



## Unsubmitted Sexual Assault Kits (SAKs): Changing What We Know About Rape

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### What started the process of testing the backlogged SAKs in Cuyahoga County?

- 2009: Serial murder and rapist, Anthony Sowell
  - Commission to examine police practice regarding missing persons and rape cases (best practices, recommendations)
- 2010ish: Cleveland Plain Dealer reporters pressured CPD to inventory

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### What started the process of testing the backlogged SAKs in Cuyahoga County?

- Mid-2011: CPD completed inventory, began to submit SAKs for testing in small batches
- 2011: OH Attorney General agreed to pay for testing
- 2013: SAK Task Force formed by Cuyahoga County Prosecutor, Timothy J. McGinty

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## Composition of Cuyahoga County Sexual Assault Kit Task Force

- Cuyahoga County Prosecutor's Office (CCPO) (lead), Cleveland Police Department, Bureau of Criminal Investigation, Cuy. Co. Sherriff's Dept., and Cleveland Rape Crisis Center

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## Composition of Cuyahoga County Sexual Assault Kit Task Force

- Composition of Task Force
  - Project Manager: 1 FTE
  - Lead Investigator: 1 FTE
  - Investigators: 18 FTE, 3 PTE
  - System-Based Victim Advocates: 3 FTE
  - Assistant Prosecuting Attorneys: 6 FTE

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## By the Numbers

Cuyahoga County (1993-2009): 4,971

4,392 from Cleveland (1993-2009)

579 from suburbs (1980-2013)

+ 1,867 had some previous testing

~6,838 SAKs

Cleveland (pre-1993): > 4,000+



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## Sexual Assault Kit Task Force: Successes (as of 10/25/16)

- About a third of the way thru the process
- 2,450 completed investigations
- 446 indictments leading to 536 unique defendants for 588 victims/SAKs



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## Need for Data

- We thought we knew as prosecutors what we were seeing, but, then again, it was all anecdotal.
- Someone else should be looking at the data with unfettered access - research what fields of data they should be collecting.
- This “coding” is something best left to them to determine after speaking with taskforce members in the trenches.
- So....

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## Who are we? Why are we here?

- The Begun Center
- Role of research in the Cuyahoga County SAK Task Force



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## Research Project

- Pilot Research Project (3/15-3/16, CCPO funded)
  - Coded 243 SAKs that resulted in indictment OR closed due to insufficient evidence
  - Access thru electronic management system (police and investigative reports, criminal histories of victim and offender, lab reports)

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## Action Research

- AKA Participatory Action Research
- “Subjects”/partners participate in and have input in the research process
- Continual feedback loop
- End result: quicker, practical applications



<http://www.nij.gov/unsubmittedkits/Pages/default.aspx>

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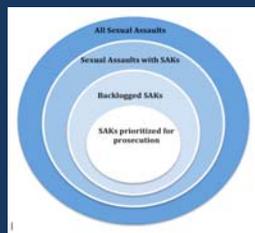
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## Generalizability of the Findings

- Only based on SAKs prioritized for prosecution
- 75% of sexual assaults occurred between 1993 and 1997
- Criminal histories only for known offenders
- Only based on official documentation



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## Begun Center White Papers

1. Describing the Task Force Process
2. Data/Methods
3. Victims
4. Serial vs. One-Time Offenders
5. Patterns of Sexual Offending
6. Then vs. Now
7. Cost Effectiveness



<http://begun.case.edu/sak/>

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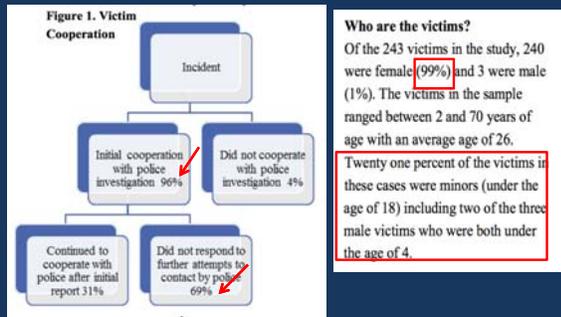
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## How is the research useful? How using to inform practice? .... Victims




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## Demographics: Offenders and Victims

**Demographics**

All of offenders in our sample were male and all but three of the victims in our sample were females. The average age of the offenders in our sample was 29 (ranging from 14 to 56) and the average age of the victims in our sample was 26 (ranging from 2 to 70). The majority of the offenders in our sample were African-American/Black (86.8%), 11.5% were Caucasian/White, and 1.6% were Hispanic/Latino. Nearly 70% of the victims were African-American/Black, 27% were Caucasian/White, and the remaining 3% were Hispanic/Latina.

