

SEXUAL ASSAULT KIT BACKLOG ELIMINATION GRANT PROGRAM



THE NEW YORK COUNTY DISTRICT ATTORNEY'S OFFICE

APRIL 20, 2015

AGENDA

- Welcome and Introductions
- Overview of New York County District Attorney's (DANY) Sexual Assault Kit Backlog Elimination Grant Program Overview
 - Background
 - Applicant Eligibility
 - Grantee Requirements
 - Permissible Usage of Funds
 - Reporting Requirements
 - Applicant Submission Process
- U.S. Department of Justice's Bureau of Justice Assistance Sexual Assault Kit Initiative Grant Program
- Q & A



BACKGROUND

- From 2000-2003, New York City embarked on a comprehensive effort to eliminate its sexual assault kit backlog, yielding:
 - 2,000 DNA matches in federal CODIS database
 - 200 cold case prosecutions
 - At least 1 exoneration
- Sexual assault kit evidence can identify unknown perpetrators, confirm the presence of known suspects, affirm a victim's account of an attack, connect evidence from an individual crime scene to serial rapists, and exonerate innocent suspects.
- DNA from any one jurisdiction's sexual assault kit may help solve crimes across the country.



SAK BACKLOG ELIMINATION GRANT PROGRAM OVERVIEW

- DA Vance committed \$35 million to support efforts to permanently eliminate untested or backlogged sexual assault kit (SAK).
- Funding will focus exclusively on the forensic testing of untested or backlogged SAKs. Funding **may not** be used for related costs such as investigating and prosecuting cases, inventorying SAKs, developing data- or information-sharing systems, project administration, victim services or onsite training.
- Each applicant may request up to \$2,000,000 for a two-year period.
- “Backlog” and “untested” refer to any SAK connected to a reported sexual assault that has not been tested within 365 days of being booked into law enforcement evidence—regardless of the reason why the SAK was not tested.
 - Only SAKs where the victim did not consent to testing or where evidence exists that no crime was committed (e.g., the victim recants or there is video footage substantiating that no crime was committed) may be excluded from testing.



APPLICANT ELIGIBILITY

- Applicants are limited to States (including territories), units of local government (including federally-recognized Indian tribal governments as determined by the Secretary of the Interior), law enforcement agencies, prosecutor's offices, and public forensic labs.
- The organization or agency submitting this application is the Lead Applicant. If selected as a grantee, the Lead Applicant holds responsibility for coordinating the multi-disciplinary strategy and reporting to DANY on a quarterly basis.



GRANTEE REQUIREMENTS

Grantees will be required to adhere to the following program requirements:

1. A multi-disciplinary strategy that coordinates law enforcement agencies, prosecutor's offices, system- and community-based victim advocates, forensic medical personnel and public laboratories.
2. The adoption of the "forklift approach." The forklift approach is a method that embraces the testing of all untested SAKs irrespective of the type of kit. Only in cases where the victim did not consent to testing or where evidence exists that no crime was committed may the SAK be excluded from testing.
3. Jurisdictions that receive funding to test a subset of their backlogged SAKs must select a random sample.



GRANTEE REQUIREMENTS (CONT.)

4. A commitment to entering all eligible DNA profiles into the Combined DNA Index System (“CODIS”) within a reasonable timeframe.
5. A commitment to prosecuting and investigating any CODIS hits that result from testing, including a simultaneous process for notifying law enforcement agencies and prosecutors.
6. A coordinated strategy to notify and engage victims following a CODIS hit.
7. Participation in data collection in order to track the outcomes of the SAK Program.



WHAT CAN GRANT FUNDS BE USED FOR?

Permissible Use of Funds

- Contract costs related to testing, including the cost of testing kits in a private lab *or* personnel overtime for public lab staff directly involved in forensic testing
- Personnel overtime may also be funded to perform the technical review of resulting DNA hits prior to uploading in CODIS
- Other costs related to transporting and testing kits, including postage
- Travel costs associated with a 2-day conference offered by the U.S. Department of Justice's Bureau of Justice Assistance



WHAT CAN GRANT FUNDS BE USED FOR?

Impermissible Use of Funds

- Investigation and prosecution of cases
- Purchasing laboratory equipment or other capacity-building expenses
- SAKs inventory
- Development of data- or information-sharing systems
- Project administration
- Victim Services
- Onsite training



REPORTING REQUIREMENTS

- As part of grantees' performance measurement, all grantees will be required to provide information to DANY on a quarterly basis during the grant period and follow-up data in the two years following the grant period. The Lead Applicant will be responsible for submitting this information to DANY; however, gathering this information may require cross-agency collaboration.

