



Arizona Sexual Assault Evidence Collection Kit Task Force

MEETING MINUTES

May 16, 2016

1:00 PM

Arizona State Capitol, Executive Tower, Second Floor Conference Room
1700 West Washington Street
Phoenix, Arizona 85007

A general meeting of the Arizona Sexual Assault Evidence Collection Kit Task Force convened on May 16, 2016 at the Arizona State Capitol, Executive Tower, Second Floor Conference Room located at 1700 West Washington Street, Phoenix, Arizona 85007. Notice having been duly given. Present and absent were the following members of the Commission.

Members Present

Bill Montgomery (Co-Chair)	Jesse Delmar (via phone)	Phil Lovas
Frank Milstead (Co-Chair)	Katie Hobbs	Myriah Mhoon
Maria Syms (on behalf of Mark Brnovich)	Jessye Johnson	Sheila Polk (via phone)
Colleen Clase	Todd Larson	Pete Wingert
Christina Corieri	Alan Goodwin (on behalf of Barbara LaWall)	

Members Absent

Kate Brophy McGee	Debbie Lesko
Mark Dannels	Mary Roberts

Staff Present

Courtney Coolidge

A. CALL TO ORDER

Colonel Frank Milstead called the meeting to order at 1:03 p.m.

B. INTRODUCTION OF TASK FORCE MEMBERS

Co-Chairs invited Task Force members to introduce themselves.

C. APPROVAL OF MINUTES

The Task Force approved the April 5, 2016 minutes by unanimous vote.

D. UPDATE ON SURVEY AND BUDGET

Courtney Coolidge provided an update on a survey that was sent out to law enforcement agencies statewide. The goal of the survey is to conduct an inventory of the total number of untested sexual assault kits (SAK) statewide. To date we are awaiting responses from 14 jurisdictions. We will be following up with agencies to get a more detailed inventory of their untested SAKs.

Ms. Coolidge informed the Task Force of the \$500,000 special line item in the general appropriations act, House Bill 2695, to provide funding to the Department of Public Safety (DPS) to test untested SAKs. Additionally, DPS is required to report to the Joint Legislative Budget Committee (JLBC) the number of untested SAKs by jurisdiction.

Sheila Polk let the Task Force know of the willingness of the county attorneys to help in reaching out to the remaining jurisdictions that have not responded to the survey.

E. UPS PRESENTATION: SEXUAL ASSAULT KIT TRACKING

Michael Bencomo and Ruben Leyvas provided an overview of UPS and the company's recent involvement in the field of SAK tracking. Mr. Leyvas gave a brief overview of who UPS is as a company specifically referencing four components of what they do; technology, engineering, supply chain optimization and sustainability. UPS became involved in SAK tracking in Wayne County, Michigan after meeting with the county prosecutor to understand their objectives and how UPS may be able to help. The primary objectives of the Wayne County Prosecutor's Office, as it related to SAKs, was to eliminate the ongoing concern of untested SAKs, provide visibility to appropriate stakeholders on location of the SAK in the process, create accountability of all parties handling SAKs, and ensure all SAKs are tested to better serve and protect Wayne County citizens.

Mr. Leyvas provided an overview of UPS Trackpad Product Suite, the solution that UPS put into place for SAK tracking in Wayne County. The benefits of this product include; accessing SAK status from anywhere, maintaining the chain of custody and accountability, capturing proof of delivery at each change of custody, providing alerts for SAKs not meeting the timeline requirements, and reporting and performance metrics. Mr. Leyvas concluded by emphasizing the solution UPS designed for Wayne County can be expanded statewide and to other jurisdictions to provide for tracking, visibility, reporting and control of all SAK movement.

Representative Lovas asked what Wayne County was doing to track SAKs prior to UPS involvement and the comparisons of this system to the standard UPS package tracking. Mr. Levyas responded that the SAKs were inputted into their evidence tracking system, but they did not have an overarching SAK tracking system. Mr. Bencomo responded that the tracking system put into place is not intended to replace any current functional system that hospitals, police departments or crime laboratory's may have, but instead to overlay a tracking solution on top of those processes to give you the ability to capture where each SAK is in the system.

Maria Syms asked what other law enforcement agencies have used the system and what has the system cost Wayne County. Mr. Levyas stated the cost was approximately \$22,000 last year which included training, installation and a hosted server. He responded that they are currently in discussions with other states to discuss solutions to track their SAKs. Mr. Bencomo mentioned that UPS has worked with a variety of clients including the Department of Defense and Honeywell to come up with customizable solutions based on each agencies business needs.

Todd Larson asked how the system and equipment would be implemented on a statewide level with multiple users in multiple jurisdictions. Mr. Levyas responded that the current solution in Wayne County was structured to be expanded statewide, which they are

currently exploring. The system itself can be accessed from any computer and is set up with user based roles to ensure the integrity of the data.

