as "anonymous" or "Jane Doe" kits, and represent a small percentage of the victims whose kits are collected at hospitals throughout the state each year.

To maintain the chain of custody, police officers, most often from the town in which the crime occurred, pick up the kit from the hospital. CGS § 19a-112 directs police to transfer sexual assault evidence collection kits from health care facilities that have performed a sexual assault forensic exam to the State crime lab, including "anonymous kits". Current State Statute does not, however, include time frames for when the kits should be transferred or tested.

The Sexual Assault Evidence Collection Kit, also known as the CT 100, is a thirteen step process involving the collection of numerous samples taken from the victim's body. Biological steps include, swabbing of the oral and genital areas, pubic hair combing, and fingernail scrapping. Non-biological components include, clothing collection and debris analysis and photographs. Depending upon the wait time, the needs of the victim and the expertise of the practitioner, a full exam and evidence collection can take 6-8 hours.

¹⁶ Ment, Stephen N. , Connecticut Judicial Branch. Testimony before Connecticut Committee on Higher Education and Employment Advancement. Public Hearing March 12, 2015 Senate Bill 966, An Act Concerning Sexual Assault Forensic Examiners At Institutions of Higher Education.

SURVEY FINDINGS

In the spring of 2014 the Evidence Commission began discussing the different practices that law enforcement officers use for transferring sexual assault evidence collection kits to the State crime lab to be tested.

An Evidence Commission subcommittee met in the summer of 2014 to examine kit transfer and testing protocol. Representatives from the Joyful Heart Foundation, a national non-profit organization at the forefront of advocating for comprehensive sexual assault evidence collection kit reform at the local, state and federal levels, were invited to discuss meetings they had held over the course of the two previous years in Connecticut with numerous sexual assault victim advocates, police chiefs, state's attorneys and crime lab staff to explore the potential of a backlog of untested sexual assault evidence collection kits among local police departments. Their findings from a small number of municipal police departments indicated the need to more formally assess the number of untested kits at police departments throughout the state.

The Evidence Commission developed a short online survey for state and local police departments (Appendix A). State's Attorneys sent a written request to the municipal police departments and to Resident and State Troopers in their respective Judicial Districts requesting participation in the survey. Police departments were asked to report the total number of sexual assault evidence collection kits currently held at the police department that had not been submitted to the State crime lab. They were asked to report how many of those were held for one to five years and how many were held for more than five years. Finally, they were asked to report how many kits were "anonymous" kits. Reminder notices and follow-up messages were sent through the State's Attorney's and the Connecticut Police Chiefs Association. Responses were received during the fall of 2014 through the spring of 2015. Connecticut Sexual Assault Crisis Services (CONNSACS) analyzed the responses.

Participation in the survey was notably high. All State Police Troops and all municipal police departments, except for one, participated in the survey. Numbers reported by individual law enforcement departments can be found in Appendices B, C and D. The total number of sexual assault evidence collection kits reported by municipal police departments and the Connecticut State Police at the time of the survey is 961 (Table 1). Connecticut State Police reported having 34 kits in storage. The total number of kits reported from Connecticut municipalities with police departments was 927. Less than ten percent of the total numbers of kits reported were identified as anonymous, leaving a backlog of 879 kits that should be sent to the State crime lab for analysis and testing.

ANALYSIS

While the survey has helped to identify the number of kits that had not been sent to the State crime lab to be tested, further examination of each of the 879 cases is needed to understand the reasons why. Law enforcement officers have reported that guidelines have been unclear as to when or whether to bring the kit to the State crime lab for testing especially when there is a known offender, and sexual assault victims have reported that their kits have been held at police stations while detectives have decided on whether or not to move forward with an investigation.

Findings from cities in other states that have begun organized efforts to address the backlog of untested SAKs, some numbering in the thousands, have pointed to unclear guidelines, stalled or incomplete investigations, lack of funding, staff capacity, and lack of understanding the value of forensic testing in non-stranger cases, as reasons that kits have gone unsubmitted and untested^{19,20,21}. Several have found a fundamental misunderstanding of the psychology of trauma which many sexual assault victims experience. This can lead interviewers to discount the validity of a victim's report based on what they might mistake for unusual or uncooperative behaviors and then use that judgement to decide not to submit a kit^{22,23}. Training in trauma-informed interviewing techniques for those receiving reports from sexual assault victims can be beneficial for officers working with victims of sexual assault. Not only are these techniques compassionate to victims, but they may result in ensuring mutual cooperation between victims and law enforcement, thus leading to better case outcomes²⁴.

