

The Detroit SAK Action Research Project

Wayne County Prosecutor's Office
Kym L. Worthy, Prosecutor

Rebecca Campbell, Ph.D., Evaluator
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THE DISCOVERY

In August, 2009 representatives from the Wayne County Prosecutors Office and the Michigan State Police were invited to tour a Detroit Police Department property storage facility . . .

“We’re walking through, I see these like steel shelving units with boxes and I say, ‘What are those?’ They said, ‘Those are rape kits.’ I said, ‘*Rape kits!* What are all these rape kits doing here?’ I estimated . . . 10,000 or more.

And [I asked], ‘Are they tested or untested?’
And the officers [said], ‘I don’t know.’”

Detroit Free Press

09/ 24/ 2009

Concern over Detroit police handling of rape kits

DETROIT — Wayne County Prosecutor Kym Worthy wants an independent investigation into what she says may be thousands of kits holding evidence of possible sexual assaults that were found in a Detroit Police Department evidence storage facility.

In a Sept. 8 letter to Police Chief Warren Evans, Worthy said there may be more than 10,000 so-called rape kits and hundreds of other pieces of evidence warehoused, unanalyzed, in a police "overflow property room." The situation raises fears that cases could be affected if the evidence is challenged in court, Worthy said.



Initial Response: The 400 Project

- Michigan Domestic Violence Prevention and Treatment Board obtained OVW funding for a pilot project
- Drew random sample of 400 kits
 - Estimates how many tested/not-tested
 - Cost projections for testing

NIJ SAK ACTION RESEARCH PROJECT

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Researcher's Role is DIFFERENT
than in Traditional Research

PROJECT GOAL

**RESEARCHERS' ROLE
DATA SOURCES**

PROJECT GOAL

RESEARCHERS' ROLE DATA SOURCES

Obtain an accurate **COUNT**
of untested SAKs

“Watch & Learn” (Document Process)

Ethnographic Observations,
Archival Record (Public & Internal)
Qualitative Interviews

PROJECT GOAL	RESEARCHERS' ROLE DATA SOURCES
Obtain an accurate COUNT of untested SAKs	<p>“Watch & Learn” (Document Process)</p> <p>Ethnographic Observations, Archival Record (Public & Internal) Qualitative Interviews</p>
Develop & evaluate SOLUTIONS for testing, victim notification, & investigation/prosecution	<p>“Watch & Learn” (became . . .) Active Involvement in Design</p> <p>Ethnographic Observations, Qualitative Interviews Quantitative Experimental Designs</p>

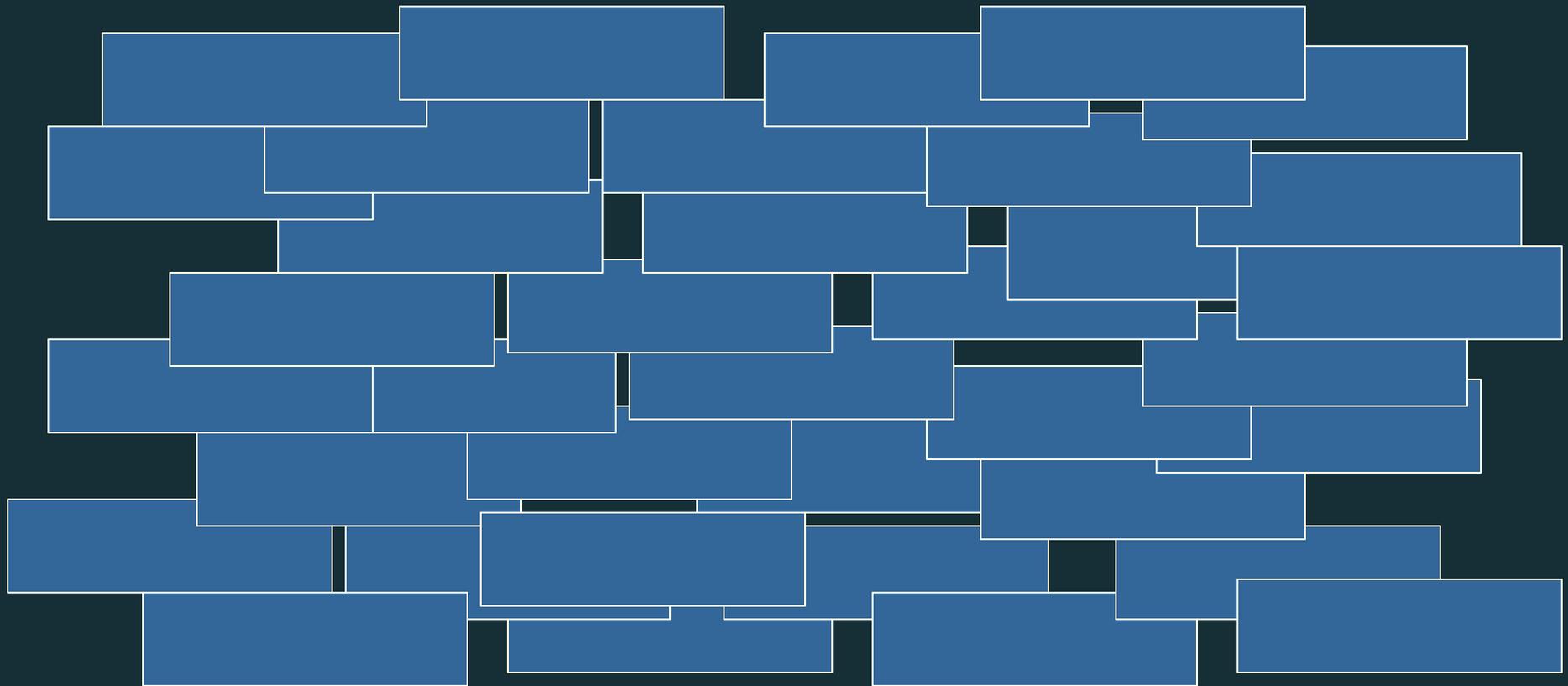
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Understand the underlying CAUSES of why this happened	<p>Independent Evaluation/Research</p> <p>Ethnographic Observations, Archival Record (Public & Internal) Qualitative Interviews</p>

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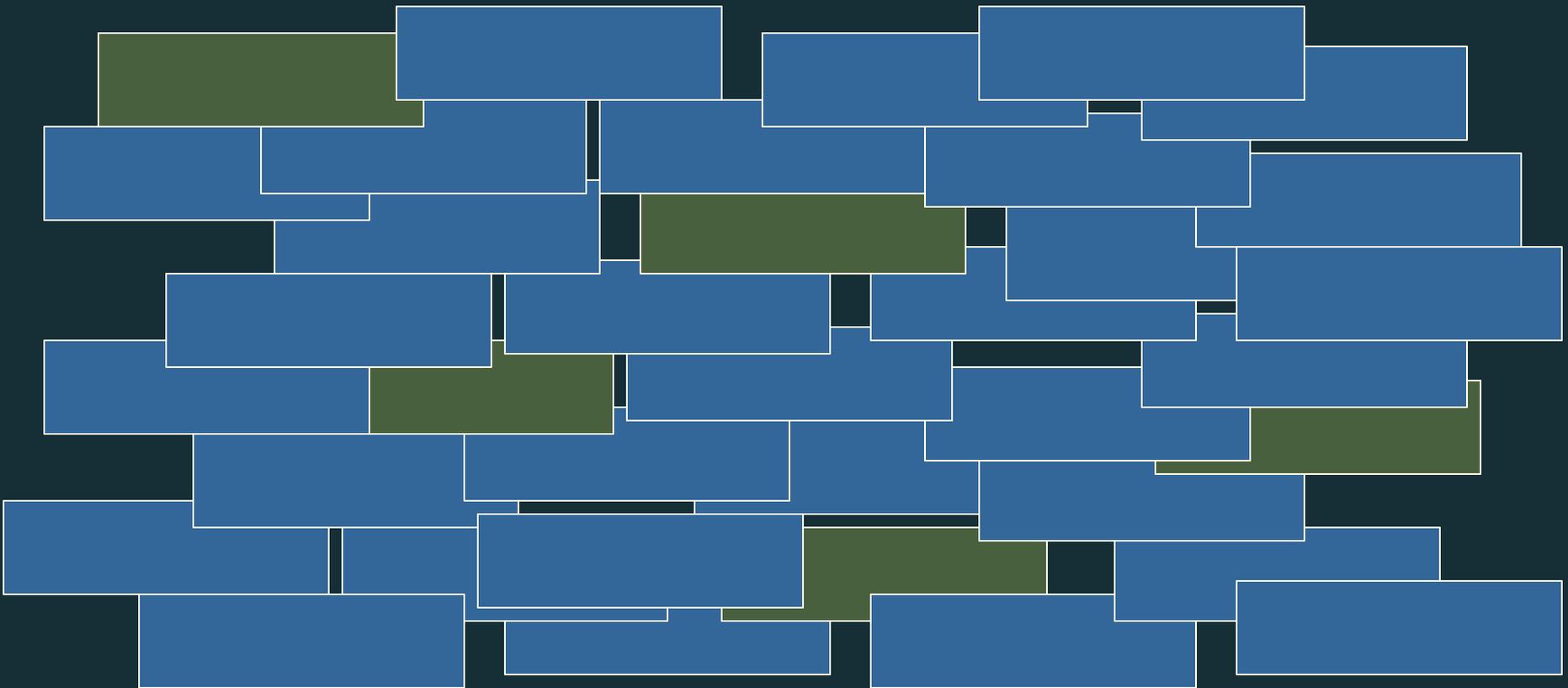
COUNT

