

# ISP FORENSIC SERVICES UPDATE ON LEGISLATION IMPLEMENTATION OF SEXUAL ASSAULT KIT TRACKING

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# Overview



- ❑ Organization of ISPFS
- ❑ Turnaround Times
- ❑ Law Review
- ❑ Annual Legislative Report
- ❑ Looking forward

# Introduction to ISPFS



ISPFS Coeur d'Alene Laboratory



ISPFS Meridian Laboratory



ISPFS Pocatello Laboratory

<http://www.isp.idaho.gov/forensics/index.html>

# Accreditation



- First accreditation 1987
- First ISO 17025:2005 accreditation in 2007
  - Reaccreditation every 4 years
- Just switched accrediting bodies (competitive contract)
  - Current accreditation with A2LA through 2021
  - Over **500** management and analytical requirements
- Yearly internal audit and external assessment of each lab

# Introduction to ISPFS

Service	Coeur d'Alene	Meridian	Pocatello
Controlled Substances Analysis	X	X	X
Crime Scene General	X	X	X
Crime Scene Clan Labs	X	X	X
Fire/Arson Evidence Analysis	X		
Firearms/Toolmarks	X		
Footwear/Tiretrack			
DNA		X	
Biology Screening		X	
DNA Database		X	
Latent Print Processing		X	
Latent Print Comparison		X	
Blood Alcohol	X	X	X
Breath Alcohol Instrument Calibration	X	X	X
Drugs in Blood	X		X
Drugs in Urine	X		X

# Turnaround Times:

## ISPFS Evidence Analysis Turnaround

(Please contact the lab if a specific case needs a quicker turnaround time to meet court requirements)

Alcohol / Volatiles	Breath Alcohol Inst.	Controlled Substances	Biology Screening	Sexual Assault Kits	DNA	DNA Database	Fire Evidence	Firearms / Toolmarks	Footwear & Impressions	Latent Prints	Blood Toxicology	Urine Toxicology
<b>ISPFS <u>Average</u> Turnaround Goals (in days)</b>												
30	30	30	30	90	30	30	30	30	30	30	30	30
<b>Current ISPFS <u>Average</u> Turnaround (in days)</b>												
19	< 30	23	86	N/A	263	15	47	84	N/A	109	66	41
<b>ISPFS <u>Longest Anticipated</u> Turnaround Time (in days)</b>												
30	30	66	146	411	411	30	30	191	N/A	244	127	30
<b>Number of Cases Currently in Lab Longer than Statagic Turnaround Time (in days)</b>												
0	0	26	117	132	161	0	0	8	N/A	330	19	0
<b>Data As Of 1/31/2018</b>												

Turnaround times are calculated from the date the evidence submission is complete

# Caseload FY2015 - FY2017:

Discipline	FY 2015	FY 2016	FY 2017	
Biology Screening	250	208	397	58.50%
DNA	112	116	142	26.80%
DNA Database	6880	4131	4817	-29.98%
Blood Alcohol	1360	1289	1243	-8.60%
Controlled Substances	7414	7739	8347	12.58%
Fingerprints	891	1152	1308	46.80%
Firearms/Toolmarks	62	55	39	-37.09%
Fire Debris	17	19	20	17.64%
Urine Toxicology	503	479	416	-17.29%
Blood Toxicology	997	566	1089	9.22%
Crime Scenes		23	22	
Shoe/Tire	10	0	0	
Document Exam	0	0		
Trace Analysis	0	0		

# Increased Biology Workload:



Discipline	Submit FY2016	Submit FY2017	Increase
Biology Screening	249	465	86%
DNA	171	251	46%

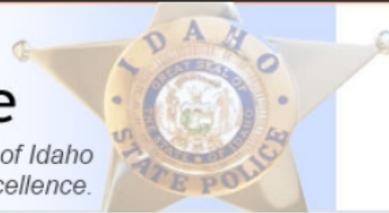
# H528 (Audit and Track SA Kits)

Protecting the lives, property, and constitutional rights of people in Idaho since 1919.

Home

## IDAHO State Police

*Providing public safety across the State of Idaho through law enforcement excellence.*



Google Custom :

Idaho State Police H  
700 S. Stratford Dri  
Headquarters: 208.884.  
Emergencies: **208.844**

Law Enforcement

ISP Departments

Human Resources

Citizen Resources

Welcome Evidence Submission Our Services & Disciplines Analytical Methods Forms

Forensic Training Customer Feedback History Newsletters & Notices Careers

Accreditation & Staff CV's Sexual Assault Kit Tracking



[Idaho Online Sexual Assault Kit Tracking Software Link](#)

[Idaho State Police News Release](#)

[Idaho State Sexual Assault Kit Legislative Report For 2017](#)

[Idaho State Sexual Assault Kit Legislative Report For 2016](#)

