

PRESS PACKET

FOR THE PROPOSED SEXUAL ASSAULT KIT EVIDENCE SUBMISSION ACT

**PRESS CONFERENCE WITH
PROSECUTOR WORTHY AND MARISKA HARGITAY**

**Monday, March 10, 2014
11:30 a.m.**

DETROIT RAPE KIT INITIATIVE PRESS PACKET INDEX

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- **Rape Kit photos**
- **2014 photo of warehouse where abandoned rape kits were discovered; now gutted by fire.**
- **Prosecutor Worthy**
- **Mariska Hargitay**

Joyful Heart Information



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Press Release
March 10, 2014
Three Pages

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For Immediate Release

Wayne County Prosecutor Worthy Announces Michigan Sexual Assault Kit Legislation

***Worthy is joined by Actress, Advocate and Joyful Heart Foundation
Founder & President Mariska Hargitay to Discuss Progress
on the Detroit Rape Kit Initiative***

Wayne County Prosecutor Kym L. Worthy is announcing new Sexual Assault Kit legislation today. It provides for the timely analysis of rape kits by prescribing processes and timelines for kit pick-up by law enforcement and testing by crime laboratories. It also establishes boundaries under which a DNA profile can be removed from CODIS and provides greater victim input into kit testing. The ultimate goal of the new legislation is to identify and apprehend sexual assault offenders in a timely manner to stop serial rapists.

Prosecutor Worthy will discuss the necessity of testing all rape kits and will announce updated results from the testing of 1600 of Detroit's backlogged kits. She is joined by actress, advocate and Joyful Heart Foundation founder and president, Mariska Hargitay, whose organization has made ending the rape kit backlog a national priority.

"Through advances in science, DNA has given us a powerful investigative tool to identify and prosecute sexual assault offenders," said Prosecutor Worthy. "The problem of back-logged and abandoned sexual assault kits illustrates the need for the proposed Sexual Assault Kit Evidence Submission Act. This legislation gives transparency and accountability surrounding this issue.

-more-

Law enforcement has a duty to make sure that the important evidence contained in sexual assault kits is handled, tested and analyzed in a timely manner, not only for the sake of the victim, but for the protection of the public.”

Detroit has set a precedent for the rest of the country in attaining standards for rape kit reform, including the city’s commitment to investigate every lead generated from the rape kits and institute comprehensive victim notification for survivors whose cases were impacted by the abandoned kits.

“When I travel across the country to speak out about the rape kit backlog, I tell people to look to Detroit for inspiration for what is possible when a city makes a commitment to end their backlog. By prioritizing rape kit reform, Detroit sends a fundamental and crucial message to victims of sexual violence: You matter. What happened to you matters. Your case matters,” says Mariska Hargitay, Founder and President of the Joyful Heart Foundation. “And to public officials in cities and states across the country, I say to you – if Detroit, against all odds, can solve its rape kit backlog – you can, too.”

Detroit uncovered the abandoned rape kits on August 17, 2009 when representatives from the Wayne County Prosecutor’s Office (WCPO) and the Michigan State Police (MSP) toured a Detroit Police Department (DPD) property storage facility located at 5140 Riopelle Street in Detroit. During that tour, 11,304 sexual assault kits (SAKs), dating back to the 1980’s, were discovered. A preliminary review of these SAKs revealed that the vast majority had never been submitted to either the Detroit Police Crime Lab or Michigan State Police Forensics Lab for DNA analysis.

In 2010, Project 400 tested 400 randomly selected rape kits to give a statistical snapshot of the rape kit problem in Detroit. Based in part upon the results, Prosecutor Worthy initiated a collaborative community partnership to process each of the 11,304 SAKs. The partnership includes: Michigan State University; the Michigan Domestic Violence and Sexual Assault Prevention and Treatment Board; the Wayne County Sexual Assault Forensic Examiners; YWCA Interim House; Michigan State Police Forensic Science Division; the Detroit Police Department; the Prosecuting Attorneys Association of Michigan/ Prosecuting Attorneys Coordination Council and the Joyful Heart Foundation.

Currently, Detroit has tested 1600 kits, 59% of which have had matches in CODIS – the DNA databank – across 24 different jurisdictions, identified 87 serial rapists and convicted 10 rapists.

Rape kits, performed in the aftermath of a sexual assault, contain and preserve evidence from a four-to-six hour examination of the survivor. If a survivor chooses to report her rape to the police, the evidence in the rape kit can be a very powerful tool to bring a perpetrator to justice.