An Audit of SAKs in Police Property

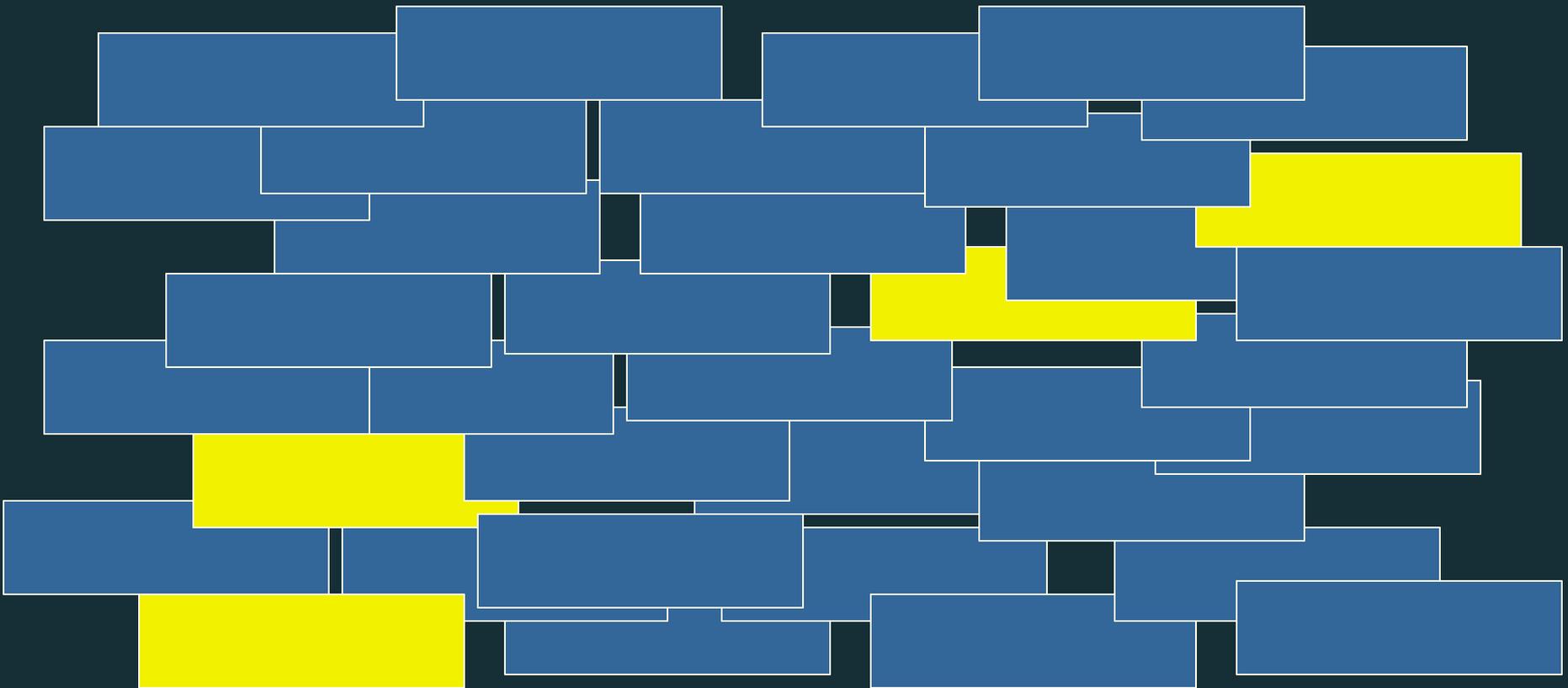
We had a “pile” . . .



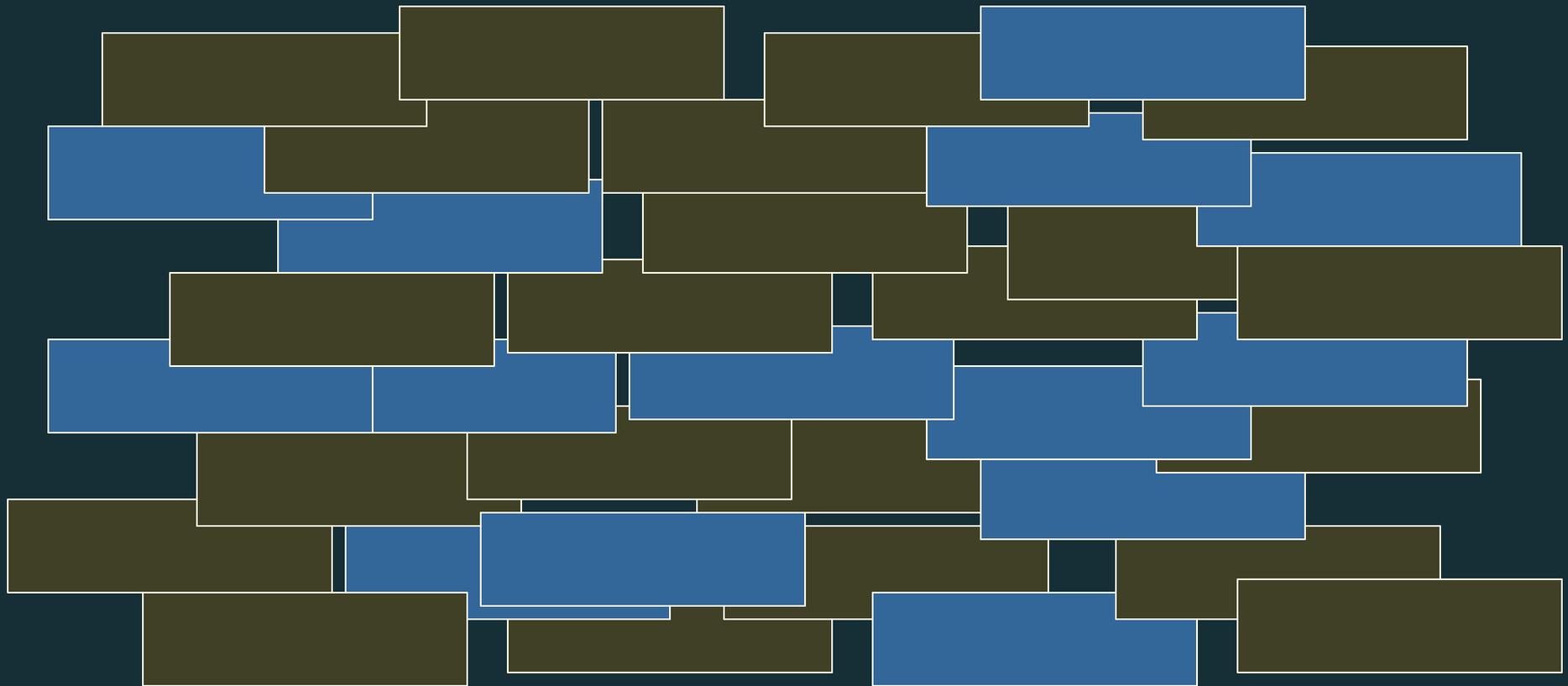
Some kits were associated with
already adjudicated cases . . .



Some kits had been submitted to the lab, tested, and re-filed . . .



Many had never been submitted to the lab . . .



So *what* are we trying to count?

Can we distinguish what's what?

What's in the pile?

What's in the pile?

11,304 SAKs

What's in the pile?

11,304 SAKs



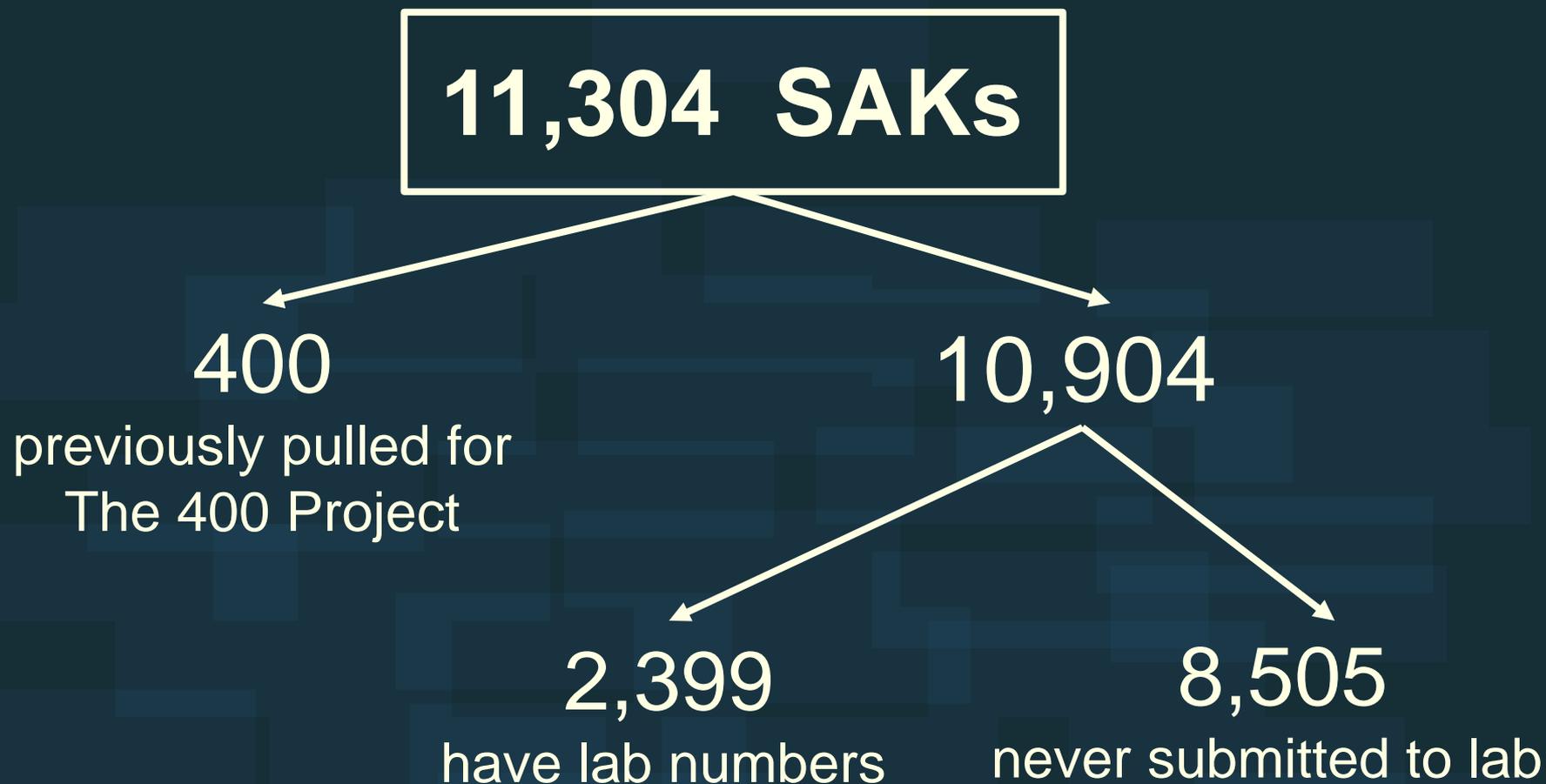
400

previously pulled for
The 400 Project

What's in the pile?



What's in the pile?



What's in the pile?

