



Research in the SAKI

the Cuyahoga County Experience



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Rachel Lovell, Ph.D.

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- Rachel Lovell, is sociologist and methodologist who studies gender-based violence and victimization, in particular sexual assault, human sex trafficking and sex work, and intimate partner violence.
- Current research involves examining issues pertaining to the unsubmitted sexual assault kits in Cuyahoga County, Ohio and specialized dockets for human trafficking victims.
- Senior Research Associate at the Begun Center for Violence Prevention Research and Education at the Jack, Joseph and Morton Mandel School of Applied Social Sciences at Case Western Reserve University in Cleveland, Ohio.
- Dr. Lovell received her Ph.D. in sociology from Ohio State University in 2007. She received her bachelor's and master's degrees in sociology from Baylor University in Waco, Texas.



Brett Kyker

Cuyahoga County Prosecutor's Office

Since joining the Office in June 2004, Assistant prosecuting attorney Brett Kyker has worked in several units. In August 2010, he joined the Major Trial Unit, where he was assigned to the Elder Protection Section and also worked with the FBI Violent Crimes Task Force. In December 2014, he took over as Project Manager of the Cuyahoga County Sexual Assault Kit Task Force, a team of investigators, law enforcement officers, assistant prosecuting attorneys, and victim advocates assembled to address untested sexual assault kits and prosecute offenders for sexual assaults dating back to the early 1990s. He is a graduate of John Carroll University and the Cleveland-Marshall College of Law.





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Cleveland Backlog

Mid-2010: Cleveland Police Dept. (CPD) decides to submit all new SAKs for DNA testing and to begin cataloging older, untested SAKs

Mid-2011: CPD begins submitting backlog of untested SAKs to BCI



Statewide Initiative

An excerpt from Ohio Attorney General Mike DeWine's letter to law enforcement:

“In December 2011, I formed the Sexual Assault Kit Commission to address the problem of untested sexual assault kits in Ohio. We discovered that there were many old, untested kits in Ohio. In order to stay ahead of the twenty year statute of limitations for sexual assaults, I'm asking you to send us *any* kit from a probable sexual assault. We will prioritize the testing of kits approaching the twenty year mark. But even if those older kits don't result in leads today, they are essential for developing a robust database of sexual predators' DNA profiles.”

Ohio Senate Bill 316

- Went into effect 3/24/15
- Requires law enforcement agencies to submit all old sexual assault kits to Ohio Bureau of Criminal Investigation (BCI) or another crime laboratory within one year
- Requires law enforcement agencies to submit all newly collected sexual assault kits to BCI or another crime laboratory within 30 days
- Does not provide penalties for noncompliance

Cuyahoga County SAK Task Force

Fall 2012: CPD and other law enforcement agencies begin to get results from BCI.

Early 2013: Attorney General Mike DeWine tells Cuyahoga County Prosecutor Timothy J. McGinty to expect a large number of leads from BCI testing.

March 2013: Cuyahoga County Sexual Assault Kit Task Force is created. CPD, BCI, Cuyahoga County Sheriff's Office, and Cuyahoga County Prosecutor's Office come together to investigate leads from BCI testing.

Composition of Task Force

- Project Manager: 1 FTE
- Lead Investigator: 1 FTE
- Investigators: 18 FTE, 3 PTE
- System-Based Victim Advocates: 3 FTE
- Assistant Prosecuting Attorneys: 6 FTE

Cases Investigated by Task Force

March 2013: Task Force only investigating “DNA” cases (i.e., those cases involving SAKs w/ DNA sufficient for CODIS upload).

October 2014: Task Force begins investigating “no DNA” cases (i.e., those cases involving SAKs w/ no DNA or w/ partial DNA insufficient for CODIS upload).

March 2016: Task Force begins investigating “Cleveland 1,867” Cases (i.e., those cases involving SAKs that were submitted for some form of testing prior to SAK Initiative).

By the Numbers

Cuyahoga County (1993-2009): 4,971 SAKs

4,392 from Cleveland (1993-2009)

579 from suburbs (1980-2013)

+ 1,867 had some previous testing

~6,838 SAKs

Cleveland (pre-1993): > 4,000+

Task Force Successes (as of 11/1/16)

- About a third of the way thru the process
- 2,504 completed investigations
- 448 indictments leading to 538 unique defendants for 590 victims/SAKs



Need for Data

- Prosecutors thought they knew what they were seeing, but it was all anecdotal
- Believed independent researchers should be looking at the data with unfettered access – informing what should be coded
- This “coding” is something best left to them to determine after speaking with taskforce members in the trenches.
- So....