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The timely analysis of rape kit evidence is a core public safety issue. The Sexual Assault Kit Evidence Submission Act will be a collaborative process between prosecution, law enforcement, health care and victims' organizations.

Over the next several months, additional legislation will be introduced on tracking evidence, victims' rights and addressing any potential abandoned kits.

About the NIJ Grant

In April 2011, the WCPO was one of the only two jurisdictions in the country to receive a prestigious 30-month award in the amount of \$1.5 million from the National Institute of Justice to determine the scope of the problem of unsubmitted SAKs and the resources required to begin to correct the problem. There has been little research in this area and few evidence-based "best practices" to help jurisdictions handle the crisis of untested rape kits and to establish policy to avoid any rape kit backlogs in the future. One of the primary goals of the project is to lay foundations and produce strategies to help other jurisdictions timely process untested SAKs in their communities. Titled "National Institute of Justice Sexual Assault Kit Action Research Project" (NIJ SAK ARP), the project commenced in April 2011 and ran through October 2013.

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Proposed Sexual Assault Kit Evidence Submission Act Legislation

The timely analysis of rape kit evidence is a core public safety issue. The Sexual Assault Kit Evidence Submission Act will be a collaborative process between prosecutors, law enforcement, health care and victims' organizations.

As part of the collaborative process, the legislation that will be introduced in March addresses the process for rape kits prospectively. The bill will be available for co-sponsorship in the near future. Specifically, it provides greater victim input into kit testing, prescribes process and timelines for kit pick-up by law enforcement and testing by the lab and establishes boundaries under which a DNA profile can be removed from CODIS. The ultimate goal is to identify and apprehend these offenders in a timely manner to stop serial rapists.

"I am delighted to be working with Speaker Pro-tem John Walsh and Senators Bert Johnson and Rick Jones, on the introduction of this legislation to address how we handle rape kits going forward," said Prosecutor Worthy. "Over the next several months, we will be introducing additional pieces on tracking, victims' rights and addressing any potential abandoned kits, and I hope you will join me in sponsorship and co-sponsorship of these efforts."

The Wayne County Prosecutor's Office would like to acknowledge the contributions of the following partners that have developed this legislation:

- Michigan State University
- Michigan Domestic Violence and Sexual Assault Prevention and Treatment Board
- Wayne County Sexual Assault Forensic Examiners
- YWCA InterimHouse
- Michigan State Police Forensic Science Division
- Detroit Police Department
- Prosecuting Attorneys Association of Michigan
- Michigan Association of Police Chiefs
- Michigan Sheriff's Association
- The Joyful Heart Foundation

SPECIAL ACKNOWLEDGMENTS FOR LEGISLATIVE EDUCATIONAL SEMINAR

Wayne State University Law School

Wayne State University School of Medicine

Fritz Enterprises, Inc.

Huron Valley Steel

Bill Dirksen, UAW

Jimmy Settles, UAW

MARCH 2014

**ANALYSIS OF 1,600 DETROIT RAPE KITS
TESTED THROUGH THE NIJ PROJECT***

455 total CODIS Associations (59% of those kits with a CODIS entry had an association)

26 Forensic Associations

- A “forensic association” means that the DNA profile in the rape kit matches the DNA profile of an unidentified offender in CODIS (i.e. we know that the same individual likely committed both offenses, but we do not yet know the identity of the individual).

87 Forensic and Offender Associations (likely serial offenders)**

- “Forensic and offender associations” mean that the DNA profile in the rape kit matches to both an individual identified in CODIS *and* to other cases in CODIS. So, that person is most likely a serial rapist.

342 Offender Associations

- An “offender association” means that the DNA profile in the rape kit matches the DNA of an individual identified in CODIS (the Combined DNA Index System).

The following States/jurisdictions were involved in hits:

1. Ohio
2. Louisiana
3. Pennsylvania
4. Oregon
5. California
6. Washington DC (federal)
7. Arizona
8. Tennessee
9. Florida
10. Missouri
11. Wisconsin
12. Kentucky
13. Arkansas
14. Illinois
15. Georgia
16. Indiana
17. Minnesota
18. Alabama
19. North Carolina

20. Texas
21. New Mexico
22. Maryland
23. Alaska
24. Michigan

*Four million dollars of funding has been allocated by Governor Richard Snyder, Attorney General Bill Schuette and the State of Michigan to test the 9000 remaining rape kits.

