

Statewide Sexual Assault Response Reform in SAKI Workbook





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SAKI TTA builds on RTI's expertise in sexual assault cases, forensic science, innovation, technology application, economics, DNA analytics, statistics, program evaluation, public health, and information science.

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Greetings,

Thank you for taking a stand in support of sexual assault response reform in your state. Almost half of all National Sexual Assault Kit Initiative (SAKI) grantees are statewide or multi-jurisdictional projects. Together, SAKI statewide grantees cover more than 20% of the U.S. population, and that amount is only expected to grow. This is a pivotal time in sexual assault response reform. As someone who is part of a statewide sexual assault response reform initiative, you have the potential to make an enormous impact on sexual assault response reform, the administration of justice, and the lives of survivors.

SAKI is a holistic effort that supports the development of a coordinated community response to sexual assault, all while inventorying and testing previously unsubmitted sexual assault kits (SAKs) and investigating and prosecuting the associated cases. SAKI is a resource-intensive, ambitious project. To conduct the initiative across a state requires dedication, resources, and coordination. The SAKI Training and Technical Assistance Team (SAKI TTA) is committed to supporting statewide initiatives and the unique challenges that operating the initiative on a large scale brings.

This workbook is designed to make organizing your thoughts and planning your goals easier.

The sections in this workbook contain key considerations for each focus area of SAKI. We encourage you to record your notes and ideas in this workbook and use them to strengthen your state's efforts.

Thank you for all the work you have done so far to support the SAKI effort, and for all the work you will do in the future. Together we can bring justice to victims and improve the national response to sexual assault across our communities.

Respectfully,

The SAKI Training and Technical Assistance Team

Areas for Reform in the National Sexual Assault Kit Initiative

Tracking progress is important, especially in large-scale initiatives. Use the following list to assess your state's progress in key areas of sexual assault response reform.

	Development	Implementation	Institutionalization
Unsubmitted SAK Inventory			
SAK Testing Protocol			
Post-Testing Prioritization Protocol			
Victim Notification Protocol			
Cold Case Investigation Protocol			
Cold Case Prosecution Protocol			
SAK Evidence Tracking and Case Management Systems			
Training Plan			
Research and Evaluation			
Participation in ViCAP			
Media and Communication Plan			
Legislation Plan			

Inventory of Unsubmitted SAKs

To begin, SAKI TTA recommends conducting a full inventory of unsubmitted SAKs across all jurisdictions statewide. Agencies can conduct the inventory manually, via an electronic property management system, or a combination of both.

Key Considerations

- ◆ Understand that cultivating buy-in from law enforcement agencies across the state is important. Consider what organizations and champions can assist in you in this effort.
- ◆ Realize that some agencies will require significant follow-up or need assistance completing the inventory. Small and rural jurisdictions may require a different approach.

Tracking Progress

Assess your current progress in this area.

Development

Implementation

Institutionalization



What are your goals and next action steps?

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Testing Plan for SAKs

Testing previously unsubmitted SAKs requires collaboration with a testing laboratory to ensure that adequate resources are available and information sharing is efficient. Testing plans should consider the number of SAKs that need to be tested, funding, logistical concerns, and submission processes.

Key Considerations

- ◆ Understand that agencies should leverage the full expertise of the multidisciplinary team (MDT), including representation from a DNA forensic laboratory, to ensure all expectations associated with the testing process are clear.
- ◆ Assess the capacity of local agencies that will participate in the submission process, the investigative and prosecutorial caseloads that will result from testing, and training needs.

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Post-Testing Case Prioritization Plan

Law enforcement agencies will face increased workloads as jurisdictions begin to test previously unsubmitted SAKs and Combined DNA Index System (CODIS) hits come back. Assisting local law enforcement agencies in planning around case prioritization will be a key role of a state multidisciplinary working group to ensure proper staffing, CODIS hit follow-up, and investigative strategies.

Key Considerations

- ◆ Determine the level of support or guidance that the state multidisciplinary working group will provide to local agencies as part of developing a post-test case prioritization plan.
- ◆ Partner with state working groups to ensure guidelines are available to sexual assault investigators with the understanding that all CODIS hits should be reviewed in a timely manner and that follow-up is key.

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Victim Notification and Advocacy

It is vital that jurisdictions addressing previously unsubmitted SAKs develop trauma-informed victim notification protocols and provide services and support to survivors. Both community- and systems-based advocates play an important role in creating strong victim support services.

