

# Conducting a Sexual Assault Kit Inventory

**The information in this brief applies to cold case sexual assaults as well as current case sexual assaults. Mentions of sexual assault apply to both types of sexual assault cases.**

One of the requirements of the Bureau of Justice Assistance (BJA) National Sexual Assault Kit Initiative (SAKI) is that each agency complete an inventory of SAKs within its jurisdiction (e.g., state, county). BJA defines a completed inventory as a census of all unsubmitted SAKs. It is important to note that the methods used should result in a full accounting of all unsubmitted and untested SAKs to address both cold and current cases. An inventory that relies only on a survey-based approach is not sufficient. For example, a survey of law enforcement agencies to gather estimated counts of unsubmitted and untested SAKs is not an effective and accurate method for conducting an inventory.

As part of the inventory process, agencies are strongly encouraged to record the following:

1. Total number of 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)
3. A written summary of the process used to conduct the inventory
4. Specific types of information (e.g., victim name, offense data) associated with each SAK that may be important for submission strategies, such as ensuring meeting statute of limitations (SOL) requirements.

We recognize that agencies may vary regarding the best methods for completing their inventory of previously unsubmitted/untested SAKs; nevertheless, agencies are encouraged to use the following guidance to build a foundation for successfully completing their inventory of unsubmitted/untested SAKs.

## Recommended Inventory Requirements

As you complete your inventory, please consider recording the following:

- ◆ Date ranges for which SAKs have been in the agency's possession, listing the oldest SAK received through the most recent

- ◆ Age of the victim at the time of the assault
- ◆ Date of the offense
- ◆ Date of SAK collection
- ◆ Law enforcement incident number (or any other unique identifiers)
- ◆ Identification of SAKs that may soon be affected by SOL.\*

In your inventory, it is important to capture SAKs that have *never* been submitted to the crime laboratory for testing. SAKs that were submitted to the crime laboratory but that received serology-only testing, or that were previously tested for DNA with antiquated technology (e.g., Restriction Fragment Length Polymorphism or DQAlpha) that prevented upload into the Combined DNA Index System, are considered partially tested. These types of partially tested SAKs may hold valuable forensic evidence for sexual assault cases. Thus, SAKI strongly encourages agencies to document and develop collection and analysis plans for these SAKs.

## Conducting an Inventory of Previously Unsubmitted/Untested SAKs

The following pages list the recommended steps for agencies in planning for and carrying out a successful SAK inventory.

### 1. Determine who should be in charge of conducting the SAK inventory.

This responsibility varies for different jurisdictions, and in some cases the responsibility may fall to law enforcement or, in others, to prosecution. For example, in Detroit, Michigan, this task was led by the prosecutor's office staff while under observation by police property personnel. In other jurisdictions, the inventory process has been led by law enforcement with assistance from prosecutors and other partners.

\*Applies to cold case sexual assaults only.

## 2. Determine whether the inventory can be completed electronically or if it must be conducted manually.

In some instances, an electronic system—such as a police property database—can be used to conduct the inventory. The database could be used to track information—such as the evidence tag number, case number, victim name, incident data, collection data, and name of original officer in charge of the case. If a database or another information system is not available, then a manual count will have to be used to conduct the inventory.

### Additional Information for Manually Conducted Inventories

A manual count of the SAKs will likely require the effort of a number of individuals. One recommendation is that a project coordinator develop a staffing plan that would describe the staff involved (e.g., prosecutor office personnel and volunteers). In some instances, law enforcement may have concerns about non-law enforcement personnel entering the police property room to count SAKs. If this is the case, consider bringing out and counting the SAKs in batches in a secure room within the law enforcement building, while ensuring that the process is conducted under strict supervision of police property personnel. Other strategies may also be developed to address this issue.

## 3. Determine if all of the SAKs are located in one physical location or if multiple locations must be inventoried to provide an accurate census.

Diverse stakeholders should be consulted to determine where unsubmitted/untested SAKs could be stored. One key consideration is that SAKs may have been stored in facilities outside of the law enforcement agency's main property room—such as hospitals, rape crisis centers, clinics, or off-site property storage facilities. Even within law enforcement, SAKs may be stored in an off-site property storage facility in some instances and other SAKs may be stored in the main property room in police headquarters.

## 4. Develop a plan for the logistics of the inventory process to ensure that all SAKs are counted only once.

One recommendation is that a project coordinator create a labeling system so that, when a SAK is counted, it is marked appropriately and documented.

View our SAKI TTA webinar focused on strategies and considerations when conducting an inventory of unsubmitted SAKs. Representatives from the Iowa Department of Justice, Cuyahoga County Prosecutor's Office (Ohio), and City of Portland (Oregon) Police Bureau presented at this webinar; all three agencies are SAKI grantees and have started or completed their own inventory of unsubmitted SAKs. Each agency gave a short presentation describing their inventory process, lessons learned, and challenges to successfully completing their unsubmitted SAK inventory.

For the best webinar viewing experience, please use the preferred browser based on your computer platform. The preferred browser for personal computers (PCs) is Internet Explorer; the preferred browser for Macs is Chrome.

[View the "Summing Up Sexual Assault Kits" webinar](#)

## 5. Identify the type of information that can be extracted from the outside of the SAK to provide more details about the SAK contents and case.

Consider recording the following:

- ◆ Date ranges for which SAKs have been in the agency's possession, listing the oldest SAK received through the most recent
- ◆ Age of the victim at the time of the assault
- ◆ Date of the offense
- ◆ Date of SAK collection
- ◆ Law enforcement incident number (or any other unique identifiers)
- ◆ Identification of SAKs that may soon be affected by SOL.\*

Agencies should also record additional information as available and appropriate to their SAK testing strategy.

It should be noted that the information collected should pertain only to the information on the outside of the SAK or in an electronic database. If paperwork regarding additional information about the SAK is inside the kit, it cannot be accessed during the inventory process. It may be necessary to gather police reports associated with the unsubmitted SAKs in order to gather these data elements. Each multidisciplinary team should discuss the level of staff time and effort necessary to coordinate with law enforcement agencies and to pull police reports.

## 6. Develop a process to determine the current status of each SAK—specifically, whether the SAK had been submitted to a forensic crime laboratory for testing and returned and if the case corresponding to the SAK had been adjudicated.

If an electronic file or database is available that describes the status of the SAK, then it should be used for collecting more information about the SAK status. Alternatively, if this is not available, then this step may involve a review of the police records corresponding to each SAK, as these records may contain more information on the case. Police records may also have documentation from the medical provider or crime laboratory indicating whether a SAK had been submitted for testing.

## 7. Develop a process for maintaining and tracking information collected during the SAK inventory.

We recommend that the project coordinator create some type of database or electronic spreadsheet for tracking the information collected during the inventory. In addition to the data elements listed in Step 5, the tracking information should include details about the personnel who recorded the SAK information and the date the information was recorded. For more information, please refer to *Implementing an Evidence Tracking System: Key Considerations for Managing Critical Information*.

## Statewide Jurisdictions

The SAKI TTA Team recognizes that completing a statewide inventory of previously unsubmitted SAKs has unique challenges and considerations. Conducting a statewide inventory is complicated by geographic scale, and the SAKI TTA Team encourages these agencies to focus on their methodology. One proven method to conducting a statewide inventory is to separate the state into geographical regions and proceed region by region in a “phased” approach. This approach helps statewide agencies ensure that each local agency has been accounted for and also provides a template for more effectively tracking the inventory.