**We have identified an additional dozen or so offenders in our research of offender criminal histories.

Fact Sheet

Michigan Sexual Assault Kit Legislation

Principles

- Timely DNA analysis of rape kit evidence is a core public safety issue affecting men, women and children in the state of Michigan.
- Victims of sexual assault have a strong interest in the investigation and prosecution of their cases, and law enforcement agencies have an obligation to victims of sexual assaults as to the proper handling, retention and timely DNA testing of sexual assault kit evidence as part of their investigation of these types of cases. This legislation encourages DNA analysis of sexual assault kit evidence.
- The Sexual Assault Kit Evidence Submission Act will be a collaborative process between prosecution, law enforcement, health care, and victims' organizations.
- As part of the collaborative process, the legislation to be introduced in March addresses the process for rape kits prospectively. The bill will be available for co-sponsorship in the next week or so. Specifically, it:
 - Provides greater victim input into kit testing
 - Prescribes process and timelines for kit pick up by law enforcement and testing by the lab.
 - Establishes boundaries under which a DNA profile can be removed from CODIS.
- Legislation that will be developed later in 2014 will include:
 - Addressing the rape kit backlog
 - Establishing a tracking mechanism
 - Establishing a funding mechanism
 - Establishing victim notification
- The ultimate goal is to identify and apprehend these offenders as soon as possible to stop serial rapists.

2014 - Detroit Rape Kit Project

Articles & Interviews

January 2014

01/20/2014 – WDIV Interview with Kevin Deitz – *More than 11,000 Untested Rape Kits Found in Abandoned Police Building*

<http://www.clickondetroit.com/news/investigations/more-than-11k-untested-rape-kits-found-in-abandoned-police-building/-/1719314/24019282/-/5jvvlwz/-/index.html>

February 2014

02/19/2014 – Interview with Emily Orley @ BuzzFeed.com

March 2014

03/05/2014 – The Detroit News – 4A – *Worthy lists progress on processing rape kits*

03/05/2014 – reuters.com – *Biden, Holder push to end backlog of unanalyzed rape kits*

03/05/2014 – time.com – *Obama Eyes Funding to Combat Violence Against Women*

03/05/2014 – ap.org – *Biden promotes \$35M proposal to test rape kits*

03/09/2014 – detnews.com – *'Law & Order' actress Hargitay in Detroit Monday to discuss rape kit backlog*

03/10/2014 – The Detroit News – 5A – *Actress Hargitay to push rape kit testing*

03/10/2014 – freep.com – *'Law & Order: SVU' actress Mariska Hargitay in Detroit to discuss rape kit project*

03/10/2014 – freep.com – *'Law & Order: SVU' actress Mariska Hargitay decries delay in rape kit testing*

03/10/2014 – detnews.com – *Wayne Co. Prosecutor Worthy proposes legislation to speed up processing of untested rape kits*

03/10/2014 – WXYZ.com – *Live at 11:30: Wayne County Prosecutor Kym Worthy addresses Detroit Rape Kit project*

03/10/2014 – WXYZ.com – *100 serial rapists identified after rape kits from Detroit Crime Lab are finally processed*

03/10/2014 – WDIV.com – *Actress Hargitay, Wayne County prosecutor to discuss proposed rape kit evidence legislation*

03/10/2014 – WDIV.com – *Mariska Hargitay set to produce documentary I Detroit on rape kit backlog*

03/10/2014 – WDIV.com – Video: Actress Hargitay supports Detroit rape kit project

<http://www.clickondetroit.com/news/uncut-video-actress-hargitay-supports-detroit-rape-kit-project/24901742>

03/10/2014 – myfoxdetroit.com – *Actress Hargitay, Prosecutor Worthy discuss rape kit project*

03/10/2014 – deadlinedetroit.com – *Law & Order's Mariska Hargitay Teams Up With Kym Worthy On Rape-Kit Backlog*

03/10/2014 – mlive.com – *Kym Worthy: Testing small portion of Detroit's 11,000-plus rape kit backlog identified 100 serial rapists*

03/10/2014 – northjersey.com – *Actress Mariska Hargitay supports Detroit rape kit project*

03/10/2014 – salon.com – *Detroit is still fighting to process close to 10,000 untested rape kits*

03/11/2014 – The Detroit Free Press – front page – *Prosecutor Worthy enlists TV star Hargitay to push for rape kit testing*

