



# BJA

Bureau of Justice Assistance  
U.S. Department of Justice

# Fiscal Year 2016 National Sexual Assault Kit Initiative (SAKI)

Presented by Bureau of Justice Assistance



## SAKI 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 unsubmitted kits.**



# SAKI Overview

- The goal of the SAKI is the creation of a coordinated community response that ensures just resolution to these cases whenever possible through a victim-centered approach, as well as to build jurisdictions' capacity to prevent the development of conditions that could lead to high numbers of unsubmitted SAKs in the future.
- This holistic program provides jurisdictions with resources to address their unsubmitted SAK issue, including support to:
  - inventory, test, and track SAKs;
  - create and report performance metrics;
  - access necessary training to increase effectiveness in addressing the complex issues associated with these cases and engage in multidisciplinary policy development, implementation, and coordination;
  - and improve practices related to investigation, prosecution, and victim engagement and support in connection with evidence and cases resulting from the testing process.



# Overall SAKI Objectives

- Reduce the number of unsubmitted SAKs by implementing a comprehensive, multidisciplinary plan to inventory, test, and track unsubmitted SAKs through to final adjudication.
- Establish a multidisciplinary working group to identify the underlying factors that contribute to unsubmitted SAKs and devise a comprehensive plan to inventory, track, and maintain accountability for SAKs.
- Improve the investigation and prosecution of SAK cases through the adoption of improved protocols, technology, and management systems.
- Develop victim notification protocols and evaluate efficacy to enhance victim services and support victims of sexual assault.
- Increase collection of lawfully-owed offender DNA for CODIS upload purposes, that may lead to the identification of serious and serial sex offenders.



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## PURPOSE AREA 1

Comprehensive Approach to Unsubmitted Sexual Assault Kits.



# Eligibility Requirements

- Eligible applicants are **state, local, and tribal law enforcement agencies, prosecutor's offices, or a governmental non-law enforcement agency acting as fiscal agent for the applicant.**
- Joint applications are welcomed. HOWEVER, the lead applicant must be a law enforcement agency or prosecutors' office AND the entity with primary responsibility for administering the funding and managing the entire program.
- Applicants who previously received grant awards under FY2015 SAKI are eligible to apply for funding under both purpose areas included in this solicitation. However, such applicants will need to clearly justify the need for additional funding support and clearly detail how additional funding will enhance or expand their ability to address the issues associated with unsubmitted SAKs in their jurisdiction. FY 2015 SAKI grantee applicants must also summarize progress and deliverables achieved under their current SAKI grant to date.



## Award Details

- Anticipate funding approximately 15 awards.
- Up to \$2 million per grantee.
- 3-year award period beginning on October 1, 2015.
- No more than 50% of the funding is to be allocated for SAK testing.



# BJA SAKI Model

- BJA has implemented a national response model based on 3 main elements to address the issue of unsubmitted SAKs:
  - The performance of an inventory of all unsubmitted SAKs
  - The creation of a regularly convened multidisciplinary working group for each site
  - The designation of a “site coordinator” who will serve as the central point of contact for the site team
- **To qualify for SAKI funding, applicants must propose to implement a comprehensive sexual assault response program plan that includes all three elements of the BJA model.**



# Grantee Requirements

- Applicants will be required to track inventoried SAKs throughout the course of the award as part of their programmatic reporting requirements. Specifically, it will be expected that agencies will utilize an automated information technology system to track each SAK using an assigned unique identifier. The applicant must also identify the date upon which the state, tribe, or unit of local government would be barred by the applicable statute of limitations from prosecuting the offender.
- Applicants must clearly delineate the amount of funding requested for SAK testing and associated review and certification activities. As this grant program is intended to assist jurisdictions in developing a comprehensive approach to the issue of unsubmitted SAKs and sexual assault case response, **BJA does not anticipate funding projects that propose allocating more than 50 percent of their grant funds to SAK testing.**
- **State or local crime laboratories** can, and should, partner with the law enforcement agency or prosecutors' office that serves as the lead applicant, but **are not eligible to be lead applicants** for this award since the BJA funding is intended for comprehensive holistic approaches. Crime labs seeking funding solely for DNA backlog elimination resources are encouraged to apply for the applicable grants managed by the National Institute of Justice.



# Grantee Requirements

- Award recipients must, on a **monthly** basis, report to BJA the number of SAKs reviewed and catalogued by working group members, including local, state, federal, and tribal law enforcement partners.
- It is expected that the **inventory will be completed within the first 6 months** of the grant being awarded. SAKI grantees will also be encouraged to make their aggregate inventory and tracking data available to the public to increase the transparency of their SAK testing and disposition processes.
- Certification of having completed an inventory must be provided, and mechanisms for meeting the reporting requirements clearly established, before funding is released for the remainder of the project activities.