Key Considerations

- ◆ Decide whether the state will draft statewide victim notification guidelines. Determine the level of support or guidance that the state multidisciplinary working group will provide local agencies.
- ◆ Assess which stakeholders across the state require trauma-informed, victim-centered communication training.

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Cold Case Investigation

Investigation strategies and training will be critical in assisting local law enforcement agencies with planning around CODIS hit follow-up, managing increased workloads, identifying unique cold case considerations, and understanding trauma-informed approaches to working with victims.

Key Considerations

- ◆ Local agencies will need strategies and best practices for investigation assistance and case organization to manage increased workloads and the unique aspects of cold case investigation.
- ◆ State multidisciplinary working groups should provide training for investigators who are responsible for working cold case sexual assaults to ensure development of essential skills and abilities, which include having a firm understanding of the dynamics of sexual assault cases, survivors, and offenders.

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Cold Case Prosecution

Cold case sexual assault prosecution presents unique challenges. Prosecutors must prepare to address these challenges by strategizing during *voir dire*; focusing on physical, psychological, and physiological evidence; helping jurors to make a connection with the evidence; and relying on expert witness testimony.

Key Considerations

- ◆ Consider common defense themes—such as the consent defense and prosecuting a known offender—and provide training opportunities for prosecutors to prepare for and combat these defense tactics.
- ◆ Victims respond to trauma in many ways; therefore, implement a trauma-informed, victim-centered approach throughout the prosecution process.

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Evidence Tracking and Case Management Systems

The inability to properly track SAKs is a primary factor that led to the accumulation of unsubmitted SAKs. Evidence tracking systems can provide states with a sustainable way to assess the movement of SAKs from collection through adjudication. Case management systems give local jurisdictions the means to track sexual assault investigations.

Key Considerations

- ◆ Understand the differences between evidence tracking and case management systems; consider which system(s) would benefit jurisdictions in your state.
- ◆ Discuss long-term solutions with a multidisciplinary team when developing an evidence tracking system.

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Training

Cold case sexual assaults are often complex cases with unique challenges. Agencies should ensure that all personnel working these cases receive effective training on trauma-informed, victim-centered practices to best support sexual assault survivors.

Key Considerations

- ◆ Understand that a comprehensive and continuous training regimen for all personnel, regardless of levels of experience, is critical to an agency’s response to sexual assault. Ensure that the training program your agency develops is sustainable.
- ◆ Provide targeted training to foster trauma-informed, victim-centered investigations and prosecutions.
- ◆ Offer opportunities for discipline-specific and MDT training.

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Research and Evaluation

Understanding data and the outcomes of sexual assault response reform efforts is crucial to identifying best practices and ensuring the sustainability of changes in practice. Agencies can partner with researchers or crime analysts to understand the impact of their efforts and share lessons learned.

Key Considerations

- ◆ Partner with experts. If your agency does not employ analysts or researchers, search local universities for academics studying gender-based violence, sexual assault, or criminal justice issues who may be willing to collaborate.
- ◆ Seek input from the MDT to identify desired research outcomes or questions of interest.

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Participation in the Violent Criminal Apprehension Program

The Federal Bureau of Investigation (FBI) Violent Criminal Apprehension Program (ViCAP) provides crime analysis support to local, state, tribal, and federal law enforcement agencies. State multidisciplinary working groups can utilize ViCAP to help in collating and analyzing case information and in facilitating coordination across multiple agencies.

Key Considerations

- ◆ State multidisciplinary working groups can use the ViCAP system to collate, enter, and analyze their state’s cold case sexual assault crime data to assist in the identification of similar criminal cases on regional, state, and national levels.
- ◆ Local agencies may need support from state agencies to understand the ViCAP submission criteria and to enter data for all cases that meet the criteria; assistance in these areas will help local agencies to best utilize this important crime analysis system.

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Media and Communication Plan

The media serve an important role in the SAKI program by raising public awareness to the program's strides and successes. Whatever your agency's approach has been in partnering with the media, understanding the benefits to creating and maintaining good communication with the media is important.

Key Considerations

- ◆ Be transparent. Transparency sends a message that your agency takes sexual assault and this effort seriously.
- ◆ Foster accuracy. Circulating wrong information benefits no one and often happens simply because the communication wasn't clear. When talking about sexual assault, do not presume journalists understand all the related terminology and phrases.