03/11/2014 – The Detroit News – 6A – *Actress Joins Prosecutor's Initiative – Time limits for processing rape kits urged for state*

03/12/2014 – detnews.com – Editorial – *Rape victims deserve justice*

03/12/2014 – WDIV.com – *Local 4's Carmen Harlan Speaks to Mariska Hargitay*

<http://www.clickondetroit.com/news/local-4s-carmen-harlan-speaks-to-mariska-hargitay-of-law-order-svu/24949784>

03/13/2014 – heraldextra.com – *Actress Hargitay backs Detroit rape kit project*

03/14/2014 – The Detroit Free Press – 11A – Op/Ed – *Untested rape kits a crime in themselves*

03/14/2014 – Speaking Engagement - National Center for Crime Victims Webinar

03/20/2014 – The Detroit Free Press – Op/Ed – *Justice for rape victims must be a priority*

03/20/2014 – The Detroit News – B1 – *Saying no to sexual assaults*

03/27/2014 – buzzfeed.com – *Being Raped in a Bankrupt City*

03/31/2014 – Speaking Engagement – Conference for Crimes Against Women

03/31/2014 – dallasnews.com – *Top officials stand together in Crimes Against Women Forum*

April 2014

04/13/2014 – washingtonpost.com – Op/Ed - *Let's get rape evidence off the shelves and start solving crimes*

04/21/2014 – The Detroit Free Press – front page – *Less than 20% of old rape kits tested*

04/21/2014 – deadlinedetroit.com – *Ridiculous: Less Than 20% of Detroit Rape Kits Tested Out of Thousands Found in 2009*

4/21/2014 – Hometownlife.com (via Google Alerts) – *As Detroit rape kits sit untested, justice for victims is denied*

04/22/2014 – freep.com – *Michigan lawmakers support bill to require prompt testing of rape kits*

04/22/2014 – Recipient of the Professional Impact Award – End Violence Against Women International

May 2014

<http://www.msnbc.com/ronan-farrow/watch/solving-americas-rape-kit-crisis-269640771772>

<http://www.msnbc.com/ronan-farrow/watch/solving-americas-rape-kit-crisis-269640771772>

05/27/2014 – The Detroit News – 6A – *Rape kit testing rules move forward*

June 2014

06/25/2014 – University of Michigan Alumni Magazine - *A Worthy Fight for Justice - Wayne County Prosecutor Kym Worthy, AB '79, partners with key allies to bring overdue justice to rape victims*

06/27/2014 - Detroit Free Press – 4A – *Snyder signs bill to speed up rape kit testing*

06/27/2014 – Detroit News – 4A – *Law sets stricter rules for rape kits*

06/27/2014 – TIME Magazine Interview with Charlotte Alter

06/28/2014 – The New York Times – Editorial – *Rape Evidence Backlog*

July 2014

07/28/2014 – TIME Magazine – *In Hot Pursuit of Cold Cases and Here's What Happens When You Get a Rape Kit Exam*

August 2014

08/02/2014 – The New York Times – *No Longer Ignored, Evidence Solves Rape Cases Years Later*

08/08/2014 – Mother Jones – *GOP Obstructionism Is Holding Up Funds to Catch Rapists*

September 2014

09/16/2014 – Eccentric & Observer – *Worthy praises teamwork on rape kit processing progress*

October 2014

10/21/2014 – Cleveland.com – *Officials from Memphis, Detroit converge in Cleveland to discuss rape kit backlogs*

10/22/2014 – CNN Rape Kits Interview to air in November

10/22/2014 – WXYZ-TV Interview with Heather Catallo

10/23/2014 – Cleveland Plain Dealer – *Cavs owner Dan Gilbert helped foster Detroit's rape kit tracking pilot project*

November 2014

11/03/2014 – WXYZ.com – *Man continued pattern of sex crimes as thousands of Detroit rape kits went untested*

11/20/2014 – legalnews.com – Worthy cause: Prosecutor fights to end rape kit backlog.

Updated 01/08/2015 - BCM

EVIDENCE COLLECTION KIT

PERIOD OF PRESERVATION

The identified biological material shall be preserved for the period of time that any person is incarcerated in connection with that case.