F. MARICOPA COUNTY EFFORTS

Mr. Montgomery introduced Jon Eliason and provided some background on the similar process that Maricopa County is involved in. Mr. Eliason provided the Task Force with information on conducting an inventory of SAKs based on his experience doing the same process at the county level. Mr. Eliason said it is important to work closely with the agencies to ensure the most accurate data is received. In Maricopa County's experience the initial inventory number you receive can change as you communicate with the jurisdiction.

Mr. Montgomery asked how long it took from the first request until you were confident in the number of SAKs that was reported. Mr. Eliason responded that they were most confident in the inventory number after sitting down with the jurisdiction and working through the information. In some cases that process took a few months and in others almost a year.

Mr. Eliason continued his presentation with an overview of working groups studying each subject area surrounding SAKs including legal issues, medical protocols, victim notification and law enforcement considerations.

Mr. Montgomery asked if they have come to any point of consensus on SAK processing. Mr. Eliason responded that they are still working through that, but in the last year Scottsdale and Mesa have gone to a "test all" approach and Phoenix will be moving that direction beginning July 1, 2016.

Mr. Larson made note to the Task Force that the agencies that have moved to a "test all" approach have the means to test all of their own SAKs, as they each have their own crime lab. This approach may be different for jurisdictions that do not have their own lab. Mr. Montgomery responded that the Task Force should look at how a baseline can be set for agencies that have their own crime lab compared to agencies that use the state lab.

Mr. Eliason touched on the tracking in place in Maricopa County and highlighted the differences between their operations and Wayne County's. He said that from the beginning of the process, Maricopa County is aware of what is coming into the system because Honor Health will invoice the County for the SAKs collected. Every few weeks the county receives an invoice that includes the police department and record number of each SAK collected.

Colonel Milstead asked Sheila Polk if the set up in Maricopa County is similar to that in Yavapai County. Ms. Polk responded that Yavapai County would know the number of SAKs collected because each law enforcement agency has to call if they are doing a SAK since the county attorney is statutorily responsible for paying for the SAK processing.

Mr. Larson noted that there are instances where SAKs are collected in Maricopa County, but could be from a delayed reporting from an individual in another state, in which case Maricopa County would not be billed for that collection.

Mr. Montgomery noted that a state level tracking database would identify the number of SAKs coming out of inventory and the final disposition of each SAK.

Mr. Eliason concluded his presentation by informing the Task Force that Maricopa County has shipped out the first SAKs to laboratories for testing and due to the efforts Scottsdale has received around 10 CODIS hits and Tempe has a sexual assault case that has been filed.

G. SEXUAL ASSAULT KIT PROCESS

Vincent Figarelli touched on a couple topics that arose during discussions from earlier presenters from the DPS Crime Lab perspective. Mr. Figarelli noted that in regards to smaller agencies, there are times when a chief resigns from a police department and DPS assigns an interim chief. During that time DPS conducts an inventory of the agency and from that experience it is important to note that smaller agencies may not have the record management systems in place that larger agencies have.

Mr. Figarelli also noted that the tracking system would be an overlay that would serve as a central repository for all the information for every SAK in the state. When you go back to cases from 10, 15 or 20 years ago it is not readily discernable as to why SAKs were not tested, however, a statewide tracking system would provide immediate access to the disposition of every SAK.

Mr. Figarelli provided a presentation to the Task Force on the process of a law enforcement agency submitting a SAK to a lab for testing. A handout was provided to Task Force outlining the process via a flow chart. Mr. Figarelli noted that even if a SAK is outsourced there are only a couple steps in the process that outsourcing alleviates for the state or municipal lab. The state or municipal lab will determine if there is a CODIS eligible DNA profile to enter into the system. If so, the sample is entered into CODIS. If the sample yields a hit in CODIS the lab will issue a hit report to the law enforcement agency and the law enforcement agency will need to get a sample directly from the subject. Mr. Figarelli noted that one of the largest misconceptions is that database samples can be compared to forensic samples. After the sample is taken, the law enforcement agency submits the known sample to the crime lab for the lab to analyze and issue a report comparing the suspect DNA profile to the SAK profile.

Ms. Polk asked if the lab makes the determination on whether it is eligible to be entered into CODIS. Mr. Figarelli responded that the lab makes the determination that there is enough of a profile to be entered into CODIS, not the eligibility of the crime.

H. TASK FORCE PROGRESS UPDATE

Ms. Coolidge informed the Task Force that provided in the meeting materials is an update outlining the duties of the Executive Order and the presentations and information the Task Force has received to date. Ms. Coolidge encouraged the Task Force members to contact her if there are any upcoming topics or presenters that would be beneficial to the Task Force to hear from.

I. CALL TO THE PUBLIC

Mr. Montgomery gave the call to the public with no responses.

J. ADJOURNMENT

The meeting was adjourned at 2:21 p.m.