11,304 SAKs

400

previously pulled for
The 400 Project

10,904

2,399

have lab numbers

8,505

never submitted to lab

SOLUTIONS

Testing, Victim Notification, and
Investigation/Prosecution



Testing: “Test Smart”

- Funds available to test only 1,600 (19%)
- Glean as much information as we can from these 1,600 to inform long-term testing plans
- Developed 4 research studies (“waves”)

1,600 KITS

Each wave addresses questions that will inform future testing practices in Detroit and other communities



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WAVE 1
(450 SAKs)

Utility of Testing
SAKs in
Stranger Rape
Cases

1,600 KITS

Each wave addresses questions that will inform future testing practices in Detroit and other communities

WAVE 1
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Utility of Testing
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Cases

WAVE 3
(450 SAKs)

Utility of Testing
SAKs in **Non-
Stranger Rape**
Cases

1,600 KITS

Each wave addresses questions that will inform future testing practices in Detroit and other communities

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WAVE 3
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Utility of Testing
SAKs in **Non-**
Stranger Rape
Cases

WAVE 2
(350 SAKs)

Comparison of
DNA Testing
Methods

1,600 KITS

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WAVE 1
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Utility of Testing
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Utility of Testing
SAKs in **Non-
Stranger Rape**
Cases

WAVE 2
(350 SAKs)

Comparison of
DNA Testing
Methods

WAVE 4
(350 SAKs)

Utility of Testing
SAKs in **Older**
(SOL Expired)
Cases

1,600 KITS

Each wave addresses questions that will inform future testing practices in Detroit and other communities

**WAVE 1
(450 SAKs)**

Utility of Testing
SAKs in
Stranger Rape
Cases

**WAVE 3
(450 SAKs)**

Utility of Testing
SAKs in **Non-
Stranger Rape**
Cases

**WAVE 2
(350 SAKs)**

Comparison of
DNA Testing
Methods

**WAVE 4
(350 SAKs)**

Utility of Testing
SAKs in **Older
(SOL Expired)**
Cases

WAVE 1

248 Submitted (of 450)

WAVE 1

248 Submitted (of 450)

196 Tested & Reviewed

100 Profiles Entered Into CODIS

**100 / 196 =
51%**

WAVE 1

248 Submitted (of 450)

196 Tested & Reviewed

100 Profiles Entered Into CODIS

64 CODIS Hits

**64 / 100 =
64%**

WAVE 1
248 Submitted (of 450)

196 Tested & Reviewed

100 Profiles Entered Into CODIS

64 CODIS Hits

**42 / 64 =
65%**

42
Offender
Hits

4
Forensic
Hits

18
Offender &
Forensic Hits

**22 / 64 =
34%**

WAVE 1
248 Submitted (of 450)

196 Tested & Reviewed

100 Profiles Entered Into CODIS

64 CODIS Hits

42
Offender
Hits

4
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18
Offender &
Forensic Hits

MN

IN

FL

OH

MO

AL

LA

GA

IL

DC



Victim Notification

- Controversial issue, careful & thoughtful
- Begin by learning from others' expertise:
 - The 400 Project's experiences
 - Joyful Heart Foundation's national survey
 - NCVC survivor focus groups
 - Review of diverse academic literatures



Tentative Plan

- Developed pilot notification protocols to use in conjunction with Waves 1 and 3
- Notification is done AFTER testing, if there is a CODIS hit and possible prosecution
- Notification is done by investigator & advocate (tho specifics vary by case)
- Evaluation in progress



Investigation & Prosecution

- Just beginning in the Action Research Project
- Stakeholders are committed, but the task is absolutely daunting

Thank You !!
Please Stay Tuned . . .

CAUSES

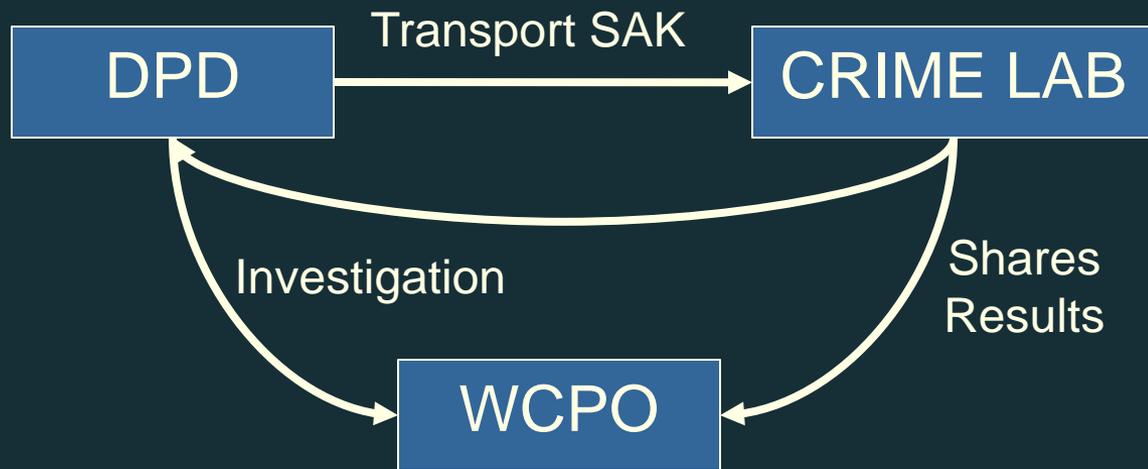
How and Why Did This Happen?