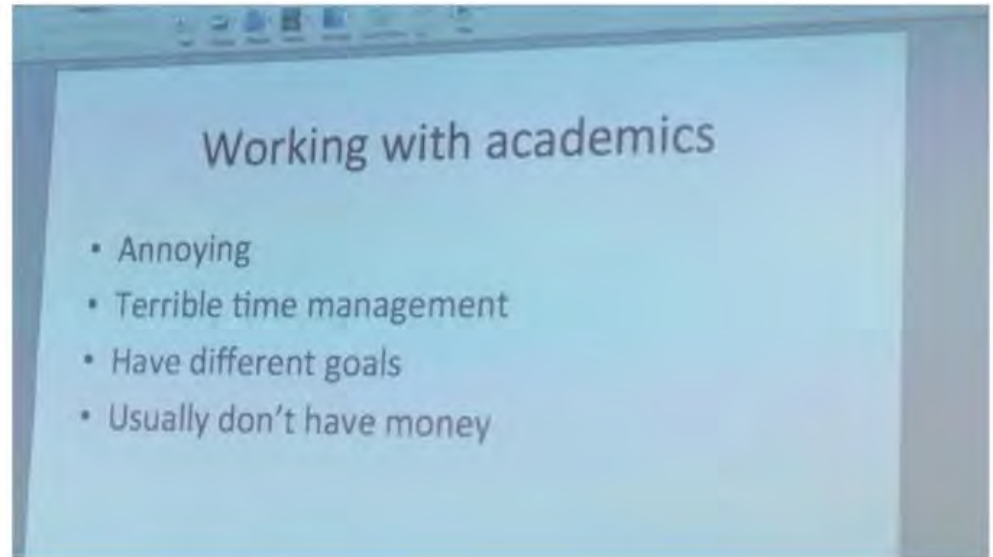
Working with researchers



Academia Obscura
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Working with academics... via
[@aimsinpeng](#)



9/13/16, 8:55 AM

68 RETWEETS 131 LIKES

Who are we? Why are we here?

- The Begun Center
- Purpose of webinar
 - Overview of research possibilities and how informing practice
 - Organized around short term, intermediate, and long-term outcomes/indicators

Begun Center for Violence Prevention
Research and Education



JACK, JOSEPH AND MORTON MANDEL
SCHOOL OF APPLIED SOCIAL SCIENCES

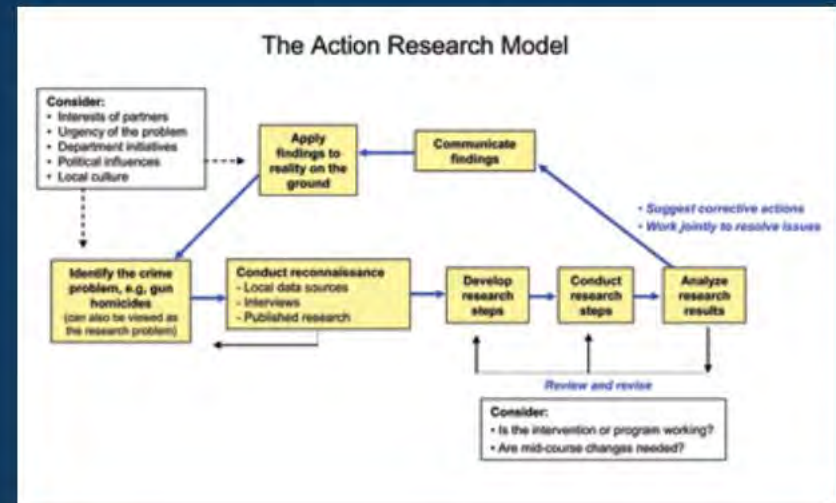
CASE WESTERN RESERVE
UNIVERSITY

Research Projects

- Pilot Research Project (3/15-3/16, CCPO funded)
 - Coded 243 SAKs with completed investigations that resulted in indictment OR closed due to insufficient evidence
 - Access thru electronic management system (police and investigative reports, criminal histories of victim and offender, lab reports)
- BJA SAKI funded research (current)
 - Coding more SAKs
 - Process evaluation (understanding the “process”) - **embedded**
 - Interviews with Task Force members, participatory observation
 - Victim notification especially related to pre-1993

Action Research

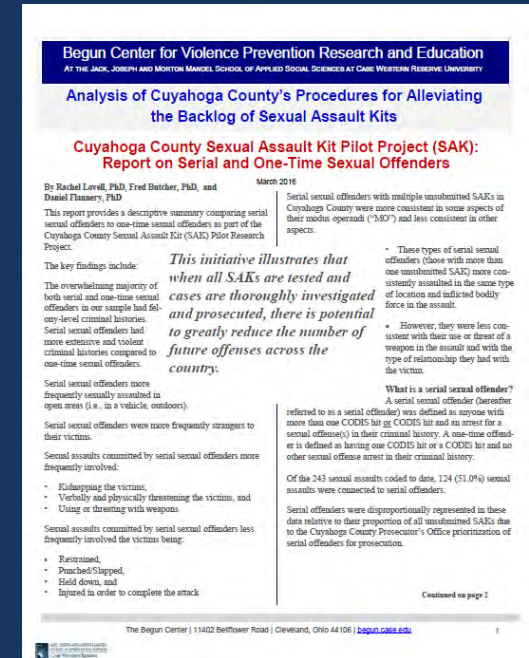
- AKA Participatory Action Research
- “Subjects”/partners participate in and have input in the research process
- Continual feedback loop
- End result: quicker, practical applications