BIOHAZARD

Mich. Stat. Ann. § 770.14(11)
(West 2006)

PATIENT'S NAME	LAW ENFORCEMENT NO.
EXAMINING FACILITY	MEDICAL RECORD NO.
EXAMINING HEALTH CARE PROVIDER (PLEASE PRINT)	LAW ENFORCEMENT AGENCY

Chain of Custody

	DATE	TIME
SEALED BY		
RECEIVED BY		
RECEIVED BY		
RECEIVED BY		
RECEIVED BY		
OPENED BY		

PROVIDED FREE OF CHARGE BY MICHIGAN
DEPARTMENT OF STATE POLICE AND
DEPARTMENT OF MANAGEMENT AND BUDGET.

EVIDENCE COLLECTION KIT

EXPIRATION DATE NOTATION:

THE PRODUCT EXPIRATION DATE APPLIES TO SPECIFIC COMPONENTS ENCLOSED. IF THE EXPIRATION DATE HAS PASSED, PLEASE SEE ENCLOSED FDA INSERT FOR PRODUCT UPDATING INFORMATION

EVIDENCE
SEAL HERE

REORDER NO: RE-2MI
EXP. DATE: MAY 31, 2014

LOT NO: 11870



MI12-2141

EVIDENCE COLLECTION KIT

PERIOD OF PRESERVATION
The identified biological material shall be preserved for the period of time that any person is incarcerated in connection with that case.

BIOHAZARD
Mich. Stat. Ann. § 770.18(1)
(West 2004)

PATIENT'S NAME	LAW ENFORCEMENT NO.
EXAMINING FACILITY	MEDICAL RECORD NO.
EXAMINING HEALTH CARE PROVIDER (PLEASE PRINT)	LAW ENFORCEMENT AGENCY

Chain of Custody

SEALED BY	DATE	TIME
RECEIVED BY	DATE	TIME
OPENED BY	DATE	TIME

PROVIDED FREE OF CHARGE BY MICHIGAN
DEPARTMENT OF STATE POLICE AND
DEPARTMENT OF MANAGEMENT AND BUDGET.

