

Sexual Assault Kit Initiative: Alaska making progress

Pamela Cravez

In February 2018, Ohio finished testing nearly 14,000 sexual assault kits (SAKs), also known as rape kits, which had previously been untested. What began in 2011 with a special

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initiative from the Ohio Attorney General to address untested kits resulted seven years later in 300 serial offenders linked to 1,125 crimes, mostly rapes, in Ohio. Along the way, policies were developed to submit all rape kits to the crime laboratory for DNA testing, to identify offenders, and ensure that relevant DNA would be included in the national database.

It is estimated that there may be more than 200,000 untested sexual assault kits throughout the country (Campbell et al., 2017).

Initiatives to test these kits have resulted in solving crimes, identifying serial rapists, exonerating the innocent, providing DNA to the national Combined DNA Index System (CODIS) for use throughout the country, and establishing policies for future testing of sexual assault kits.

In 2015, the Bureau of Justice Assistance (BJA) began the Sexual Assault Kit Initiative

(SAKI), providing grant support and technical assistance to state and local jurisdictions to support a coordinated, victim-centered approach to both deal with untested sexual assault kits and create sustainable future policies to deal with sexual assault cases.

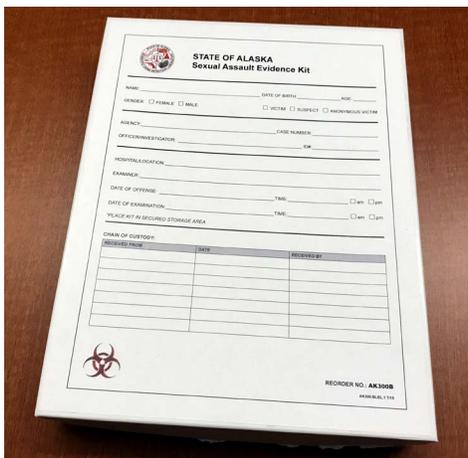
Justice Center researcher. The Justice Center researcher will look at the correlation between characteristics of unsubmitted cases and case processing decisions with the goal of supporting the creation of data-driven public policies (Monegan, 2017: 3).

Unsubmitted and untested sexual assault kits collected by Troopers have been identified. There are 764 unsubmitted kits of which 700 are victim kits and the focus of SAKI. The cases have been digitized, and by the summer of 2018 all kits will have been sent to a private lab out of state for testing.

“We are only focusing on kits collected by Troopers,” said Randi Breager, criminal justice planner for the Alaska State Crime Detection Laboratory. Breager is co-site coordinator for SAKI with Major Bryan Barlow. “This will serve as a pilot project for law enforcement statewide,” Breager added.

After DPS received SAKI funding, the Alaska State Legislature passed SB55, a bill requiring a statewide SAK inventory, a plan to address untested kits statewide and a plan to prevent a future backlog.

In November 2017, a statewide SAK inventory showed a total of 3,484 untested sexual assault kits, including untested DPS kits. The highest number of kits, 1,823, are held by the Anchorage Police Department.



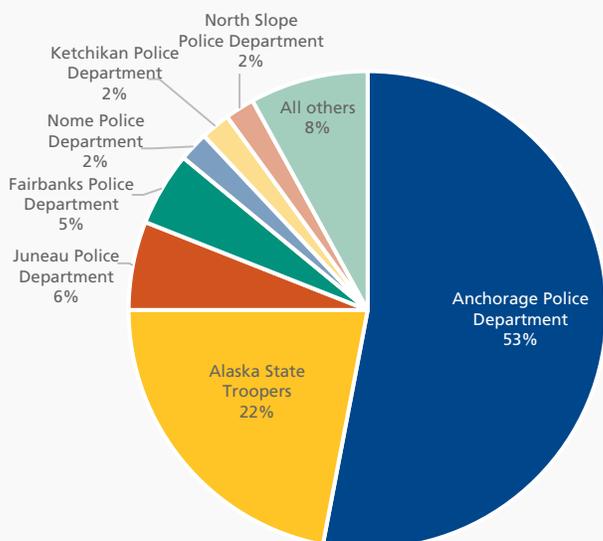
State of Alaska Sexual Assault Evidence Kit

► Alaska SAKI

In 2016, the Alaska Department of Public Safety (DPS) received a \$1.1M three-year SAKI grant to identify kits that had not been submitted to the crime lab for testing and, with the assistance of a group of statewide stakeholders/experts, develop victim-centered policies and procedures for processing. A second, \$450,000 grant in 2017 supports a prosecutor, cold case investigator, and UAA

