Kansas SAKI Research:

Testing Priorities & CODIS Hit Follow-up

September 26, 2017

Goals and Objectives

- Identify interconnected and co-occurring offenses committed by sexual assault suspects.

- Utilize criminal history demographics to identify suspects posing a high risk to public safety and develop a testing prioritization model.

- Provide resources and examples to assist local agencies with CODIS hit case review and victim notification.

- Discuss the underlying factors that have contributed to the accumulation of unsubmitted SAKs.

Presentation Overview

- Overview of the Kansas SAKI project

- Testing Prioritization Using Suspect Criminal History

- CODIS Hit Packets for Law Enforcement

- Victim Notification

- Underlying Factors Contributing to SAK Accumulation

State of Kansas

3,000,000 citizens

105 Counties

400 Law Enforcement Agencies

Kansas Bureau of Investigation

Mission:

To provide professional investigative, laboratory, and criminal justice information services to the Kansas criminal justice agencies for the purpose of promoting public safety and preventing crime in Kansas.

Kansas SAKI Multidisciplinary Working Group

Success depends on involvement of agency **Policy Makers** *and* **Practitioners**

SAKI Project Methodology

383 LE Agencies Surveyed

2,220 SAKs Identified

86 Law Enforcement Agencies

12 Agency Pilot:

496 SAKs – Test All

Law Enforcement
Prosecution
Laboratory Results
SAFE Exam
Suspect Information

Evidence-based Recommendations

Remaining Inventory

Future SAK Submission

Testing Prioritization Using Suspect Criminal History

Creating an offender-focused response to SAKI cases while emphasizing public safety

Considering Criminal History Demographics

Prior research – Dr. David Lisak

- 58% of repeat rapists committed other acts of interpersonal violence including[1]:
  - Non-penetrating acts of sexual assault
  - Physical/sexual abuse of children
- Battery of domestic partners
- Repeat Rapists committed an average of 13.75 acts of violence and an average of 6 rapes[1]
- Tendency of sex offenders to be "non-specialists" who offend against different age groups and classes of victims[2]

1. Lisak, D. & Miller, P.M. (2002). Repeat Rape and Multiple Offending Among Undetected Rapists, Violence and Victims, Vol. 17, No. 1.

2. Lisak, D. Understanding the Predatory Nature of Sexual Violence

Tracking Suspects' Criminal History*

Scored Other Violent Offenses

- Agg/Battery
- Agg/Assault
- Burglary/Robbery
- Stalking
- Kidnapping
- Criminal Restraint
- Att/Murder
- Agg/Arson

- Domestic Violence
- Criminal Threat
- Disorderly Conduct
- Violation of Protection Order
- Harassment
- Weapons Violations
- Battery/Assault on a LEO

Scored Sexual Offenses

- Att/Rape
- Att/Sodomy
- Agg/Indecent Liberties
- Sexual Battery/Assault
- Agg/Incest
- Indecent Exposure

- Unlawful Voluntary Sexual Relations
- Exploitation
- Solicitation
- Obscene Materials
- Sex Offense