<http://www.nij.gov/unsubmitted-kits/Pages/default.aspx>

SAK Research Briefs

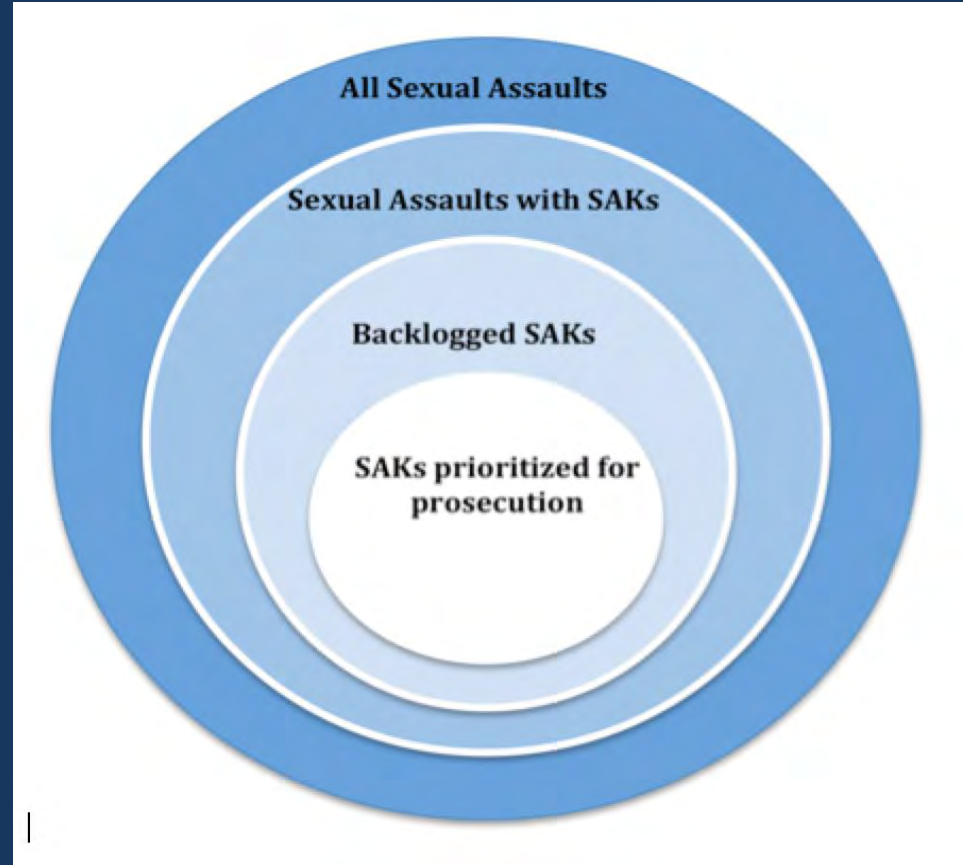
1. Describing the Task Force Process
2. Data/Methods
3. Victims
4. Serial vs. One-Time Offenders
5. Patterns of Sexual Offending
6. Then vs. Now
7. Cost Effectiveness



<http://begun.case.edu/sak/>

Generalizability of the Findings

- Only based on SAKs prioritized for prosecution
- 75% of sexual assaults occurred between 1993 and 1997
- Criminal histories only for known offenders
- Only based on official documentation



Short-Term Outcomes/Indicators

As of October 3, 2016

SAK (n=4,971)*

1

TESTING

Foreign DNA;
sufficient for upload (n=2,935) No foreign DNA or partial DNA;
not sufficient for upload (n=2,036)

CODIS hit
(n=1,930) No CODIS hit
(n=1,005)

Investigation (n=6,667)**

2

INVESTIGATION

Investigation
completed (n=2,584) Investigation
in progress (n=4,083)

defendants
indicted (n=527) Indicted
(n=634) Not indicted
(n=1,950)

3

PROSECUTION

Cases ended;
Disposed
(n=287) Dispositions
in progress***
(n=347)

***Note the change in the unit of
analysis at disposition;
investigations will not longer
correspond to dispositions

4

DISPOSITION

Trial (n=53) Plea (n=184) Dismissed,
reindicted (n=7) Dismissed
without
prejudice (n=29) Dismissed
with prejudice
by Court
(n=14)

Guilty (n=35) Not guilty
(n=18)

**Plus additional 861 from the
"Cleveland 1,867"; had some previous
forensic testing during same time frame*

***Note the change in the unit of
analysis at investigation;
investigations are at the defendant
level investigation*

Testing Measures/Outcomes

- Unit of Analysis is important and changes thru process
- Begins with SAK
 - SAK=1 victim (sometimes 1+ offender)
 - SAK ID=lab ID?
 - SAKI performance measures require at the SAK level

Describing Testing Outcomes (as of Oct 1, 2016)