# Inventory Requirements

- BJA defines a completed formal inventory as one capturing the following information:
  1. Total number of sexual assault kits (SAKs) and locations where SAKs are currently stored
  2. Verification that all SAKs have been counted, not just particular categories of SAKs (e.g., those dating back a certain amount of time or housed in a particular agency (e.g., 10 years))
  3. And that where possible, the following information has been captured:
    - Time range of SAKs in site's possession (e.g., 02/12/1974–12/15/2013)
    - Age of victim at time of assault for each SAK
    - Date of offense and date of collection for each SAK
    - Identification of SAKs that are, or will soon be, affected by statute of limitations



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## Grantee Requirements

- The SAK working group must attempt to identify what contributed to, and continues to drive, the volume of unsubmitted SAKs, and work with all relevant entities to develop and implement new policies and procedures to combat the issues.
- SAKI grant recipients will be expected to identify and maintain consistent, experienced, and committed leadership of their sexual assault response reform initiative, and do so through the appointment of a dedicated site coordinator in accordance with the aforementioned model.
- To produce the deliverables outlined in the model, the SAKI working group must meet regularly and include representatives from all essential agencies, organizations, and individuals necessary to effect the reforms necessary to improve system response to sexual assault.



# What can Purpose Area 1 funds be used for?

- Performing a comprehensive inventory of unsubmitted SAKs and establishing the necessary policies and protocols to establish an all-inclusive SAK testing strategy.
- Testing of SAKs, to include outsourcing kits for testing and technical review of data/results, as well as tracking and reporting of performance metrics.
- Identifying the challenges related to outsourcing, technical review of data and CODIS uploads of results produced by private labs, and current in-house standard operating procedures that contribute to deficiencies in the DNA screening and testing process; and determining solutions to promote greater efficiency.
- Providing additional assistance that should include support for public labs' implementation of sustainable automated and streamlined SAK processing procedures to ensure long-term capacity and efficiency.
- Establishing a regularly convened multidisciplinary working group to identify the individual-level, organizational-level, and systemic factors that lead to high numbers of unsubmitted SAKs in the jurisdiction. Developing a comprehensive strategy to address the issue and to implement the elements of the comprehensive model for sexual assault response reform.



# What can Purpose Area 1 funds be used for?

- Supporting personnel costs, including hiring and overtime, to allow adequate follow-up for investigations and prosecutions that result from evidence related to testing SAKs. This may include the establishment of cold case or sexual assault investigation units, and the hiring of specialized victim advocates to engage in victim-centered notification, communication, and support activities.
- Purchasing of SAK/evidence-tracking systems, case management systems, or other technology (not including laboratory equipment) to enhance investigation/prosecution capacity in relation to these cases as part of a holistic approach, and training on the new systems.
- Training in relation to sexual assault evidence collection, DNA technology, victimization and trauma response, and other related topics to improve the quality and outcomes of sexual assault investigations and prosecutions.
- Developing evidence collection, retention, victim notification, and other protocols needed to optimize data sharing, case investigation, prosecution, and victim support.



# What can Purpose Area 1 funds be used for?

- Enhancing victim services and support for past and current victims of sexual assault, as well as providing mechanisms through which victims can easily access updated information about the status of their SAK or associated investigation and/or prosecution.
- Addressing the issue of expiration of statute of limitations on SAKs in their custody; testing protocols, investigation practices, and policies and procedures related to previously closed cases that are subsequently reopened as a result of new evidence obtained through the SAK testing process.
- Applicants should consult the OJP financial guide for more information regarding allowable expenses under OJP grant programs.



## **PURPOSE AREA 2**

Collection of Lawfully Owed DNA from Convicted Offenders to Assist with Sexual Assault Investigations and Prosecutions



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## Eligibility Requirements

- Applicants to this purpose area **must have received funding as lead applicants under the National SAKI FY 2015 Competitive Grant Announcement,**
- and must clearly **demonstrate that their jurisdiction has previously addressed, or is currently effectively addressing, the major issues associated with unsubmitted SAKs.**



## Award Details

- Anticipate funding 3 awards.
- Up to \$1 million per grantee.
- 3-year award period beginning on October 1, 2015.
- No more than 50% of the funding is to be allocated for Convicted Offender DNA testing.



## Purpose Area 2 Overview

- Purpose Area 2 is intended to improve SAKI sites' capacity to resolve cases associated with previously unsubmitted SAKs tested under Phase 1 of their SAKI project.
- As many practitioners and advocates are aware, DNA has not been collected from potentially thousands of convicted offenders across the United States (including sex offenders) due to the lack of coordinated DNA collections in some jurisdictions, as well as the frequent inability for rural and smaller municipalities to collect samples from offenders during booking/processing.
- This directly impacts law enforcement's ability to solve sexual assault cases (and other crimes) using DNA.



## Purpose Area 2 Overview

- One of the key components of SAKI is the successful investigation, suspect identification, and prosecution of the cases associated with the unsubmitted SAKs.
- CODIS is an extremely valuable tool for solving crimes but only if it is properly utilized and populated.
- In order to take full advantage of the power of DNA technology to solve cases resulting from the tested evidence in previously untested SAKs and provide long-awaited justice for sexual assault victims, FY 2015 SAKI-funded jurisdictions are encouraged to increase their likelihood of receiving CODIS Hits by expanding the number of convicted offender samples in the database.