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## Serial Sex Offenders

Two or more  
linked SAKs  
OR  
SAK and felony  
\*arrest\* for rape  
in criminal history

*This initiative illustrates that when all SAKs are tested and cases are thoroughly investigated and prosecuted, there is potential to greatly reduce the number of future offenses across the country.*

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## Criminal Histories of Serial and One-Time\* Sex Offenders

**Table 1. Criminal History of Offenders, Prior and Subsequent to the Associated SAK Sexual Assault, by Type of Offense\***

Type of Offense	Prior		Subsequent	
	Serial Percent (n=111)	One-Time Percent (n=55)	Serial Percent (n=111)	One-Time Percent (n=55)
Murder	4.5	---	4.5	3.6
Sexual Assault	16.2	---	57.7	---
Felony Assault	23.4***	5.5	32.4	45.5
Robbery	14.4	10.9	29.7	25.5
Burglary	19.8	14.5	22.5	20.0
Larceny/Theft	22.5*	9.1	16.2	14.5
Motor Vehicle Theft	15.3**	1.8	9.0	16.4
Arson	---	---	2.7	---
Felony Drug	26.1	20.0	39.6	45.5
Domestic Violence	10.8	12.7	27.3	34.5
At Least One Offense	70.3*	50.9	86.4	78.2
Mean Number of Offenses	1.53***	0.75	2.40	2.05

\*A total of 113 unique offenders corresponding to 166 sexual assaults. Criminal histories were only available for known offenders.  
\*\*\*p<.001, \*\*p<.01, \*p<.05

\*that we know of

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## Locations of Attacks

**Table 2. Locations Where Sexual Assaults Occurred for Serial and One-Time Sex Offenders\***

Type of Location	Serial Sex Offender Percent (n=121)	One-Time Sex Offender Percent (n=113)
In a vehicle	32.2**	16.8
Outdoors/In a Vehicle	20.7	14.2
Garage	4.1	0.9
Victim's residence	21.5	23.0
Suspect's residence	7.4**	20.4
Third party residence	9.9	18.6
Unknown	2.4	5.0
All other	4.1	6.2
Total	100.0%	100.0%

\*N=227; percentages based on non-missing data

\*\*p<.01

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## Serials: Relationship Crossover

### *Relationship Crossover*

For the 30 serial offenders, 50% only assaulted strangers, 33.3% assaulted strangers and non-strangers (casual/recent acquaintance or former/current intimate partner, also known as “relationship crossover” offenders), the remaining offenders, 16.7%, only assaulted non-strangers.

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## Serials: Same MO for Location

### *Type of Location*

We examined whether these 30 serial offenders committed the 85 offenses in similar locations—57.1% of these 30 serial offenders committed all of their offenses in the same type of location—indoors (i.e., house or hotel), outdoors (i.e., outside or in a vehicle), or in a building (i.e., garage, university, commercial building); 14.2% committed the offense in the same location the majority of the time; and 28.6% committed half of their offenses in the same type of location.

For the serial offenders who committed the most number of assaults (4+ sexual assaults, n=7), out of the 32 assaults, 30 were outdoors.

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## Serial Offenders: Time Between Assaults

We examined the age span for these serial offenders and found that mean number of years between their first and last sexual assault was 4.76 years (Min=0, Max=19). However, 35% are within a year or less.

The offender with the most number of sexual assaults that we coded (n=6) was 47 years old at the first and 56 years old at the last sexual assault. Another offender was young when committing both of his known sexual assaults—15 and 16.

Considering the truncated time period for most of the sexual assaults (e.g., 1993-1997), these findings suggested that our data are, perhaps, only capturing a portion of their offending.

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## Serials vs. One-Time Sex Offenders: Informing Practice

- Serial offenders: **(scarily) common**
- (Some) differences in criminal histories
- Differences in relationship with victim
  - Relationship crossover
- (Some) differences in *modus operandi*
- *Does not always adhere to a MO*

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## All Offenders: Patterns of Offending

Sexual assaults that involved:

- Kidnapping
- Strangers
- Multiple offenders
- Captivity




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## MOs: Multiple Offender Sexual Assaults

Table 5. Characteristics of Sexual Assaults that Involved Multiple Offenders vs. Single Offenders

	Multiple Offenders* (n=42)	Single Offenders* (n=201)
<b>Weapon</b>		
% firearm used to threaten victim	33.3 <sup>†</sup>	16.7
<b>Location</b>		
% site of contact, site of assault, site of release the same	27.0 <sup>†</sup>	44.7
% involved a vehicle	37.5 <sup>**</sup>	22.6
% third party residence	26.2 <sup>†</sup>	11.5
% victim's residence	2.4 <sup>†</sup>	26.6
<b>Means of Approach</b>		
% forced in vehicle	25.0 <sup>†</sup>	5.4

\* Percentages are based on non-missing data.  
<sup>†</sup> Denotes statistically significant differences, Pearson Chi-square  
<sup>\*\*</sup> p < .001