Positive steps are already being taken to address the backlog of Connecticut's kits at police departments and to secure the additional funding needed for the cost of analyzing and testing each kit. Since distributing the survey, many departments have submitted the kits that were identified in storage to the State crime lab. In May of 2015, the Connecticut Department of Emergency Services and Public Protection applied for two competitive grants designed to fund the testing of kits and support the comprehensive reform of Connecticut's approach to sexual assault cases resulting from evidence found in previously un-submitted sexual assault kits. During the 2015 Connecticut General Assembly session, lawmakers passed legislation, championed by CONNSACS and members of the Evidence Commission, that would establish clear timeframes for the transfer and testing of all sexual assault evidence collection kits. HB 6498 *An Act Concerning Evidence in Sexual Assault Cases* requires the police department to transfer sexual assault evidence from a health care facility to the State crime lab no later than ten days after the health care facility has collected it. The bill requires the State crime lab to analyze each SAK within sixty days unless the victim chose to remain anonymous and not report the assault to the police at the time the evidence was collected.

¹⁹ Human Rights Watch (2010, July). "I used to think the law would protect me". Illinois's failure to test rape kits. Retrieved from http://www.hrw.org/sites/default/files/reports/us0710webwcover_0.pdf

²⁰ Lonsway, K.A. & Archambault, J. (2012). The 'justice gap' for sexual assault cases: Future directions for research and reform. *Violence Against Women*, 18(2), 145-168.

²¹ Dries, Bill (2014, June) "Rape Kit Backlog Report Finds No Blame". Daily News, Memphis, TN. Retrieved from <http://www.memphisdailynews.com/news/2014/jun/19/rape-kit-backlog-report-finds-no-blame/>

²² Lonsway, K.A. & Archambault, J. (2012, November). Victim impact: how do sexual assault victims respond? And how can law enforcement and other community professionals respond successfully. End Violence Against Women International. Retrieved from <http://www.evawintl.org/Library/DocumentLibraryHandler.ashx?id=41>

²³ Cohan, Sharon. (2015, May). Will new focus on rape kit tests put thousands behind bars? Associated Press. Retrieved from <http://bigstory.ap.org/article/419426d4f9c24880bdabb6e9edc5b1f5/will-new-focus-rape-kit-tests-put-thousands-behind-bars>

²⁴ Human Rights Watch (2013, January). Improving police response to sexual assault. Retrieved from http://www.hrw.org/sites/default/files/reports/improvingSAInvest_0.pdf

RECOMMENDATIONS

A statewide, victim-centered multidisciplinary taskforce is needed to bring together State crime lab staff, State's Attorneys, law enforcement officers and sexual assault victim advocates to address and eliminate Connecticut's backlog of untested sexual assault evidence collection kits. Key areas of focus should include:

TRANSFER AND TEST ALL BACKLOGGED KITS

Procedures must be identified for the transfer of all backlogged SAKs from Connecticut State Police and municipal police departments to the Forensic Science Laboratory for testing.

SECURE FUNDING

If Connecticut is not the successful awardee of either the 2015 National Sexual Assault Kit Initiative Grant or the 2015 New York District Attorney's Office Kit Backlog Elimination Program Grant, additional funds needed to test the backlogged kits must be secured.

CREATE VICTIM CENTERED NOTIFICATIONS AND SUPPORT

A victim notification protocol should be created with input from sexual assault victim advocates to support victims and survivors as they are notified of test results and are faced with choosing if, when or how to re-engage in the criminal justice process. Procedures for notifying victims about their cases, or answering questions about findings from their kit should include referrals to community based sexual assault victim advocates who can provide support and additional services to aid victims and survivors through this process.

TRACK, MEASURE AND REPORT

Tracking and measuring the outcomes from testing each backlogged kit as well as the results from cases that are re-opened, will provide a unique opportunity for all stakeholders to learn more about the investigation and prosecution of sexual assault crimes. Metrics to measure the results of the efforts to address the backlog should be created to fully account for each kit. Results from testing of all SAKs should be compiled, measured and reported including, the number of DNA matches, subsequent statistics on the identification of suspects and serial rapists, along with the number of re-opened cases, arrests, prosecutions and convictions. These metrics should be applicable not only to the backlog, but to the future intake of SAKs to avoid future backlogs and to allow the system to continuously evaluate and improve.