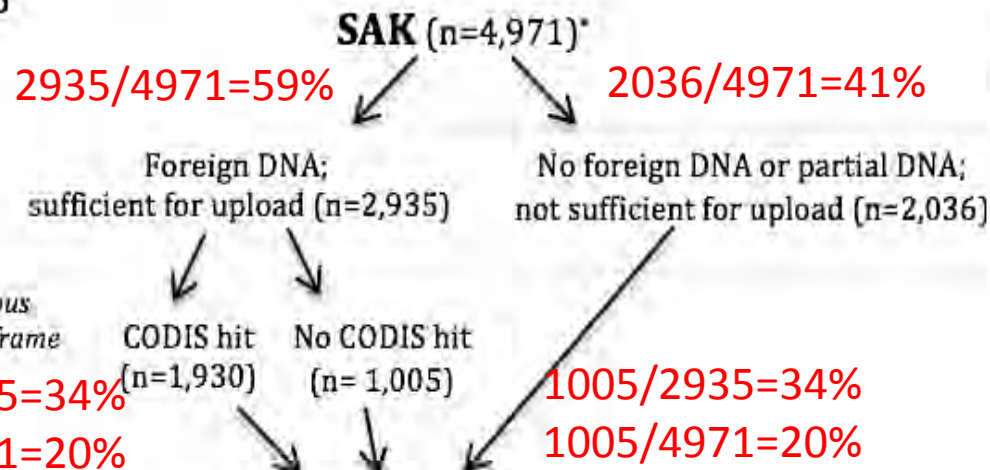
- # kits submitted to BCI from Cuyahoga County
SAK TF: **4996**
- # kits still in testing process: **25** ($4996-25=4971$)
- Cases which yielded a profile for CODIS
upload: **60%** ($2935/4971$)
- Cases with a CODIS profile which yielded a
CODIS hit: **65%** ($1930/2935$)
- # cases worked which yielded a CODIS hit: **39%**
($1930/4971$)

Possible Measures (SAK=unit of analysis):

- #/% tested SAKs
- #/% returning hits (to known offender)
- #/% returning matches (to sample)
- # profiles added to CODIS
- #unknown offenders $1005+2036=3041/4971 = 61\%$
- # of SAKs that proceed (e.g., investigating all SAKs)
- Comparability of “hit rate” compared to other sites
- Amount of time from submission to lab report

As of October 3, 2016

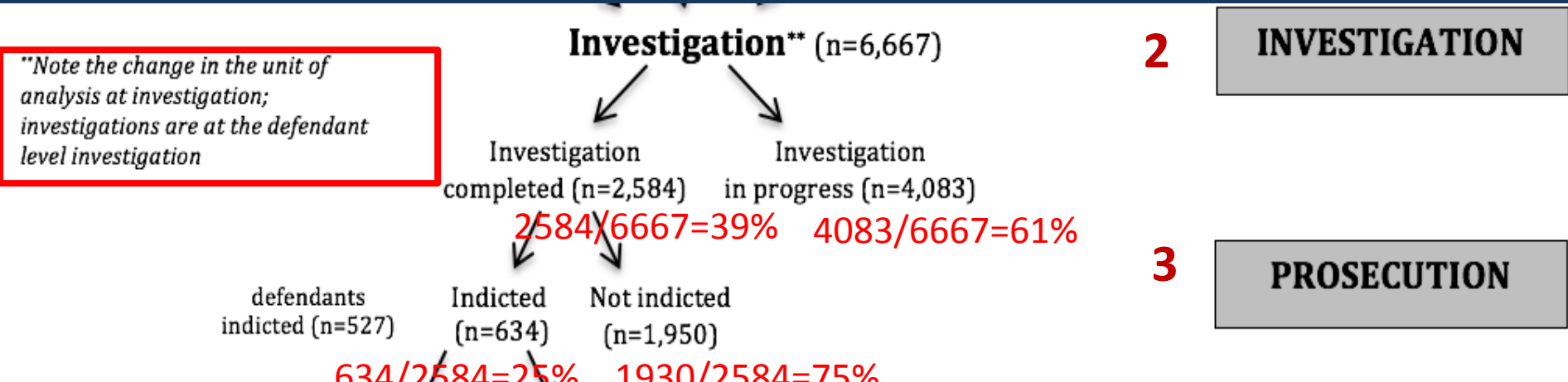
TESTING



**Plus additional 861 from the "Cleveland 1,867"; had some previous forensic testing during same time frame*

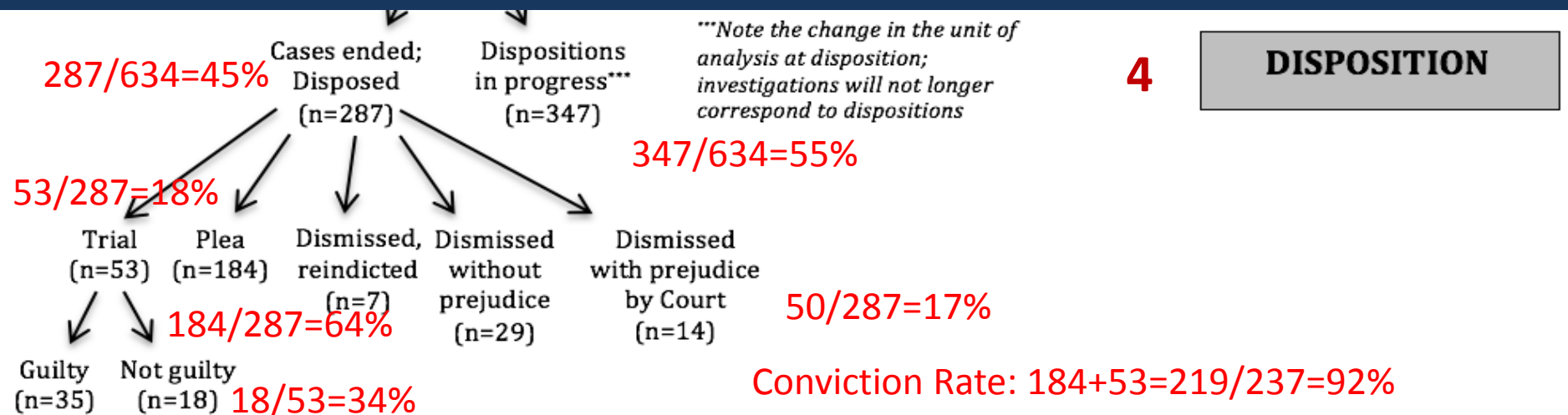
Possible Measures (what is the unit of analysis?):