[↓ Idaho State-wide Sexual Assault Kit Audit 2016 ↓ \(Click to view\)](#)

### Quick Links



[Fingerprinting & Background Checks](#)



[Sex Offender Registry](#)



[Forensics](#)



[Investigations](#)

# H146 (Retention of SA Kits)

- (a) For death penalty cases, until the sentence in the case has been carried out and no unapprehended persons associated with the offense exist;
- (b) For felony cases, including anonymous sexual assault kits, **55 years from the date of collection or until the sentence in the case is completed**, whichever occurs first; and
- (c) For cases where there is no evidence to support a crime being committed, when it is no longer being investigated as a crime or when an adult victim expressly indicates that no further forensic examination or testing occur, **10 years from date of collection.**
- **\*\*Kit destruction has stopped and intervals being followed**

# Idaho Sexual Assault Kit Tracking System (IKTS)

In January of 2017 Idaho became the first state to fully implement a state-wide sexual assault kit tracking system. **This tracking system provides more public accountability and transparency, allows victims to see the state taking this issue seriously, provides better direction and tools to law enforcement, provides more resources to the state forensic laboratory, and ultimately provides a better criminal justice system.**

<https://www.isp.idaho.gov/SexualAssaultKitTracking>

# Development



- 4 programmers at ISP—4 months to complete
- Collaborated with all stakeholders
- Available to citizens, stakeholders, and survivors
- ISP hosts and maintains
- Cost savings to Idaho citizens (one-time and ongoing)

## This site tracks sexual assault kits issued by the State of Idaho



### Authorizing Legislation

This website enables the tracking of sexual assault evidence kits\* in the state of Idaho in compliance with [Idaho Code Chapter 29, Title 67, Section 67-2919](#).

*\*"Sexual assault evidence kit" means a set of materials, such as swabs and tools for collecting blood samples, used to gather forensic evidence from a victim of reported sexual assault and the evidence obtained with such materials.*

[Sexual Assault Victim Notification Form and Waiver](#)



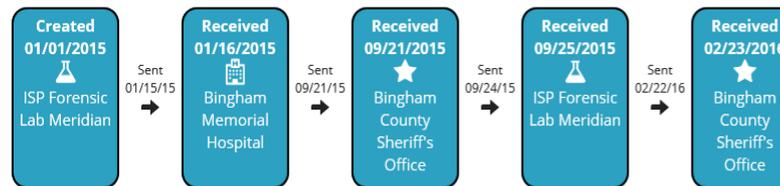
### Instructions

Victims of sexual assault can view the history and current status of their sexual assault evidence kit by entering the sexual assault evidence kit tracking # in the "serial number" box above and clicking the adjacent search button with the magnifying glass icon (Q)

Authorized medical, law enforcement, county prosecutor, and lab personnel should select "Login" and enter their unique Username and Password to manage the status of sexual assault evidence kits under the jurisdiction of their agency.

## Sexual Assault Kit #02000

Status: **Analyzed by lab**



Collection Date: 09/21/2015

Created 01/01/2015

ISP Forensic Lab Meridian created the kit.

Sent 01/15/2015

ISP Forensic Lab Meridian sent the kit to Bingham Memorial Hospital.

Received 01/16/2015

Bingham Memorial Hospital received the kit from ISP Forensic Lab Meridian.

# Training



- 20 live interactive internet based sessions
- 213 people initially trained
- On-demand videos and training materials
- One full-time trainer and administrator of the system

# By the numbers:

Calendar Year 2017	
Kits Purchased by ISPFS	512 kits
Kits Distributed by ISPFS	560 kits
Kits Collected	456 kits
Average time to lab	60 days
Kits not submitted per state statute	94 kits
Kits submitted to the lab	*509 kits
Completed lab testing at ISPFS	316 kits
Pending at the ISPFS Lab	307 kits
Oldest kit in the ISPFS Lab	381 days

# By the numbers:

Overall Data:	
Untested kits reported in 2016	1116 kits
Kits not meeting state statute	575 kits
Number from 2016 audit still needing testing	289 kits
Kits still needing submission to ISPFS	87 kits
Kits still needing submission to FBI Lab	164 kits
Current kits pending at the lab	*347 kits
Total Idaho kits needing testing (February 1 <sup>st</sup> 2018)	<b>598 kits</b>