ADOPT BEST PRACTICES

Fully addressing the SAK backlog must include an understanding of the reasons the backlog has occurred. causes of the backlog must be ascertained and the information used to identify concrete ways in which the criminal justice system can best respond to sexual assault victims who come forward and report their assaults. These could include developing clear and consistent procedures and new multidisciplinary training modules for the new SAK transfer and testing guidelines, the value of forensic testing, and trauma informed interviewing techniques.

APPENDICES

**APPENDIX A: STATE OF CONNECTICUT COMMISSION ON THE
STANDARDIZATION OF THE COLLECTION OF
EVIDENCE IN SEXUAL ASSAULT INVESTIGATIONS**

Sexual Assault Evidence Collection Kit Inventory Survey Questions

APPENDIX B: CONNECTICUT STATE POLICE

Kit Total Data

APPENDIX C: MUNICIPAL POLICE DEPARTMENTS

Kit Total Data Alphabetical Listing

APPENDIX D: MUNICIPAL POLICE DEPARTMENTS

Kit Total Data By Number Of Kits

APPENDIX B

Connecticut State Police – Kit Total Data

CT STATE POLICE	ALL KITS	ANONYMOUS	TOTAL TO BE TESTED
BCI-Casino Unit	3	0	3
Eastern District Major Crimes Unit	12	0	12
Central District Major Crimes Unit	0	0	0
Western District Major Crimes Unit	0	0	0
Troop A	0	0	0
Troop B	5	0	5
Troop C	5	1	4
Troop D	0	0	0
Troop E	0	0	0
Troop F	1	1	0
Troop G	0	0	0
Troop H	1	0	1
Troop I	0	0	0
Troop K	7	0	7
Troop L	0	0	0
TOTAL	34	2	32

TOWNS COVERED BY CONNECTICUT STATE POLICE TROOPS AND RESIDENT STATE TROOPERS:

Troop A: Bridgewater, New Fairfield, Oxford, Roxbury, Sherman, Southbury

Troop B: Barkhamsted, Canaan, Colebrook, Cornwall, Goshen, Hartland, New Hartford, Norfolk, North Canaan, Salisbury, Sharon

Troop C: Ashford, Ellington, Mansfield, Somers, Stafford, Tolland, Union, Willington

Troop D: Brooklyn, Canterbury, Chaplin, Eastford, Hampton, Killingly, Pomfret, Scotland, Sterling, Thompson, Woodstock

Troop E: East Lyme, Griswold, Ledyard, Lisbon, Montville, North Stonington, Preston, Sprague, Voluntown

Troop F: Chester, Deep River, Durham, Essex, Haddam, Killingworth, Lyme, Middlefield, Old Lyme, Westbrook

Troop H: East Granby

Troop I: Beacon Falls, Bethany, Prospect

Troop K: Andover, Bolton, Bozrah, Colchester, Columbia, East Haddam, Franklin, Hebron, Lebanon, Marlborough, Portland, Salem, Windham

Troop L: Bethlehem, Burlington, Harwinton, Kent, Litchfield, Morris, Warren, Washington, Woodbury³¹

³¹ Connecticut State Police Troop Information from <http://www.cga.ct.gov/2011/rpt/2011-R-0194.htm>

Municipal Police Departments - Kit Total Data - Alphabetical Listing (Continued)

MUNICIPALITY	MUNICIPALITY	MUNICIPALITY	MUNICIPALITY
Groton Town	59	8	51
Guilford	4	0	4
Hamden	0	0	0
Hartford	0	0	0
Madison	6	0	6
Manchester- no data received	-	-	-
Meriden	78	3	75
Middlebury	0	0	0
Middletown	0	0	0
Milford	33	3	30
Monroe	2	0	2
Naugatuck	17	0	17
New Britain	39	7	32
New Canaan	0	0	0
New Haven	65	10	55
New London	2	0	2
New Milford	17	2	15
Newington	4	2	2
Newtown	0	0	0
North Branford	0	0	0
North Haven	3	0	3
Norwalk	53	0	53
Norwich	15	1	14
Old Saybrook	6	0	6
Orange	2	0	2
Plainfield	0	0	0
Plainville	12	0	12
Plymouth	2	0	2
Portland	2	0	2
Putnam	4	0	4
Redding	2	1	1
Ridgefield	0	0	0
Rocky Hill	0	0	0