- # investigations closed p/ investigator p/ year and avg amt of time to investigate, amt of time for victim advocacy
- # indictments ($634/2584=25\%$)
- # defendants indicted ($n=527$)
- #/% not able to continue to prosecution (% of SAKs that STOP) and why ($n=195, 75\%$)
 - previously adjudicated ($1026/2584=40\%$)
 - insufficient evidence ($555/2584=21\%$)
 - abated by suspect's death ($105/2584=4\%$)
 - consensual partner ($126/2584=5\%$)
 - SOL expired prior to CCPO receiving case ($139/2584=5\%$)



Possible Measures (what is the unit of analysis?):

- Avg. time to disposition
- Outcomes of cases (e.g., plea, dismissed, not guilty, etc.)
- # trials (jury, bench, and outcomes of those trials)
- Conviction rate (include or not include dismissed cases?)
- Others?

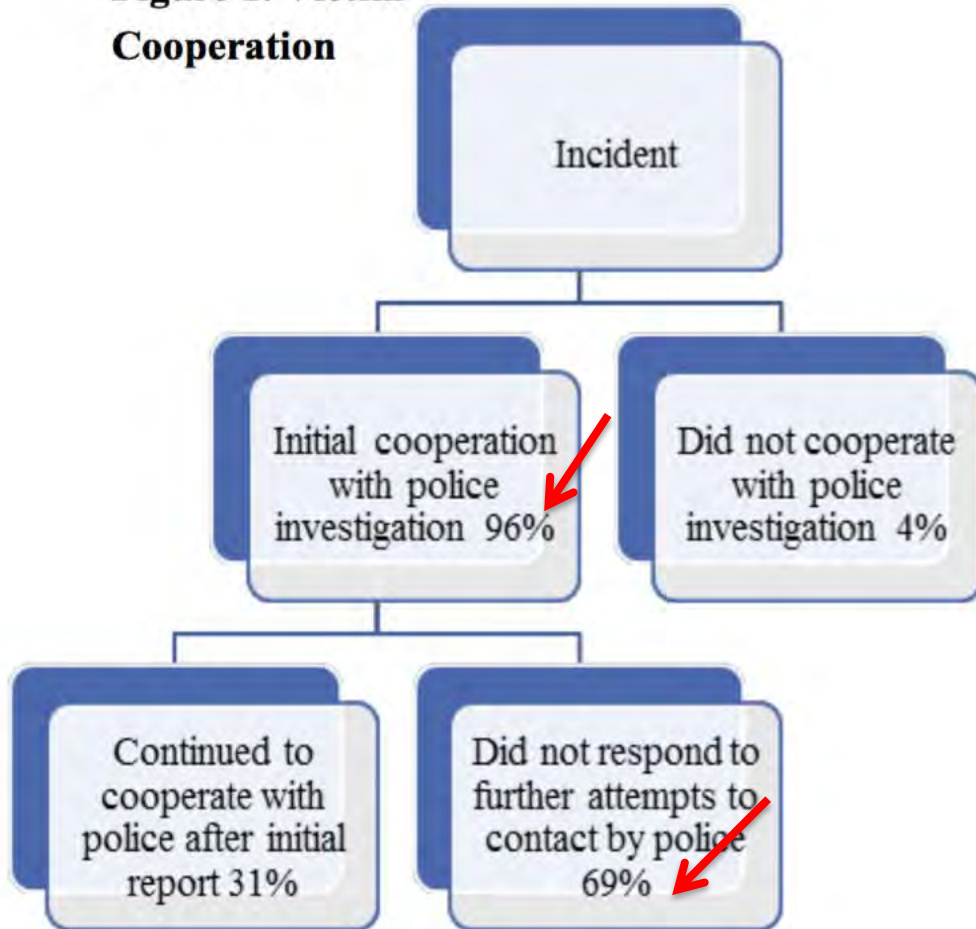


Feedback/Questions

Intermediate Outcomes/Indicators:
Coding Police, Investigative Reports

Victims

Figure 1. Victim Cooperation



Who are the victims?

Of the 243 victims in the study, 240 were female (99%) and 3 were male (1%). The victims in the sample ranged between 2 and 70 years of age with an average age of 26.