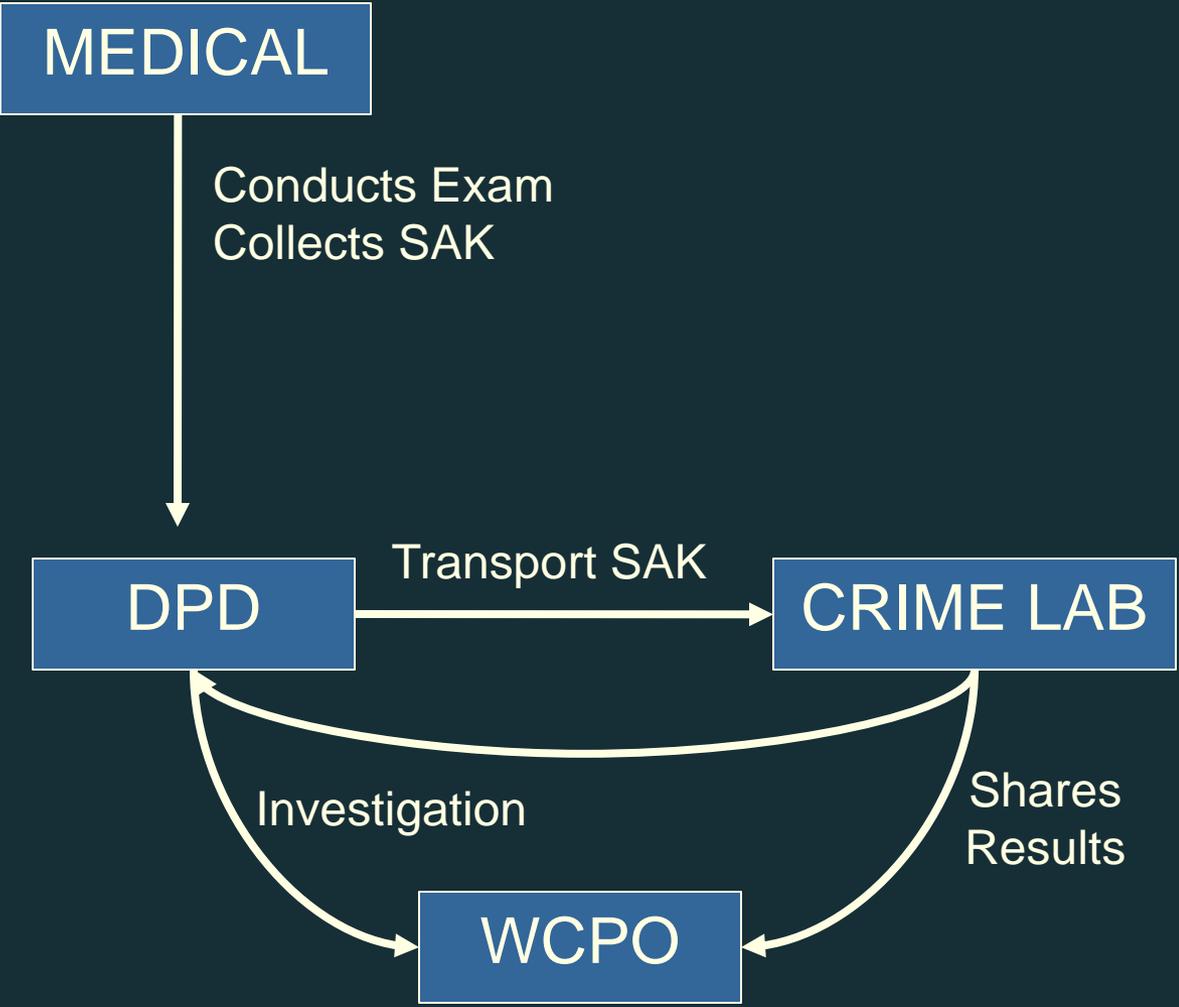
A Systemic Approach

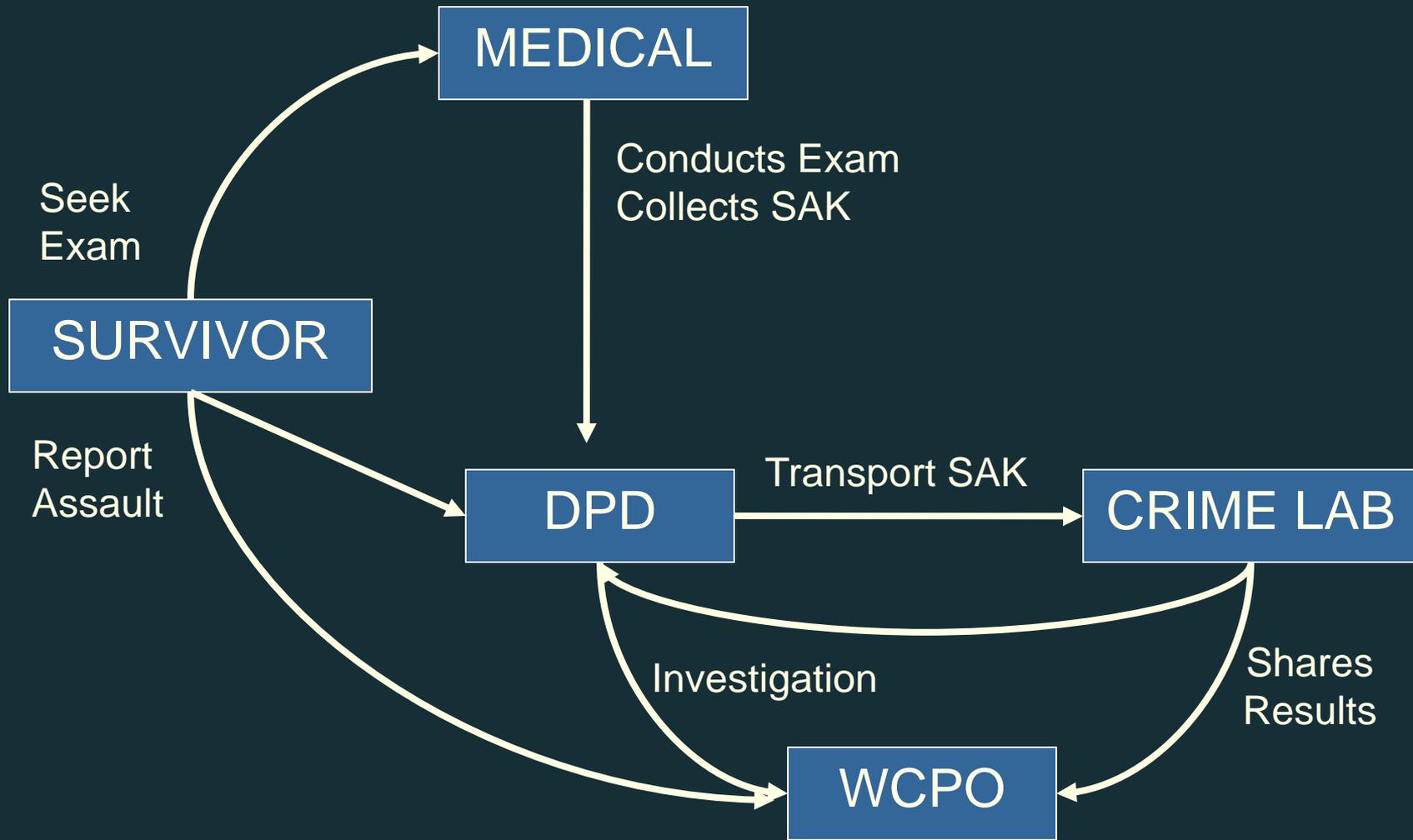
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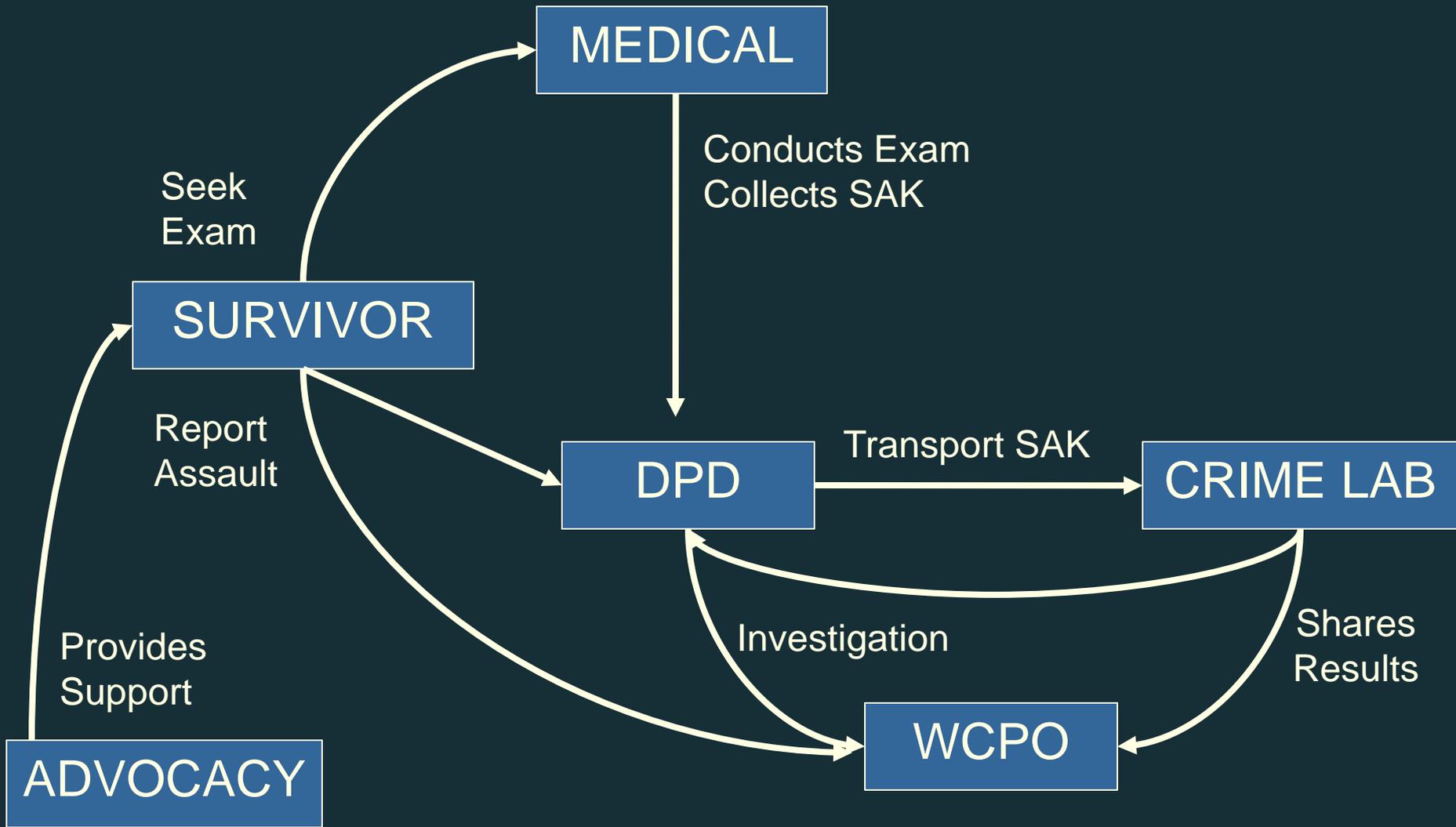
Problem rooted in long-standing relationships *within* and *between* organization