*Includes if a suspect is named in offense report, arrested, or convicted

Suspects' Criminal History Breakdown

439*

- Cross-sectional Test-all Sample

- Victim-Identified Suspects

274

143

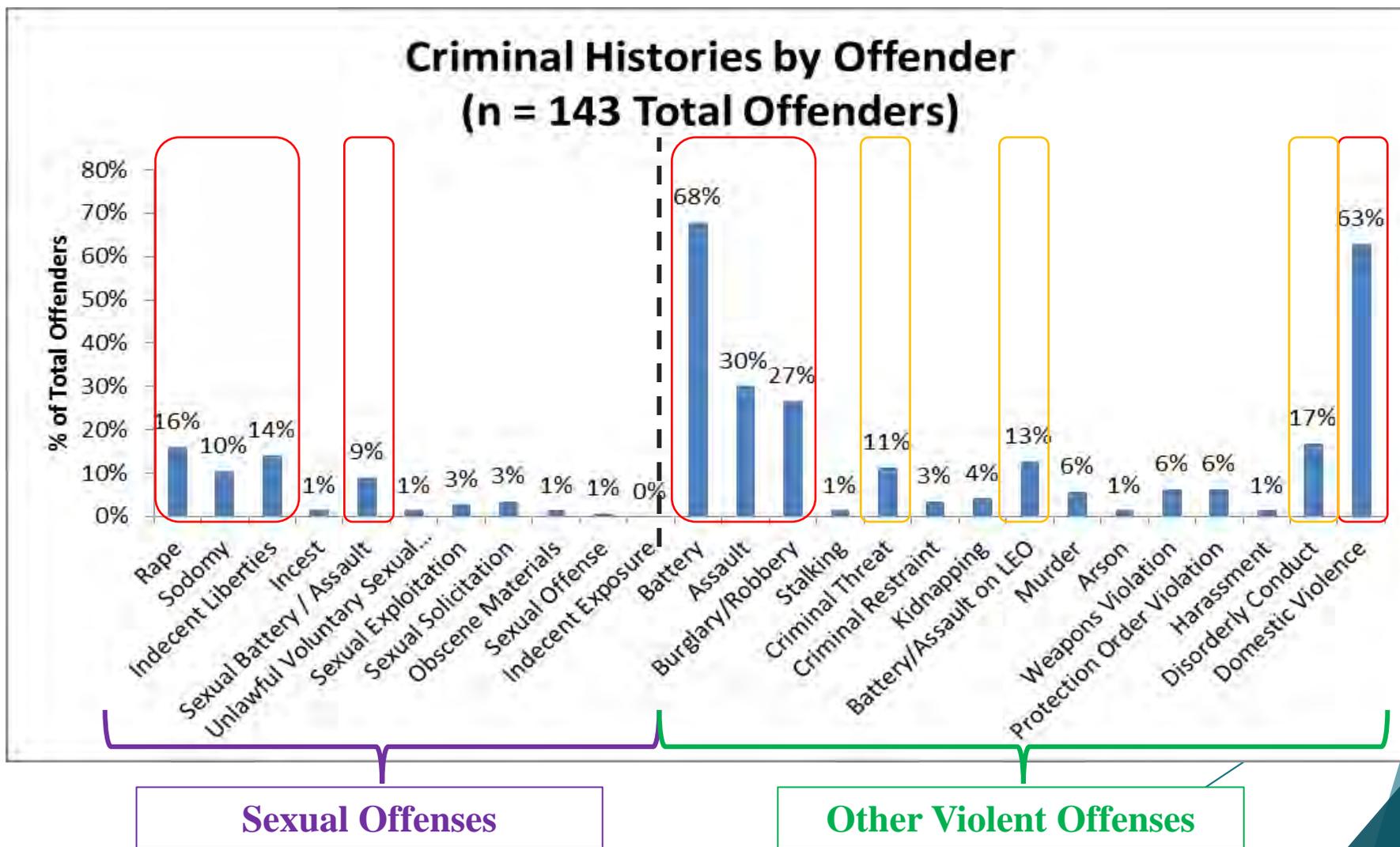- Victim-Identified Suspects w/ Criminal History

*Originally anticipated 496 SAKs in the cross-sectional sample, but only received 439 SAKs from the pilot agencies

Criminal History Demographic Analysis Sexual and Violent Offenses

Criminal History Demographic Analysis "Prior" and "Post" SAK Offenses

- 55% - only prior offenses

- 16% - only post offenses

- 29% - prior & post offenses

- 93% - Other Violent offense
  - 4.5 offenses/offender prior
  - 3.2 offenses/offender post

- 38% - Other Sexual offense
  - 2.1 offenses/offender prior
  - 3.9 offenses/offender post

Criminal History Demographics (n=143 Offenders)

Post & Prior Offenses 42 29%

Only Post Offenses 22 16%

Only Prior Offenses 79 55%
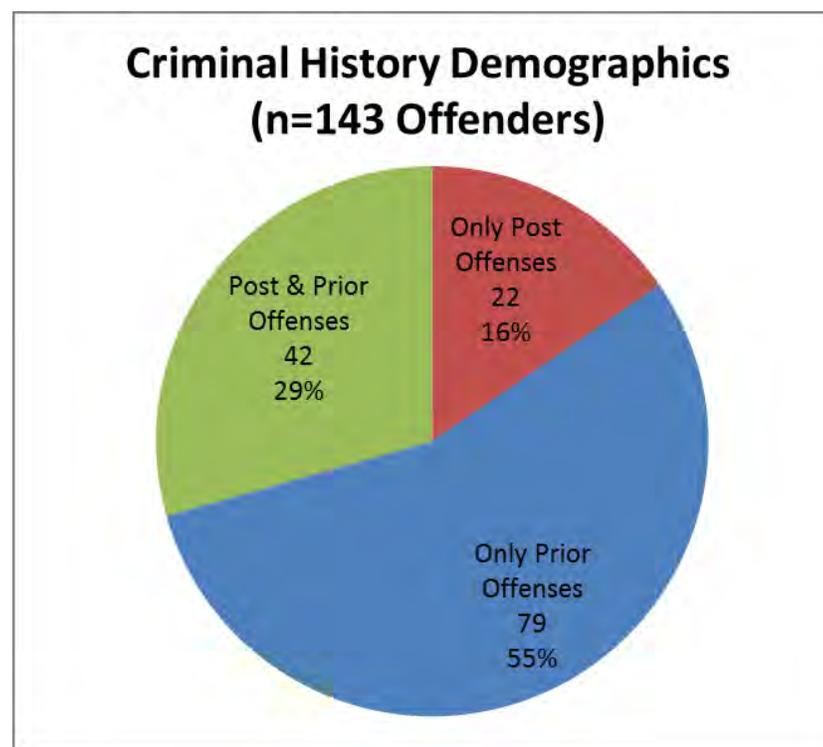
Serial Sexual Offenders*

Suspects who committed 2 or more of the listed offenses.