Figure 1. Unsubmitted sexual assault kits by department

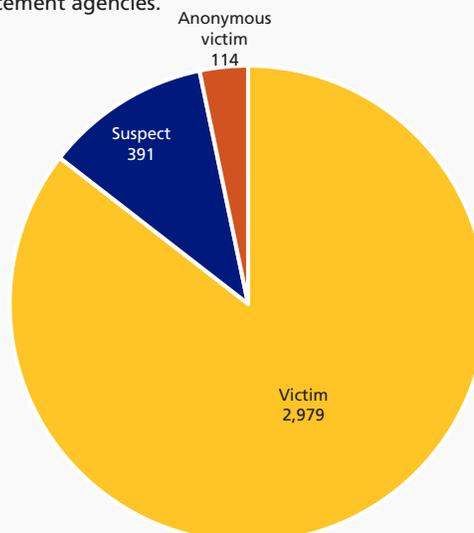
About 94% of sexual assault kits belonged to 7 agencies.



Source: Monegan, 2017 (Alaska Department of Public Safety)

Figure 2. Unsubmitted sexual assault kits by type

3,484 previously unsubmitted sexual assault kits were inventoried by 46 law enforcement agencies.



Source: Monegan, 2017 (Alaska Department of Public Safety)

Table 1. SAKI Working Group Members

Michelle Collins	Crime Lab	Forensic Biology Supervisor
Cheryl Duda	Crime Lab	DNA Technical Manager
Angie Ellis	North Slope Police Department	Forensic Nurse
Taylor Winston	Office of Victims' Rights	Executive Director
Keeley Olson	Standing Together Against Rape	Executive Director
Brad Myrstol	UAA Justice Center	Director
Bill Miller	Anchorage Police Department	Captain
Bryan Barlow	Alaska State Troopers	Major/Deputy Director
Michael Henry	Alaska State Troopers	Sergeant
Randi Breager	Crime Lab	Criminal Justice Planner
Barb Amarok	Bering Sea Women's Group	Executive Director
Debbie Demientieff	Alaska Native Tribal Health Consortium — Behavioral Health	Special Project Coordinator
Jenna Gruenstein	Department of Law	Assistant District Attorney
Meggie Reinholdt	Council on Domestic Violence & Sexual Assault	Program Coordinator
Allison Hanzawa	Department of Public Safety	Special Assistant to the Commissioner
Suki Miller	Office of the Governor	Policy Advisor/Building a Safer Alaska Coordinator
Patricia Liss	Alaska State Troopers	DVSA/SAKI Project Assistant

Figures 1 and 2 show the breakdown of unsubmitted SAK statewide and how many of them are identified victim kits as compared to offender or anonymous.

SAKI and the statewide project required under SB55 are parallel and will complement each other, according to Breager. Developing and implementing policy change is at the heart of both projects. “The expertise of our statewide working group, including a commander of the Anchorage Police Department, will guide the creation of a template that will be helpful for all,” Breager said.

► Why kits weren’t tested

Most kits in Alaska were not tested because it was determined that DNA evidence was not needed or not necessary for prosecution. This would result if a case were declined for prosecution, rested on an issue of consent, or had already been adjudicated. A kit could also have been collected outside the time frame (Monegan, 2017: 4).

Other reasons police may not have submitted a kit for testing could be because an offender had not yet been identified. Prior to the mid-1990s, when the Combined DNA Index System (CODIS) was established, police needed to have a reference sample from a suspect for comparison to the crime scene. Even after CODIS, police may not have submitted kits for testing because they did not think it would be useful.

Systemic issues such as budget cuts, lack of written policies and protocols for submission, and lack of training have also been cited (Bettinger-Lopez, 2016; Hanson, 2017).

► What’s happening now?

Alaska changed protocol in January 2018 requiring all newly collected SAKS be sent to the Alaska State Crime Detection Laboratory (SCDL) for testing or storage. If testing is not requested, an explanation will be required in writing.

Although there will be ongoing policy and protocol recommendations from Alaska SAKI, a final report is not due until June 2019. Challenges identified in the recent DPS report to the Alaska State Legislature include the availability of resources for systematizing collection, implementing a tracking system and retention of DNA and evidence throughout the state.

Decisions will also need to be made regarding the testing of additional untested kits identified throughout the state and not part of SAKI. Another question is whether Alaska will require *all* kits to be tested in the future.

Addressing untested kits and developing future protocols is complex. Through Alaska’s SAKI grant, DPS and its working group of experts and stakeholders are receiving training and assistance in establishing “effective and sustainable practices for collecting and processing forensic evidence,

investigating and prosecuting sexual assault cases, and supporting survivors of sexual assault” (www.sakitta.org).

Pamela Cravez is editor of the Alaska Justice Forum.

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