APPENDIX D

Municipal Police Departments –Kit Total Data - By Number Of Kits

MUNICIPALITY	ALL KITS	ANONYMOUS	TOTAL TO BE TESTED
Waterbury	100	9	91
Meriden	78	3	75
New Haven	65	10	55
Groton Town	59	8	51
Norwalk	53	0	53
Greenwich	43	0	43
New Britain	39	7	32
Torrington	39	3	36
Milford	33	3	30
Danbury	31	5	26
West Haven	24	1	23
Enfield	20	5	15
Derby	19	3	16
Windsor	18	0	18
Bloomfield	17	1	16
Naugatuck	17	0	17
New Milford	17	2	15
Winchester	16	1	15
Norwich	15	1	14
Bridgeport	13	0	13
Plainville	12	0	12
Windsor Locks	11	0	11
Bethel	10	1	9
Branford	9	0	9
West Hartford	9	0	9
Thomaston	8	2	6
Wethersfield	8	2	6
Ansonia	7	0	7
Cromwell	7	0	7
Shelton	7	1	6
Trumbull	7	0	7

Municipal Police Departments - Kit Total Data – By Number of Kits (Continued)

MUNICIPALITY	ALL KITS	ANONYMOUS	TOTAL TO BE TESTED
East Hampton	1	1	0
Stonington	1	0	1
Vernon	1	0	1
Wallingford	1	0	1
Waterford	1	0	1
Wilton	1	0	1
Clinton	0	0	0
Coventry	0	0	0
Darien	0	0	0
Easton	0	0	0
Farmington	0	0	0
Glastonbury	0	0	0
Groton City	0	0	0
Groton Long Point	0	0	0
Hamden	0	0	0
Hartford	0	0	0
Middlebury	0	0	0
Middletown	0	0	0
New Canaan	0	0	0
Newtown	0	0	0
North Branford	0	0	0
Plainfield	0	0	0
Ridgefield	0	0	0
Rocky Hill	0	0	0
South Windsor	0	0	0
Southington	0	0	0
Stamford	0	0	0
Woodbridge	0	0	0
Manchester – no data received	-	-	-
TOTAL	927	80	847

CGS Sec. 19a-112a, which includes PA 15-207

Sec. 19a-112a. Commission on the Standardization of the Collection of Evidence in Sexual Assault Investigations. Protocol. Sexual assault evidence collection kit. Transfer, analysis and preservation of evidence. Costs. Training and sexual assault examiner programs. (a) There is created a Commission on the Standardization of the Collection of Evidence in Sexual Assault Investigations composed of fourteen members as follows: The Chief State's Attorney or a designee; the executive director of the Permanent Commission on the Status of Women or a designee; the Commissioner of Children and Families or a designee; one member from the Division of State Police and one member from the Division of Scientific Services appointed by the Commissioner of Emergency Services and Public Protection; one member from Connecticut Sexual Assault Crisis Services, Inc. appointed by its board of directors; one member from the Connecticut Hospital Association appointed by the president of the association; one emergency physician appointed by the president of the Connecticut College of Emergency Physicians; one obstetrician-gynecologist and one pediatrician appointed by the president of the Connecticut State Medical Society; one nurse appointed by the president of the Connecticut Nurses' Association; one emergency nurse appointed by the president of the Emergency Nurses' Association of Connecticut; one police chief appointed by the president of the Connecticut Police Chiefs Association; and one member of the Office of Victim Services within the Judicial Department. The Chief State's Attorney or a designee shall be chairman of the commission. The commission shall be within the Division of Criminal Justice for administrative purposes only.

(b) (1) For the purposes of this section, "protocol" means the state of Connecticut Technical Guidelines for Health Care Response to Victims of Sexual Assault, including the Interim Sexual Assault Toxicology Screen Protocol, as revised from time to time and as incorporated in regulations adopted in accordance with subdivision (2) of this subsection, pertaining to the collection of evidence in any sexual assault investigation.

(2) The commission shall recommend the protocol to the Chief State's Attorney for adoption as regulations in accordance with the provisions of chapter 54. Such protocol shall include nonoccupational post-exposure prophylaxis for human immunodeficiency virus (nPEP), as recommended by the National Centers for Disease Control. The commission shall annually review the protocol and may annually recommend changes to the protocol for adoption as regulations.

(c) The commission shall design a sexual assault evidence collection kit and may annually recommend changes in the kit to the Chief State's Attorney. Each kit shall include instructions on the proper use of the kit, standardized reporting forms, standardized tests which shall be performed if the victim so consents and standardized receptacles for the collection and preservation of evidence. The commission shall provide the kits to all health care facilities in the state at which evidence collection examinations are performed at no cost to such health care facilities.