Suspects committing Att/Rape, Att/Sodomy, Agg/Indecent Liberties and/or Sexual Battery/Assault

(32% of all victim-identified suspects)

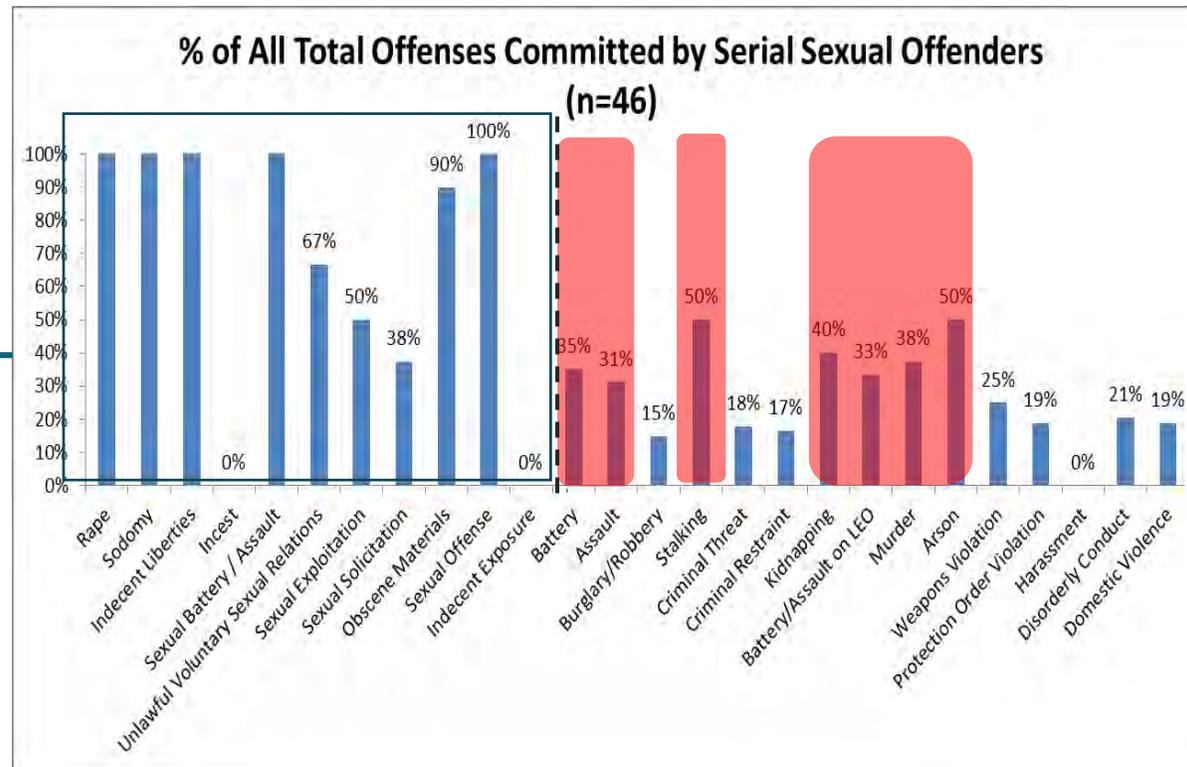Accounts for:

- 38% of all total offenses
- 90% of all sexual offenses
- 26% of all other violent offenses

% of All Total Offenses Committed by Serial Sexual Offenders (n=46)

High Frequency Offenders*

Suspects who committed 10 or more of the scored offenses, not including the SAKI related case.

Suspects committing 10+ additional sexual and/or violent offenses

(14% of all victim-identified suspects)

Accounts for:

- 48% of all total offenses

- 35% of all sexual offenses

- 51% of all other violent offenses

% Of All Total Offenses Committed by Offenders w/ 10+ Offenses (n=21)
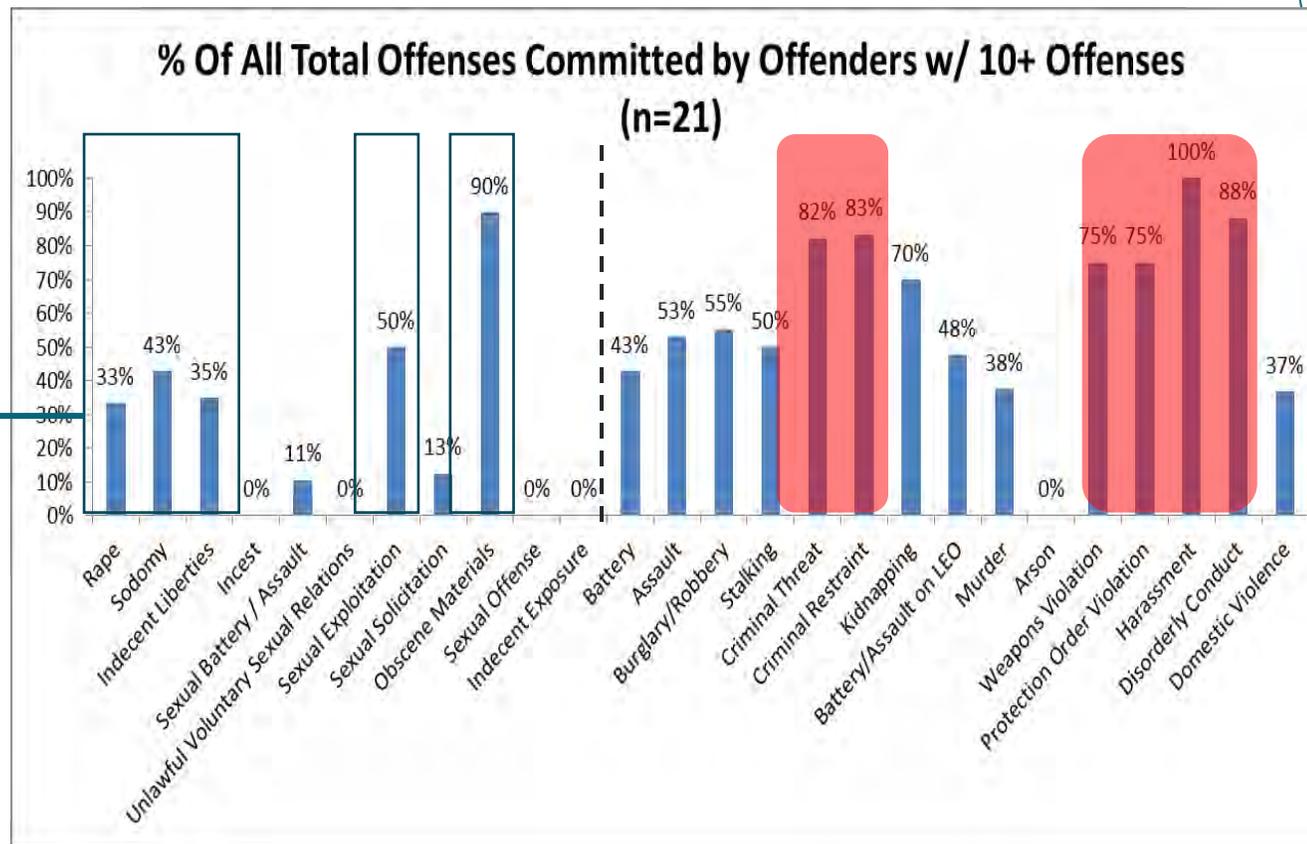
Pilot Agency Testing Priority

% of Cross-Sectional Sample

36%

Priority 1
- Serial Sexual Offenders
- Unnamed Suspects

52%

Priority 2
- High Frequency Offenders
- Known Suspects w/ Criminal History
- Known Suspects w/ Unrelated/No Criminal History

12%

Priority 3
- Death Investigations
- Prior Case Dispositions

Pilot Agency Laboratory Results

Testing completed for 12 pilot agencies

- 439 SAKs Tested

- 217 moved on to DNA
  - 49% of tested SAKs

- 112 CODIS Uploads
  - 52% of SAKs that moved on to DNA

- 50 CODIS Hits
  - 45% of Uploads

CODIS Identified Suspect Relationship to Victim

- 10 / 19%
- 4 / 8%
- 4 / 7%
- 35 / 66%

■ Known Offender*
■ Unknown Offender
■ Identified Consensual Partner- No Forensic Value
■ Intimate Partner Offender