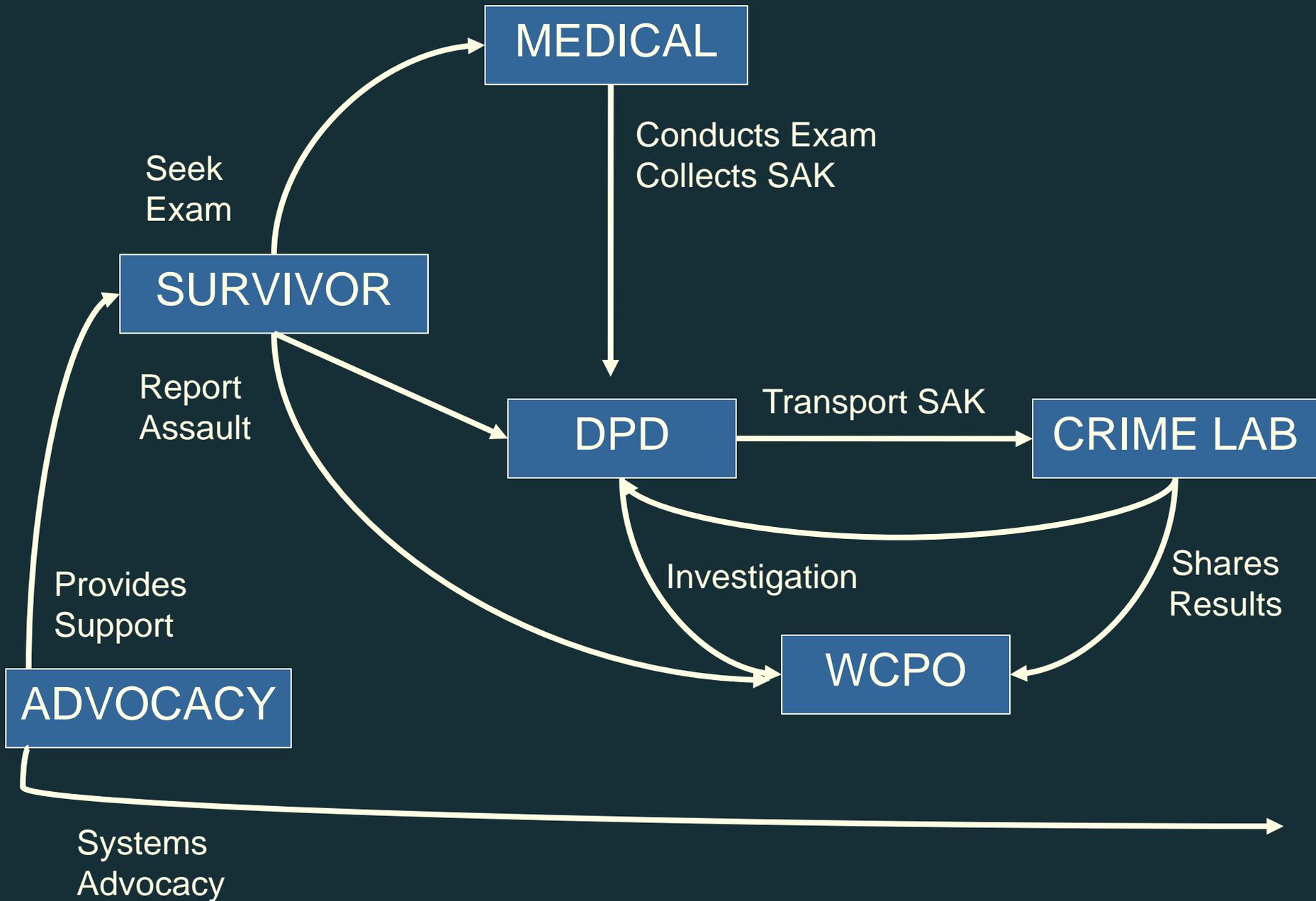










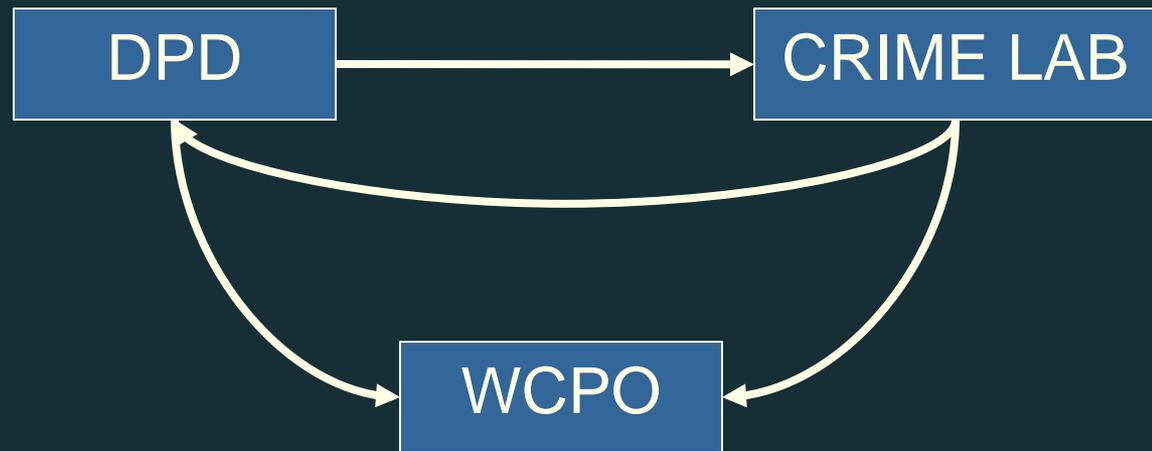




Identifying the Underlying Causes

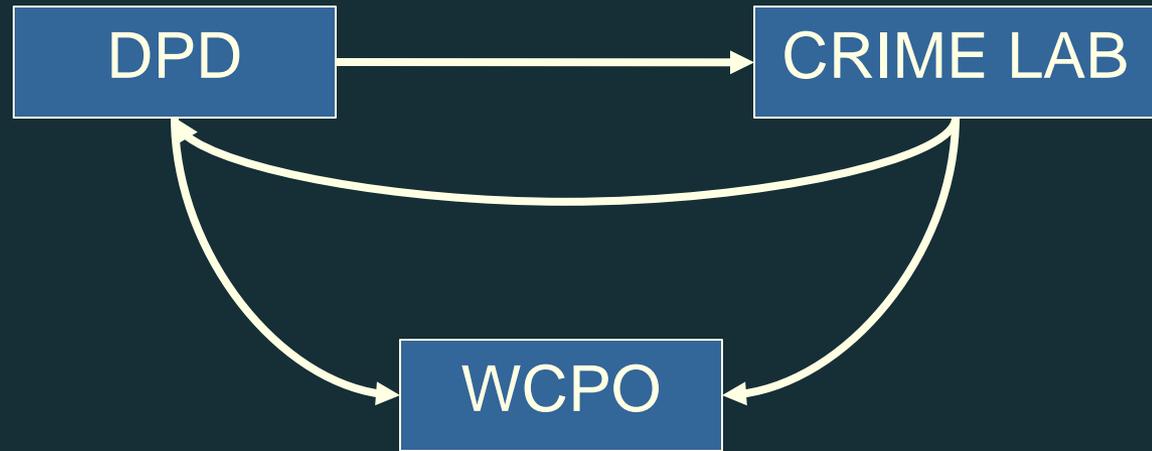
- In-depth archival record review
(public records and internal records)
- In-depth interviews with key stakeholders
- Goal to identify contextual risk factors

No Policy or Protocol Regarding Kit Testing

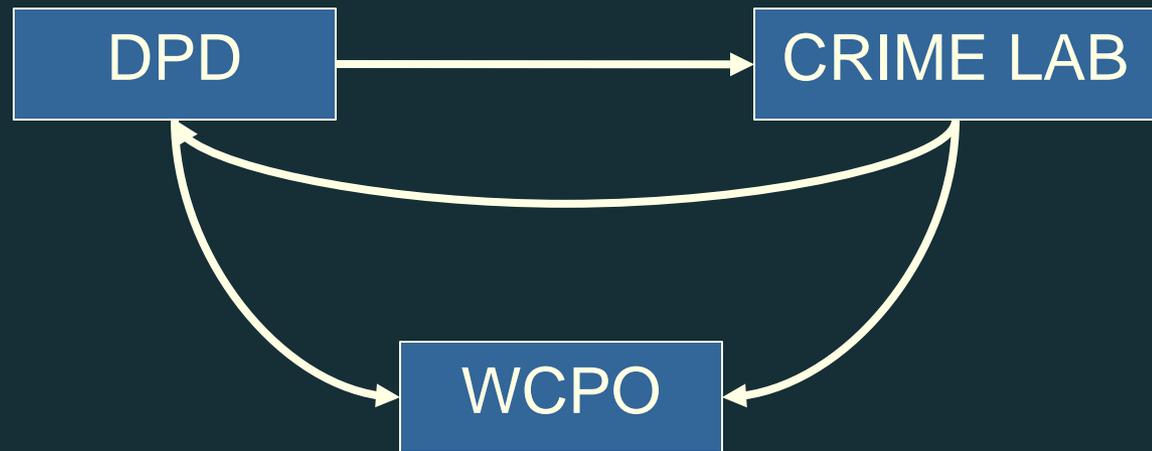


No Policy or Protocol Regarding Kit Testing

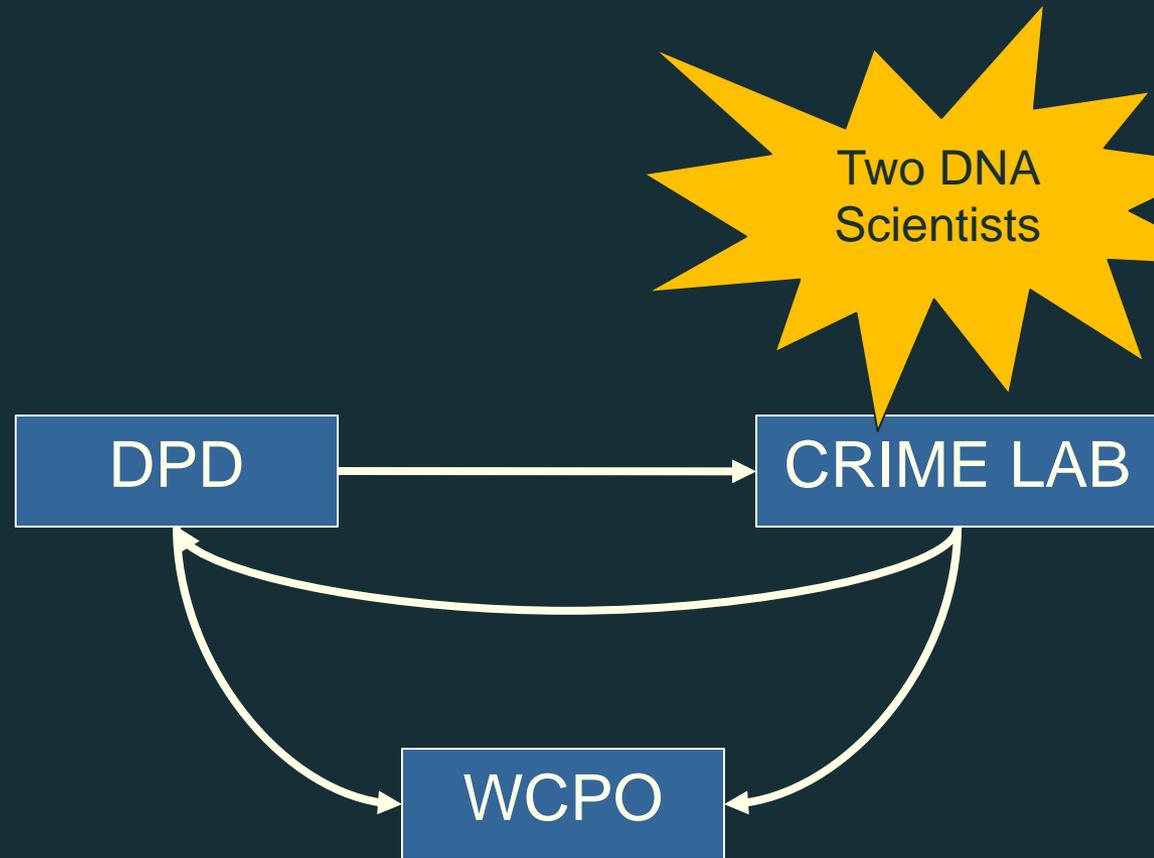
Who Decides
Whether a Kit
Will Be Tested?