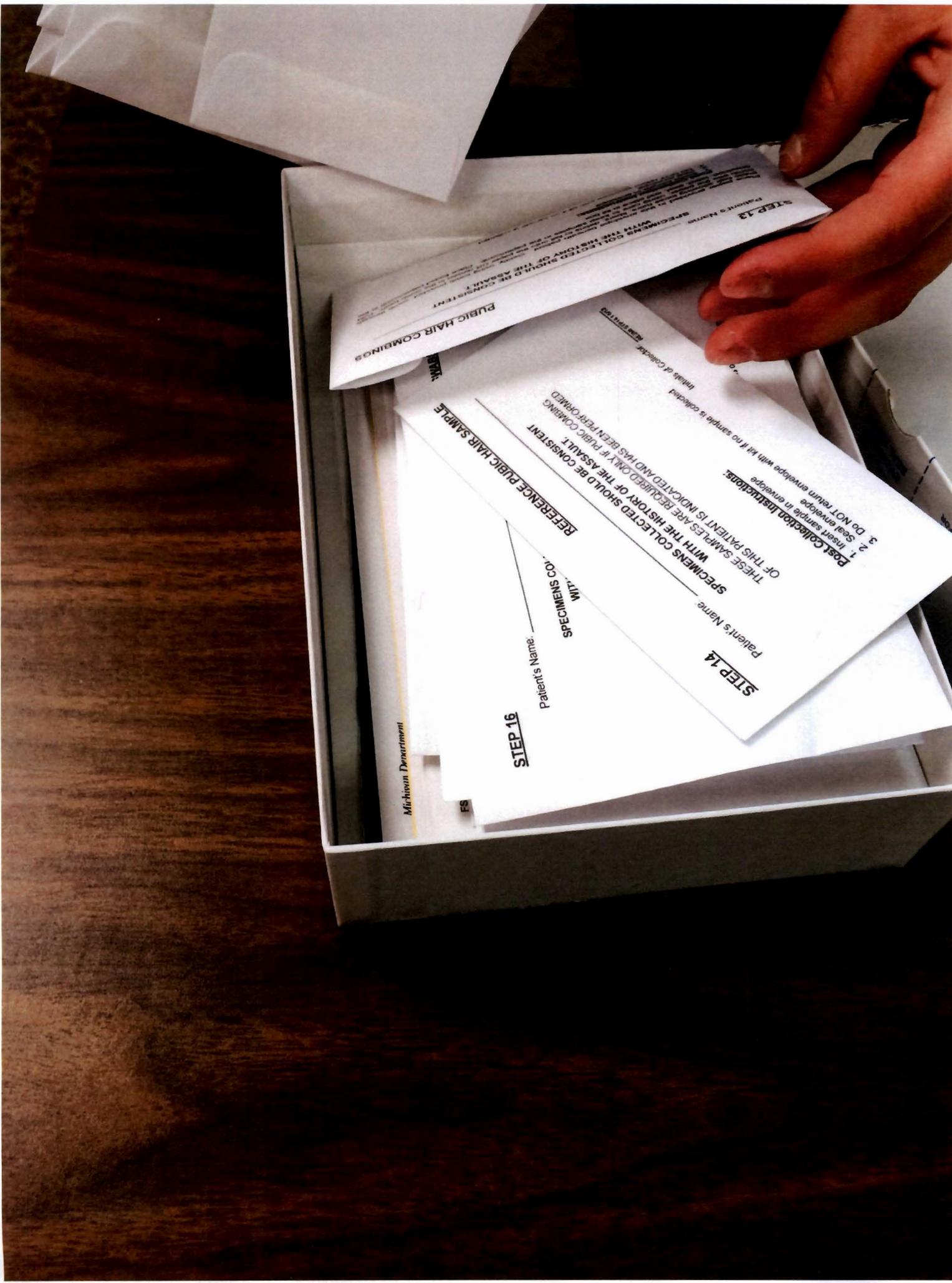
EVIDENCE COLLECTION KIT

REGISTRATION CARD REQUIRED
THIS EVIDENCE COLLECTION KIT IS PROVIDED TO YOU BY THE MICHIGAN DEPARTMENT OF STATE POLICE AND DEPARTMENT OF MANAGEMENT AND BUDGET. IT IS YOUR RESPONSIBILITY TO COMPLETE AND RETURN THIS CARD TO THE MICHIGAN DEPARTMENT OF STATE POLICE AND DEPARTMENT OF MANAGEMENT AND BUDGET.

EVIDENCE SEAL HERE

RECORD NO. 75-200
EXP. DATE JUN 30 2010
LOT NO. 1000000000
M13-1100





STEP 13
 Patient's Name _____
 SPECIMENS COLLECTED SHOULD BE CONSISTENT WITH THE HISTORY OF THE ASSAULT.
 Initials of Collector _____

STEP 14
 Patient's Name _____
 SPECIMENS COLLECTED SHOULD BE CONSISTENT WITH THE HISTORY OF THE ASSAULT.
 REFERENCE PUBLIC HAIR SAMPLE
 Initials of Collector _____
 Patient's Name _____
 SPECIMENS COLLECTED SHOULD BE CONSISTENT WITH THE HISTORY OF THE ASSAULT.
 REFERENCE PUBLIC HAIR SAMPLE

Post Collection Instructions:
 THESE SAMPLES ARE REQUIRED ONLY IF PUBIC COMBING OF THIS PATIENT IS INDICATED AND HAS BEEN PERFORMED.
 3. Do NOT return envelope with kit if no sample is collected.
 2. Seal envelope in envelope.
 1. Do NOT return envelope with kit if no sample is collected.

Michigan Department

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About the Joyful Heart Foundation

Inspired by her role on *Law & Order: Special Victims Unit*, Mariska Hargitay founded the Joyful Heart Foundation in 2004 to help survivors heal and reclaim their lives. Today, its mission is to heal, educate and empower survivors of sexual assault, domestic violence and child abuse, and to shed light into the darkness that surrounds these issues. Joyful Heart carries out its mission in three ways: Healing & Wellness, Education & Awareness and Policy & Advocacy. Since its inception, Joyful Heart has served nearly 13,900 survivors and healing professionals, connected over 2 million visitors on its website and social media to resources and life-saving help, garnered more than one billion media impressions about its issues and work, and effected policy changes in jurisdictions from New York to California.

The cornerstone of the Joyful Heart Foundation's Policy & Advocacy work is a focus on sexual violence response and ending the backlog of untested rape kits. Through its ENDTHEBACKLOG program, the organization conducts groundbreaking research to identify the extent of the nation's backlog and best practices for eliminating it, expands the national dialogue on rape kit testing through increased public awareness, and advocates for comprehensive rape kit reform legislation and policies at the local, state and federal levels.

For more information, visit www.joyfulheartfoundation.org and www.endthebacklog.org.