Data as of 03/31/2017
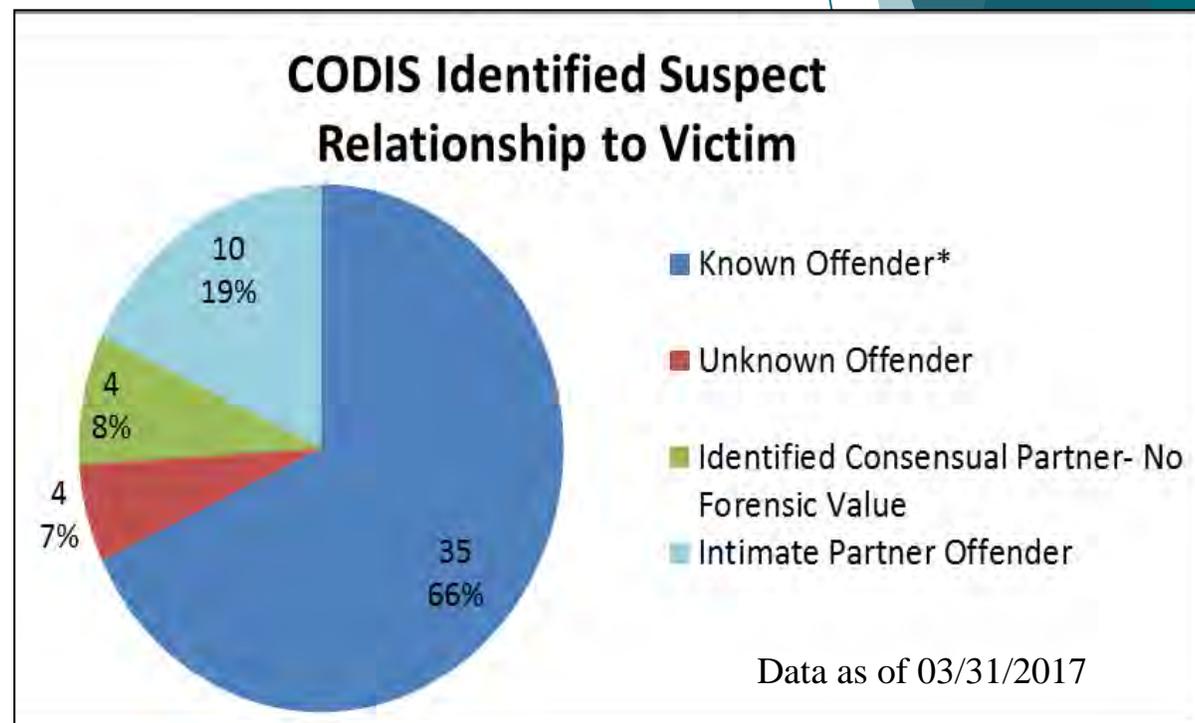
Pilot Agency Evaluation of Testing Priority

Priority Level	Category	% Resulting in a CODIS Upload	% Resulting in a CODIS Hit
Priority 1	Serial Sexual Offender	36%	86%
	Unnamed Suspect	23%	28%
Priority 2	High Frequency Offender	29%	83%
	Suspect with a tracked criminal history	28%	56%
	Suspect without a tracked criminal history	26%	19%
Priority 3	Death Investigation	16%	0%
	Prior Court Disposition	37%	82%

Prioritization Categories of Cases Resulting in a CODIS Upload

Priority 3 Cases 14 13%
Priority 1 Cases 43 38%
Priority 2 Cases 55 49%

Prioritization Categories of Cases Resulting in a CODIS Hit

Priority 3 Cases 9 18%
Priority 1 Cases 20 40%
Priority 2 Cases 21 42%
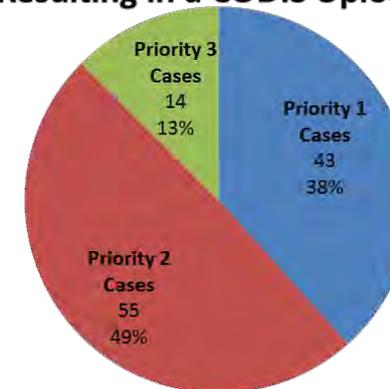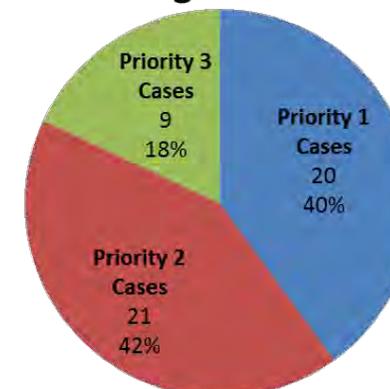
Additional Finding

Suspects who committed one or more of the listed offenses, not including the SAKI related case.

Suspects committing Agg/Battery, Domestic Violence, Agg/Assault

(31% of all victim-identified suspects)

Accounts for:

- 92% of all total offenses

- 73% of all sexual offenses

- 97% of all other violent offenses

% Of All Total Offenses Committed by Battery, DV, and Assault Offenders (n=45)
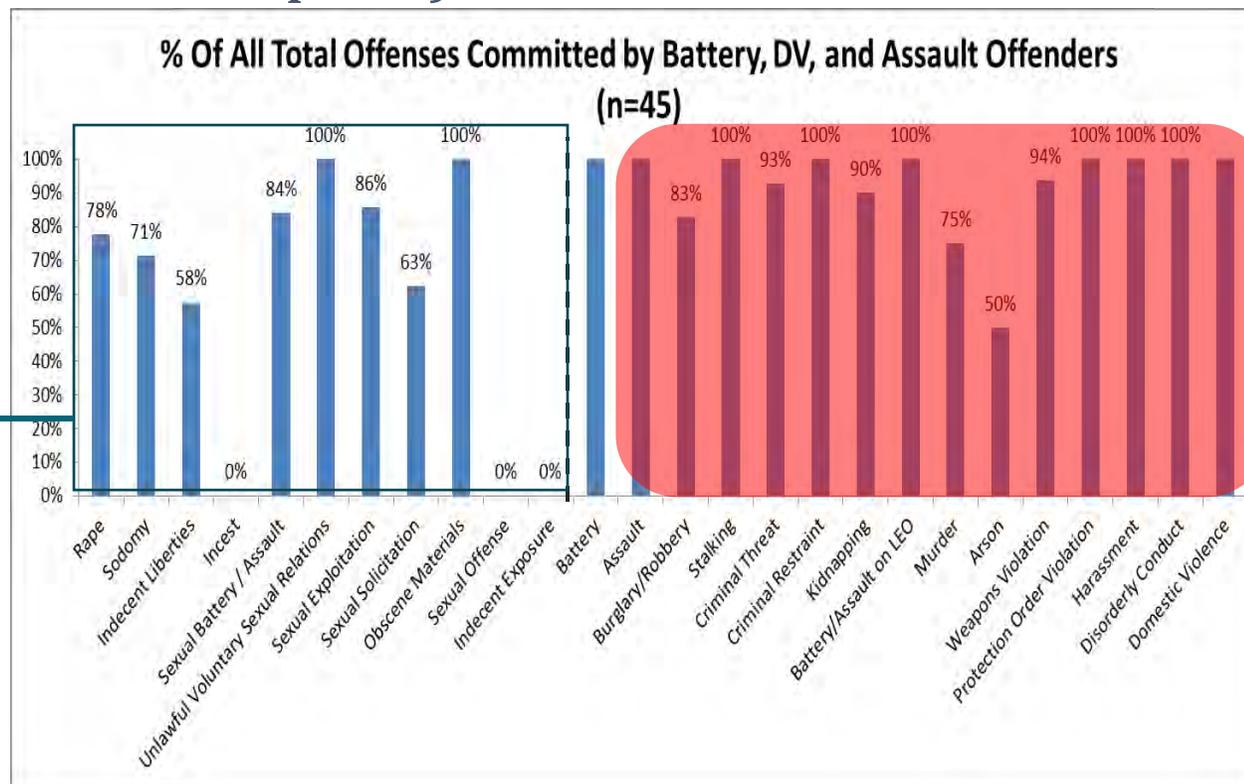
Addressing the Remaining Statewide Inventory

CODIS Hit Rate
(Based on results of cross-sectional sample)

Priority 1
- Serial Sexual Offenders — 86%
- High Frequency Offenders — 83%

Priority 2
- Suspects w/ History of Battery, DV, and/or Assault — 71%
- Known Suspects w/ Criminal History — 56%

Priority 3
- Unnamed Suspects — 28%
- Known Suspects w/ Unrelated/No Criminal History — 19%

Priority 4
- Prior Case Dispositions — 82%

Death Investigation SAKs **will not be tested** for remaining statewide inventory

Addressing Future SAK Submissions

- Limitations to utilizing suspects' criminal history
  - Time consuming
  - Multiple systems

- Exploration of information available at submission
  - Consideration of resources and available information
  - Simplicity and sustainability
  - Common factors within case narratives to develop a feasible long-term solution

CODIS Hit Packets for Law Enforcement

How a statewide project can assist local agencies when a CODIS hit occurs

Developing the CODIS Hit Packet for Law Enforcement

- Impact of project on local partners and resources

- Prepare local partners for cases transitioned back after testing

- Provide a consistent approach to cases with a shared, common understanding of how to handle CODIS hits

- Ensure adequate collection of data to support project objectives

Contents of CODIS Hit Packet

- CODIS Hit Packet Cover Letter to Law Enforcement
- Approved Laboratory CODIS Hit Report
  - Copy of report sent to corresponding prosecution office
- Quarterly Law Enforcement Report for CODIS Hit Cases
- Suspect Criminal Background Information Packet
- Victim Information packet
- Victim Resource Packet

Victim Resource Packet

Victim Resource Packet available on SAKI Discussion Forum:
https://collaborate.sakitta.org/t/saki-victim-resource-packet-kansas-example/147?u=megan.roberts

Elements of Kansas SAKI Victim Notification Protocol

	Law Enforcement	SBA	CBA	Prosecution
Initial Case Review	✓			✓
Develop Victim Notification Plan	✓	✓	✓	✓
First Contact w/ Victim	✓	✓		
Second Contact w/ Victim	✓	✓	✓	
Continued Services		✓	✓	

VNP Deployment to Pilot Agencies

2-day training for stakeholders from pilot agencies

- National subject matter expert Chief Tom Tremblay
  - Understanding the neurobiology of trauma*
  - Trauma-informed and victim-centered sexual assault investigations
- Kansas multidisciplinary working group members
  - Victim advocacy engagement
  - Review of the SAKI Victim Notification Protocol
- Practical case scenarios
- Self-care for notifiers

*Consultation and collaboration with Dr. Rebecca Campbell for the neurobiology of trauma

Pilot Agency Protocol Evaluation

- Each stakeholder to provide quarterly feedback regarding the efficacy of the protocol from a systematic implementation