(d) Each health care facility in the state which provides for the collection of sexual assault evidence shall follow the protocol as described in subsection (b) of this section and, with the consent of the victim, shall collect sexual assault evidence. After the collection of any evidence,

THE DETROIT
SEXUAL ASSAULT KIT (SAK)
ACTION RESEARCH PROJECT (ARP)

2011-DN-BX-0001
FINAL REPORT—CORRECTED
November 9, 2015

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For full report, go to:

www.ncjrs.gov/pdffiles/nij/grants/248600.pdf

ACKNOWLEDGEMENTS

This final report for NIJ Award 2011-DN-BX-0001 was written by the research/evaluation team at Michigan State University, based on our research findings from the Detroit Sexual Assault Kit (SAK) Action Research Project (ARP). The views represented in this report are those of the authors and do not reflect the official positions of any participating organizations or the National Institute of Justice.

As will be explained in Chapter 1 of this report, the names of the organizations and individuals who participated in this action research project will not be released. Therefore, these Acknowledgements cannot specifically name the many people and groups who are due thanks for their diligence and commitment to this project. With those parameters in mind, the Principal Investigator of the research/evaluation team wishes to acknowledge the following:

To the Members of the Detroit Sexual Assault Kit Action Research Project, I am humbled by your dedication to this city and all its citizens, especially those most vulnerable. I appreciate the trust you placed in me and in this project. It has been an honor working with all of you.

To our Colleagues at the National Institute of Justice, I appreciate your guidance and counsel throughout this project and your commitment to action research as a vehicle for improving the criminal justice system response to sexual violence.

To my Statistician Colleagues, I am beyond grateful that you agreed to take on this project and all its complexities. You went way above and beyond to ensure that this project would be helpful to practitioners, policy makers, and sexual assault survivors.

To my Co-Investigator and Research Associates, I am so fortunate that each of you decided to jump into this with me. I cannot possibly list everything I am thankful for, but I do know that without all of you, this would not have been possible.

numbers, indicating that they had been *submitted* for testing, but it was unclear how many had in fact been *tested* for DNA. The vast majority of the SAKs in police property (8,717) had not been submitted for forensic testing. The Detroit SAK ARP created a step-by-step summary of the census procedures used in this project to guide other jurisdictions on how to conduct a census of SAKs in police property.

The second goal of this action research project was to study the underlying reasons why Detroit had so many unsubmitted SAKs. The research/evaluation team interviewed current and former employees in all organizations, and examined publicly-available documents and internal organizational records to assess the resources available for serving rape victims (in general) and testing SAKs (specifically). The results of this historical contextual analysis indicated that all organizations in Detroit that serve rape victims have struggled for decades with chronic understaffing and resource depletion relative to other U.S. cities with similar populations, racial/ethnic compositions, and/or crime rates.

Police personnel acknowledged that budget and staffing cuts compromised investigation quality such that "*cutting corners*" became normative. An analysis of 1,268 sexual assault police reports associated with SAKs that had not been submitted for testing revealed that most cases were closed after *minimal* investigational effort. In both the stakeholder interviews and in the actual police reports, law enforcement personnel expressed negative, victim-blaming beliefs about sexual assault victims. Rape survivors were often assumed to be prostitutes and therefore what had happened to them was considered to be their own fault. Adolescents were assumed to be lying, trying to avoid getting into trouble by concocting a false story about being raped. Police said that those who had been assaulted by friends and acquaintances had "*got-what-they-got*" because they had chosen to associate with the perpetrator. Case after case was labeled "*a deal gone bad*" or otherwise dismissed as "*not really a rape,*" and these attitudes directly affected law enforcement personnel's decisions regarding whether to submit a rape kit for forensic testing. Without consistent supervision and training to challenge these practices, unsubmitted SAKs continued to accumulate. This research identified individual-level,