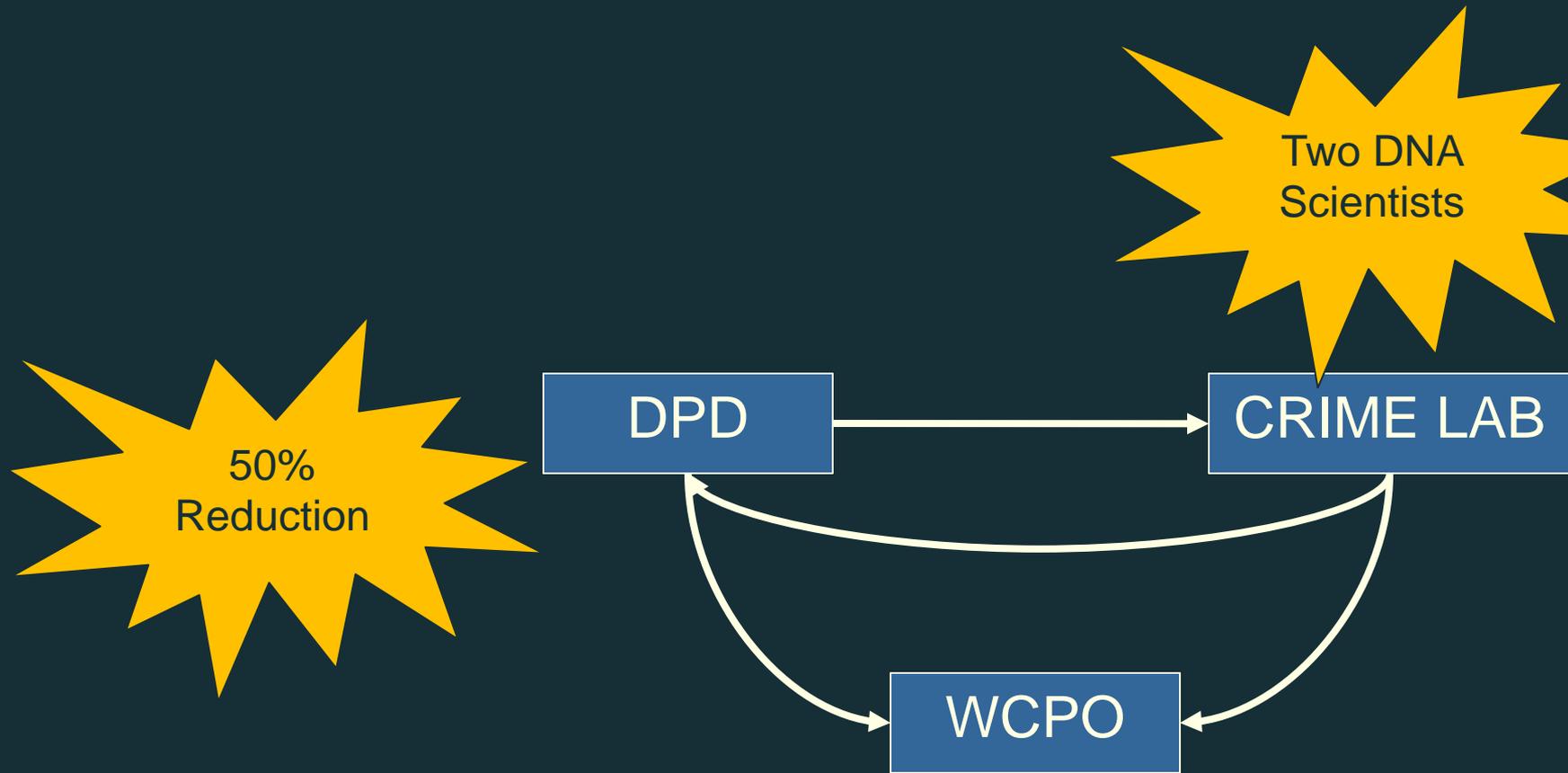
Drastic Reductions in Personnel Over Time



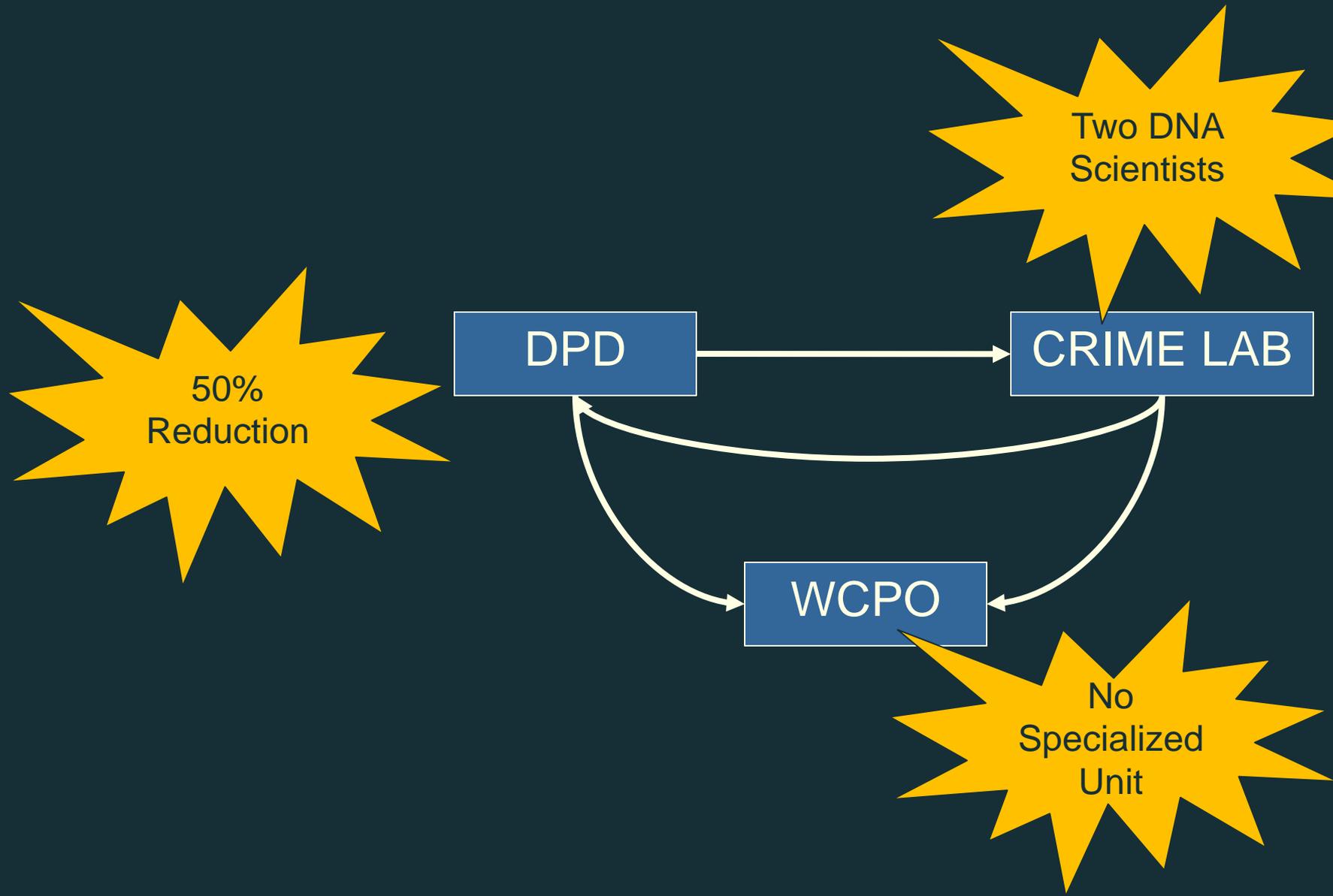
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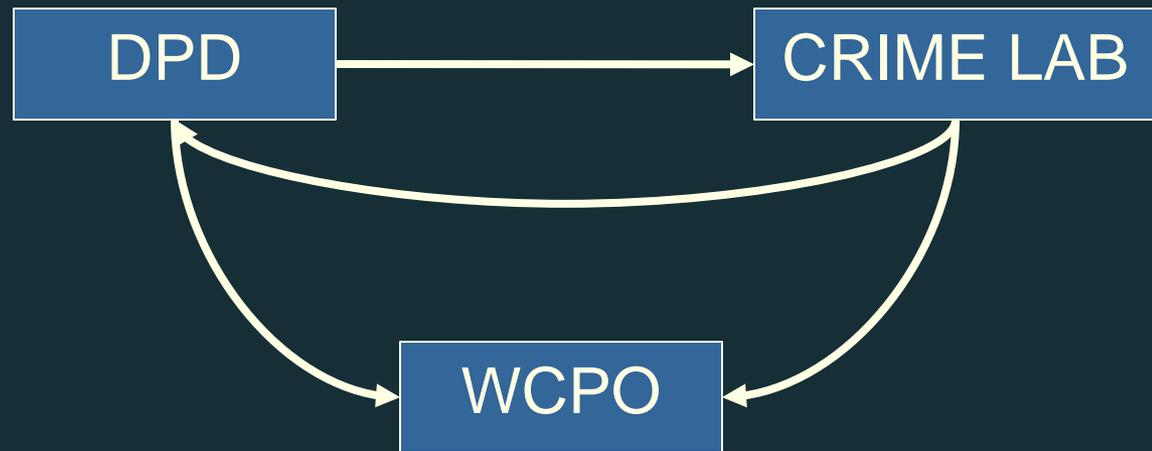
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Drastic Reductions in Personnel Over Time

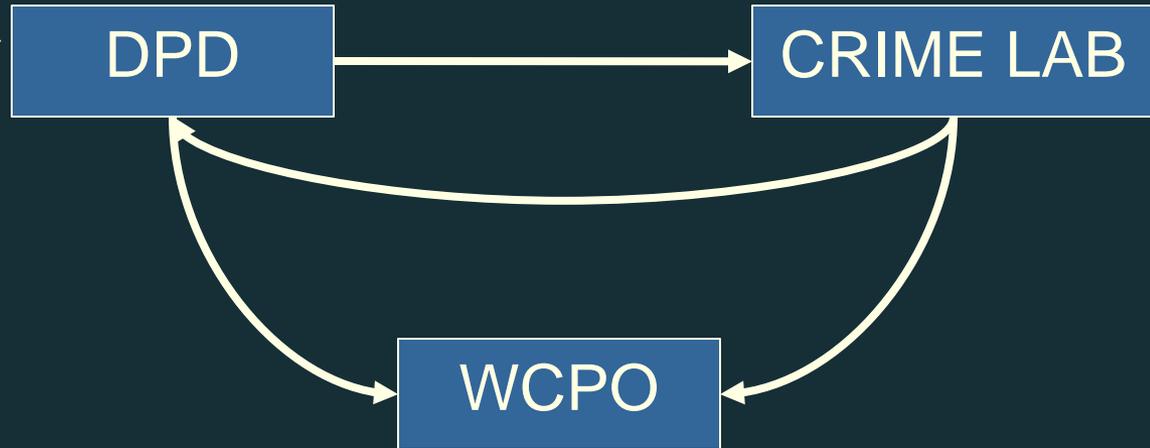


Numerous Changes in Leadership and Supervision



Numerous Changes in Leadership and Supervision

Nine Chiefs Over 20 Years
Five Chiefs < 3 Years
Average Tenure = **2.2 Years**



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Five Chiefs < 3 Years
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DPD