# Grantee Requirements

- The applicant must designate a specific individual as the **SAKI Offender DNA Collection Coordinator** and describe how this individual will work with the existing SAKI working group to ensure coordination of efforts, plan and perform DNA collections from convicted offenders to inform investigations and prosecutions of cases resulting from evidence provided by previously unsubmitted SAKs, and access criminal records and other sensitive law enforcement records.
- The Offender DNA Collection Coordinator will be responsible for overseeing all aspects of the project, including the census of convicted offenders; coordination with SAKI investigators to prioritize offender DNA collections; coordination of offender DNA testing and CODIS upload; monitoring law enforcement agencies' adherence to protocol(s) related to victim notification; coordinating victim services, tracking status of CODIS Hits and subsequent investigations and prosecutions that result; and reporting performance measures to BJA.



# Grantee Requirements

- DNA collection must be targeted toward offenders who have a likelihood of being linked to cases associated with the jurisdiction's previously unsubmitted SAKs.
  - For example, such offenders may have prior convictions for sex offenses or may have sex-related crimes documented in their criminal history.
- Upon completing the census of convicted offenders from whom DNA has not been collected, grantees should review each offender's criminal history and prioritize collection from any offenders previously arrested, convicted or the subject of investigation for crimes related to sexual assault.
- The goal of this purpose area is to enable the appropriate law enforcement and correctional authorities in existing SAKI sites to plan and implement coordinated DNA collections of lawfully owed samples, testing, and CODIS uploads in accordance with applicable state law and for the purpose of resolving sexual assault cases associated with previously unsubmitted SAKs.



# Grantee Requirements

- **Census of Convicted Offenders:** Applicants must commit to the performance of a census to identify eligible convicted offenders who could be linked with the jurisdiction's previously unsubmitted SAKs and who should have samples in CODIS, but from whom samples have never been collected or submitted to a lab for testing.
- Collection of DNA from offenders under the SAKI program must be done in accordance with state law, and grantees must identify an attorney from the Attorney General's Office, District Attorney's office, or Criminal Justice Agency familiar with the state's DNA collection laws to provide legal advice for the Phase 2 project.
- Applicants must describe any existing protocols, or describe plans for developing a protocol, for: notifying victims if and when lawfully owed DNA collected from convicted offenders identifies a potential suspect or links their case to others, and providing support and services to victims.



# What can Purpose Area 2 funds be used for?

- Complete a census and develop a comprehensive list of convicted offenders who should have DNA in CODIS (in accordance with state law).
- Develop policies and procedures for lawfully owed DNA collections, as well as additional policies and procedures to ensure that qualifying offenders in their jurisdiction have their DNA collected and uploaded to CODIS in the future.
- Collect, test, and upload to CODIS, lawfully owed DNA samples from those convicted offenders who are confirmed as not in CODIS and who could be connected with the applicant's unsubmitted and untested SAKs, including offenders currently incarcerated, collection from parolees, and testing of autopsy samples and exhumations as needed for deceased offenders (with proper court orders/authorizations).
- Support of training, travel, and overtime for relevant personnel related to the collection and testing of offender DNA samples. For example, such costs might include those associated with travel to prisons throughout the state, or travel to collect DNA from parolees.
- Support modification of SAKI evidence tracking system for offender samples collected under Purpose Area 2.



# Application Guidance

- The solicitation is open through 11:59 p.m. eastern time on April 26, 2016.
- Applications must be submitted via [grants.gov](http://grants.gov), and applicants must register with [grants.gov](http://grants.gov) prior to submission.
- All applications will be subject to review by external and internal subject matter experts.
- Program narratives should not to exceed 15 pages.
- Applicants should review selection criteria as outlined on pages 32-35 of the solicitation.



# SAKI Training and Technical Assistance (TTA)

- The SAKI TTA provider, Research Triangle International (RTI), provides customized TTA to meet the needs of each SAKI site:
  - Multidisciplinary response: Effective practices, including creating and maintaining a sustainable SART.
  - Understanding DNA analysis, prioritizing cold case evidence, evidence tracking
  - Guidance on investigative steps after a CODIS hit, writing policy and procedure on investigative standards, collecting and handling evidence, managing investigations and case information.
  - Overcoming challenges associated with cold case prosecutions, training on witness preparation and questioning, and presenting sexual assault evidence at trial.
  - Identifying needs, gaps, and challenges in the local SANE program and identifying the role of a SANE in sexual assault cases.
  - Support and training regarding victim notification policy, advocacy training programs, and the roles and responsibilities of the victim advocate.



# Resources

- Frequently Asked Questions (FAQs) should be available online by **Friday March 11<sup>th</sup>**.
- For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035, or via e-mail to [support@grants.gov](mailto:support@grants.gov).
- For assistance with any other requirement of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 1-800-851-3420; via TTY at 301-240-6310 (hearing impaired only); email at [responsecenter@ncjrs.gov](mailto:responsecenter@ncjrs.gov); fax at 301-240-5830; or web chat at <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>.



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# Moderated Q & A