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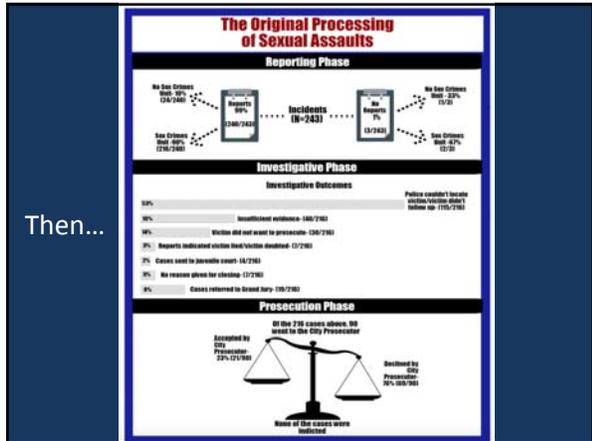
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Then...

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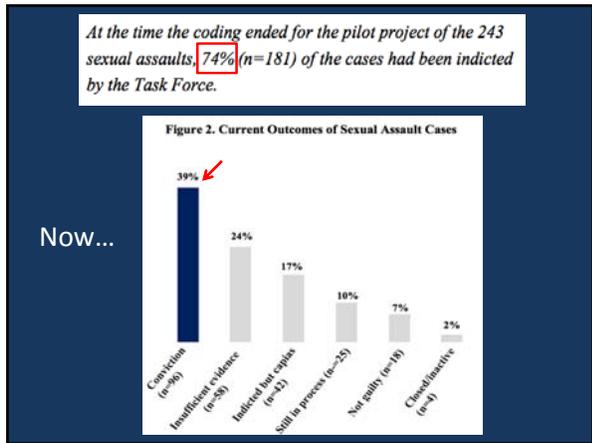
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Now...

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- ### Informing Practice: Then vs. Now
- Speaks to past gaps in the system – work around with the City Prosecutor; two sets of eyes
  - Speaks to the need for additional training and resources
  - Speaks to the need to reinvestigate all cases
  - Speaks to need for victim advocates to be part of the process

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## Now: Closing Cases and Victim “Vulnerabilities”

Figure 3. Now: Likely Reasons why SAKs Were Closed Due to Insufficient Evidence




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## Now: Victim “Vulnerabilities” and Disposition

Prosecutorial Outcomes	Victim had documented history of prostitution, drug/alcohol use, or mental illness		
	No (n=182)	Yes (n=56)	Total*
Not convicted	8% (n=3 of 182)	5% (n=3 of 56)	8% (n=18 of 238)
Convicted (plea, guilty verdict)	40% (n=73 of 182)	38% (n=21 of 56)	40% (n=94 of 238)
Still in process	12% (n=21 of 182)	5% (n=3 of 56)	10% (n=24 of 238)
Closed/Inactive	2% (n=3 of 182)	2% (n=1 of 56)	2% (n=4 of 238)
Insufficient evidence	21% (n=39 of 182)	30% (n=17 of 56)	24% (n=56 of 238)

\*Total is 238; 5 cases have missing values

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## Prosecution: Informing Practice

- Provided greater knowledge about the victims
- Provided independent assessment into the “black box” of prosecution

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## Prosecution: Informing Practice

- Findings: more “vulnerable” victims not less likely to get a conviction
  - Speaks to usefulness of having a check and balance system, two sets eyes
  - Says to prosecutors that even with “vulnerabilities,” can still get a conviction
  - Shift focus from victim to offender

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## Cost Savings Analysis

- \$ victims: **\$885.8 million**
- \$ testing and investigating: **\$9.6 million**
- \$ future offenses averted: **\$48.3 million**
- Total savings: **\$38.7 million**
- Total savings p/ SAK: **\$8,893**



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## Cost Savings: Informing Practice

- SAK Initiative is the right thing to do....and saves community money
- Cost to victims is miniscule compared to the cost to test AND investigate the cases
- Savings comes from the investigation and prosecution of offenders

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## Social Justice Implications: Forgotten Victims and Missed Opportunities

- Kits are a symptoms of much larger issue
- Systemic victimization
  - Gender biased in entire criminal justice system
  - (Lack of) victim-centeredness
- Prevent future offenses and hold offenders accountable

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## Next Steps

- Next Steps for Cuyahoga County
  - “Phase Two”: approx. 4,000+ pre 1993 SAKs in Cleveland Police storage
- Next Steps for the Project
  - BJA SAKI funds
    - Process evaluation
    - Code more cases, different cases

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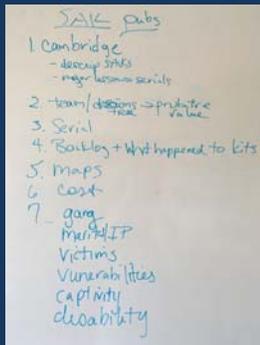
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## Future Research Possibilities



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