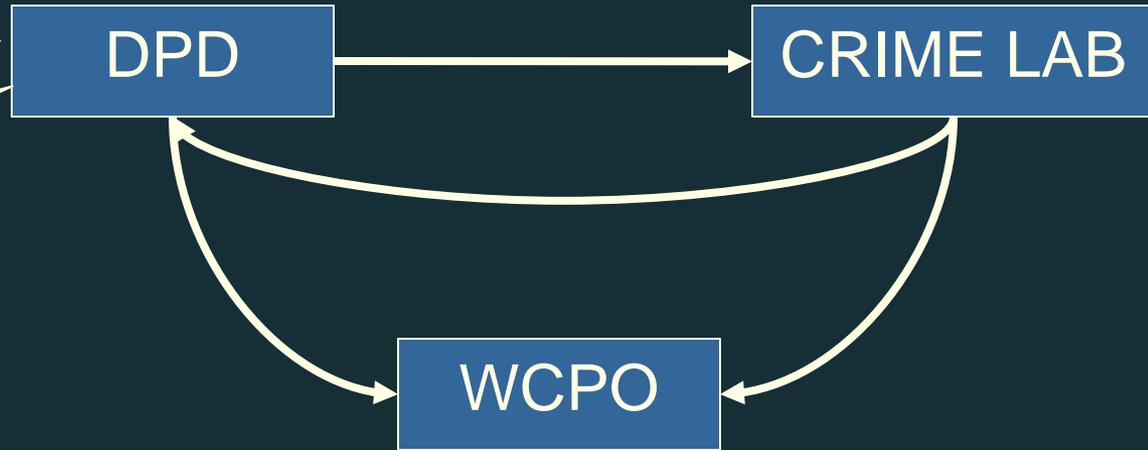
CRIME LAB

Nationally

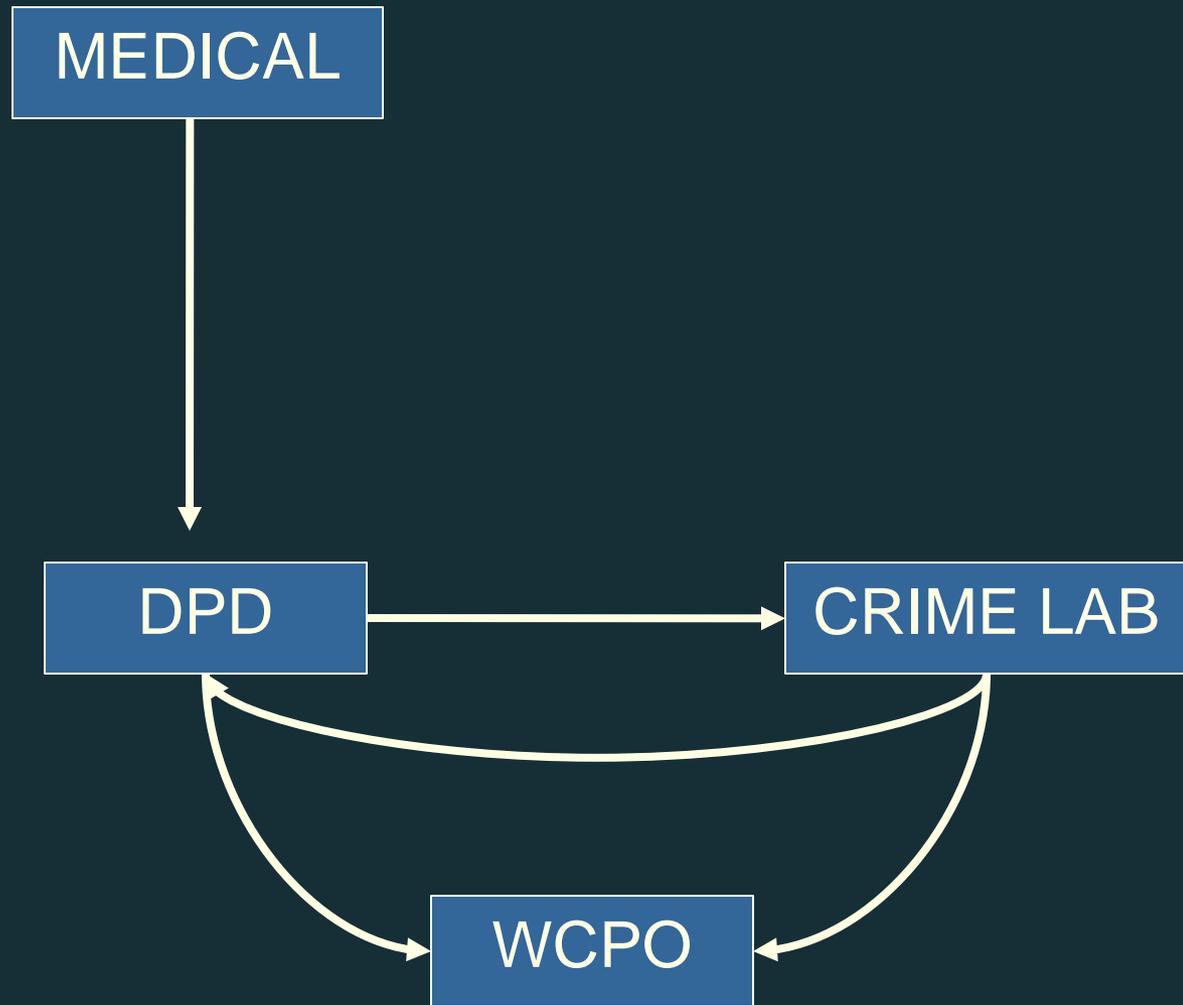
Average Tenure for Chiefs
in Metropolitan Cities =
3.5 - 4.5 years

