Implementing an Evidence Tracking System:
Key Considerations for Managing Critical Information

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.

This resource provides an overview and key considerations for jurisdictions interested in using evidence tracking systems (ETSs) for sexual assault kit (SAK) evidence. Research indicates that most U.S. law enforcement agencies do not currently have computerized systems to track SAK evidence within their agencies, much less from the point of SAK collection through adjudication.[1]

ETSs allow jurisdictions to record, catalog, and track evidence as a case proceeds through the criminal justice system; these systems also support successful investigations and prosecutions. ETSs designed to manage SAK evidence give jurisdictions the ability to manage and track the status of SAKs—including evidence storage, testing, and transport. Some SAK ETSs also provide investigators with the ability to capture additional offender behavioral and *modus operandi* (MO) data that can assist them with future investigations and statistical inquiries within their departments.

ETSs can manage SAK inventory at the agency level or from a more traditional chain of custody view that details every step of the evidence process; your agency's decision makers must determine how to manage SAK inventory.

Implementing an effective SAK ETS is a mandatory and critical objective of the National Sexual Assault Kit Initiative (SAKI) and a national recommendation for sexual assault response reform. Using an ETS can increase standardization, efficiency, and accountability in SAK evidence processing—thereby preventing the accumulation of unsubmitted kits.[2,3,4] Effective ETSs allow key stakeholders—including investigators; crime laboratories; prosecutors; and, in some instances, victims—the ability to share information about investigations and evidence efficiently, which helps mitigate communication problems at the system level.[5]

SAKI Webinar: Evidence Tracking Systems
More information on evidence tracking systems implemented by SAKI sites can be found in the SAKI webinar "SAK Evidence Tracking: Features & Considerations."[6]

ETSs: The Basics

Why is having one important?

An ETS is key to a jurisdiction's efforts for SAK evidence reform because the ETS provides a mechanism for issues critical for reform, including

- establishing evidence tracking, case management, and victim notification mechanisms;
- enhancing a jurisdiction's ability to manage and monitor the progress of SAKs through the evidence collection and testing processes;
- delivering enhanced case statistical reporting not normally available within a police records management system (RMS);
- enhancing case management capabilities that assist in case assignment, tiered supervisory review, and electronic case tracking; and
- providing victims with access to information about the status of their case.

What does an ETS do?

From a functional perspective, an ETS improves a jurisdiction's ability to accomplish the following:

- **Collect/catalog key information.** Collecting critical data elements about SAK evidence is fundamental to a jurisdiction's ability to prevent overlooked evidence. An ETS should collect the following types of data:
  - **Unique item identification**—description of item, unique number identifier
  - **Location**—location of item in property/evidence storage room or other external location(s)—such as court, a crime laboratory, or another investigative agency; location (e.g., shelf number or bin) where evidence is stored; and date/time/identity of person who stored the evidence

- **Data elements unique to sexual assault investigations**—offender MO and unique crime elements not typically stored in specific data elements within an RMS

  - Refer to the *SAKI Evidence Tracking: Recommendations for Minimum Data Elements* brief for more information about the minimum data elements all ETSs should capture.

- **Track/audit.** The monitoring and accounting of SAKs through the chain of custody—which is the course/path of a SAK's movement from collection through final disposition. Tracked information includes date and time, and the identity of

  - individuals who have collected evidence,

  - person who submitted the evidence,

  - property/evidence custodian who accepted/received the evidence,

  - person(s) to whom the evidence was released,

  - person(s) who returned the evidence, and/or

  - any person(s) in possession of the evidence at the scene and during transport.

- **Report.** The task of delivering a written, detailed report to the appropriate entity within the prescribed timeframe and with the applicable data provided.

- **Inventory.** A detailed and descriptive list of articles or items containing information that includes item identifiers, quantity, and location.