Reason	Sub-Reason	Total
<b>An adult victim expressly indicates that no further forensic examination or testing occur.</b>		<b>25</b>
	Written attestation stored in LE department records	11
	Verbal attestation recorded in LE department notes	14
<b>No evidence to support a crime being committed.</b>		<b>26</b>
	Adult victim specifically stated the act was consensual	2
	Mental state of the victim and/or suspect does not support a crime being committed	2
	Victim admitted filing a false police report	3
	Victim disclosure does not meet the elements of a sexual assault	19
<b>No longer being investigated as a crime.</b>		<b>37</b>
	Corroborated evidence that the incident did not happen	12
	Offense was committed in another state and the kit will be forwarded to LE in the appropriate jurisdiction	1
	The victim states that they are not a victim of crime (documented by the department)	3
	Victim could not be located or was unavailable to investigators (i.e. additional information is needed to determine if a crime occurred)	1
	Victim provided inconsistent or untrue facts (i.e. additional information is needed to determine if a crime occurred)	8
	Victim refused to cooperate with LE (i.e. additional information is needed to determine if a crime occurred)	9
	Video, audio, or other electronic evidence provide indisputable evidence that the crime did not occur	0
	Witness statements in conflict with victim account (i.e. additional information is needed to determine if a crime occurred)	3
<b>Anonymous or Jane/John Doe Kit (victim chooses not to report a crime to LE per VAWA).</b>		<b>6</b>

# IKTS by the numbers:

Overall Data on IKTS:	
Average visitors to public website	30 users/day
Logins by system users	25-30 users/day
States asking for software information/downloads	16 states
National orgs asking for software information	5 organizations
Presentations at national meetings	4
Publications in Idaho media	~12

# Challenges Identified:

- 30 day timeframe for LE to submit to the lab
- No statutory requirement for medical facilities
- Communication by administrator with IKTS users
- LE interpreting Idaho Statute
- Getting all older kits into the IKTS system
- IKTS Admin position turnover

# ISAKI

- Matthew Gamette—ISPFs Laboratory System Director (Chair)
- Cyndi Hall—State CODIS Administrator & ISPFs Quality Manager
- Darren Wright—ISPFs DNA Technical Leader and DNA Supervisor
- Rylene Nowlin—ISPFs Meridian Lab Manager
- Major Charlie Spencer—ISP Police Services Major
- Jean Fisher—Ada County Prosecutor
- Grant Loeb—Twin Falls County Prosecutor
- Darren Mitchell—Boise City Police Department Detective Sergeant
- Luann Dettman—Executive Director Idaho Council on Domestic Violence and Victim Assistance
- Ransom Bailey—Ada County Judge
- Kelly Miller—Executive Director Idaho Coalition Against Sexual and Domestic Violence
- Cyndee Cook—RN SANE (FACES) Forensic SAFE Team Coordinator in Ada County
- Linda Darby—ER Nurse (Gritman Medical Center--Moscow)
- Jennifer Landhuis—Victim Advocate
- Bea Black—Executive Director Women's and Children's Alliance
- Representative Melissa Wintrow—Idaho Legislature
- Vaughn Killeen—Idaho Sheriffs Association
- Craig Kingsbury—Idaho Chiefs of Police Association (Twin Falls Police Chief)
- Dr. Matt Cox—Ada County Physician (CARES)
- Angela Weeks—Nampa Police Department Detective
- Melissa Nicodemus—RN SANE-Canyon County SAFE Coordinator (Nampa Family Justice Center)
- Toni Lawson—Idaho Hospital Association
- Tammara Tarvin—Idaho Sheriffs Association
- Christy Able—Idaho Industrial Commission (Idaho Victim Compensation)
- Jeff Wilson—Orofino Police Department (OPD Chief)
- Casey Green—Moscow Police Department (University of Idaho)
- Danielle Swerin—Senior Research Analyst, Idaho State Police Statistical Analysis Center
- Dr. Laura King—Associate Professor, Boise State University Department of Criminal Justice
- Danica Comstock—Ada County Public Defender's Office
- Jason Spillman—Idaho Supreme Court
- Annie Pelletier—Idaho Coalition Against Sexual and Domestic Violence
- Candace Bishop—ISPFs IKTS Administrator
- Eric Skoglund—Nampa Police Department Detective
- Curt Crum—Boise Police Department Administrator
- Julia Brotzman—Idaho State Police Grants and Planning
- Kara Thompson—Idaho State Police Grants and Planning
- Karl Noah—Bonneville County Sheriff's Office
- Kathleen Palmer—Idaho Department of Health and Welfare
- Katherine Kerner—St. Lukes Women's Health

# SANE/SART Coordinator:

- Nurse Administrator/Trainer
- Federal Grant Funding
  - ▣ SANE/SART Position for 4 years
  - ▣ Introductory SANE training
  - ▣ Equipment for at least 25 collection centers
- Position at ISPFS
- Support SANE 250 initiative
- Provide ongoing introductory and live exercises
- Coordination of SART programs

# Validations

- Validation of new instrumentation
- DNA mixture analysis and new instruments
- DNA Y-STRs
- Biology Y-screening



# Now and Into the future:

- All turnaround times under 30 days
- New Biology/DNA Examiner
- SANE/SART Coordinator