Average Tenure for Chiefs
in Jurisdictions Over
500,000 = **5 years**

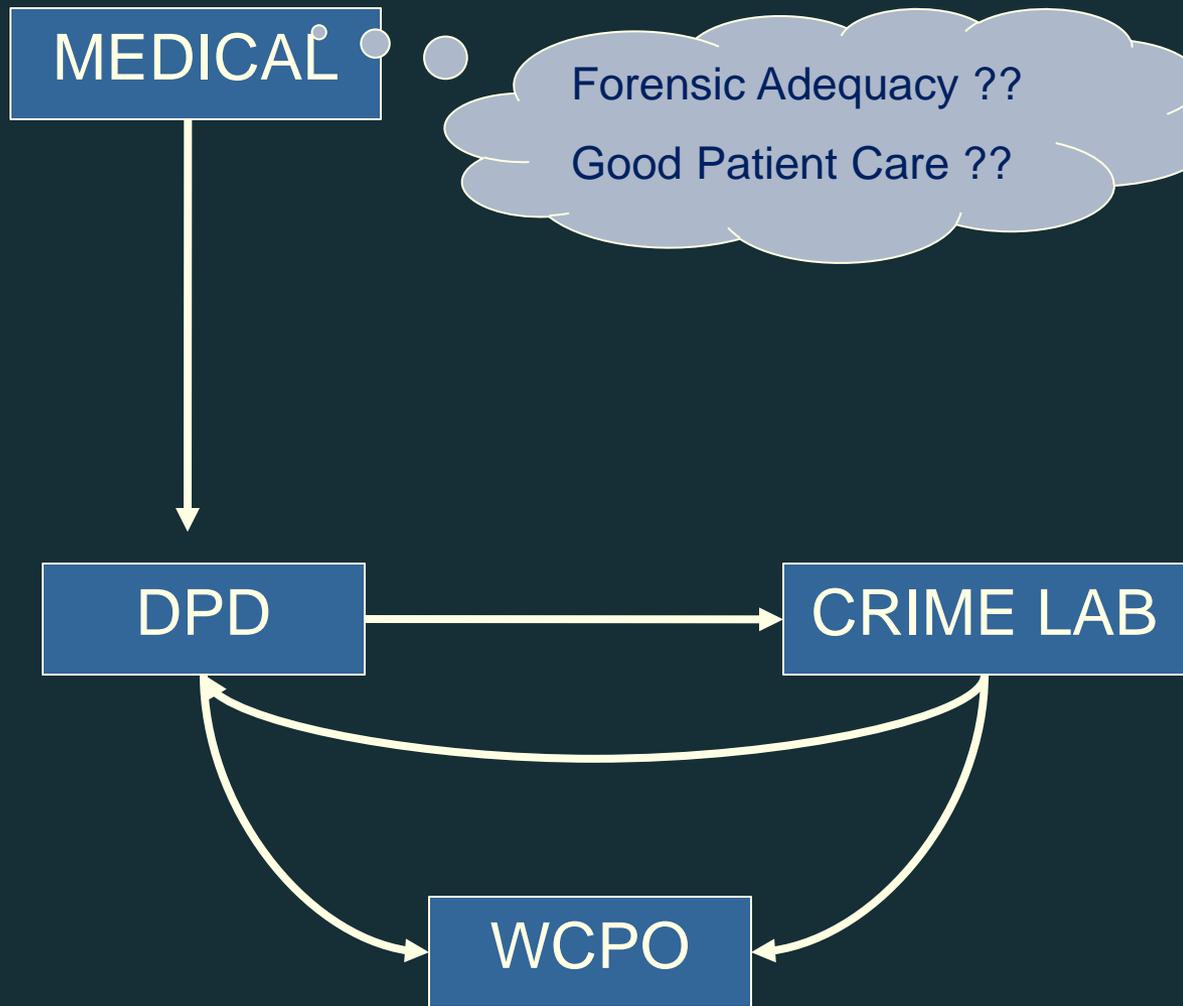
WCPO

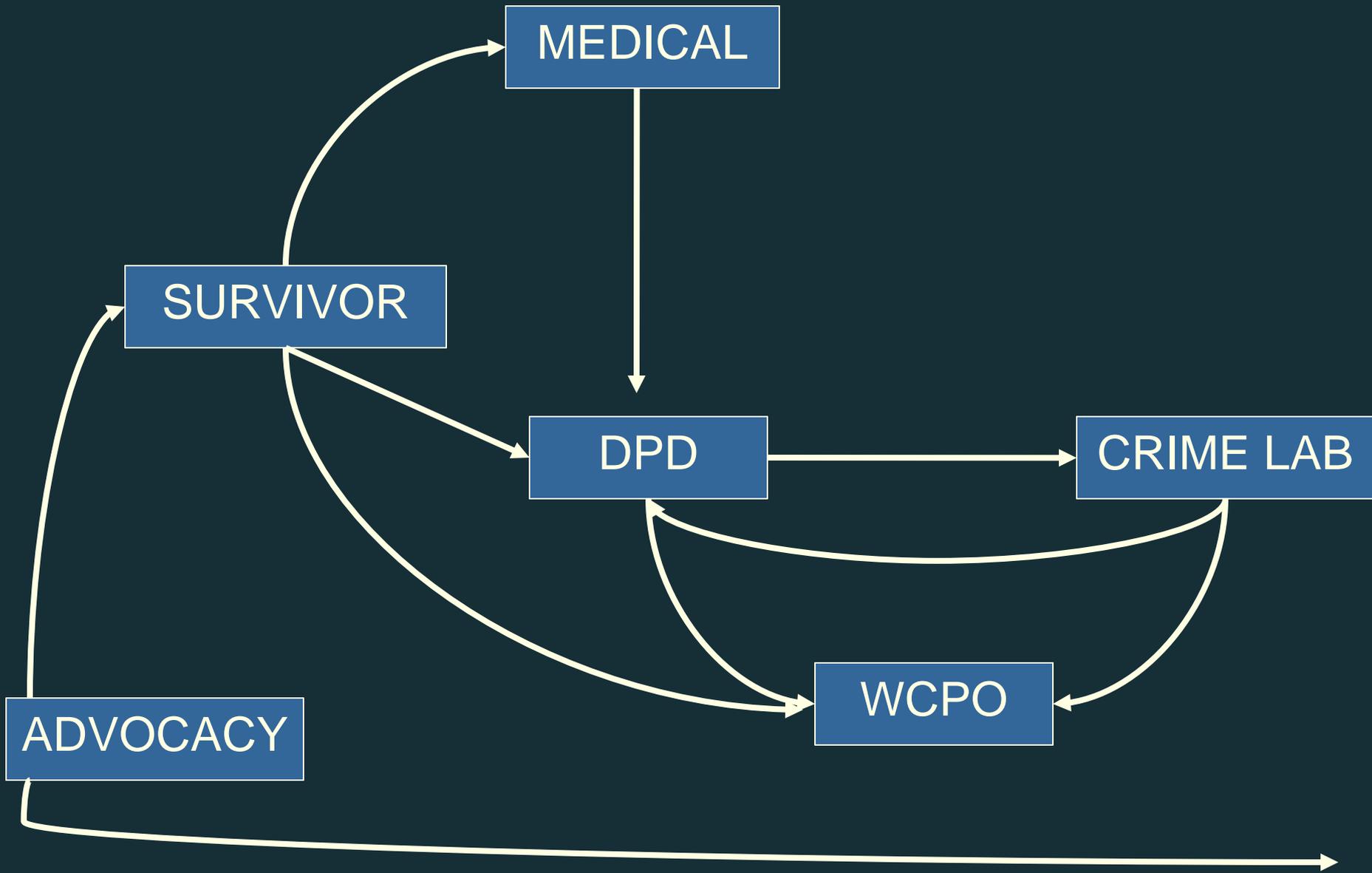


Good Quality
Medical
Forensic
Exams Were
Not Available
Until 2006

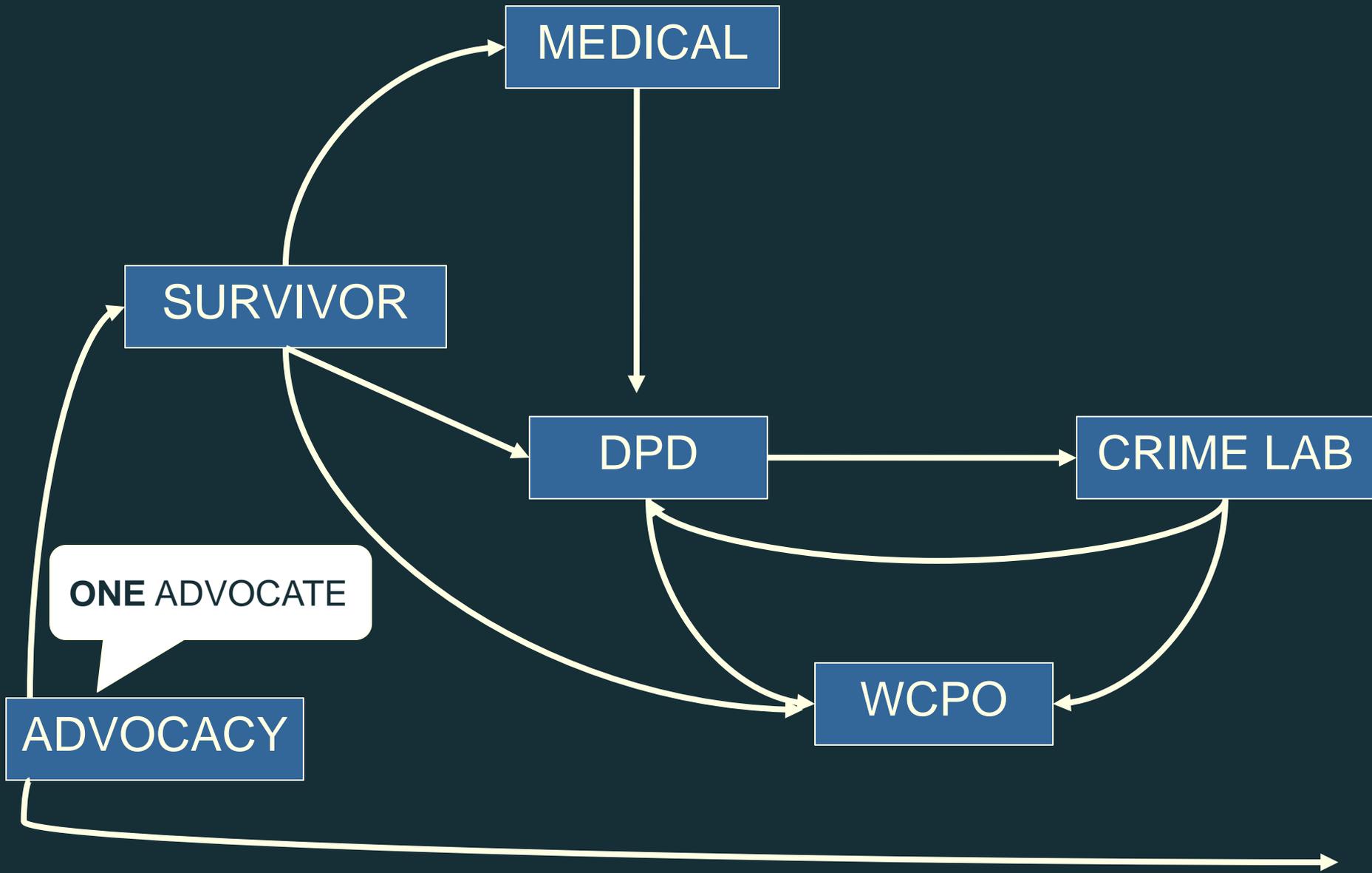


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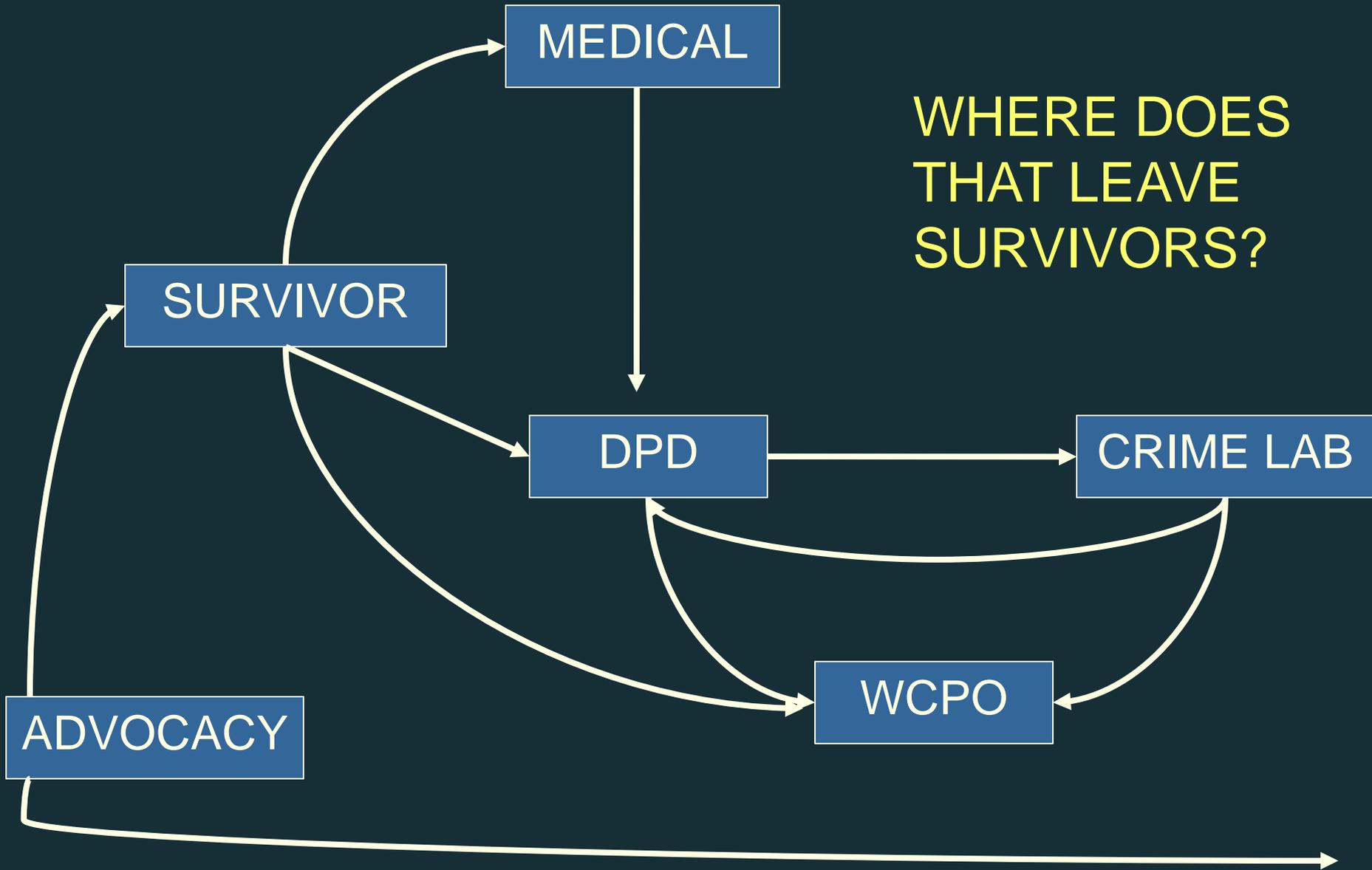


Community-Based Advocacy Services ~ Non-Existent



Community-Based Advocacy Services ~ Non-Existent

WHERE DOES
THAT LEAVE
SURVIVORS?



SURVIVOR

WHERE DOES
THAT LEAVE
SURVIVORS?



Identifying the Underlying Causes

- This research is still underway
- Preliminary findings show how resources constraints put Detroit at risk for developing the problem (and hamper solving it)