

IDAHO STATE POLICE PROCEDURE

9.02 SEXUAL ASSAULT KIT INITIATIVE PROGRAM

I. General

- A. The Sexual Assault Kit Initiative (“SAKI”) is a nation-wide program administered by the United States Department of Justice, Bureau of Justice Assistance (“BJA”). The ISP (Idaho State Police) SAKI Unit is funded by BJA grants and housed within ISP Forensic Services.
- B. The ISP SAKI Unit focus on three “purpose areas” referred to as SAKI Purpose Areas 3, 4 and 6. Purpose Area 3 focuses on the collection of DNA samples from offenders who should have, but did not, provide the state a DNA sample after a conviction or guilty plea involving a qualifying crime. Purpose Areas 4 and PA 6 focus, respectively, on assisting Idaho law enforcement agencies with unsolved sexual assault-related investigations (Purpose Area 4), and unsolved homicides and other violent felonies and unidentified human remains, (Purpose Area 6), through traditional investigative methods combined with the use of forensic DNA technologies and Forensic Investigative Genetic Genealogy. The SAKI Unit’s operations in each Purpose Area are directed by the SAKI Site Coordinator for that Purpose Area.
- C. The SAKI Unit consists of a combination of employees and independent contractors, including criminal investigators who have previously served as commissioned local, state and federal law enforcement officers. One or more of these investigators may, at the sole discretion of the Director, be employed by ISP and commissioned by the Director as a “Special Investigator” or a “Special Supervisory Investigator” (collectively, referred to as a “Special Investigator”) to exercise limited and specific peace officer powers and authority when working on SAKI-related matters set forth in this procedure.

II. SAKI Personnel.

- A. All SAKI personnel, whether employees or contractors, will:
 - 1. Comply with all ISP procedures.
 - 2. Comply with any SAKI grant requirements, as determined by the relevant SAKI Site Coordinator.
 - 3. Follow the chain of command as determined by the Director or his designee.
- B. Special Investigators:
 - 1. Are not ISP troopers and they are not eligible for a lateral transfer to an ISP trooper position or to a rank- or seniority-based promotion as an ISP trooper.
 - 2. Shall not act as a peace officer or exercise any peace officer authority beyond that set forth in this procedure and shall not participate in any law enforcement activities not related to SAKI operations.
 - 3. Shall comply with all requirements of the Rules of the Idaho Peace Officers Standards and Training Council (IDAPA 11.11.01 et. seq.)

4. Have limited peace officer authority and may exercise that authority only as specified in this procedure or by specific approval from the Director. The scope of the law enforcement authority for Special Investigators is limited to:
 - a. drafting and swearing affidavits in support of searches, seizures of property and arrest warrants related to SAKI activities;
 - b. accessing ILETS and other criminal history databases for criminal investigative purposes within the scope of SAKI functions;
 - c. accessing CODIS data and ViCAP access for SAKI-related purposes;
 - d. collecting DNA samples and receiving and submitting such samples as evidence;
 - e. conducting surveillance activities in furtherance of SAKI criminal investigations;
 - f. interviewing witnesses and suspects in furtherance of SAKI criminal investigations;
 - g. making arrests, provided that planned arrests should be made by the originating agency, wherever possible; and
 - h. all other law enforcement authority as is reasonable and necessary to accomplish the goals of the SAKI program.
5. Must obtain authorization from the program Major before any pre-planned law enforcement operations are conducted.
6. May exercise peace officer authority in emergency situations not related to SAKI investigations, in accordance with applicable ISP policies.

III. Equipment

- A. Special Investigators shall use only law enforcement equipment issued or approved by ISP for work-related purposes.
- B. Law enforcement equipment issued to Special Investigators shall include and is limited to a duty firearm, tactical vest and plates, duty belt, handcuffs, handcuff carrier, magazine carrier, paddle holster and ISP issued polos.
- C. Special Investigators shall use ISP or ISPFS vehicles for travel while traveling for work, unless otherwise authorized in advance by the program Major.