

# Setting a Foundation for Sustainability in Sexual Assault Response Reform

## SAKI Goals as a Foundation for Sustainability

The Bureau of Justice Assistance (BJA) National Sexual Assault Kit Initiative (SAKI) program has several goals to address to help create an improved, multidisciplinary response to sexual assault and violent crime. These goals are designed to assist SAKI grantees with establishing sustainable policies, practices, and methodologies that address the root causes associated with an accumulation of unsubmitted sexual assault kits (SAKs), provide resources and support to survivors, and create effective strategies for a just resolution to sexual assault cases. A SAKI Site Coordinator plays a critical role in guiding a multidisciplinary team (MDT) in achieving goals associated with creating sustainable approaches for the timely submission and testing of SAKs; trauma-informed, victim-centered engagement with survivors; and effective investigative and prosecutorial strategies for these challenging cases. This document provides an overview of several policies the MDT should consider when addressing an overall sustainable response to sexual assault. The SAKI Site Coordinator should facilitate MDT discussions and assist with determining how the MDT will create policies and practices aligned with national SAKI recommendations and best practices.

## Policies to Prevent Accumulation of Unsubmitted SAKs

The timely submission and testing of SAKs is a premier factor in preventing SAK accumulation, supporting effective investigations, and demonstrating to the community that addressing sexual assault and violent crime will be prioritized. If legislation is not currently in place to address the submission and testing of SAKs, the MDT should discuss with relevant partners how such legislation could be introduced. Even with legislation in place, continuing education on the value of timely testing of SAKs should be provided to all relevant disciplines, and a process for regular audits of SAKs in the possession of relevant agencies should be in place. Lastly, a primary factor for delays in submission and testing of SAKs is limited resources. The MDT should discuss with relevant partners plausible solutions to address limited resources, including securing sustainable

funding. Suggested policies the MDT should create to prevent a future accumulation of unsubmitted SAKs include but are not limited to policies for the timely and effective submission of SAKs to the crime laboratory for testing; effective and strategic SAK testing plans; and periodic audit of SAK storage, location, and status.

## Policies for Evidence Retention and Evidence Tracking

Effective evidence retention policies ensure the security of evidence for testing, including future testing as technology advances and post-conviction testing. Evidence retention policies should preserve sexual assault evidence in alignment with the statute of limitations, other legislation, or national recommendations, whichever is the longest. In addition, evidence retention policies should be victim-centered and consider the ability for survivors to engage in the criminal justice system at a later date. Monitoring the controlled retention of evidence can be achieved through an evidence tracking system. In addition to tracking the storage and location of evidence, ideally, the evidence tracking system should also include the ability to track SAKs through the testing process, be accessible by both investigators and prosecutors, and be victim-centered by incorporating a methodology for survivors to check the status of their SAK if desired. Suggested actions to effectively address SAK evidence retention, storage, and tracking include reviewing current evidence retention and tracking policies and modifying as necessary to ensure sexual assault evidence is preserved in alignment with statutes and future testing options.

## Policies to Enhance Victim Services and Engagement

Trauma-informed, victim-centered engagement strategies assist survivors with receiving the support and resources they may need to continue their healing journey, provide the opportunity for survivors to choose to re-engage with the criminal justice system, and send a positive message to the community that the safety and well-being of survivors is valued. The MDT should create policies for the continued support of trauma-informed, victim-centered survivor

engagement including ensuring that all survivors are kept informed of the status of their case, if they choose to be. Such information may include SAK testing updates, SAK storage information, information of the investigative or prosecutorial decisions, and access to advocacy resources.

## Policies for Case Entry into the Violent Criminal Apprehension Program

The Violent Criminal Apprehension Program (ViCAP) of the Federal Bureau of Investigation is a powerful resource for the analysis of serial violent crime including sexual assaults. SAKI sites are required to enter qualifying cases into ViCAP, and the SAKI MDT should ensure policies and resources exist for the continuation of timely entry of case data into ViCAP, including the ability to perform routine searches of the database and support investigative follow-up of generated leads.

## Policies to Ensure Discipline Specific Continuing Education and Training

Sexual assault cases are complex and require specific training and continuing education for law enforcement investigators, prosecutors, and advocates to address the intricacies of these cases while maintaining a trauma-informed, victim-centered approach with survivors that prioritizes survivor safety and well-being. Policies supporting training and education should ensure materials align with current national recommendations and best practices; focus on trauma-informed, victim-centered interviewing with survivors; develop litigation and trial skills that emphasize victim-centered, offender-focused strategies; and define the role of advocacy during the forensic exam, investigation, and prosecution phases.

## Policies to Support the Continuation of an MDT

The MDT approach is a national recommendation for an improved response to sexual assault and violent crime. Policies that support the continuation of the MDT beyond the SAKI project award period should establish a regular cadence of meetings; ensure adequate representation from relevant disciplines; include a system for the review and

derivation of policies to ensure alignment with the latest evidence-based recommendations; and create a process for case reviews to inform decisions for testing, investigation, and prosecution strategies. The MDT should also consider a process to reassess goals and objectives and identify continued support for a holistic response to sexual assault.

## Conclusion

The SAKI Site Coordinator role is integral to the success of the SAKI site program, the MDT, and the ability to create an improved response to sexual assault. Regardless of how long a SAKI site has been in the program, the SAKI Site Coordinator should work closely with the MDT on the derivation of policy and practice that not only aligns to national recommendations and best practices but also considers what is needed to ensure the sustainability of an improved response to sexual assault after exiting the SAKI program. Although this document focuses specifically on the major milestone goals of the SAKI program integral to creating a foundation for a sustainable response to sexual assault, additional information that may be helpful can be found in the following resources: *Key Considerations for Maintaining a Multidisciplinary Team, Developing SAKI Goals and Objectives, Developing a SAKI Site Coordinator Transition Plan, and Unsubmitted Sexual Assault Kits: Navigating the Process from Inventory to Adjudication*. Lastly, at the appropriate time, the SAKI Site Coordinator should encourage the MDT to pursue applying for BJA SAKI Purpose Area 5: Developing and Implementing a Sustainability Plan,<sup>1</sup> which provides funding to support the development and implementation of policies associated with implementing a sustainability plan.

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<sup>1</sup> Bureau of Justice Assistance (2022). *National Sexual Assault Kit Initiative (SAKI): Overview*. Office of Justice Programs, U.S. Department of Justice. <https://bja.ojp.gov/program/saki/overview>

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