Twenty one percent of the victims in these cases were minors (under the age of 18) including two of the three male victims who were both under the age of 4.

Demographics of Offenders and Victims

Demographics

All of offenders in our sample were male and all but three of the victims in our sample were females. The average age of the offenders in our sample was 29 (ranging from 14 to 56) and the average age of the victims in our sample was 26 (ranging from 2 to 70). The majority of the offenders in our sample were African-American/Black (86.8%), 11.5% were Caucasian/White, and 1.6% were Hispanic/Latino. Nearly 70% of the victims were African-American/Black, 27% were Caucasian/White, and the remaining 3% were Hispanic/Latina.

How to Measure Serial Sex Offenders?

- Linked SAKs
 - How linked? – via DNA, investigations
 - Which linked SAKs? – only in the unsubmitted?
Current?
- Criminal history
 - Arrest? Conviction? Both? Local or fully criminal history?
 - Which type of sexually based offenses?

Serial Sex Offenders

Two or more
linked SAKs
OR
SAK and felony
arrest for rape
in criminal history

This initiative illustrates that when all SAKs are tested and cases are thoroughly investigated and prosecuted, there is potential to greatly reduce the number of future offenses across the country.

Criminal Histories of Serial and Nonserial* Sex Offenders

Table 1. Criminal History of Offenders, Prior and Subsequent to the Associated SAK Sexual Assault, by Type of Offense[†]

Type of Offense	Prior		Subsequent	
	Serial	Nonserial	Serial	Nonserial
	Percent (n=111)	Percent (n=55)	Percent (n=111)	Percent (n=55)
Murder	4.5	---	4.5	3.6
Sexual Assault	16.2	---	57.7	---
Felony Assault	23.4***	5.5	32.4	45.5
Robbery	14.4	10.9	29.7	25.5
Burglary	19.8	14.5	22.5	20.0
Larceny/Theft	22.5*	9.1	16.2	14.5
Motor Vehicle Theft	15.3**	1.8	9.0	16.4
Arson	---	---	2.7	---
Felony Drug	26.1	20.0	39.6	45.5
Domestic Violence	10.8	12.7	27.3	34.5
At Least One Offense	70.3*	50.9	86.4	78.2
Mean Number of Offenses	1.53***	0.75	2.40	2.05

[†]A total of 113 unique offenders corresponding to 166 sexual assaults. Criminal histories were only available for known offenders.

***p<.001, **p<.01, *p<.05

*that we know of




Locations of Attacks

Table 2. Locations Where Sexual Assaults Occurred and Relationship of Victim and Offender for Serial and Nonserial Sex Offenders[†]

Type of Location	Serial Sex Offenders	Nonserial Sex Offenders
	Percent	Percent
In a Vehicle	32.2*	16.8
Outdoors/Outside	20.7	14.2
Garage	4.1	0.9
Victim's residence	21.5	23.0
Offender's residence	7.4**	20.4
Third Party residence	9.9	18.6
Unknown	2.4	5.0
All Other	4.1	6.2
Total	100.0	100.0
N	121	113

Victim/Offender Relationship

Table 3. Relationship of Victim and Offender for Serial and One-Time Sex Offenders⁺

	Serial Sex Offender	One-Time Sex Offender
Type of Relationship	Percent (n=121)	Percent (n=107)
Stranger	67.8** 	45.8
Casual Acquaintance	13.2	17.8
Recent Acquaintance	5.0	10.3
Former Intimate Partner/Dating	4.1	5.6
Current intimate Partner/Dating	0.8*** 	13.1
Friend/Not Romantic	3.3	1.9
Relationship Unknown	5.8	5.6
All Other	2.4* 	10.1
Total	100.0%	100.0%

⁺N=228; percentages based on non-missing data

***p<.001, **p<.01, *p<.05

Type of Control and Force Used

Table 3. Type of Control and Bodily Used in the Sexual Assault for Serial and Nonserial Sex Offenders⁺

Type of Control Used*	Serial Sex Offenders	Nonserial Sex Offenders
	Percent	Percent
Kidnapped	44.3	35.1
Verbally threatened	32.0*	19.8
Physically threatened	24.6*	11.7
Restrained	47.5	53.2
Threatened with weapon	41.0***	19.8
N	122	111
Type of Bodily Force Used*		
Used any type of bodily force	73.3	73.4
Dragged	6.7	8.3
Punched/slapped	14.2**	28.4
Pushed	27.5	29.4
Strangled	6.7	8.3
Held down	25.0	33.9
Injured victim to complete sexual assault	7.4**	18.9
N	121	107

⁺Offenders could employ more than one type of control and bodily force; percentages based on nonmissing data

Serials: Relationship Crossover

Relationship Crossover

For the 30 serial offenders, 50% only assaulted strangers, 33.3% assaulted strangers and non-strangers (casual/recent acquaintance or former/current intimate partner, also known as “relationship crossover” offenders), the remaining offenders, 16.7%, only assaulted non-strangers.

Serials: Time Between Assaults

We examined the age span for these serial offenders and found that mean number of years between their first and last sexual assault was 4.76 years (Min=0, Max=19). However, 35% are within a year or less.