  - Successes and Strengths

  - Challenges and Opportunities

  - Resources

- Feedback to be compiled and protocol will be finalized to be made available statewide

Victim Notification Protocol available on SAKI Discussion Forum:
https://collaborate.sakitta.org/t/example-policies-and-procedures/45/3?u=megan.roberts

Underlying Factors Contributing to Accumulation of SAKs

Core Factors Identified
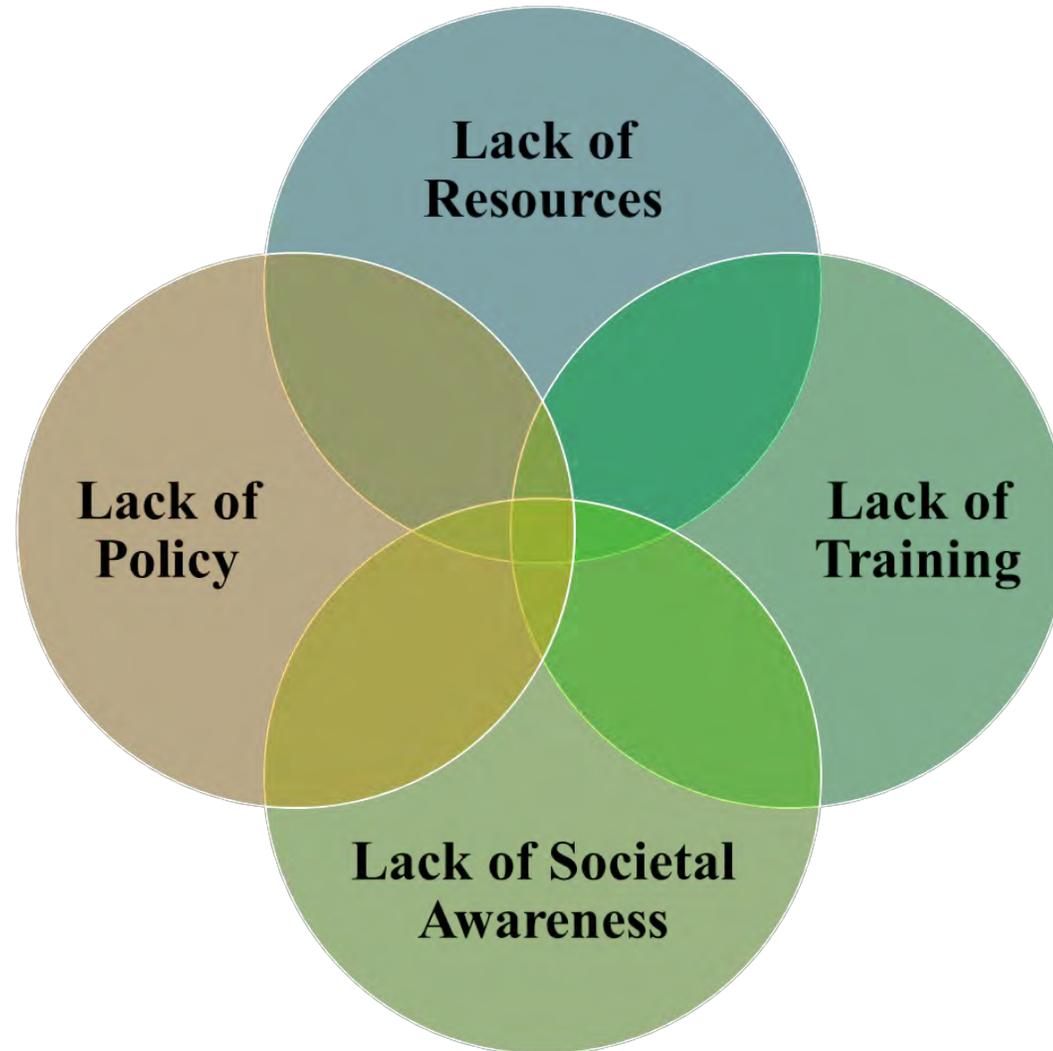
Underlying Factors Contributing to Accumulation document available on KBI website for Media Releases:
http://www.accesskansas.org/kbi/docs/media%20releases/Media%20Release%20-%20SAKI%20Findings%20Recommendations.pdf

Importance of Testing Kits

- Criminal histories demonstrate clear impact to public safety

- Opportunity to link suspect to other crimes and sexual assaults

- Possibility of linking cases forensically

- Preventing further victimization

Kansas SAKI Progress

Step 9: Assist in Statewide Implementation

The KBI will issue a report summarizing the project and findings and make it available to state and local stakeholders to ensure sustainable solutions in preventing future accumulation.

Step 8: Make Recommendations

The SAKI working group will make recommendations and set testing priorities based on the analysis of the cross-sectional sample of kits.

Step 7: Testing of Sexual Assault Kits

Each previously unsubmitted sexual assault kit is being submitted to a forensic laboratory for analysis. Testing is ongoing.