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Legislation Plan

States across the country are seeking to institutionalize practices that ensure that SAKs will never again go unsubmitted and to strengthen sexual assault response reform. Legislation is one path to putting sustainable solutions into action.

Key Considerations

- ◆ Seek multidisciplinary input into sexual assault legislation up for consideration and seek the input of survivors.
- ◆ Review the Joyful Heart Foundation’s recommended six pillars of rape kit reform: (1) annual or periodic statewide inventory, (2) mandatory testing of backlogged kits, (3) mandatory testing of newly collected kits, (4) victims’ rights to notice, (5) statewide tracking systems, and (6) appropriation of funding for reform.

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Additional Resources

The SAKI TTA Program has created many online resources to support your efforts. Below are some of the resources we believe statewide grantees may find most useful. Visit www.sakitta.org to explore all of our available materials or email sakitta@rti.org for more information.

SAKI Toolkit (www.sakitta.org/toolkit)

The SAKI Toolkit offers curated resources for professionals responding to cold case sexual assault. Toolkit users can explore key categories of sexual assault response reform, browse topics centered around skill development, and save tools to a customizable briefcase dashboard. Explore resources, save them for later, or share tools with other people. The SAKI Toolkit is an ideal place to create curricula for local agencies and trainings or stay up to date with the latest practices in sexual assault response reform.

Highlighted tools and topics:

- ◆ *Evidence Tracking*—Topic: Selecting and Implementing an Evidence Tracking System
- ◆ *Multidisciplinary Response*—Topic: Creating a Strong Multidisciplinary Team and/or Sexual Assault Response Team
- ◆ *Multidisciplinary Response*—Topic: Model Policies and Practices for a Coordinated Community Response to Sexual Assault
- ◆ *Forensics*—Topic: Resolving Cases Without DNA
- ◆ *Engaging Victims*—Topic: Victim Notification
- ◆ *Victim Care*—Topic: Resources to Support Sexual Assault Survivors
- ◆ *Victim Care*—Victim Advocacy for Cold Case Sexual Assault: Developing a Work Plan
- ◆ *Investigation*—CODIS Hit Follow-up: Strategies and Guidelines
- ◆ *Prosecution*—Unique Aspects of Prosecuting Cold Case Sexual Assaults
- ◆ Prepackaged Briefcase for Multidisciplinary Team Leaders

SAKI Webinars (www.sakitta.org/webinars)

To date, SAKI has hosted more than 40 webinars featuring practitioners and experts with years of experience in current and cold case sexual assaults. Do not miss out on these key webinar topics and check back often as the catalogue of webinars continues to grow.

- ◆ *Neurobiology of Trauma: Three-Part Series*
- ◆ *Conducting a Large Scale Multi-Jurisdictional Inventory*
- ◆ *Kansas SAKI Research: Testing Priorities and CODIS Follow-Up*
- ◆ *Legislating Reform and Clearing Untested SAKs: Kentucky's Model*
- ◆ *Collecting Lawfully Owed DNA to Assist with Sexual Assault Investigations*
- ◆ *Sexual Assault Serial Offender Research*
- ◆ *ViCAP: A Powerful Tool to Track and Analyze Crimes of Serial Sex Offenders*

SAKI Virtual Academy (<https://academy.sakitta.org>)

The SAKI Virtual Academy contains five e-learning curricula that provide guidance about issues related to unsubmitted SAKs. Individual modules allow learners to complete trainings at their own pace. The following modules may be of most interest to state agencies, but all modules could be used to train local agencies statewide.

- ◆ Developing a Victim Notification Protocol
- ◆ Developing a SAK Testing Plan

SAKI Briefs (www.sakitta.org/resources)

The SAKI website also contains a growing library of briefs about topics related to current and cold case sexual assault. Check out these key briefs:

- ◆ *Unsubmitted Sexual Assault Kits: Navigating the Process from Inventory to Adjudication—A Holistic Guide*
- ◆ *Utilizing DNA Evidence to Investigate Cold Case Sexual Assaults Through CODIS*
- ◆ *Sexual Assault Kit Testing Process*
- ◆ *Unsubmitted Sexual Assault Kit Processing: Five Objectives Toward Forming a Positive Relationship with a Private Vendor Laboratory*
- ◆ *SAKI Media Relations: Key Considerations for Partnering with the Media*
- ◆ *What Happens Next? Resources for Survivor Support, Questions, and Information*