The offender with the most number of sexual assaults that we coded (n=6) was 47 years old at the first and 56 years old at the last sexual assault. Another offender was young when committing both of the sexual assaults we coded—15 and 16.

Considering the truncated time period for most of the sexual assaults (e.g., 1993-1997), these findings suggest that our data are, perhaps, only capturing a portion of their serial offending.

Serials vs. Nonserials: Informing Practice

- Serial offenders: **(scarily) common**
- (Some) differences in criminal histories
- Differences in relationship with victim: relationship crossover
- (Some) differences in *modus operandi (MO)* – does not always adhere to a MO
- *Maybe differences are more about the incidences/relationships and less about the offenders*

Feedback/Questions

Long(er) Term Outcomes: Prosecution and Cost Estimates

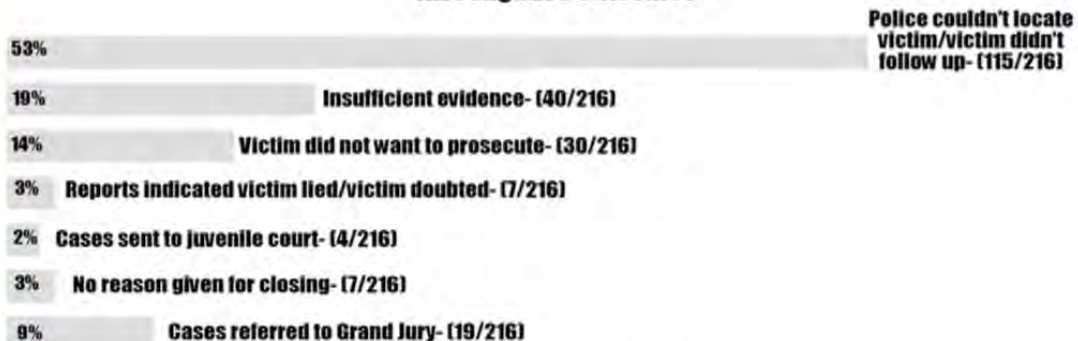
The Original Processing of Sexual Assaults

Reporting Phase



Investigative Phase

Investigative Outcomes



Prosecution Phase

Of the 216 cases above, 90 went to the City Prosecutor

Accepted by City Prosecutor- 23% (21/90)



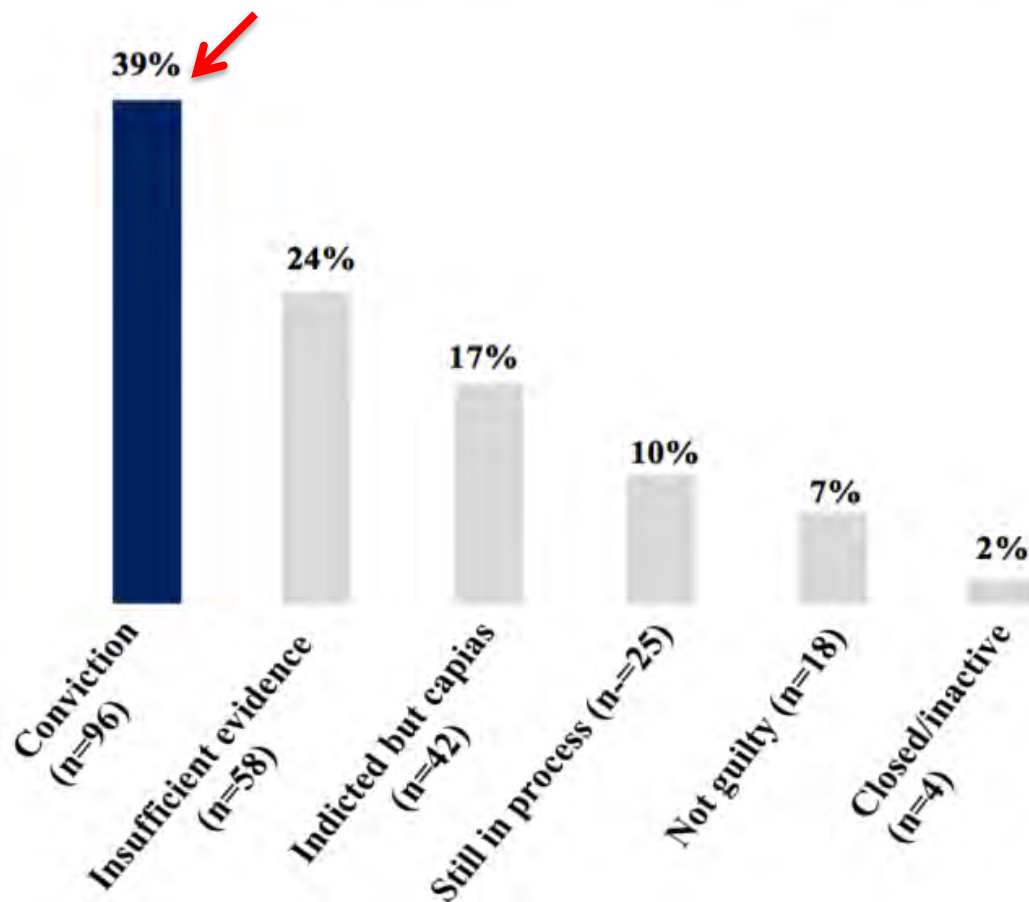
Declined by City Prosecutor- 76% (69/90)

None of the cases were indicted

Then...