Step 6: Cross-sectional Sample of Kits are Tested

A cross-sectional sample of kits from 12 pilot agencies are tested and their case specifics examined to develop recommendations for future submission and testing policies.

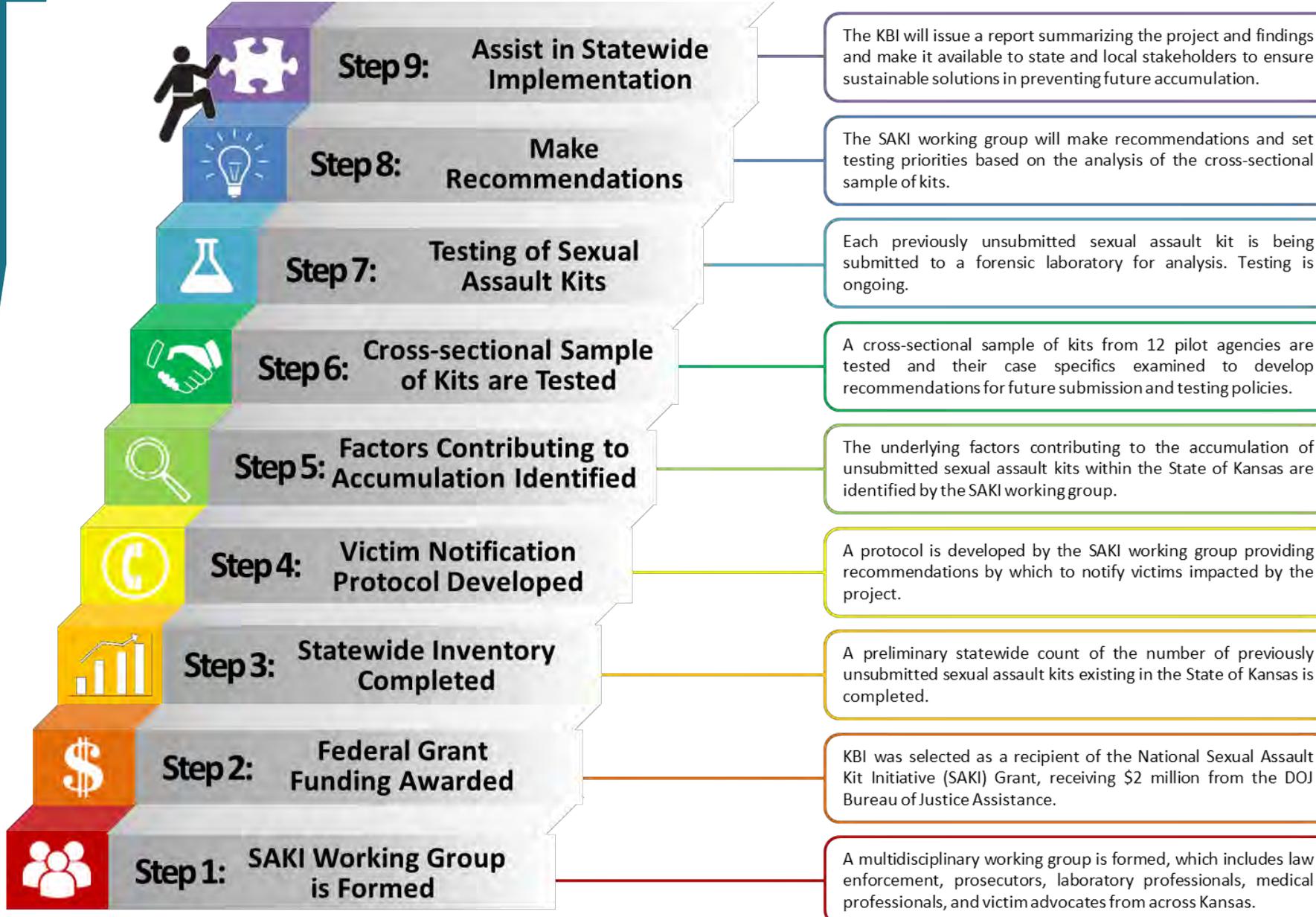**Step 5:** Factors Contributing to Accumulation Identified

The underlying factors contributing to the accumulation of unsubmitted sexual assault kits within the State of Kansas are identified by the SAKI working group.

Step 4: Victim Notification Protocol Developed

A protocol is developed by the SAKI working group providing recommendations by which to notify victims impacted by the project.

Step 3: Statewide Inventory Completed

A preliminary statewide count of the number of previously unsubmitted sexual assault kits existing in the State of Kansas is completed.

Step 2: Federal Grant Funding Awarded

KBI was selected as a recipient of the National Sexual Assault Kit Initiative (SAKI) Grant, receiving $2 million from the DOJ Bureau of Justice Assistance.

Step 1: SAKI Working Group is Formed

A multidisciplinary working group is formed, which includes law enforcement, prosecutors, laboratory professionals, medical professionals, and victim advocates from across Kansas.

Questions

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