Technical Implementation Considerations

ETSs vary in their complexity and capabilities, which affect a system's cost and supportability. Consider the following implementation issues:

- **System type (e.g., single or multi-jurisdictional system).** An ETS can be implemented within a municipal site, as well as within systems set up to track evidence across an entire state. Setting up an ETS across multiple sites can bring additional challenges with coordinating across multiple agencies and jurisdictions, often within a voluntary participation framework.

  - **Building or buying.** Jurisdictions can build a custom (i.e., in-house) ETS as other jurisdictions have done or decide to purchase a commercial off-the-shelf ETS. Refer to the *Implementing an Evidence Tracking System: Key Considerations for Buy Versus Build* brief for additional details about comparing the two options.

- **Installation.** ETSs can be installed on a standalone computer, your jurisdiction's network, or a cloud-based system hosted by the vendor/service provider; ensure that ETS setup/installation is compliant with the Criminal Justice Information Services' requirements.

- **Support.** Evaluate the level of IT support and infrastructure the system requires.

- **Cost.** Your jurisdiction should understand the costs—for implementation as well as ongoing maintenance and support—for the type of system you are considering.

Recommendations for Getting Started

As your jurisdiction considers and begins planning for an ETS, a number of critical steps should be taken to determine the system's capabilities, functionality, and oversight. These include the following recommendations:

- Establish or convene an existing multi-agency working group. Effective SAK evidence tracking cannot be seen as just a priority for law enforcement or the crime laboratory; effective tracking should incorporate all stages of SAK processing.

  - Which law enforcement, prosecution, forensic laboratory, and victim advocacy stakeholders from your jurisdiction are important to include so that everyone can have input from the start about the ETS's functionality?

- Educate and make all relevant stakeholders—agency heads, legislators, advocacy groups, and community leaders—aware of the effort to purchase an ETS and provide a business case for why the system is needed.

  - What message around SAK tracking is key to each of these groups?

- Establish key definitions (e.g., untested SAK, audit) for the jurisdiction that are relevant to the ETS function and purpose.

  - What do key terms used as part of the ETS mean?

  - What does a count of SAKs from the system represent?

- Define when to start tracking each SAK and discuss what needs to happen to ensure all collected SAKs will be tracked.

  - Will tracking start at the point of SAK collection at the medical facility? If not, what will be the starting point for tracking?

- How can you ensure that all collected SAKs will be tracked?

◆ Understand the IT capabilities and setup in your jurisdiction, and any issues that must be addressed.

- Are IT resources managed by another entity within your jurisdiction and outside of your direct control?

◆ Determine the scope of your system.

- Will it be a statewide ETS due to a state mandate?
- Is the system local or regional?
- Will it be standalone within a single agency?
- Will it track the status of the SAK from point of collection through adjudication and victim notification?

◆ Define who will be the system's primary users and who else will have access.

- Who needs access?
- Will there be varying levels of user access/permissions? Will everyone have the same access?
- Who will enter information?
- How will investigators enter and utilize the data?

◆ Ensure that confidentiality of victim information will be addressed as the system is implemented.

- How will victims be protected but also be able to access information about the status of their case?

◆ Discuss how regular system audits will be conducted.

- How will the systems be validated and checked routinely?
- Who will perform these routine system audits?

◆ Document system operations within a memorandum of understanding and translate into approved policy within each participating agency.

References:

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4. Ballou, S., Bamberger, P. S., Brown, L., Brown, R., Burney, Y., Davenport, D., DePalma, L., et al. (2013, April). The Biological Preservation Evidence Handbook: Best Practices for Evidence Handlers. [Technical Working Group on Biological Evidence Preservation]. National Institute of Standards and National Institute of Justice. Retrieved from https://www.nist.gov/sites/default/files/documents/forensics/NIST-IR-7928.pdf

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6. Michigan State Police, the City of Portland Police Bureau, & Markey, J. (n.d.). Sexual Assault Kit (SAK) Evidence Tracking: Features & Key Considerations. [Sexual Assault Kit Initiative Training and Technical Assistance Webinar]. Retrieved from the SAKI website, https://sakitta.org/.