At the time the coding ended for the pilot project of the 243 sexual assaults, 74% (n=181) of the cases had been indicted by the Task Force.

Figure 2. Current Outcomes of Sexual Assault Cases



Now...

Informing Practice: Then vs. Now

- Speaks to past gaps in the system – work around with the City Prosecutor; two sets of eyes
- Speaks to the need for additional training and resources
- Speaks to the need to reinvestigate all cases
- Speaks to need for victim advocates to be part of the process

Now: Victim “Vulnerabilities” and Disposition

Prosecutorial Outcomes	Victim had documented history of prostitution, drug/ alcohol use, or mental illness		
	No (n=182)	Yes (n=56)	Total*
Not convicted	8% (n=15 of 182)	5% (n=3 of 56)	8% (n=18 of 238)
Convicted (plea, guilty verdict)	40% (n=73 of 182)	38% (n=21 of 56)	40% (n=94 of 238)
Still in process	12% (n=21 of 182)	5% (n=3 of 56)	10% (n=24 of 238)
Closed/Inactive	2% (n=3 of 182)	2% (n=1 of 56)	2% (n=4 of 238)
Insufficient evidence	21% (n=39 of 182)	30% (n=17 of 56)	24% (n=56 of 238)

*Total is 238; 5 cases have missing values

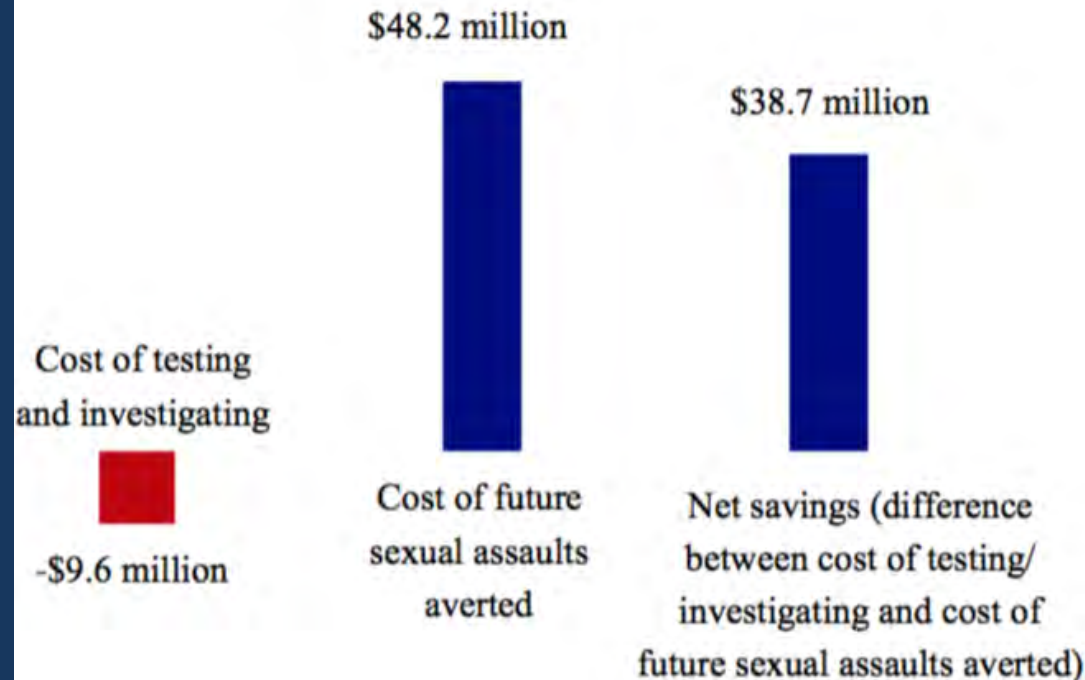
Prosecution: Informing Practice

- Provided greater knowledge about the victims
- Provided independent assessment into the “black box” of prosecution
- Findings: more “vulnerable” victims not less likely to get a conviction
 - Speaks to usefulness of having a check and balance system, two sets eyes
 - Says to prosecutors that even with “vulnerabilities,” can still get a conviction
 - Shift focus from victim to offender

Cost Savings Analysis

- \$ victims: **\$885.8 million**
- \$ testing and investigating: **\$9.6 million**
- \$ future offenses averted: **\$48.3 million**
- Total savings: **\$38.7 million**
- Total savings p/ SAK: **\$8,893**

Figure 8. Net Savings of the SAK Task Force



Cost Savings: Informing Practice

- SAK Initiative is the right thing to do....and saves community money
- Cost to test AND investigate the cases is minuscule compared to the cost to the victims
- Savings comes from the investigation and prosecution of offenders

Feedback/Questions



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Thank you for attending the webinar:

Research in the SAKI the Cuyahoga County Experience



Please take a few moments to complete the [Survey](#).

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The SAKI TTA Team

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