In this project, 1,595 SAKs were tested, which yielded 785 CODIS eligible profiles (49% of the SAKs tested), 455 CODIS hits (28.5% of the SAKs tested; 58% of the profiles entered), and 127 serial sexual assaults (8% of the SAKs tested; 28% of the CODIS hits). A series of statistical models were evaluated that compared the probabilities of CODIS entry rates, CODIS hit rates, and serial sexual assault hit rates, accounting for the sampling differences between the four Testing Groups. Using continuation-ratio models, the results from the conditional and unconditional probability rate analyses showed no significant difference in CODIS hit rates as a function of either victim-offender relationship or SOL-status. In other words, SAKs associated with cases that were stranger-perpetrated had statistically equivalent CODIS hit rates as cases perpetrated by non-strangers; similarly, rates did not significantly differ by statute of limitations status. Some stakeholders in Detroit (as well as those at the state and national level) advocated for prioritizing SAKs for testing by victim-offender relationship (to prioritize stranger-perpetrated crimes) and/or "skipping over" SAKs associated with cases that are presumed to be beyond the statute of limitations; however, these results do not support such a plan because the rates of CODIS hits do not significantly differ as a function of these variables. These results indicate that there is merit in testing both stranger and non-stranger SAKs, and presumed SOL-expired and non-expired SAKs, in terms of expected yields for CODIS entries, CODIS hits, and identification of serial sexual assaults.

In Testing Group 4, two different methods of DNA testing were compared: traditional vs. selective degradation. There was no significant difference between the two groups in CODIS entry rates, indicating that the selective degradation method had no decrement in performance relative to customary methods. Comparisons of materials costs were also equivalent across the two groups, but the selective degradation method saved 1.10 hours of staff time per SAK. These savings, when aggregated across a large collection of SAKs, may substantially reduce personnel costs. These results merit replication prior to broad-based implementation.

positive reactions (29%) (e.g., happiness, relief), and most (55%) did not exhibit strong emotional reactions—they were open to hearing what the investigators had to say, but were reserved and cautious. Most survivors (64%) wanted a follow-up meeting with the investigators and an advocate to discuss options in more detail, and in the end, most (57%) also decided that they wanted to participate in the investigation and prosecution process. This rate of re-engagement was higher than expected given the pervasive victim-blaming treatment many survivors had experienced from law enforcement personnel at the time they had filed the police report.

Victims were less likely to react positively and to re-engage the longer the period of time between the assault and the notification (beyond nine years), which highlights the importance of timely testing of SAKs and investigation of reported sexual assaults. Survivors who were 16-24 years old at the time of the assault were somewhat more likely to have had negative reactions to the notification and were somewhat less likely to want to have continued contact with the criminal justice system. Given that prior research has found that victims in this age group are at high risk for victim-blaming treatment, these girls/young women may have had difficult encounters years ago, and as such, may have been disinclined to re-engage. In this evaluation, only a small number of notifications were conducted with victims of non-stranger rape, but preliminary findings suggested that they were not as likely as victims of stranger rape to continue contact with the criminal justice system post-notification.

The results of this project were influential in creating a number of significant changes in policy and practice, including, but not limited to: a policy change in the local police department to submit all SAKs for forensic testing; training for police and other practitioners on victim-centered, trauma-informed services and offender-focused investigations; securing \$4 million from the state Attorney General's Office to test as many remaining Detroit SAKs as possible; and the passage of new state-wide legislation requiring all law enforcement agencies in the state of Michigan to submit SAKs for testing (if released for testing by the rape victim) (the Sexual Assault Kit Evidence Submission Act (PA 227)).

Working Group to Improve Processing of Evidence in Sexual Assault Cases May 6th, 2016

2015 National Sexual Assault Kit Initiative (SAKI) FY 2015 Competitive Grant

Overview

The National Sexual Assault Kit Initiative (SAKI), administered by BJA, provides funding through a competitive grant program to support multidisciplinary community response teams engaged in the comprehensive reform of jurisdictions' approaches to sexual assault cases resulting from evidence found in previously unsubmitted sexual assault kits (SAKs). Unsubmitted kits (those in in police custody that have never been submitted to a crime laboratory for testing) and untested kits (those that have been submitted to crime labs but are delayed for testing for longer than 30 days, e.g., as a result of a backlog of work in the laboratory) are separate and distinct issues. **The focus of this effort is on those unsubmitted kits that have never been submitted to a crime laboratory.**

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.

Funding Summary (Highlights)

- Grant Period October 1, 2015 to September 30, 2018
- \$1.4 million
 - \$188k on outsourcing 300 kits
 - \$383k on supplies for testing kits in house
 - \$165k to Victim Advocate Groups
 - Funds to hire SAKI Program Coordinator

Working Group Objectives

- Assessment of training needs (site visit by SAKI TTA- end of June tentatively)
- Cross-disciplinary training among group members
- What contributed to, and continues to drive unsubmitted kits
- Establish victim-centered protocols for victim engagement, notification, and support
 - Unsubmitted kits could be years in the past, re- traumatized
- Initiate training in relation to kits collection, DNA technology, victimization
- Development of processes for sharing of critical data