- Grantees will be expected to report on metrics in the following areas:
 - i. status of their SAK backlog,
 - ii. arrests and dispositions based on CODIS hits,
 - iii. victim notification in the event of a CODIS hit,
 - iv. victim information, and
 - v. victim/defendant relationship, in addition to qualitative process measures regarding the overall progress of the project during the reporting period.



ADDITIONAL ATTACHMENTS

- Letters of commitment
 - Agency or agencies that possess untested SAKs
 - Crime laboratory that provides DNA services to the law enforcement agency
 - Prosecutor's office
 - Community-based victim services organization
- Timeline
- Budget worksheet and narrative



HOW TO APPLY

- Visit DANY's online grant administration portal: <https://app.wizehive.com/apps/whnycda>
 - Create a profile
 - Complete online form
 - Carefully review RFP, including selection criteria outlined on page 7

- Complete Program Narrative, Timeline, and Detailed Budget Worksheet and Narrative and save in Word, Excel, or PDF format.

- Upload attachments to grant portal
 - Program Narrative (not to exceed 15 pages)
 - Timeline
 - Budget Detail Worksheet and Narrative
 - Agency letters of commitment

- **All applications must be submitted through DANY's online grant administration portal by June 1, 2015 at 5:00 p.m. EST.**



ADDITIONAL INFORMATION

- Frequently Asked Questions will be available online by April 24
- For technical assistance with submitting an application and other grant-related questions, contact dnabacklog@dany.nyc.gov
- RFP available at: <http://manhattanda.org/ending-rape-kit-backlog-nationwide>
- For additional resources on SAK backlog elimination, visit the Joyful Heart Foundation's website: <http://www.endthebacklog.org/>





BJA

Bureau of Justice Assistance
U.S. Department of Justice

Fiscal Year 2015 National Sexual Assault Kit Initiative

**Presented by Dr. Angela Williamson
Senior Policy Advisor (Forensics)**



SAKI Overview

- The goal of the SAKI is the creation of a coordinated community response that ensures just resolution to sexual assault cases whenever possible through a victim-centered approach, as well as to build jurisdictions' capacity to prevent the development of conditions that could lead to high numbers of unsubmitted SAKs in the future.
- This holistic program provides jurisdictions with resources to address their unsubmitted SAK issue, including support to:
 - inventory, test, and track SAKs;
 - create and report performance metrics;
 - access necessary training to increase effectiveness in addressing the complex issues associated with these cases and engage in multidisciplinary policy development, implementation, and coordination;
 - and improve practices related to investigation, prosecution, and victim engagement and support in connection with evidence and cases resulting from the testing process.
- BJA will also select a TTA provider who will deliver, nationwide, a wide range of TTA services.



Site-Based Award Details

- Anticipate funding approximately 15 awards.
- Up to \$2 million per grantee/jurisdiction.
- 3-year award period beginning on October 1, 2015.
- No more than 50% of the funding is to be allocated for SAK testing.
- Applications are due by May 7, 2015

SUMMARY

DANY Sexual Assault Kit Grant Program	BJA Sexual Assault Kit Initiative	DANY/BJA Collaboration
<ul style="list-style-type: none"> • Up to \$2 million per grantee for two years • Funding is focused on <i>testing</i> of untested sexual assault kits • Untested sexual assault kits defined as those that have not been tested for 365 days – can be stored in labs, police departments, etc. • Applications due June 1, 2015 	<ul style="list-style-type: none"> • Up to \$2 million per grantee for three years • Up to 50% of budgets may go to testing; funding may also be requested for a site coordinator, to support prosecution and investigative needs, victim advocacy, etc. • Unsubmitted sexual assault kits defined as those in police, law enforcement storage <i>never</i> submitted to a lab • Applications due May 7, 2015 	<ul style="list-style-type: none"> • Jurisdictions may apply to both grant programs and may receive awards from both DANY and BJA, assuming there is no duplication in funding requests. • DANY and BJA will share applicant information to ensure that there is no duplication of services. • BJA will provide training and technical assistance to its grantees. As resources allow, DANY grantees may be eligible to receive these services. • Grantees from both programs will participate in a 2-day conference in Washington, DC to discuss best practices.

Q & A

